MINUTES

Ordinary Meeting of Council

Wednesday, 24 January 2018, 6.00pm
<table>
<thead>
<tr>
<th>ITEM NO</th>
<th>SUBJECT</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>NYOONGAR ACKNOWLEDGEMENT STATEMENT</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>IN ATTENDANCE</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>APOLOGIES</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>LEAVE OF ABSENCE</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>DISCLOSURES OF INTEREST BY MEMBERS</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>PUBLIC QUESTION TIME</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>APPLICATIONS FOR LEAVE OF ABSENCE</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>PETITIONS / DEPUTATIONS / PRESENTATIONS</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>CONFIRMATION OF MINUTES</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>ANNOUNCEMENTS BY THE MAYOR</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>TABLED DOCUMENTS</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>LATE ITEMS NOTED</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>COMMITTEE REPORTS</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>PLANNING COMMITTEE 10 JANUARY 2018</td>
<td>9</td>
</tr>
<tr>
<td>PC1801-8</td>
<td>HERITAGE REVIEW FOR THE FREMANTLE AREA AND SELECTED AREAS OF WHITE GUM</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>VALLEY AND BEACONSFIELD - FINAL ADOPTION</td>
<td></td>
</tr>
<tr>
<td>PC1801-9</td>
<td>SUBMISSION ON REVISED DRAFT STATE PLANNING POLICY 4.1 INDUSTRIAL INTERFACE</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>FINANCE, POLICY, OPERATIONS AND LEGISLATION COMMITTEE 17</td>
<td>37</td>
</tr>
<tr>
<td></td>
<td>JANUARY 2018</td>
<td></td>
</tr>
<tr>
<td>FPOL1801-1</td>
<td>APPROVAL TO ADVERTISE PROPOSED PRECINCTS POLICY</td>
<td>37</td>
</tr>
<tr>
<td>FPOL1801-2</td>
<td>AMENDMENT OF ELECTORAL ACTIVITIES AND SIGNAGE POLICY</td>
<td>49</td>
</tr>
<tr>
<td>FPOL1801-3</td>
<td>ADOPTION OF ANNUAL REPORT AND SETTING OF DATE FOR ELECTORS GENERAL MEETING</td>
<td>58</td>
</tr>
<tr>
<td>FPOL1801-4</td>
<td>WITHDRAWAL OF COF CAVEAT - 4 SUFFOLK STREET, FREMANTLE</td>
<td>63</td>
</tr>
<tr>
<td><strong>MOTIONS OF WHICH NOTICE HAS BEEN GIVEN</strong></td>
<td></td>
<td>66</td>
</tr>
<tr>
<td><strong>REPORTS BY THE MAYOR OR OFFICERS OF COUNCIL</strong></td>
<td></td>
<td>67</td>
</tr>
<tr>
<td><strong>STATUTORY COUNCIL ITEMS</strong></td>
<td></td>
<td>67</td>
</tr>
<tr>
<td>C1801-1</td>
<td>MONTHLY FINANCIAL REPORT - DECEMBER 2017</td>
<td>67</td>
</tr>
<tr>
<td><strong>COUNCIL ITEMS</strong></td>
<td></td>
<td>78</td>
</tr>
<tr>
<td>C1801-2</td>
<td>TERMS OF REFERENCE OF THE NEW STRATEGIC PLANNING AND TRANSPORT COMMITTEE</td>
<td>78</td>
</tr>
<tr>
<td><strong>LATE ITEM</strong></td>
<td></td>
<td>87</td>
</tr>
<tr>
<td>C1801-3</td>
<td>DEFERRED ITEM - SOUTHERN METROPOLITAN REGIONAL COUNCIL (SMRC) AMENDED BUSINESS PLAN (8 SEPTEMBER 2017)</td>
<td>87</td>
</tr>
<tr>
<td><strong>CONFIDENTIAL MATTERS</strong></td>
<td></td>
<td>90</td>
</tr>
<tr>
<td>FPOL1801-5</td>
<td>KNUTSFORD STREET DEPOT SITE REDEVELOPMENT</td>
<td>91</td>
</tr>
<tr>
<td><strong>CLOSURE OF MEETING</strong></td>
<td></td>
<td>96</td>
</tr>
</tbody>
</table>
ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held in the North Fremantle Community Hall
on 24 January 2018 at 6.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
The Chief Executive Officer, Philip St John declared the meeting open at 6.00 pm in the delayed attendance of the Mayor and Deputy Mayor and called for a nomination from Councillors to chair the meeting until the Mayor or Deputy Mayor arrives.

Cr Jon Strachan nominated to chair the meeting, as there were no other nominations Cr Strachan took the chair and welcomed councillors, staff and members of the public to the meeting.

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."

IN ATTENDANCE
Dr Brad Pettitt Mayor (entered at 6.10pm)
Cr Ingrid Waltham Deputy Mayor / East Ward (entered at 6.10pm)
Cr Jenny Archibald East Ward
Cr Doug Thompson North Ward
Cr Bryn Jones North Ward (entered at 6.01pm)
Cr Rachel Pemberton City Ward
Cr Adin Lang City Ward
Cr Jeff McDonald Hilton Ward
Cr Jon Strachan South Ward
Cr David Hume Beaconsfield Ward
Cr Hannah Fitzhardinge Beaconsfield Ward

Mr Philip St John Chief Executive Officer
Mr Glen Dougall Director City Business
Ms Fiona Hodges Director Community Development
Mr Paul Trotman Director Strategic Planning and Projects
Mr Graham Tattersall Director Infrastructure and Project Delivery
Ms Charlie Clarke Manager Governance
Ms Kate Leaver Communications Officer
Ms Helen Bliss Governance Officer
Ms Melody Foster Minute Secretary
There were approximately 11 members of the public and 1 member of the press in attendance.

APOLOGIES

Nil

LEAVE OF ABSENCE

Cr Sam Wainwright

DISCLOSURES OF INTEREST BY MEMBERS

Cr Adin Lang declared a financial interest in item number FPOL1801-5, as his employer (Landcare Australia) has business dealings with Landcorp.

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions by Julie Murphy were taken on notice at the Ordinary Meeting of Council held on 13 December 2017.

Summary of question:

1. Why does the Fremantle Council appear to be basing its recommendation for a ‘safe crossing at Hampton Road’ on less than 100 peoples ‘opinions’ (ie those 95 respondents who preferred Option 1)?

City of Fremantle response:

The City of Fremantle’s community engagement for the proposed options to improve pedestrian safety, at the intersection of Hampton Road and Scott Street, was open for 3 weeks during October 2017.

Over the duration of the engagement period the Safe Crossing on Hampton Road page on the Mysay Freo website attracted 448 visitors. A total of 127 surveys logged through Mysay Freo and a further 20 physical surveys were recorded following the community information session at the meeting place on 2 November 2017.

The results show there was most support for option 1 (65%); 15% preferred option 2, and 20% did not think any of the options presented were suitable for making the crossing safer.

Further to this, Officers have consulted with the Children Crossing Unit, WA Police, Main Roads WA and Beaconsfield Primary School about the relocation of the existing guarded crossing - all supported the proposed relocation of the guarded school crossing (option 1) in order to improve the safety of the crossing.
Summary of question:

2. Why is Fremantle Council ignoring the fact that Hampton Road is classified by Main Roads as a “Distributor A” road and as such should have signalised pedestrian crossings?

City of Fremantle response:

The City is aware that Hampton Road is a distributor road; this set the context for the options discussed with Main Roads Western Australia previously.

Whilst the road is under the care of the City, the City would still need to seek approval from Main Roads Western Australia for the installation of any signals. The City has evaluated options and it is clear that under Main Roads Western Australia warrant criteria, the number of pedestrians using the crossing point is insufficient to justify a signalised crossing.

Summary of question:

3. Why is Fremantle Council not basing its decision making on WA Department of Transports Pedestrian Guidelines that show signalised pedestrian crossing is the recommended treatment for an arterial road such as Hampton Road?

City of Fremantle response:

The department of Transport provides guidelines for Planning and Designing for Pedestrians, these are developed into Standards by Main Roads Western Australia for implementation.

The City has complied with the Standards as set out by Main Roads Western Australia who is the governing body for approval and installation to regulatory standards in Western Australia.

It should be noted that within the Department of Transport Planning and Designing for Pedestrians: Guidelines, the appropriate location of zebra and signalised pedestrian crossings is important and that the location should have a regular occurrence of pedestrians crossing.

“Pedestrian crossing facilities where motorists give way to pedestrians (pedestrian priority) require motorists to be aware of pedestrian activity and to drive with an expectation to stop at a marked or signalised crossing. Crossings which are irregularly used by pedestrians can present a risk, as motorists become accustomed to driving through the facilities without stopping, no longer expecting a pedestrian to cross. For this reason, pedestrian crossing warrants consider the number of pedestrians trying to cross a road in a regular period.”

Planning and Designing for Pedestrians: Guidelines (Version 6 - 01/12/2016)
9. Pedestrian Crossing Facilities
Pg. 135
City of Fremantle survey numbers for pedestrian crossing numbers show that outside of school start and end peak times, the number of pedestrians crossing Hampton Road dropped off significantly. This data showed an infrequently used crossing point unsuitable for a pedestrian priority crossing location.

**Summary of question:**

4. *Did Fremantle Council use current accurate data on traffic and pedestrians when it formulated its proposed recommendation? If so, can these be released to the public? If not why?*

**City of Fremantle response:**

The City has used historic traffic data for vehicle volumes which shows daily volumes on Hampton Road. The City also conducted a separate exercise to measure pedestrian volumes at the guarded school crossing and in the vicinity. The data produced was enough to confirm that a signalised pedestrian crossing would not meet the required criteria under Main Roads Western Australia standards.

<table>
<thead>
<tr>
<th>Pedestrian crossings at and near the crossing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date/Time</td>
</tr>
<tr>
<td>Count</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vehicle Counts for Hampton Rd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date/Time</td>
</tr>
<tr>
<td>Count</td>
</tr>
<tr>
<td>Date/Time</td>
</tr>
<tr>
<td>Count</td>
</tr>
</tbody>
</table>

### 9.2.1 MRWA Mid-block Crossing Warrants

**Zebra and Wombat Crossing Warrant**

A zebra crossing may be considered if in two separate hours on an average weekday:

- The number of pedestrians crossing in close proximity of the site (generally within 30 m) exceeds 60 per hour
- The number of vehicles exceeds 600 per hour (total both directions)
- The product of the number of pedestrians crossing and vehicles passing the site exceeds 90,000 in the same hour
Summary of question:

5. If accurate, current traffic and pedestrian data is not available for Hampton Road, will Fremantle Council commission the collection of such data?

City of Fremantle response:

See question 8 below.

Summary of question:

6. Why is Fremantle Council ignoring its own published Transport Strategy and Priorities of ‘pedestrians first, private vehicles last’ for Hampton Road?

City of Fremantle response:

Whilst the City of Fremantle is of course committed to its Transport Strategies, the City’s approach in administering the priorities has to be balanced with a level of functional and practical implementation. Hampton Road is a Distributor Road as well as a bus priority corridor, with plans to make future improvements for public transport. The City of Fremantle also supports public transport as a priority transport mode.

Summary of question:

7. If Council endorses the current recommendation, will it publish an update its Integrated Transport Strategy and priorities to reflect that these priorities do not apply for major roads such as Hampton Road and publish the full list of all roads in Fremantle where this strategy does not apply?

City of Fremantle response:

The City currently has no plans to update the Integrated Transport Strategy in the near future; however, the City may consider developing additional guidelines to assist the community in better understanding the context and necessary considerations required in the assessment and implementation of the strategy.

Summary of question:

8. If Fremantle Council rejects the recommendation before it, will it commission a new review based on accurate, comprehensive data in accordance with published Standards and Guidelines for pedestrian safety, to make as informed decision that is in appropriate for Hampton Road?
City of Fremantle response:

As you may be aware this item was deferred at council on 13 December 2017. Council have directed officers to formally pursue an application with Main Roads Western Australia for the installation of a signalised crossing at Scott Street and Hampton Road intersection.

This application will require additional feasibility and design work as well as modelling the proposal which the City will now progress to facilitate.

PUBLIC QUESTION TIME

Nick Eustance spoke in relation to item FPOL1801-1 and C1801-2.

Amanda Bracewell spoke in relation to a petition that was submitted to Council for an extension of the dog off lead area at Leighton Beach. She spoke in support of extending the dog beach at Leighton and noted that it was previously approved by Council and implemented, however it was removed. Ms Bracewell asked that Council reinstate the extension of the dog beach at Leighton for a trial period being until the end of winter 2018.

At 6.08pm Cr Ingrid Waltham entered the meeting.

Cr Jon Strachan noted that Ms Bracewell’s comments will be taken on notice.

At 6.09 pm the Deputy Mayor, Ingrid Waltham assumed the chair.

Alvaro Hvertas spoke about community engagement in relation to the change of format to the One Day celebration and the fireworks, and asked why there was no community engagement on these events. Mr Hvertas also spoke about the wheelchair access at South Beach and asked if the Council could consider improving the wheelchair access to the water by installing a ramp.

At 6.10pm Mayor, Brad Pettitt entered the meeting.

Deputy Mayor, Ingrid Waltham responded to Mr Hvertas comments in relation to community engagement and explained the various different types of community engagement the City undertakes and noted that his first point of contact for any issues or concerns he may have, should be his Ward Councillor. The Deputy Mayor also noted that Mr Hvertas comments in relation to wheelchair access at South Beach will be taken on notice.

At 6.15 pm the Mayor, Brad Pettitt assumed the chair.

Adrian Glamorgan from the Mayor’s for Peace Activation Team spoke about the Peace Boat and its visit to Fremantle. He noted there are two events being held, the first being a welcome event today at the B-Shed in Fremantle Harbour and also a forum at Notre Dame University on Thursday. He also thanked Fremantle and the Mayor for their support and involvement in the Peace Boat’s visit.
APPLICATIONS FOR LEAVE OF ABSENCE

Nil

PETITIONS / DEPUTATIONS / PRESENTATIONS

Cr Jon Strachan noted his attendance at the opening of the Etchells national championship yacht race held at the Royal Perth Yacht Club on the 8 January 2018.

Cr Doug Thompson noted the significance of the meeting being the first Council meeting held in North Fremantle since 1961, and shared some of North Fremantle’s history. He also acknowledged the councillors past and present for their contribution to the history of North Fremantle.

CONFIRMATION OF MINUTES

MOVED: Mayor, Brad Pettitt

That the minutes of the Ordinary Meeting of Council dated 13 December 2018 be confirmed as a true and accurate record.

SECONDED: Cr D Hume

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>

ANNOUNCEMENTS BY THE MAYOR

Nil

QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS

Nil
TABLED DOCUMENTS

Nil

LATE ITEMS NOTED

C1801-3    Deferred Item - Southern Metropolitan Regional Council (SMRC) Amended Business Plan (8 September 2017)
COMMITTEE REPORTS

PLANNING COMMITTEE 10 JANUARY 2018

Cr Jon Strachan MOVED en bloc recommendations numbered PC1801-8 and PC1801-9.

SECONDED: Cr D Hume

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
SUMMARY

In August 2017, Council adopted for public comment the recommended modifications to the Heritage List and Municipal Heritage Inventory as detailed in the ‘Heritage Review for the Fremantle area and selected areas of White Gum Valley and Beaconsfield’. Consultation with owners and occupiers of places subject to the heritage review was undertaken between 30 September and 17 November 2017 (49 days).

At the end of the community engagement period, the City had received 30 submissions from owners and occupiers of places subject to the review. 24 of these submissions were from owners and occupiers of the proposed new Fremantle heritage area and six were from owners and occupiers of individually listed properties proposed for addition, alteration or retention on the Heritage list and/or Municipal Heritage Inventory.

Following review of comments made in the submissions received, planning and heritage officers recommend:

- A reduction to the boundary of the proposed heritage area to be more in keeping with the stated heritage significance of the area.
- No changes to the individual heritage listings and Municipal Heritage Inventory.

During the community engagement period, the City was also asked by the two owners outside the review area to either add or remove their place from the Heritage List and Municipal Heritage Inventory. These requests are supported by officers and relate to:

- Inclusion of 17 Daly Street, South Fremantle to the Heritage List and Municipal Heritage Inventory as a management category level 3.
- Removal of 162 High Street, Fremantle from the heritage list, and amendment of the Municipal Heritage Inventory from a management category level 3 to Historical Record Only.

Council approval of the changes to the Heritage List and Municipal Heritage Inventory presented in this report is sought.
BACKGROUND

Clause 45 of the *Heritage of Western Australia Act 1990* (‘the Heritage Act’) requires that each local government compile and maintain an inventory of buildings within its district which are of cultural heritage significance, and that this be periodically updated and reviewed.

Clause 8 of the Schedule 2 ‘Deemed Provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* (‘the Regulations’) further requires that a local government must establish and maintain a heritage list to identify places within the Scheme area that are of cultural heritage significance and worthy of conservation. Clause 9 of the Regulations goes on to make provision for the designation and protection of heritage areas.

The City adopted its Municipal Heritage Inventory in September 2000 and its Heritage List in 2007, and has been reviewing these by area via a rolling programme.

In August 2017, council considered an independent consultant’s report reviewing the Heritage List (HL) and Municipal Heritage Inventory (MHI) for the Fremantle area and selected areas of White Gum Valley and Beaconsfield. The report reviewed 69 places on the list (108 properties) and recommended:

1. A new heritage area over the area illustrated in Figure 1 below.
2. The addition of 23 places onto the HL and MHI as a management category level 3.
3. Inclusion of 25 places onto the MHI as a Historical Record Only [not heritage listed].
4. Retention of 16 places on the HL and MHI as a management category level 3.
5. Removal of four properties from the HL and amendment of the MHI management category from level 3 to Historical Record only.
6. Removal of 38 Curedale Street (which includes 40 properties on Curedale Street and Howell Vista from a recent subdivision of one lot) from the HL and amendment of the MHI management category from level 2 to Historical Record only.
7. Retention of one property on the HL and amendment of the MHI management category from level 2 to level 3.

![Figure 1. Heritage review - Proposed Fremantle Heritage Area](image)

For additional background on the heritage review and the requirements for assessing a heritage place or area, refer to the previous adoption of the heritage review report (PSC PC1708-8) in the 23 August 2017 Ordinary Meeting of Council minutes.
CONSULTATION

Consultation with owners and occupiers of places subject to the heritage review and the broader community was undertaken between 30 September and 17 November 2017 (49 days).

Community engagement was undertaken in accordance with the requirements of the Heritage of Western Australia Act 1990 and the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. Community engagement included the following:

- **Website** – A heritage review page was accessible on Mysay Freo for the community engagement period and beyond. The website included the full heritage review report, information sheets, and additional FAQs and useful information on heritage listings and what they mean.

- **Newspaper** – Notice in Freo Newsbites in the Fremantle Herald 7 October 2017.

- **Letters** – Individual places: owners and occupiers (69 places on the list (108 properties) – Letters to the owners and occupiers of the Individual places where additions, removals and amendments to the MHI and HL were proposed. The letter explained the reason for the listing, welcomed comments on the heritage review, and provided advice on where to find out more (email, phone or Mysay Freo website). The letter also included:
  - The individual place’s MHI heritage Information
  - An information sheet on what an individual heritage listing means
  - Submission form

- **Letters** – Heritage area places – Letters to the owners and occupiers of the places within the proposed heritage area. The letter explained reason for the heritage area, welcomed comments on the heritage review, and provided advice on where to find out more (email, phone or Mysay Freo website). The letter also included attached:
  - An information sheet on the heritage review and proposed heritage area and what this means for places within the heritage area
  - Submission form

- **Sign on site** – Two signs were erected in the proposed heritage area at Frank Gibson Park and Horrie Long Reserve for the duration for the advertising period. The signs showed the proposed heritage area and provided information on where additional information could be found as well as the close of advertising date.

The City’s officers also attended the Gibson Park precinct group meeting on the 31 October 2017. At this meeting officers presented the findings of the heritage review and answered questions from the group on the proposed Fremantle heritage area.

**Summary of Submissions**

At the end of the community consultation period, the City had received 30 submissions on the heritage review. 24 of these submissions were from owners and occupiers of the
proposed Fremantle heritage area and six were from owners and occupiers of individually heritage listed properties.

The City also received two submissions from property owners relating to properties outside the review area.

**Submissions on the proposed Heritage area**

- 13 submissions from ten properties objected to the heritage area listing
- 11 submissions from eleven properties were supportive of the heritage area listing with additional comments

**Submissions in support of proposed heritage area**

Submissions in support of the heritage area noted maintaining the streetscape and preserving the integrity of the area as reasons for support. Several submissions included information on the heritage value of places in the area, and one submission requested a plaque.

Several submissions in support of the proposed heritage area also stated that they hoped that being in a heritage area did not result in onerous development restrictions for their property. These same submissions also hoped the heritage area listing would not affect their property values.

**Submissions objecting to proposed heritage area**

Two submissions objecting to the heritage area specifically stated:

- The houses in this area are not 'mainly modest workers accommodation', and there is a minority of these kind of dwellings in an overall diverse mix.
- The vast majority of dwellings from the 1900-1930 period have been significantly altered and extended in the preceding years with most houses having alterations & additions associated with later periods.

Key themes and comments raised in the objections to the heritage area listing included:

- Concern with investment into the area and plan around conservation of the area’s heritage:
  “I do not believe residents should bear the burden of a financial/development constraints without council investment”

- Querying of the relevance to/significance of the area:
  “Not relevant perhaps if Council put more effort into the true heritage buildings in Fremantle they would not be so dilapidated.”

Specifically five properties objected to their place being included in the heritage area and asked for their place to be removed for the reasons summarised in table 1 below. Officer comment on these submissions is also provided in table 1.

<table>
<thead>
<tr>
<th>Summary of submitters' reason for removal</th>
<th>Officer comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>108 Forrest Street, Fremantle</td>
<td>Places in heritage areas are considered to have collective heritage significance, not individual</td>
</tr>
<tr>
<td>1980's brick build</td>
<td></td>
</tr>
<tr>
<td>Future development application should not be</td>
<td></td>
</tr>
<tr>
<td>Summary of submitter’s reason for removal</td>
<td>Officer comment</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-----------------</td>
</tr>
</tbody>
</table>
| subject to the considerations of a heritage area  
• The home was purchased with significant improvements in mind, including the façade.  
• the narrowing of the market prepared to buy in a heritage area and the additional controls that inflicts.  
• A holistic heritage area seems an easy and short sighted way of listing a number of properties at one time and not considering the impact that has on individual homes that don’t carry that significance.  
• Any homes of clear heritage significance, as outlined in the heritage report, should be considered on their own merit and listed accordingly. | heritage significance.  
A heritage area may contain places of minor individual significance or places with little or no significance as the boundaries are by area, not individual lot boundaries.  
As this place is not near the edge of the proposed heritage area, is on one of the streets specifically considered to contain heritage places (Holland and Forrest Street) and adjoins a property on the heritage list, officers recommend this place be retained within the heritage area so as to maintain the integrity of the heritage area as a whole.  
A discussion on heritage listings and property value and the potential of future development is provided in the officer comments section of this report.  
Inclusion within the area should not preclude improvement/redevelopment where this does not negatively affect the heritage value of the area. |

| 114 Holland Street, Fremantle |  
• 1960s commercial premise  
• run-down and in need of repair  
• no heritage value  
• The heritage listing could de-value the potential for any future development. |  
As per above, a heritage area may contain places of minor individual significance or places with little or no significance as the boundaries are by area, not individual lot boundaries.  
As this place is in the centre of the proposed heritage area and located on one of the streets specifically considered to contain heritage places (Holland and Forrest Street), officers recommend this place be retained within the heritage area so as to maintain the integrity of the heritage area as a whole.  
A discussion on heritage listings and property value and the potential of future development is provided in the officer comments section of this report.  
Inclusion within the area should not preclude improvement/redevelopment where this does not negatively affect the heritage value of the area. |

| 79 Holland Street, Fremantle |  
• The family’s intention for the place is to demolish the house, subdivide the block and build two new houses that better suits the needs of the resident and a family member to care for the resident.  
• The existing dwelling has safety issues and has lacked maintenance for the last number of years |  
The place at 79 Holland Street is currently not listed, however is considered to, in collection with the surrounding places, collectively represent the provision of government subsidised housing in Western Australia by the State and Commonwealth during the first half of the twentieth century. It is therefore considered to be within the statement of significance criteria of the proposed heritage area. To ensure the heritage value of the area is conserved, officers recommend this place be retained within the heritage area. |

| 152 East Street, Fremantle [four submissions received] |  
The place does not fit the description as stated in the Statement of significance for the proposed heritage area for the following reasons:  
• The construction of the place is consistent with the construction of the 1960’s era and compares with the construction of residential dwellings used in modern times (today). |  
As this place is on the edge of the proposed heritage area, not located on one of the streets specifically considered to contain heritage places (Holland and Forrest Street) and the place is considered to:  
• have no heritage significance.  
• be outside of those properties considered in |
Summary of submitter's reason for removal

- The place has undergone significant external, internal 1980s renovations where the original facade was completely altered.
- This place has frontage to East Street and does not form part of the Holland Street, Forrest Street streetscapes
- This dwelling does not depict a consistent streetscape facade with other houses built in the early 1900s along East Street.

118 Forrest Street, Fremantle

Suggested deleting the proportion of the proposed heritage area to the east of Chudleigh Street which includes Frank Gibson Park and 112-140 Forrest Street, for the following reasons:
- Frank Gibson Park should be excluded as it does not contribute to the heritage value of the area.
- Pre WW2, the north side of Forrest Street was a limestone strip servicing about eight houses and there was a dirt training track for trotters which ran parallel to the road. There were stables and exercise yards along the street. The horses moved from the area in the 1950s and the area was developed with housing shortly after this.
- Only four pre-WW2 houses remain in this part of the street and these were built in the late 1930s.
- The street consists of modern broad fronted houses and most of these homes have tiled roofs. The houses are from a different era to the cluster of houses in the other part of the proposed heritage area and they do not form part of the cluster.

The Submitter’s submission is partially supported. Officer’s recommend:
- Delete Frank Gibson Park from the heritage area
- Delete 126 – 140 Forrest Street from the heritage area
- Retain 112-124 Forrest Street to be in the heritage area.

Full explanation for these modifications is provided in the officer’s comments.

Summary of submissions on the proposed Individual Heritage listings

Six submissions in objection to the individual heritage listing were received. A summary of the submitter comments and heritage comment for each place is provided in table 2 below.

<table>
<thead>
<tr>
<th>Heritage review</th>
<th>Submitter reason(s) to not be included on the HL</th>
<th>Heritage comment provided by the City’s heritage coordinator</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 Stokes Street, White Gum Valley</td>
<td>Add to HL and MHI L3 (currently not on HL)</td>
<td>The Submitter provides that the heritage listing may adversely affect the value of the property. The house makes a positive contribution to the streetscape and local area and therefore should be included on the Heritage list and MHI as a level 3. Planning officer comment: A discussion on heritage listings and property value is provided in the officer comments section of this report.</td>
</tr>
<tr>
<td>18 Taylor Street, White Gum Valley</td>
<td>Add to HL and MHI L3 (currently not on</td>
<td>The submitter brought the property one year ago on the understanding it wasn’t heritage listed. The house makes a positive contribution to the streetscape and local area and therefore should be included on the Heritage list and MHI as a level 3. Planning officer comment: A discussion on heritage listings and property value is provided in the officer comments section of this report.</td>
</tr>
<tr>
<td>Heritage review</td>
<td>Submitter reason(s) to not be included on the HL</td>
<td>Heritage comment provided by the City's heritage coordinator</td>
</tr>
<tr>
<td>----------------</td>
<td>-----------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>HL) Built 1916. High integrity Medium authenticity, aesthetic value. Adds to streetscape</td>
<td>A Development Application is approved for additions to the rear. Submitter states that the existing streetscape is adequately protected with other housing in the street being heritage listed and does not believe that the listing one additional house on the street will provide any additional significant protection of the “urban context” on the street. Submitter suggests the place not be included on the HL and be on the MHI as a management category Historic record only.</td>
<td>Included on the Heritage list and MHI as a level 3. Additions to rear on a level 3 property would be supportable provided they do not overwhelm the contribution to the streetscape. Planning officer comment: The submitter’s current development approval for additions to the place will not be impacted or revoked by the place being included on the heritage list.</td>
</tr>
</tbody>
</table>

221 South Street, Beaconsfield

| Add to HL and MHI L3 (currently not on HL) | The place has an Other Regional Roads reservation over it under the MRS and would likely be affected if road works go ahead. | The house provides an understanding of development in the area being that it is one of the earlier surviving houses and largely intact. Therefore the place should be included on the Heritage list and MHI as a level 3. Planning officer comment: The underlying MRS zoning of a site is not a consideration of a heritage listing. Both its zoned and reserved purposes, and its heritage value would be considerations in assessing any development proposal. |

211 South Street, Beaconsfield

| Retain on HL and MHI L3 While recently having undergone damage due to fire and currently (2017) under reconstruction, the place is part of the streetscape, is a landmark and retains historical and aesthetic value to the area. | The property should be listed on the MHI as a “Management Category – Historic Record Only” for the following reasons: The place is not a landmark like Monument Hill, The Town Hall or Roundhouse. This place is better known for the quality of its Fish and Chips (the business) rather than the building itself. The place has been affected by recent fire and substantially altered internally and externally overtime, including the presentation to the street, so that now few heritage attribute remain. There are other, better, examples of this style of building in the area. The property has the potential for R100 development with the other shops in the Local Centre. Many people, including myself, feel that this is a great incentive to build-up the local centre and provide a better diversity of shops and businesses. Also the redevelopment of the Davis Park Precinct will happen over this same period. Main roads can resume the property which would mean demolition of the place would be required. If it wasn’t on the heritage property register, | It is considered that despite the recent fire and subsequent rebuilding the place is continues to be a local landmark occupying a visually prominent corner site in the commercial centre displaying characteristic qualities of a typical local shop. Thereby providing an understanding of development in the area. Therefore the place should be retained on the Heritage list and MHI as a level 3. Planning officer comment: The underlying MRS zoning of a site is not a consideration of a heritage listing. Both its zoned and reserved purposes, and its heritage value would be considerations in assessing any development proposal. Further consideration of this property being retained on the City’s heritage list is provided in the officer comment section of this |
Heritage review | Submitter reason(s) to not be included on the HL | Heritage comment provided by the City’s heritage coordinator
--- | --- | ---
33 Solomon Street, Fremantle | Submitter states that substantial alterations and demolition have been undertaken on the home. Submitter questions whether the house is Victorian Georgian style noting the house does nothing to enhance the streetscape. Submitter notes the house is an old Italian style with no significant heritage value. The submitter asks that the house be removed from the heritage list as it does not contribute to anything special in Solomon St. | The house contributes to the streetscape and rather than detracting from the overall significance of the place the alterations add to the understanding of the development of the area. Therefore the place should be retained on the Heritage list and MHI as a level 3.

22 Davies Street, Beaconsfield | The submitter questions the information in the review and how significant the people mentioned in the statement of significance are and if this information is enough for a heritage listing. | The place has some significance as a typical workers cottage of the early 20th century, thus contributing to the streetscape and the understanding of the development of the area.

### Additional submissions on Individual Heritage listings from outside review area
During the community engagement period, the City was asked by the owners of two places outside the immediate review area to add or amend their place on the Heritage List and Municipal Heritage Inventory. These requests were considered on their merits by officers (as outlined below) and were for the following:

- Inclusion of 17 Daly Street, South Fremantle to the Heritage List and Municipal Heritage Inventory as a management category level 3
- Removal of 162 High Street, Fremantle from the heritage list and amendment to the Municipal Heritage Inventory as management category from level 3 to Historical Record Only

For the full summary of submissions refer to attachment 1 of this report.

### OFFICER COMMENT
During the community engagement on the heritage review, the City received 30 submissions from owners and occupiers of places subject to the review, plus the two additional requests referenced above.

The submissions have been divided into those relating to individual places and those relating to the heritage area. These two groupings are discussed separately below, along with...
with a discussion on the broader issues of development restrictions and de-valuing of properties that were raised as recurrent themes in several submissions.

Individual Listed properties

The consultant report includes an assessment of each place to be added, retained or deleted on the heritage list, and their recommended management categories on the MHI. Each individual property in the heritage review report also has a corresponding assessment of cultural heritage significance undertaken in accordance with the Criteria for Assessment of Local Heritage Places and Areas (March 2012) as prepared by the State Heritage Office. The heritage review assessment, including a statement of significance for each individual place, was sent to the owners and occupiers of each place.

As per the consultation section of this report, the City received six submissions that asked that their place be removed or not added to the City’s Heritage list. These places and the heritage review recommendation are:

- 20 Stokes Street, White Gum Valley – Add to HL; MHI L3
- 18 Taylor Street, White Gum Valley – Add to HL; MHI L3
- 221 South Street, Beaconsfield – Add to HL; MHI L3
- 211 South Street, Beaconsfield – Retain on HL; MHI L3 [see additional comment below]
- 33 Solomon Street, Fremantle – Retain on HL; MHI L3
- 22 Davies Street, Beaconsfield – Retain on HL; MHI L3

The City’s heritage officer’s advice aligns with the heritage review recommendations (See consultation section of this report for heritage and planning officer comments and additional comment on 211 South Street below). The City’s heritage officer advises that each property is considered to have heritage value and contribute to the streetscape. Accordingly it is recommended council retain/add all six of the places to the City’s heritage list as per the heritage review recommendation.

211 South Street, Beaconsfield

The draft heritage review report prepared by the City’s heritage consultants proposed 211 South Street, Beaconsfield be retained on the City’s heritage list and MHI as a management category level 3. The final heritage review report, however, recommended the place be removed from the City’s heritage list and retained on the MHI as a management category Historical Record Only. This modification was not identified in the officer’s report to Council in August 2017 on the heritage review and accordingly Council adopted the original recommendation that 211 South Street, Beaconsfield be retained on the City’s heritage list. Community engagement with the owner of the place was also undertaken on this basis.

The City’s heritage co-ordinator supports the draft heritage review’s recommendation and provides the following comment:

211 South Street is included on the City of Fremantle Municipal Heritage List and is management category 3 on the Municipal Heritage Inventory. The Statement of Significance for the listing notes that the place has been identified as being of some cultural heritage significance as a representative example of a local shop and attached residence, dating from
the first decades of the twentieth century and demonstrating the characteristics of development and commercial activity in the Beaconsfield area.

The functional and aesthetic characteristics of 211 South Street are closely related. It was its intended uses that determined the buildings’ appearance, their roles in the community, the facilities they provided and the activity they generated within the area. As a result the heritage values of its contribution to the urban context are primarily embodied in the aesthetic values that derive from the original appearance of the shop and attached residence.

It is acknowledged that the recent fire did, to a degree, reduce the aesthetic values of the buildings. This has not necessarily detracted from the overall significance of the place because it is considered that the remaining parts of the buildings continue to display their distinctive original forms and provide sufficient evidence for them to be readily identified as a corner shop with an attached residence. They therefore continue to make a positive contribution to the local ‘sense of place’ and local identity and should remain on the MHI at management category 3.

Heritage area

In forming the proposed Fremantle heritage area, the heritage consultant gave consideration to the historical and physical relationship of places in the area bounded by East, High, Wilkinson, Holland and Forrest Streets, Fremantle. The report concluded:

“There is a distinct concentration of early twentieth century, timber, modest workers’ homes, including government housing, in the area between East Street and Chudleigh Street, which is separated physically and historically from later housing development by Frank Gibson Park.”

The Statement of Significance for the proposed Fremantle Heritage Area is as follows:

“The Holland / Forrest Street Heritage Area is significant as an area located to the immediate east of the City of Fremantle with a history of settlement dating back to the mid nineteenth century. The area is significant for:

- its concentration of mainly modest workers accommodation dating from the gold boom era through to the beginning of WWI
- containing an excellent representation of all three phases of government subsidised housing in Western Australia by the State and Commonwealth during the first half of the twentieth century: early 1913 / 14 Workers’ Home Board housing (pre-WWI), 1920s War Service Homes houses and later 1930s / 40s Workers’ Home Board houses (inter-war / pre-WWII)
- its expansion into Beaconsfield in the 1930s and the subsequent working class residential development of these areas.”

Submissions objecting to the heritage area questioned the statement of significance and quality of heritage in the area on the basis that the area includes modern builds and altered heritage homes. The City’s heritage coordinator agrees with the heritage review’s assessment of the proposed heritage area and further notes:

Places in heritage areas are considered to have collective heritage significance, not individual heritage significance. A heritage area may contain places of minor individual significance or places with little or no significance as the boundaries are by area, not individual lot boundaries.
Alteration of heritage places is not prohibited. On the contrary, managing and conserving heritage areas is about ensuring development and work retains the character and streetscape values of the area without prohibiting it.

In light of submissions and further investigation of the area, some alteration of the proposed boundaries are proposed to ensure the area is most representative of the purpose and statement of significance for the area.

As per the consultation section of this report, five submissions asked that their place be removed from the Fremantle heritage area. These places are:

- 79 Holland Street, Fremantle
- 114 Holland Street, Fremantle
- 152 East Street, Fremantle
- 108 Forrest Street, Fremantle
- 118 Forrest Street, Fremantle (Submission requested removal of 112-140 Forrest Street)

As per the officer comment provided in the consultation section of this report, of the places that requested to be removed from the heritage area, the place at 152 East Street, Fremantle is supported for removal from the heritage area as the place is considered to:

- be on the edge of the proposed heritage area
- not be located on one of the streets specifically considered to contain heritage places (Holland and Forrest Street)
- have no heritage significance
- be outside of those properties considered in the statement of significance for the proposed heritage area.

Removal of the following places was not supported by officers as removal of these places would undermine the integrity of the heritage area as a whole, as the places are not near the edge of the proposed heritage area, are located on one of the streets specifically considered to contain heritage places (Holland and Forrest Street) and in one case adjoins a property on the heritage list.

- 114 Holland Street, Fremantle
- 108 Forrest Street, Fremantle
- 79 Holland Street, Fremantle

Additionally, 79 Holland Street, Fremantle is considered, collectively with adjoining properties, to have heritage value.

The submission that proposed deletion of the proportion of the proposed heritage area to the east of Chudleigh Street which includes Frank Gibson Park and 112-140 Forrest Street is partially supported:

As per the submission, Frank Gibson Park is not considered to contribute to the heritage area. The park was officially named Gibson Park in 1949 and the sporting facility development did not occur until 1965. The netball courts were marked out in the 1970s. Accordingly, Frank Gibson Park is recommended for removal from the heritage area.

Planning and heritage officers used historical aerial photos, property records and a site visit to assess the housing at 112-140 Forrest Street, Fremantle. The 1947 aerial
photography (figure 2 below) compared to current day aerial photography shows there is no housing remaining today at 126 – 140 Forrest Street, Fremantle that would be older than 1947. Accordingly, places 126 – 140 Forrest Street, Fremantle do not meet the purpose of the heritage area and are recommended for removal from the heritage area.

A site visit and property information showed that there are houses within 112-124 Forrest Street, Fremantle that could be considered within the purpose and statement of significance of the heritage area. Some of this housing appears to have been there in 1947 [and before], is from the interwar period in the art deco style and there are two properties (114 (circa 1905) and 124 (circa 1940) Forrest Street) already on the City’s heritage list in this part of Forrest Street. Accordingly 112-124 Forrest Street, Fremantle are recommended to be retained within the heritage area.

Figure 2. Aerial from 1947 - 112-140 Forrest Street, Fremantle

Additionally, in keeping with the purpose and statement of significance for the heritage area, officers have reviewed other ‘edges’ of the heritage area and recommend the removal of 4 Chalmers Street and 14 and 16 Forrest Street and 7-11 Chudleigh Street. The reasons are:

- These properties are on the edge of the heritage area.
- The aerial 1947 photography shows no housing in these areas (refer to figure 3 and 4 below) apart from 16 Forrest Street, which has been so dramatically altered as to no longer be considered to have any cultural heritage value.
- The housing there today is considered to be after 1947 and therefore does not meet the purpose and statement of significance for the heritage area.
Accordingly, in light of submissions received on the proposed Fremantle heritage area, revised boundaries for the area are recommended for final adoption as per the following figure 5:
In summary, taking into account submissions received, the intent of the MHI, HL and heritage areas and the professional advice received, officers recommend:

1. A new heritage area over the area illustrated in Figure 5 above.
2. The addition of 24 places onto the City’s HL and MHI as a management category level 3.
3. Inclusion of 25 places onto the MHI as a Historical Record Only [not heritage listed].
4. Retention of 16 places on the HL and MHI as a management category level 3.
5. Removal of four properties from the HL and amendment of their MHI management category from level 3 to Historical Record only.
6. Removal of 38 Curedale Street (which includes 40 properties on Curedale Street and Howell Vista from a recent subdivision of one lot) from the HL and amend the MHI management category from level 2 to Historical Record only.
7. Retention of one property on the HL and amendment of the MHI management category from level 2 to level 3.

Other issues raised in submissions
There were two common and semi-related themes that came up in both the submissions for and against the heritage review (and which are routinely raised in relation to heritage listing). These were:

- Concern with additional development restrictions associated with being heritage listed or in a heritage area
- Concern with the impact of being heritage listed/in a heritage area on the property value of the place.

Development restrictions
The inclusion of a place in a heritage area or on a heritage list does not prohibit it from further development. Managing and conserving heritage areas is about ensuring that development and work retains the character and streetscape values of the area.

In terms of additional development requirements in the proposed Fremantle heritage area, this would mean is that planning approval would be required for certain works that wouldn’t need approval outside heritage areas (notably demolition). This does not necessarily mean that approval wouldn’t be granted, especially where the works are to relatively recent houses, or do not affect the streetscape.
Properties in heritage areas still enjoy a broad range of exemptions from requiring planning approval under the planning regulations and City’s planning scheme. These include, for example, all internal works, single storey rear additions, patios/outbuildings, replacing or altering roofing material, changing minor or major openings (external doors and windows), external fixtures, swimming pools.

Properties on the heritage list do require planning approval for some development that wouldn’t otherwise require planning approval, such as Residential Design Code compliant alterations and additions, patios and demolition. In general, where such development is not considered to impact on the heritage significance of the place then planning approval is granted.

Property value
As property value is outside of the scope of consideration for heritage listing a property, information was not provided on this during the community engagement period. However since many submissions referenced the topic, officers consider it appropriate to briefly address the subject in the report.

The listing price for a property is based on many factors, including the attributes and intricacies of the individual property, and is variable from place to place. Nonetheless, several studies on the topic of ‘if a heritage listing affects property values’ including a study within the Western Australian context have been undertaken because of the recurrence of this concern. These studies in general conclude heritage listing has no effect on property values in most cases, and can sometimes improve resale value.

In the Heritage Council of Western Australia’s paper on the issue ‘The impact of heritage listing on property value in western Australia’ (July 2001) the key points were:

- Property values generally, for both heritage and non-heritage buildings, are determined by a multiplicity of factors including zoning, other planning requirements, lot sizes, types of surrounding properties, the level of amenities and services in the surrounding area, tenancy opportunities, prevailing trends in the ‘market cycle’, the social profile of areas, and the quality and maintenance of individual buildings.
- The impact of heritage listing on property value can occur in two ways. These are (a) the initial effects associated with listing, at the time of listing, and (b) the subsequent change in values over time.
- Heritage listing on a macro level, is not a major factor in determining property value either at the time of listing or following. However, there are individual cases where the effects are more significant, either positive or negative.

The State Heritage Office provides the following comment on property value of heritage places in their June 2014 ‘Buying and selling heritage listed residential properties’ information sheet:

For some, owning a place that has played a role in the history of Western Australia has a special appeal. It is not just about the charm or architectural style, it’s the ambience created by the layers of history attached to the place. Heritage can’t be recreated and it is this point of difference that can be a major selling point for a property.
Many prospective buyers are prepared to pay a premium for a well-cared for heritage property. Others relish the challenge of restoring and adapting a heritage building into a contemporary family home.

Sources for this information are as listed:

- Allen, 2005 - Valuing the Priceless: The Value of Historic Heritage in Australia, the Allen Consulting Group Research Report 2 November 2005
- Deodhar, V., 2004, Does the housing market value heritage? Some empirical evidence
- ERES Conference Dublin, June 2005, Managing Cultural Heritage: Heritage Listing and Property Value
- Heritage Council of Western Australia’s, July 2001, The impact of heritage listing on property value in western Australia
- State Heritage Office, June 2014, Buying and selling heritage listed residential properties

Additional submissions on Individual Heritage listings from outside review area

The two landowner requests to add or amend their place on the Heritage List and Municipal Heritage Inventory received from outside the area were assessed on their merits. Both are supported by officers, based on the following:

Inclusion of 17 Daly Street, South Fremantle to the Heritage List and Municipal Heritage Inventory as a management category level 3

Statement of significance:

House, 17 Daly Street, a single storey, timber framed house with fibrous cement sheet and timber weather board dado wall cladding and a gabled colorbond roof, has cultural heritage significance for the following reasons:

- it has some aesthetic value as a typical example of a modest Inter-War timber bungalow that contributes to the quality of its setting along Scott Street and to a lesser degree to Daly Street and the surrounding South Fremantle Heritage Area;
- it has some historic value as a residence built in the Inter-War era that demonstrates the settlement and development of the South Fremantle area, and;
- it is representative of the typical workers’ houses in the South Fremantle area.

For the full heritage assessment on 17 Daly Street, South Fremantle refer to attachment 2 of this report.

Removal of 162 High Street, Fremantle from the heritage list and amendment to the Municipal Heritage Inventory as management category from level 3 to Historical Record Only

Statement of significance:

The representative qualities and distinguishing features of the house, shop and setting have been lost and degraded to the point where the place can no longer be considered to be of some cultural heritage significance for its contribution to the heritage of Fremantle in terms of its contribution to the streetscape, local area and Fremantle.

For the full heritage assessment on 132 High Street, Fremantle refer to attachment 3 of this report.
FINANCIAL IMPLICATIONS

There are no financial implications associated with adopting the officer’s recommendation beyond the on-going costs associated with providing advice on and assessment of listed properties. Expenditure on the review was incurred in the 2016 / 2017 financial year.

LEGAL IMPLICATIONS

The Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 prescribe that a local government must establish and maintain a Heritage List (HL) to identify places within the scheme area that are of cultural heritage significance and worthy of built heritage conservation. The Heritage List is a statutory list of places which are of cultural heritage significance and comprises only names and addresses and does not include any other information.

The Heritage of Western Australia Act 1990 obliges local governments to develop and maintain a Municipal Heritage Inventory (MHI) and, once established, to update it annually and review it every four years. The MHI is an ongoing heritage survey of places of cultural heritage significance which continually needs updating and adding to with relevant information. It includes more detailed information including the statement of significance. The MHI does not have any statutory implications and can be sourced from the online database system InHerit.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION

MOVED: Cr Jon Strachan

Council:

1. Note the submissions received.

2. Endorse the following proposed changes to the City’s Heritage List and Municipal Heritage Inventory:

a. Creation of a new Fremantle Heritage Area as shown below
b. Adoption of the following Statement of Significance for the proposed Fremantle Heritage Area:

The Holland / Forrest Street Heritage Area is significant as an area located to the immediate east of the City of Fremantle with a history of settlement dating back to the mid nineteenth century. The area is significant for:

- its concentration of mainly modest workers accommodation dating from the gold boom era through to the beginning of WWI
- containing an excellent representation of all three phases of government subsidised housing in Western Australia by the State and Commonwealth during the first half of the twentieth century: early 1913 / 14 Workers’ Home Board housing (pre-WWI), 1920s War Service Homes houses and later 1930s / 40s Workers’ Home Board houses (inter-war / pre-WWII)
- its expansion into Beaconsfield in the 1930s and the subsequent working class residential development of these areas.

c. Addition of the following 24 places onto the Heritage List and Municipal Heritage Inventory as Level 3 management categories:

<table>
<thead>
<tr>
<th>Place Name</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>136 Holland Street, Fremantle</td>
<td>The house (1898) and trees together relate to a former nursery (c1904-1970s) on the site and are of high integrity, historical value, aesthetic value.</td>
</tr>
<tr>
<td>House 169 Forrest Street, Fremantle</td>
<td>Built 1911. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 8 Coode Street, Fremantle</td>
<td>Built 1930. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 117 Samson Street, White Gum Valley</td>
<td>Built 1916. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 121 Samson Street, White Gum Valley</td>
<td>Built 1916. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 2 Stokes Street, White Gum Valley</td>
<td>Built 1916. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 3 Stokes Street, White Gum Valley</td>
<td>Built 1917. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 4 Stokes Street, White Gum Valley</td>
<td>Built 1938. aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House 6 Stokes Street, White Gum Valley</td>
<td>Built 1918. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1934. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>Place Name</td>
<td>Reason</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>8 Stokes Street, White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1919. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>14 Stokes Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1935. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>16 Stokes Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1936. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>18 Stokes Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1935. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>20 Stokes Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built c1915. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>21 Stokes Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built c1955. Adds to streetscape, good example of style</td>
</tr>
<tr>
<td>23 Stokes Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1903. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>1 Taylor Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1939. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>5 Taylor Street</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1903. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>7 Taylor Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1916. High integrity, Medium authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>18 Taylor Street White Gum Valley</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>26 Davies Street, Beaconsfield</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>28 Davies Street, Beaconsfield</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Built 1913. High integrity, one of earliest surviving houses; being built out by commercial.</td>
</tr>
<tr>
<td>221 South Street, Beaconsfield</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>House</td>
<td>Modest Inter-War timber bungalow – High integrity and authenticity, Some aesthetic value, adds to streetscape</td>
</tr>
<tr>
<td>17 Daly Street, South Fremantle</td>
<td>authenticity, aesthetic value, adds to streetscape</td>
</tr>
</tbody>
</table>

d. Confirmation that the following 16 places be retained on the Heritage List and Municipal Heritage Inventory at Level 3:
<table>
<thead>
<tr>
<th>Place Name</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop and House 211 South Street,</td>
<td>While recently having undergone damage due to fire and currently (2017) under reconstruction, the place is part of the streetscape, is a</td>
</tr>
<tr>
<td>Beaconsfield</td>
<td>landmark and retains historical and aesthetic value to the area.</td>
</tr>
<tr>
<td>House 3 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 6 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 14 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 15 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 17 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 18 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 19 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 21 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 30 Curedale Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 4 Davies Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 6 Davies Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 8 Davies Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 22 Davies Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 24 Davies Street, Beaconsfield</td>
<td>Adds to streetscape, historical value.</td>
</tr>
<tr>
<td>House 33 Solomon Street,</td>
<td>Very intact streetscape, adds to streetscape, historical value, the house has been altered</td>
</tr>
</tbody>
</table>
### e. Inclusion of 25 places onto the Municipal Heritage Inventory as a Historical Record Only [not heritage listed]

<table>
<thead>
<tr>
<th>Place Name</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fremantle</td>
<td>however original form remains evident.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Place Name</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>House 123 Samson Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>House 125 Samson Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>House 200 South Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>House 208 South Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>Shop 226 South Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List, largely altered</td>
</tr>
<tr>
<td>Shop 230 South Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List, largely altered</td>
</tr>
<tr>
<td>House 246 South Street, White Gum Valley</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>Houses 171-195 South Street, (15 properties) Beaconsfield</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>House 213 South Street, Beaconsfield</td>
<td>Below threshold, largely altered</td>
</tr>
<tr>
<td>House 24 Curedale Street, Beaconsfield</td>
<td>Early house but largely altered; Below threshold for inclusion on Heritage List.</td>
</tr>
<tr>
<td>House 32 Curedale Street, Beaconsfield</td>
<td>Demolished 2005.</td>
</tr>
</tbody>
</table>

### f. Removal of four places from the Heritage List and amendment of their Municipal Heritage Inventory management category from level 3 to Historical Record Only

<table>
<thead>
<tr>
<th>Place Name</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Building 201 South Street, Beaconsfield</td>
<td>Below threshold, possibly added to MHI in error; the complex was redeveloped in 2004, and little, if any, original fabric remains.</td>
</tr>
<tr>
<td>Place Name</td>
<td>Reason</td>
</tr>
<tr>
<td>----------------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>House</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>2 Davies Street, Beaconsfield</td>
<td></td>
</tr>
<tr>
<td>House</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>14 Davies Street, Beaconsfield</td>
<td></td>
</tr>
<tr>
<td>House</td>
<td>Below threshold for inclusion on Heritage List</td>
</tr>
<tr>
<td>162 High Street, Fremantle</td>
<td></td>
</tr>
</tbody>
</table>

g. Removal of 38 Curedale Street, Beaconsfield (40 properties) from the Heritage list and amend the Municipal Heritage Inventory management category from level 2 to Historical Record only as the shed has been demolished and was possibly added in error.

h. Reclassification of 13 Curedale Street, Beaconsfield from management category Level 2 to Level 3 on the Municipal Heritage Inventory and retention on the Heritage List as the place is below the threshold considered appropriate for a Level 2 listing.

SECONDED: Cr D Hume

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
The following item number PC1801-9 was MOVED and carried en bloc.

PC1801 -9 SUBMISSION ON REVISED DRAFT STATE PLANNING POLICY 4.1 INDUSTRIAL INTERFACE

Meeting Date: 10 January 2018
Responsible Officer: Manager Strategic Planning
Decision Making Authority: Council
Agenda Attachments: Draft State Planning Policy 4.1 Industrial Interface (November 2017)

SUMMARY

The Western Australian Planning Commission (WAPC) has released for public comment a revised draft State Planning Policy 4.1 ‘Industrial Interface’ (SPP 4.1).

The stated purpose of the policy is to “protect industrial and infrastructure facilities from the encroachment of incompatible land uses and ensure that planning decisions consider the locational constraints of these land uses, the significant investment they represent and their current and future benefits and cost to the community when considering the most appropriate land uses for surrounding land...”

Some of the key changes to the existing policy are to:

- Clarify broader application (including for zones)
- Include new measures for planning for transitional zones, and
- Include a new implementation section which outlines recommended approaches at each stage of the planning framework.

This report summarises the key content of the draft document and recommends to Council that a submission be made by the City of Fremantle. The closing date for submissions is 21 February 2017.

BACKGROUND

The current State Planning Policy 4.1 ‘State Industrial Buffers’ (SPP 4.1) was gazetted in 1997. The purpose of the Policy is, in essence, to avoid land use conflicts between industrial and ‘sensitive’ land uses (eg residential) through appropriate planning including, as a primary measure, application of buffers to industrial uses with potential external impacts.

In November 2017, the Western Australian Planning Commission (WAPC) released a revision to the current policy for public comment. The WAPC indicate that some of the key changes to the policy include:

- “A change of name to reflect the broader policy measures that extend beyond the application of statutory buffers
- Clarification that the policy now applies more broadly to planning for industrial zones and infrastructure reserves
• **New policy measures for planning for transitional zones in local schemes to address incompatibility between industry and sensitive land uses**

• **A new implementation section which outlines recommended planning approaches at each stage of the planning framework.**


In summary, the revised policy

• Outlines the background to the policy including the importance of industrial areas and infrastructure from an economic and employment perspective and, equally, the need to plan for and around these to minimise adverse impacts on the health and amenity of people

• Explains the application of the *Environmental Protection Act 1986* (‘EPA Act’) in requiring ‘reasonable and practical measures’ to prevent or minimise industrial emissions

• Confirms the requirement for separate approvals (in addition to planning approvals) to be obtained for certain more significant uses (eg Prescribed Premises and those involving dangerous goods)

• Confirms the role of planning to minimise the probability or severity of land use impacts associated with industrial land uses and infrastructure through both high level strategic planning, land zoning and application to individual subdivision and development applications

• Applies to industrial rezoning proposals, existing industrial land, infrastructure facilities and land surrounding all of these which might be affected by the industrial use or infrastructure. The policy does not apply to rural land uses, extraction of basic raw materials, infrastructure corridors, telecommunication and aircraft noise. It is also not intended to apply retrospectively.

• Seeks to protect existing and proposed industrial areas and key infrastructure including ports, airports, roads, railways and service corridors from encroachment by inappropriate land use and development, and avoid land use conflict generally

• Recommends that statutory buffers be provided around strategic sites to prevent encroachment of incompatible land uses, within which buffers compatible interface uses (such as light industry) might be permitted. The buffers are to be determined by technical analysis which considers the off-site impacts of the industrial uses / infrastructure. (where undefined, the EPA’s draft *Environmental Assessment Guidelines for Separation Distances between Industrial and Sensitive Land Uses 2015* provides ‘default’ buffers for a range of land uses).

• Outlines how the policy should be applied through planning strategies, planning schemes, structure plans, subdivisions, development applications and local planning policies.

• Recommends application of the precautionary principle but includes acknowledgement that application of the policy will require site by site assessment, and the application of discretion on occasion.

The revised policy is more general in nature than the original, and less focussed on strategic industrial areas (whilst continuing to recognise a hierarchy). It removes references to compensation for land owners surrounding industrial sites (which issue was highly pertinent when the original policy was prepared), and provides greater direction on the establishment of buffers to whole industrial areas, through the definition of Special Control Areas with planning schemes.
OFFICER COMMENT

The draft Industrial Interface policy deals with a significant issue, with the objectives of the policy and conduct of a review of the existing both supported.

In relation to Fremantle, the policy would be applicable to:

- Fremantle Port and the surrounding industrial land uses
- The O’Connor Industrial Area
- Certain uses within the Knutsford Street precinct
- A limited number of historic uses elsewhere eg the Dingo Flour Mill.

Whilst the objectives and general approach advocated by the policy are supported, a note of caution is sounded about the need for a balanced approach to implementation of this (and other issue-based) policies, where multiple often competing considerations need to be taken into account in decision making. This is particularly the case in established areas where existing situations often do not comply with contemporary requirements, and require consideration on a case by case basis to determine the best overall response. Inclusion of explicit recognition of the need for site-specific application and assessment within Clause 5.3 of the policy is therefore supported, and counter balances some general concern which the growing emphasis on the precautionary principle and compliance-based assessments in recently released planning policies raises.

Fremantle already has what are effectively buffer provisions within its scheme relating to the Port. Review and refinement of these may be appropriate in future scheme reviews. However, this would be more appropriately conducted after completion of the current West Port review, when the future scale and operation of the port is clarified.

The O’Connor Industrial Area similarly has separation provisions embedded in the scheme via a Special Control Area which preclude certain industrial uses from location in close proximity to residential uses. Again, review of these to take into account the revised provisions of the policy could form a component of future review processes but is considered of relatively low priority given the nature of the area and its evolution towards a more ‘mixed business’ character.

The Knutsford Street Local Structure Plan provides for the redevelopment of the area for mixed use purposes containing a number of low impact industrial uses. This generally aligns with the direction of the Policy, albeit that the structure plan contains limited direction on sequencing and the staged removal of existing uses which could, theoretically, attract a separation distance from residential uses which extend beyond site boundaries. Such instances provide a good example of the need to take a practical and site-specific approach to achieving strategic objectives.

Overall, the review of the policy is supported and a brief submission indicating this, and the need to take a balanced and pragmatic approach to implementation in established areas is recommended.
FINANCIAL IMPLICATIONS

There are no financial implications with providing a submission on the draft State Planning Policy 4.1 Industrial Interface.

LEGAL IMPLICATIONS

The area no legal implications with proving a submission on the draft State Planning 4.1 Industrial Interface.

The City is required to pay ‘due regard’ to State Planning Policies in the administration of its functions. Incorporation of provisions reflecting the direction of the State Planning Policy is likely to be required of the City in future reviews of its Local Planning Scheme.

CONSULTATION

Preparation and modifications to State Planning Policies require consultation under Clause 28 of the Planning and Development Act 2005. The invitation for public comment to which this report recommends a response forms a component of this consultation.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION

MOVED: Cr J Strachan

1. That the Chief Executive Officer be authorised to make a submission on the draft revision of State Planning Policy 4.1 Industrial Interface which:

   a) acknowledges the significance of the issue considered in the policy
   b) supports the objectives and general approach of the policy
   c) supports the recognition contained in the policy that greater emphasis on buffers and separation is necessary for strategic industrial areas and infrastructure of state significance than for more local areas and infrastructure
   d) notes that in established areas, a pragmatic approach is necessary to addressing existing non-compliant facilities and areas, and that application of policies should acknowledge this
   e) suggests that the emphasis on application of the precautionary principle contained in this and other policies recently advertised, whilst soundly based, could be interpreted to represent a retreat to very conservative approaches to planning. As such, the acknowledgement within Clause 5.3 of the policy recognising that each site must be assessed on its merits and may involve discretionary decision making is supported to ensure that balanced and context responsive decision making can occur.

SECONDED: Cr D Hume
CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
FINANCE, POLICY, OPERATIONS AND LEGISLATION COMMITTEE 17 JANUARY 2018

FPOL1801-1 APPROVAL TO ADVERTISE PROPOSED PRECINCTS POLICY

Meeting Date: 17 January 2017
Responsible Officer: Manager Governance
Decision Making Authority: Committee
Agenda Attachments: Proposed Precincts Policy

SUMMARY

For Council to consider a draft Precincts Policy, to reflect Council direction and to clarify working requirements as outlined in this report.

This report recommends that Council, approve the distribution of a draft Precincts Policy for public consultation and requests that the Precincts Policy and a summary of submissions received, be presented to Council for further consideration following the consultation period.

BACKGROUND

The proposed Precincts Policy is intended to clarify council’s recognition and expectations of precinct groups operating in the City of Fremantle. This policy aims to clearly outline the limits in which the City will provide recognition and financial and other support to specific geographically located precinct groups in order to encourage and enable unrestricted membership for all community members from all areas of the City.

FINANCIAL IMPLICATIONS

No significant financial implications have been identified as a result of this report.

LEGAL IMPLICATIONS

No significant legal implications have been identified as a result of this report.

CONSULTATION

A public consultation period of 28 days, following approval to consult being established, will be implemented as follows:

- A copy of the proposed policy and information on how to make a submission will be made available on the City’s website
- The proposed policy will be referred to active precinct groups and interested community groups
- The proposed policy will also be publicized through the City’s communication and social media channels.
OFFICER COMMENT

In addition to improved clarity, it is anticipated that clearer guidelines and the introduction of assistance made available for those wishing to reactivate an inactive precinct will promote and encourage the development of those precincts that are not currently active.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

The Finance, Policy, Operations and Legislation committee acting under delegation 1.1:

1. Approves distribution of the draft Precincts Policy, shown below, for public consultation, and

2. Requests that the draft Precincts Policy and a summary of submissions received, be presented to Council for further consideration, following the consultation period.

Precincts Policy

Policy statement
As an open and consultative local government, the City of Fremantle supports precinct groups, to encourage any community member to participate and take an active role in providing input into the operations of the local government.

Precinct groups are run by community members, are advisory in nature, and their meetings are open forums where any community member can attend and engage on a range of community issues. The meetings are an avenue for informing the local government of community opinion and maintaining two-way communication between community members and the City of Fremantle.

Policy scope
The City of Fremantle will make assistance available to any of the 11 precinct groups, which cover the entire geographical area of Fremantle as laid out in the map below:
Geographical area Precinct Groups

- Arts Centre area Precinct
- Beaconsfield Precinct
- City Precinct
- Gibson Park Precinct
- Hilton Precinct
- North Fremantle Precinct
- O’Connor Precinct
- Samson Precinct
- South City area Precinct
- South Fremantle Precinct
- White Gum Valley Precinct

Activation and Deactivation
A precinct will become automatically deactivated when there are no meetings held in a 12 month period.

A deactivated precinct can be activated by application in writing to the City of Fremantle. Funding will be provided as though the precinct were active, for a 3 month period, to allow for an inaugural meeting to be held and the establishment of a convener for the group. If no convener is established within the 3 month period the Precinct will revert to its deactivated state.
Administration access to Freospace (see definitions) can also be made available for a 3 month period to support the re-activation of a precinct group.

**Membership**
Precincts must have open and cost free membership where any interested community member is welcome to participate.

**Administration**
Each Precinct is to update the contact details for their precinct contact details and name of their convener with the community engagement team once a year.

Each precinct group can decide:
- How to appoint their convener.
- The length of term and how many terms a convener can be appointed for
- Who will be the precinct contact person and action correspondence received.
- What the meeting schedule will be.
- If and how meetings will be recorded, for example, meeting notes or minutes.
- How best to share information with precinct members, for example, by email or through freospace (see definitions); and social media

**Venues and attendance**
Precinct meetings are to be held in a public venue, such as a community centre, school, café or local club. Some venues may charge a hire fee which is a legitimate precinct expense.

Precincts can request to use City owned venues at low or no cost.

Attendance records must be kept for all precinct meetings. These are required by the City for insurance purposes to confirm who was present in the event of an injury or incident. Attendance records must be sent to the community engagement team following each meeting.

**Financial support**
The City may support precincts to a maximum value of $850 per financial year, in accordance with relevant City policy, in the following way:

- Venue hire.
- Printing costs and distribution, for meeting flyers to promote a special precinct meeting or community activity.
- Meeting refreshments (the City will not pay for alcohol).

Any funding for activities other than normal precinct meetings requested must be made, in writing, through the community engagement team.
Precinct budget information can be made available to precincts on request.

**Reimbursements**
Cash reimbursement is available to cover expenses up to $50 when:
- Payments are made by cash or EFTPOS and a tax invoice has been provided
- A receipt and contact details of the person making the claim has been provided within 14 days of the expenditure.

Application for reimbursement over $50 must be made, in writing, accompanied by a copy of the invoice through the community engagement team.

**Promotional Support**
The City will promote the precincts and their meetings, through the use of its web site, social media channels and noticeboards, where possible. The City will not publish any communication from a precinct if the content is considered inappropriate by the Chief Executive Officer.

The City may assist with printing flyers and notices for distribution to promote special meetings or one-off events.

Requests for precinct advertisements and notices to be published on the City’s social media channels or assistance with flyers can be made through the community engagement team.

Each precinct will be provided with their own site on Freospace, where they can present news and opinion on the blog, update the events calendar, upload meeting minutes and agendas and seek community views via online surveys and quick-polls.

A Precinct’s Freospace site is to be maintained by volunteers from that precinct, who will be offered training by the City to use and moderate their site.

**Elections**
The *Local Government Act* does not allow the use of council resources to assist any individual candidate in their election activities. The City is also responsible for being objective, non-political and unbiased therefore the City does not support local, state or federal electioneering and City funds must not be used for electioneering in local government elections.

The City acknowledges the role of the precincts in encouraging community interest in council elections, such as organising events to allow community members to meet candidates and hear what they have to say. However, Precincts must not use City funds to support any individual candidate or group of candidates in an election.

Precincts who wish to promote council elections must:
• include all candidates in any publications distributed containing information about the election.
• invite all candidates to participate in events or functions organised by the precinct, in relation to the election, in order to ensure each candidate is given an equal opportunity to participate.

The City encourages precincts to hold joint precinct events spanning multiple electoral wards.

Note: Financial support may be withdrawn from precincts that do not comply with the above requirements.

Customer Requests
The City has a customer service centre to manage all enquiries received by the City in the ordinary course of business. Precincts and their members can also direct their enquiries to this centre in the normal way.

Community Engagement Team
The City of Fremantle will keep active precincts informed of community engagement processes undertaken by the City and matters that relate to the administration of the precincts.

Precinct Meetings
The City will facilitate networking meetings between the City and precincts where requested. The purpose of these face-to-face meetings is to provide an opportunity for sharing of information and networking. All precinct members are welcome to attend.

Community engagement team
The Community Engagement Team can be contacted:
T (08) 9432 9999
E communityengagement@fremantle.wa.gov.au

Definitions and abbreviations

Convener
Convener means the person acting as chairperson for Precinct Meetings. Note: The Convener does not have to be the official contact person for the Precinct. Another member can be nominated to act as contact person and to action correspondence on behalf of the Precinct.

Freospace
Freospace is an online collaborative environment for precincts, designed to assist groups share information, discuss community issues and make it convenient for people to get involved in their local precinct.
The City of Fremantle has conditions of use to cover all aspects of community interaction and moderation on the Freospace site. All users of the site, including moderators and administrators, are asked to comply with these conditions of use to ensure the site is inclusive and appropriate.

COMMITTEE RECOMMENDATION

Cr Jenny Archibald MOVED to defer the item to the Ordinary Meeting of Council to be held on Wednesday 24 January 2018 to allow for amendments to be made to the policy as discussed by the Committee.

ADDITIONAL OFFICER’S COMMENT

At the Finance, Policy and Operations and Legislation Committee meeting held on 17 January 2018, the committee deferred the item to Council and requested that minor amendments be made to the policy. The policy has been amended accordingly and presented in the officer’s amended recommendation below.

COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

The Finance, Policy, Operations and Legislation committee acting under delegation 1.1:

1. Approves distribution of the draft Precincts Policy, shown below, for public consultation, and

2. Requests that the draft Precincts Policy and a summary of submissions received, be presented to Council for further consideration, following the consultation period.

Precincts Policy

Policy statement

As an open and consultative local government, the City of Fremantle supports precinct groups, to encourage any community member to participate and take an active role in providing input into the operations of the local government.

Precinct groups are run by community members, are advisory in nature, and their meetings are open forums where any community member can attend and engage on a range of community issues. The meetings are an avenue for informing the local government of community opinion and maintaining two-way communication between community members and the City of Fremantle.

1. Policy scope
The City of Fremantle will make assistance available to any of the 11 precinct groups, where they operate in compliance with this policy, which cover the entire geographical area of Fremantle as laid out in the map below:

2. Geographical area Precinct Groups

- Arts Centre area Precinct
- City Precinct
- Hilton Precinct
- O’Connor Precinct
- South City area Precinct
- White Gum Valley Precinct
- Beaconsfield Precinct
- Gibson Park Precinct
- North Fremantle Precinct
- Samson Precinct
- South Fremantle Precinct

3. Activation and Deactivation

1. A precinct will become automatically deactivated when there are no publicly open meetings held in a 12 month period.

2. A deactivated precinct can be activated by application in writing to the City of Fremantle. Funding will be provided as though the precinct were active, for a 6 month period, to allow for an inaugural meeting to be held and the establishment of a convener for the group. If no convener is established within the 6 month period the Precinct will revert to its deactivated state.
3. Administration access to Freospace (see definitions) can also be made available for a 6 month period to support the re-activation of a precinct group.

4. Membership

Precincts must have open and cost free membership where any interested community member is welcome to participate.

5. Administration

1. Each Precinct is to update the contact details for their precinct contact details and name of their convener with the community engagement team once a year.

2. Each precinct group can decide:
   - How to appoint their convener.
   - The length of term and how many terms a convener can be appointed for.
   - Who will be the precinct contact person and action correspondence received.
   - What the meeting schedule will be.
   - If and how meetings will be recorded, for example, meeting notes or minutes.
   - How best to share information with precinct members, for example, by email, social media, or through freospace (see definitions).

3. Venues and attendance

1. Precinct meetings are to be held in a public venue, such as a community centre, school, café or local club and attendance must be open to all.

2. Some venues may charge a hire fee which is a legitimate precinct expense.

3. Precincts can request to use City owned venues at low or no cost.

4. Attendance records must be kept for all precinct meetings. These are required by the City for insurance purposes to confirm who was present in the event of an injury or incident. Attendance records must be sent to the community engagement team following each meeting.

5. Financial support

1. The City may support precincts to a maximum value of $850 per financial year, in accordance with relevant City policy, in the following way:
   - Venue hire.
   - Printing costs and distribution, for meeting flyers to promote a special precinct meeting or community activity.
   - Meeting refreshments (the City will not pay for alcohol).
2. Any funding for activities other than normal precinct meetings requested must be made, in writing, through the community engagement team.

3. Precinct budget information can be made available to precincts on request.

4. Reimbursements

1. Cash reimbursement is available to cover expenses up to $50 when:
   - Payments are made by cash or EFTPOS (not credit card) and a tax invoice has been provided
   - A receipt and contact details of the person making the claim have been provided within 14 days of the expenditure.

2. Application for reimbursement over $50 must be made, in writing, accompanied by a copy of the invoice through the community engagement team.

3. Promotional Support

1. Precincts are required to give reasonable prior public notice of any meetings to be held.

2. The City will promote the precincts and their meetings, through the use of its website, social media channels and noticeboards, where possible. The City will not publish any communication from a precinct if the content is considered inappropriate by the Chief Executive Officer.

3. The City may assist with printing flyers and notices for distribution to promote special meetings or one-off events.

4. Requests for precinct advertisements and notices to be published on the City’s social media channels or assistance with flyers can be made through the community engagement team.

5. Each precinct will be provided with their own site on Freospace, where they can present news and opinion on the blog, update the events calendar, upload meeting minutes and agendas and seek community views via online surveys and quick-polls.

6. A Precinct’s Freospace site is to be maintained by volunteers from that precinct, who will be offered training by the City to use and moderate their site.

7. Elections

1. The Local Government Act does not allow the use of council resources to assist any individual candidate in their election activities. The City is also responsible for being objective, non-political and unbiased therefore the City does not support local, state or federal electioneering and City funds must not be used for electioneering in local government elections.
2. The City acknowledges the role of the precincts in encouraging community interest in council elections, such as organising events to allow community members to meet candidates and hear what they have to say. However, Precincts must not use City funds to support any individual candidate or group of candidates in an election.

3. Precincts who wish to promote council elections must:
   - include all candidates in any publications distributed containing information about the election.
   - invite all candidates to participate in events or functions organised by the precinct, in relation to the election, in order to ensure each candidate is given an equal opportunity to participate.

4. The City encourages precincts to hold joint precinct events spanning multiple electoral wards.

5. Financial support may be withdrawn from precincts that do not comply with the requirements of this policy.

6. Customer Requests

   The City has a customer service centre to manage all enquiries received by the City in the ordinary course of business. Precincts and their members can also direct their enquiries to this centre in the normal way.

7. Community Engagement Team

   The City of Fremantle will keep active precincts informed of community engagement processes undertaken by the City and matters that relate to the administration of the precincts.

8. Precinct Meetings

   1. The City will facilitate quarterly networking meetings between the City and precincts where requested. The purpose of these face-to-face meetings is to provide an opportunity for sharing of information and networking. All precinct members are welcome to attend.

   2. The City will facilitate an annual informal meeting between precinct convenors and elected members. The purpose of this meeting is to provide an opportunity for convenors to meet with elected members and ask any questions they may have in regard to the management of meeting processes.

   3. Community engagement team

   The Community Engagement Team can be contacted:
4. Definitions and abbreviations

**Convener**
Convener means the person acting as chairperson for Precinct Meetings. 
Note: The Convener does not have to be the official contact person for the Precinct. Another member can be nominated to act as contact person and to action correspondence on behalf of the Precinct.

**Freospace**
1. Freospace is an online collaborative environment for precincts, designed to assist groups share information, discuss community issues and make it convenient for people to get involved in their local precinct.
2. The City of Fremantle has conditions of use to cover all aspects of community interaction and moderation on the Freospace site. All users of the site, including moderators and administrators, are asked to comply with these conditions of use to ensure the site is inclusive and appropriate.

SECONDED: Cr Jenny Archibald

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
FPOL1801-2  AMENDMENT OF ELECTORAL ACTIVITIES AND SIGNAGE POLICY

Meeting Date: 17 January 2018
Responsible Officer: Manager Governance
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

The purpose of this report is to recommend an amendment to the City’s Electoral Activities and Signage Policy to Council for consideration.

This report recommends that Council adopt amendments to the Electoral Activities and Signage Policy.

BACKGROUND

In June 2017 Council adopted the Electoral Activities and Signage Policy. This policy was intended to outline Council's preference to relax regulation in relation to activities and signage arranged for electoral purposes while ensuring safety and consideration for community members is maintained.

Following the recent election period and first real 'trial period' for this policy, an amendment to prevent the use of illuminated signage under this policy and in line with other policies of Council is considered appropriate.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

If adopted by Council the proposed amendment will prevent the use of illuminated signage in public places for electoral activities policy will become an official Council Policy and will prescribe the way in which the City responds to election activities and signage.

Activities and signage that do not meet the provisions within the policy will be subject to the City’s ordinary approval procedures in accordance with the City of Fremantle Activities in Thoroughfares and Public Places and Trading Local Law or the City of Fremantle Local Planning Scheme No.4.

CONSULTATION

Nil.
OFFICER COMMENT

Having been ‘tested’ through its first election cycle this policy proved to be successful in its intent to flexibly accommodate temporary short term election related activities and signage within the City of Fremantle municipality. However, it became apparent, during the election period, that illuminated signage had failed to be addressed properly in this policy and approval to amend the policy is now sought.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER’S RECOMMENDATION

Adopt the amended Electoral Activities and Signage policy as included below:

Electoral Activities and Signage Policy

Policy statement

This policy establishes the City of Fremantle’s position in relation to the activities and signage that may occur during the weeks leading up to a Federal, State or Local Government election.

Scope

It will be acceptable to hold small informal activities and erect election signage, in most instances, without the obligation to meet compliance requirements ordinarily imposed by the City, provided such signage and activities are safely conducted.

Policy:

The City allows flexibility in relation to election signage and activities. Provided the guidelines outlined in this policy are met, election signage and small public activities do not need approval from Council.

Guidelines:

During the period of election activity, commencing 8 weeks prior to the election and ending 48 hours following the close of the polls formal approval will not be required for:

Signs in public places which are:

- not illuminated in any way;
• no higher than 1 metre above natural ground level or exceed an area of 1m² on any side;

• freestanding and, therefore, not attached to any structure, post or tree.

• containing clear and legible writing or symbols.

• in the case of mobile advertising vehicle or trailers, comply with the parking regulations and/or signs applicable to that parking area and must not pose a safety risk.

• not placed on a carriageway, dividing strip, traffic island, or roundabout, within fifty (50) metres of a signalised intersection or pedestrian activated crossing.

• not placed within six (6) metres of an intersection or junction, or in any other location that may pose a safety hazard or obstruction to pedestrians or road users.

• not erected within 100 meters of a guard controlled children’s crossing.

• not attached to any street name, traffic direction or parking sign or to the associated pole.

• not placed so as to cover any City signs or markings.

• not placed so as to restrict the sight distance of other signs and traffic control devices.

• not to resemble or be mistaken by road users as a traffic control device.

Signs on private property which are:

• displaying non-commercial messages and clearly be displayed for election purposes only.

• not erected on heritage listed properties in a way that may cause any damage to any structure.

• in the case of mobile advertising vehicle or trailers, compliant with the parking regulations and/or signs applicable to that parking area and must not pose a safety risk.

• not more than one towable mobile advertising trailer per car park

• not placed within six (6) metres of an intersection or junction, or in any other location that may pose a safety hazard or obstruction to pedestrians or road users.
users.

- not erected on private property, unless they are safely and securely erected on property that is not considered to be of heritage importance and with the approval of the property owner.

- not placed so as to restrict the sight distance of other signs and traffic control devices.

- not to resemble or be mistaken by road users as a traffic control device.

Activities in public places which are:

- considered to be small activities.

- inclusive and welcoming.

- providing information that is clear and accurate.

- not causing a safety hazard or obstruction to pedestrians or road users.

- not held within 100 meters of a guard controlled children’s crossing during school crossing times.

The person or party responsible for the sign or activity must ensure that public safety is not compromised while signs are being installed or removed or activities are being undertaken and there is no disruption to traffic or pedestrian movement during the process.

The person or party responsible for the sign or activity and any persons acting on their behalf, accept full responsibility for any personal injury, damage or loss in any way arising out of or a consequence.

Signs not removed within 7 days of the close of polls may be removed and destroyed.

Removal of non-compliant signs, by or on behalf of the City, may result in any resultant costs or expenses being recovered from the person or party responsible. These costs may include both the removal and/or destruction of offending signs.

Signs and activities that do not fit within the guidelines of this policy are subject to the usual approval and compliance organisational requirements.

Definitions and abbreviations

*Election* means periodic and general elections and includes referenda and other public votes.
Land means all land under the care, control or management of the City but excludes a road where part of the road is a nature strip or footpath.

Municipal Building means any building that is owned or held under a management order or control of the City, and includes any recreation centre, library and alike.

Road means the definition under the provisions of the Land Administration Act 1997 and Main Roads Act 1930.

Election Signs means a notice on public display which encourages a person to vote for a particular political candidate or gives information or instructions in a written or symbolic form for a candidate or party in the election, and that complies with the requirements of section 187 of the Electoral Act 1907 – “Authorisation of Election Campaign Material” in regard to the authorisation of electoral signage.

Small Activity means less than 5 organisers/representatives involved in the organisation and/or running of an informal activity/event.”

ADDITIONAL OFFICER’S COMMENT

At the Finance, Policy and Operations and Legislation Committee meeting held on 17 January 2018, the committee requested that the policy be presented in a less discursive manner and include a numbering system for ease of reference for presentation to Council. The policy has been amended accordingly.

COUNCIL DECISION

MOVED: Cr H Fitzhardinge

Council adopts the amended Electoral Activities and Signage policy as included below:

Electoral Activities and Signage Policy

Policy statement

This policy establishes the City of Fremantle’s position in relation to the activities and signage that may occur during the weeks leading up to a Federal, State or Local Government election.

1. Scope

It will be acceptable to hold small informal activities and erect election signage, in most instances, without the obligation to meet compliance
requirements ordinarily imposed by the City, provided such signage and activities are safely conducted.

2. Policy:

The City allows flexibility in relation to election signage and activities. Provided the guidelines outlined in this policy are met, election signage and small public activities do not need approval from Council.

3. Guidelines:

3.1 During the period of election activity, commencing 8 weeks prior to the election and ending 48 hours following the close of the polls, formal approval will not be required for signs in public places which are:

a. not illuminated in any way;

b. no higher than 1 metre above natural ground level or exceed an area of 1m² on any side;

c. freestanding and, therefore, not attached to any structure, post or tree.

d. containing clear and legible writing or symbols.

e. in the case of mobile advertising vehicle or trailers, comply with the parking regulations and/or signs applicable to that parking area and must not pose a safety risk.

f. not placed on a carriageway, dividing strip, traffic island, or roundabout, within fifty (50) metres of a signalised intersection or pedestrian activated crossing.

g. not placed within six (6) metres of an intersection or junction, or in any other location that may pose a safety hazard or obstruction to pedestrians or road users.

h. not erected within 100 meters of a guard controlled children’s crossing.

i. not attached to any street name, traffic direction or parking sign or to the associated pole.

j. not placed so as to cover any City signs or markings.

k. not placed so as to restrict the sight distance of other signs.
and traffic control devices.

1. not to resemble or be mistaken by road users as a traffic control device.

3.2 During the period of election activity, commencing 8 weeks prior to the election and ending 48 hours following the close of the polls formal approval will not be required for signs on private property which are:

   a. displaying non-commercial messages and clearly be displayed for election purposes only.

   b. not erected on heritage listed properties in a way that may cause any damage to any structure.

   c. in the case of mobile advertising vehicle or trailers, compliant with the parking regulations and/or signs applicable to that parking area and must not pose a safety risk.

   d. not more than one towable mobile advertising trailer per car park

   e. not placed within six (6) metres of an intersection or junction, or in any other location that may pose a safety hazard or obstruction to pedestrians or road users.

   f. not erected on private property, unless they are safely and securely erected on property that is not considered to be of heritage importance and with the approval of the property owner.

   g. not placed so as to restrict the sight distance of other signs and traffic control devices.

   h. not to resemble or be mistaken by road users as a traffic control device.

3.3 During the period of election activity, commencing 8 weeks prior to the election and ending 48 hours following the close of the polls formal approval will not be required for activities in public places which are:

   a. considered to be small activities.

   b. inclusive and welcoming.
c. providing information that is clear and accurate.

d. not causing a safety hazard or obstruction to pedestrians or road users.

e. not held within 100 meters of a guard controlled children’s crossing during school crossing times.

4. The person or party responsible for the sign or activity must ensure that public safety is not compromised while signs are being installed or removed or activities are being undertaken and there is no disruption to traffic or pedestrian movement during the process.

5. The person or party responsible for the sign or activity and any persons acting on their behalf, accept full responsibility for any personal injury, damage or loss in any way arising out of or a consequence.

6. Signs not removed within 7 days of the close of polls may be removed and destroyed.

7. Removal of non-compliant signs, by or on behalf of the City, may result in any resultant costs or expenses being recovered from the person or party responsible. These costs may include both the removal and/or destruction of offending signs.

8. Signs and activities that do not fit within the guidelines of this policy are subject to the usual approval and compliance organisational requirements.

Definitions and abbreviations

*Election* means periodic and general elections and includes referenda and other public votes.

*Land* means all land under the care, control or management of the City but excludes a road where part of the road is a nature strip or footpath.

*Municipal Building* means any building that is owned or held under a management order or control of the City, and includes any recreation centre, library and alike.

*Road* means the definition under the provisions of the Land Administration Act 1997 and Main Roads Act 1930.

*Election Signs* means a notice on public display which encourages a person to
vote for a particular political candidate or gives information or instructions in a written or symbolic form for a candidate or party in the election, and that complies with the requirements of section 187 of the Electoral Act 1907 – “Authorisation of Election Campaign Material” in regard to the authorisation of electoral signage.

Small Activity means less than 5 organisers/representatives involved in the organisation and/or running of an informal activity/event.”

SECONDED: Cr Ingrid Waltham

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
FPOL1801-3 ADOPTION OF ANNUAL REPORT AND SETTING OF DATE FOR ELECTORS GENERAL MEETING

Meeting Date: 17 January 2018  
Responsible Officer: Manager Governance  
Decision Making Authority: Council  
Agenda Attachments: 2016-17 Annual Report

SUMMARY

Each year the City is required to hold an Electors’ General Meeting to consider matters arising with respect to the previous financial year. In order to set a date for the 2017 Electors’ General Meeting, Council is required to have both received the audit report for the prior period as well as having accepted the Annual Report.

A copy of the draft Annual Report for the year ended 30 June 2017 is attached for consideration by Council.

In addition to acceptance of the Annual Report, approval of Council is sought to set the date of the 2017 Electors’ General Meeting.

This report recommends that Council

Council:

1. Adopt the City of Fremantle 2016-17 Annual Report as attached to this report.


3. Set the date for the 2017 Electors’ General Meeting as Thursday 1 March 2018, in accordance with Section 5.27 of the Local Government Act 1995.

BACKGROUND

The Annual Report, as attached to the agenda, is in final draft format, with minor changes to be made to correct any typographical errors.

If Council approves the adoption of the Annual Report and the setting of the date of the Electors’ General Meeting, statutory advertising notifying the availability of the annual report and meeting date will be placed in the local newspaper. Online copies of the annual report will be made available on the City’s website with printed copies made available only by request.

The annual report contains an abridged version of the financial report however the full version of the financial report will also be made available online as a separate document.
FINANCIAL IMPLICATIONS

The financial implications of this report are primarily the costs associated with external printing of the Annual Report as required.

LEGAL IMPLICATIONS

Section 5.27 of the Local Government Act 1995 states the following:
(1) A general meeting of the electors of a district is to be held once every financial year.

(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

(3) The matters to be discussed at general electors’ meetings are to be those prescribed.

Section 5.53 of the Local Government Act states the following:
(1) The local government is to prepare an annual report for each financial year.

(2) The annual report is to contain —

• a report from the mayor or president; and
• a report from the CEO; and
• an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
• the financial report for the financial year; and
• such information as may be prescribed in relation to the payments made to employees; and
• the auditor’s report for the financial year; and
• a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
• details of entries made under section 5.121 during the financial year in the register of complaints, including —
  o  the number of complaints recorded in the register of complaints; and
  o  how the recorded complaints were dealt with; and
  o  any other details that the regulations may require; and
  o  such other information as may be prescribed.

(2) The financial report is to —

  (a) be prepared and presented in the manner and form prescribed; and
  (b) contain the prescribed information.

(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
(a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
(b) the annual financial report of the local government for the preceding financial year.

CONSULTATION

The holding of the Electors’ General Meeting contributes towards the aims of the City by providing the opportunity to:

• Undertake community consultation;
• Measure our performance.

OFFICER COMMENT

This will be the first Annual General Meeting of Electors to be held following the adoption of Council’s guiding policy in regard to the holding of annual general meetings of electors and special meetings of electors which outlines council’s preference for holding the City of Fremantle’s Annual General Meeting of Electors in a way that better meets the needs of its community.

This report recommends the acceptance of a date for the Annual General Meeting of Electors to be held that complies with the requirements of both the legislation and Council’s Policy.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority required.

COMMITTEE AND OFFICER’S RECOMMENDATION

Council:
1. Adopt the City of Fremantle 2016-17 Annual Report as attached to this report.
3. Set the date for the 2017 Electors’ General Meeting as Thursday 1 March 2018, in accordance with Section 5.27 of the Local Government Act 1995.

ADDITIONAL OFFICER’S COMMENT

The Finance, Policy and Operations and Legislation Committee requested that another date be considered for the meeting date and that some minor amendments be considered to the Annual Report. The Annual Report has been updated accordingly and attached to the Council Agenda.
OFFICER'S AMENDED RECOMMENDATION

Council:

1. Accept the City of Fremantle 2016-17 Annual Report as attached to this report.


Cr Ingrid Waltham MOVED an amendment to part 3 of the officer’s amended recommendation to change the meeting date to: Wednesday 21 February 2018.

SECONDED: Cr Rachel Pemberton

CARRIED: 9/2

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Ingrid Waltham</td>
<td>Mayor, Brad Pettitt</td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td>Cr Jon Strachan</td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>

Cr Hannah Fitzhardinge MOVED the amended recommendation to read as follows;

COUNCIL DECISION

Council:

1. Accept the City of Fremantle 2016-17 Annual Report as attached to this report.


3. Set the date for the 2017 Electors’ General Meeting as Wednesday 21 February 2018, in accordance with Section 5.27 of the Local Government Act 1995.

SECONDED: Cr Ingrid Waltham

CARRIED: 11/0
<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
SUMMARY

The City of Fremantle (‘City’) has received a request from Challenge Settlement Services Pty Ltd (‘Applicant’) for the permanent withdrawal of the City's Caveat No. B582138 (‘Caveat’) and deed lodged over No. 4 (Lot 193) Suffolk Street, Fremantle on 31 August 1978.

The Applicant represents the purchaser of 4 Suffolk Street, Fremantle with the settlement scheduled for 11 January 2018. In order for the settlement proceed within the short time frame it was decided to action a temporary withdrawal and replacement of the Caveat after the settlement (currently underway). The permanent withdrawal requires Council’s approval being the subject of this report.

The Caveat is no longer required as the subject site is currently zoned ‘Mixed Use’ under the City of Fremantle Local Planning Scheme 4 (LPS4). As such, uses including ‘Warehouse’ (storage) and ‘Residential’ are able to be considered as permissible under the current LPS4.

This report recommends that Council:
APPROVE the permanent withdrawal of the original Caveat No.B582138 (with the new replacement caveat number) registered over Certificate of Title Volume 1604 Folio 528 being Lot 193 (No. 4) Suffolk Street, Fremantle.

BACKGROUND

The original Caveat was registered on 31 August 1978 over Certificate of Title Volume 1604 Folio 528 being Lot 193 (No. 4) Suffolk Street, Fremantle. The City agreed to permit the area coloured red on the site plan annexed to the deed (see attachment 1) to be used for warehousing activities with the balance of the land to remain for residential purposes only. The lot has since been rezoned to ‘Mixed Use’ (as currently zoned under LPS4) and uses such as ‘Warehouse’ (storage) and ‘Residential’ are uses that can be considered permissible in this zone, thereby leaving the conditions of the Caveat redundant.

FINANCIAL IMPLICATIONS

The Applicant has paid all costs involved with the temporary withdrawal and replacement of the Caveat for the purpose of the settlement scheduled for 11 January 2018. Point 2 in the Deed indicates that the Grantor shall cover the expense of the original execution and registration of the Caveat.

The removal of the Caveat (when no longer supported) is not discussed in the Deed – therefore it would be reasonable for the City to pay for the costs from the Land Administration legal costs budget. The Landgate fee for a withdrawal of caveat is $168.70 in addition to the document preparation and lodgement by the City’s Solicitors.

LEGAL IMPLICATIONS

The Applicant has expressed concern that their financial institution will not provide a loan unless the Caveat is removed. Section 3 of the Deed notes the following;

Section 3

“The City of Fremantle hereby covenants with the Grantor that upon registration of the Caveat as aforesaid it shall take as necessary to effect rezoning of the said land as aforesaid.”

Section 4 defines “the Grantor” to mean and include any transferee or assignee of or successor in title to the Grantor

Therefore the City has taken the steps to rezone the land being Lot 193 (No.4) Suffolk Street, Fremantle. It is recommended that the Caveat be withdrawn as soon as possible in order not to impede the Applicants finance requirements.

CONSULTATION

N/A
OFFICER COMMENT

As discussed the Caveat is no longer required for zoning purposes given the current ‘Mixed Use’ zoning of the site under Local Planning Scheme No.4.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority

COUNCIL DECISION

MOVED: Cr H Fitzhardinge

That Council:

APPROVE the permanent withdrawal of the original Caveat No.B582138 (with the new replacement Caveat number) and registered over Certificate of Title Volume 1604 Folio 528 being Lot 193 (No. 4) Suffolk Street, Fremantle.

SECONDED: Cr Jeff McDonald

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
MOTIONS OF WHICH NOTICE HAS BEEN GIVEN
Nil.
REPORTS BY THE MAYOR OR OFFICERS OF COUNCIL

STATUTORY COUNCIL ITEMS

C1801-1 MONTHLY FINANCIAL REPORT - DECEMBER 2017

Meeting Date: 24 January 2017
Responsible Officer: Manager of Finance
Decision Making Authority: Council
Agenda Attachments:
- Statement of Comprehensive Income by Nature and Type – 31 December 2017
- Statement of Comprehensive Income by Programme – 31 December 2017
- Rate Setting Statement by Nature and Type – 31 December 2017
- Rate Setting Statement by Directorate – 31 December 2017
- Statement of Financial Position – 31 December 2017
- Statement of Net Current Assets – 31 December 2017
- Schedule of Accounts Paid – 31 December 2017
- Cash and Investment Summary Report – 31 December 2017
- Debtors Outstanding Report – 31 December 2017
- Information on Loan Borrowings – 31 December 2017
- Reserve Fund Balance and Movement – 31 December 2017
- Cash Backed Reserve Report – 31 December 2017
- Payment Report (EFT and Cheque) (viewed electronically) - December 2017
- Payment Report (Purchasing Cards) for December 2017 (viewed electronically)

SUMMARY

The Statements of Financial Activity for the period ending 31 December 2017 have been prepared and tabled in accordance with the Local Government (Financial Management) Regulations 1996.

This report provides an analysis of financial performance for December 2017 based on the following statements:

- Statement of Comprehensive Income by Nature & Type and by Program;
- Rate Setting Statement by Nature & Type and by Directorate; and

BACKGROUND

The following table provides a high level summary of Council’s year to date financial performance as at 31 December 2017.
## Description

<table>
<thead>
<tr>
<th>Description</th>
<th>2017/18 YTD Budget (A)</th>
<th>2017/18 YTD Actual (B)</th>
<th>Variance Amount (C) = (B) − (A)</th>
<th>Variance % (D) = (C)/(A)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$59.48M</td>
<td>$59.62M</td>
<td>$0.15M</td>
<td>0.25%</td>
</tr>
<tr>
<td>Expenses</td>
<td>($34.59M)</td>
<td>($32.86M)</td>
<td>$1.73M</td>
<td>(5.01%)</td>
</tr>
<tr>
<td>Operating Surplus/Deficit</td>
<td>$24.89M</td>
<td>$26.77M</td>
<td>$1.88M</td>
<td>7.55%</td>
</tr>
<tr>
<td><strong>CAPITAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$1.66M</td>
<td>$1.44M</td>
<td>($0.23M)</td>
<td>(13.75%)</td>
</tr>
<tr>
<td>Expenses</td>
<td>($6.35M)</td>
<td>($5.88M)</td>
<td>$0.47M</td>
<td>(7.42%)</td>
</tr>
<tr>
<td>Overall Surplus/Deficit</td>
<td>$24.06M</td>
<td>$26.14M</td>
<td>$2.08M</td>
<td>8.64%</td>
</tr>
</tbody>
</table>

### COMMENT

As detailed in the Statement of Comprehensive Income (Attachment 1) operating income and expenses have mainly varied to the anticipated budget in the following categories:

<table>
<thead>
<tr>
<th>Income</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates</td>
<td>$323,557</td>
</tr>
<tr>
<td>Operating Grants, Subsidies and Contributions</td>
<td>($85,615)</td>
</tr>
<tr>
<td>Interest Earnings</td>
<td>$61,568</td>
</tr>
<tr>
<td>Reimbursement Income</td>
<td>($61,320)</td>
</tr>
<tr>
<td>Expenses</td>
<td></td>
</tr>
<tr>
<td>Employee Costs</td>
<td>278,829</td>
</tr>
<tr>
<td>Employee Costs-Agency Labour</td>
<td>($400,653)</td>
</tr>
<tr>
<td>Materials and Contracts</td>
<td>$1,767,388</td>
</tr>
<tr>
<td>Insurance Expenses</td>
<td>($99,674)</td>
</tr>
<tr>
<td>Other Expenditure</td>
<td>$162,452</td>
</tr>
</tbody>
</table>

Operating Income, Operating Expenditure and Capital Expenditure graphs below provide a comparison of how actual income and expenditure compares to the budget and to actuals for the previous financial year. Comments are provided on each graph regarding the actual end of year financial position.

**Operating Income (excluding profit on disposal of assets)**
Note: Operating income includes: rates, service charges, operating grants, subsides and contributions, reimbursement income, fees and charges, interest earnings and other revenue. Non-operating (Capital Grant) income has been excluded for operating income.

Actual operating income of $59.62 million is $146,175 more than the budgeted income of $59.48 million.

Operating Expenditure (excluding loss on disposal of assets)

Note: Loss on sale of assets has been excluded from the Operating expenditure.

Actual operating expenditure of $32.85 million is $1,732,667 less than the budgeted expenditure of $34.59 million.
Capital Expenditure

Actual capital expenditure of $5.88m is $471,424 less than the year to date budget expenditure of $6.35m.

MAJOR VARIANCE ANALYSIS

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, Council adopted the level to be used in Rate Setting Statement (Statements of Financial Activity) in 2017/2018 for reporting material variances shall be 10% or $100,000, whichever is greater (Item C1706-4 refers Council meeting on 28 June 2017).

The following is an explanation of significant Operating and Capital variances identified in the Rate Setting Statement by Nature and Type:

Operating Expenditure

Employee costs - Agency Labour

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount $</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>$140,284</td>
<td>$540,937</td>
<td>$400,653</td>
<td>286%</td>
</tr>
</tbody>
</table>

The variance is mainly due to $133k on 6 trainees working for the City and hiring of agency labour more than budgeted in Building Facilities Team ($54k), Waste Collection Team ($136k), Construction and Maintenance Team ($43k) and Rates Team ($40k). Part of the overspending of agency labour is offset by savings of $279k on employee costs. Overall employee cost (including agency labour) is over budget by $122k.

Material and Contracts

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount $</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>$12,430,080</td>
<td>$10,662,692</td>
<td>$1,767,388</td>
<td>14%</td>
</tr>
</tbody>
</table>

The variance is mainly due to the following projects:
A variance of $269,000 in Waste Management area for the following projects as Waste service review is underway and contracts are forecasted to be awarded during February and March.
  o $91,000 for 100338 - Clean footpaths and malls;
  o $64,000 for 100375 - Collect waste – commercial;
  o $58,000 for 100381 - Collect recycled waste – domestic;
  o $56,000 for 100361 - Sweep streets.

Timing difference of $256,000 for 100571 - Dispose of waste at Regional Resource Recovery Centre (RRRC). November and December invoices are to be paid.

Equipment lease expenditure of $198,000 for 100072 - Maintain fixed and wireless network infrastructure and $151,000 for 100069 - Maintain PC's tablets printers and accessories, which is expected to be paid in January.

$184,000 for 100379 - Collect bulk waste (kerbside). The invoices are hold for payment as Officers are further investigating due to higher than forecasted tonnage billed.

Timing variance of $108,000 for 200359 - Project - 11060 Demolish Stan Reilly (Kings Square Redevelopment), which is expected to be processed in January.

$59,000 for 200224 - Project-10328 Landscape Recreation Reserve (soft) – Cantonment Hill. Original budget of Cantonment Hill project is allocated to individual work orders however the project works were not separated as budgeted and the cost was grouped to Project 10329 Install Structure – Cantonment Hill (Stage 1).

$52,000 for 100342 - Maintain light vehicles is due to cost savings.

$50,000 for 100352 - Maintain trees - road reserves and carparks. Programmed works for tree pruning are underway with invoices expected.

Timing variance of $50,000 for 100172 - Maintain Business Systems – LMS.

## Capital Revenue

### Capital Grants and Subsidies/Contributions for the development of Assets

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount $</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,658,699</td>
<td>1,415,135</td>
<td>243,564</td>
<td>(15%)</td>
</tr>
</tbody>
</table>

The timing variance is mainly related to Road projects for South Street, Hampton Road, Parry Street and Lefroy Road funded from Road Project Grant and Black Spot Program. All projects were well progressed and 60% of the funding will be received in December. It is anticipated that the projects will be completed by the end of December and the rest of 40% of the funding will be claimed in January 2018.

### Capital Expenditure

### Purchase Community Land and Buildings

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount $</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1,648,632)</td>
<td>(1,871,655)</td>
<td>(223,023)</td>
<td>(14%)</td>
</tr>
</tbody>
</table>

The variance is mainly due to timing difference of $235,000 for Project-10297 Building development - Construct Council Admin Building.
Purchase Infrastructure Assets – Roads

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1,144,517)</td>
<td>(904,471)</td>
<td>240,047</td>
<td>(21%)</td>
</tr>
</tbody>
</table>

The variance is mainly due to timing difference of the following projects:

- $100,000 for Project 11648 Install intersection and pedestrian crossing facilities Paget and South Street Hilton Town Centre. This project is now scheduled to commence and be completed in March.
- $70,000 for Project 10858 Install traffic calming pedestrian refuge Lefroy Road between Carrington Street and York Street. Works are substantially complete. Line marking is yet to be undertaken resulting in a timing variance.
- Timing variance of $19,000 for Project-10538 Lefroy Road traffic and pedestrian improvement. The project has been completed with invoices expected.
- $18,000 for Project-10127 Design intersection Adelaide and Queen Victoria.
- $15,000 for Project-10832 Install new lighting equipment - road reserve

Purchase Infrastructure Assets – Other Structure

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>(848,620)</td>
<td>(1,013,984)</td>
<td>(165,364)</td>
<td>19%</td>
</tr>
</tbody>
</table>

This is mainly due to a variance of $155,000 related to Project 10329 Install Structure – Cantonment Hill (Stage 1). Original budget allocated to individual work orders however the project works were not separated as budgeted. Therefore there is an underspending of $212,000 for Project 10331 Install Irrigation System – Cantonment Hill (Stage 1).

Purchase Infrastructure Assets – Open Space Equipment

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>(387,714)</td>
<td>(95,320)</td>
<td>292,394</td>
<td>(75%)</td>
</tr>
</tbody>
</table>

This is mainly due to the following variances:

- A variance of $212,000 in Project 10331 Install Irrigation System – Cantonment Hill (Stage 1). Original budget of Cantonment Hill project is allocated to individual work orders however the project works were not separated as budgeted and the cost was grouped to Project 10329 Install Structure – Cantonment Hill (Stage 1).
- A timing variance of $28,000 in Project 10347 Prepare detailed design for redevelopment Fremantle Park, which is expected to be processed in January.
- A timing variance of $23,000 in Project-10712 Replace parking modems supported by 3G network. The project is to be completed in April.

Purchase Building Furniture and Fittings

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Variance Amount</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>(178,500)</td>
<td>(2,213)</td>
<td>180,713</td>
<td>(101%)</td>
</tr>
</tbody>
</table>
This is mainly due to the following timing variances related to office relocation. The City of Fremantle’s administration and library (including customer service and the One Stop Shop) have relocated in December and begun operating from the former Fremantle Dockers administration building at Fremantle Oval (70 Parry Street, Fremantle). The following expenditure will be reflected in next month’s account once payments are made.

- A variance of $83,000 in Project 11078 - Replace existing IP Telephony voice handsets with a soft phone solution built into end user PC’s.
- A variance of $50,000 in Project 11636 Communications link data centre and Fremantle Oval (Kings Square redevelopment)
- A variance of $30,000 in Project 11635 Wireless network at Fremantle Oval (Kings Square redevelopment).

BUDGET AMENDMENTS

Budget Variations with Nil Effect to the Overall Budget

The following budget variations will amend the 2017/2018 budget to reflect various adjustments to the General Ledger with nil effect to the overall budget. Due to the nature of these variations, they fall outside the annual budget review.
## Budget Variation 2017/18 – January Council Meeting

<table>
<thead>
<tr>
<th>Item</th>
<th>Account #</th>
<th>Account Details</th>
<th>2017/18 Original Budget</th>
<th>Increase/ Decrease</th>
<th>2017/18 Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>200xxx.6823</td>
<td>Project-11001 Deliver the Commonwealth Games Queens Baton Relay</td>
<td>-</td>
<td>14,500</td>
<td>14,500</td>
</tr>
<tr>
<td></td>
<td>100427.6877</td>
<td>Conduct Christmas celebrations and events</td>
<td>58,500</td>
<td>(14,500)</td>
<td>44,000</td>
</tr>
<tr>
<td>2</td>
<td>200xxx.4311</td>
<td>Project-10882 Relocation and upgrade of cricket training nets - Stevens Street Reserve</td>
<td>-</td>
<td>(20,000)</td>
<td>(20,000)</td>
</tr>
<tr>
<td></td>
<td>200xxx.4386</td>
<td>Project-10882 Relocation and upgrade of cricket training nets - Stevens Street Reserve</td>
<td>-</td>
<td>(25,000)</td>
<td>(25,000)</td>
</tr>
<tr>
<td></td>
<td>200xxx.1606</td>
<td>Project-10882 Relocation and upgrade of cricket training nets - Stevens Street Reserve</td>
<td>-</td>
<td>81,500</td>
<td>81,500</td>
</tr>
<tr>
<td></td>
<td>200340.4211</td>
<td>Black Spot Grants</td>
<td>-</td>
<td>(10,416)</td>
<td>(10,416)</td>
</tr>
<tr>
<td></td>
<td>200339.4211</td>
<td>Black Spot Grants</td>
<td>-</td>
<td>(34,520)</td>
<td>(34,520)</td>
</tr>
<tr>
<td></td>
<td>200xxx.1606</td>
<td>Project 11738 Install drinking fountain – Stevens Street Reserve</td>
<td>-</td>
<td>8,436</td>
<td>8,436</td>
</tr>
</tbody>
</table>

### Cash Investments

An analysis of Statement of Financial Position (Attachment 5) and Statement of Net Current Assets (Attachment 6) shows that the City held $69.80 million (excluding $307,637 held in trust) in cash and short term investments as at 31 December 2017. The cash and cash equivalents include $40.80 million in Reserves and $29.00 million in unrestricted cash.

The graph below summarises the maturity profile of the City's investments at market value as at 31 December 2017.
The chart below is showing the cash investments at the carbon support/non-support position financial institutions at 31 December 2017. There are $39 million of investments with financial institutions listed as not supporting unlocking of carbon, representing 56% of the total investments.


**FINANCIAL IMPLICATIONS**

This report is provided to enable Council to assess how revenue and expenditure is tracking against the budget. It is also provided to identify any budget issues which Council should be informed of.

**LEGAL IMPLICATIONS**

Local Government (Financial Management) Regulation 34 requires a monthly financial activity statement along with explanation of any material variances to be prepared and presented to an ordinary meeting of council.

Under section 6.10 of the *Local Government Act 1995* and *Local Government (Financial Management) Regulation 12(1)*;

a) Council has delegated authority to the CEO under item 3.2, Accounts for Payment - Authorisation of, to make payments from the municipal fund and trust fund.

The lists of accounts paid are presented in accordance with *Local Government (Financial Management) Regulations 13(1) and (3)*
CONSULTATION
Nil

OFFICER COMMENT

This report is provided to Council to assess operational issues affecting the implementation of projects and activities in the 2017/18 current budget.

The overall performance for the City of Fremantle for the period ended 31 December 2017 resulted in an additional $2,078,555 surplus being identified than anticipated, which is mainly as a result of:-

- Underspending of operating expenditure of $1,732,667;
- Reduced operating revenue (excluding rates) of $157,416;
- The net transfer from reserve of $61,662;
- Increased rates income of $300,991;
- Underspending of capital projects of $471,424,
- Reduced capital revenue of $228,880.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

That Council:


2. Approve the required budget variations to the Adopted Budget for 2017/2018 as outlined in the report.

3. Receive the payments authorised under delegated authority and detailed in the list of invoices for December 2017, presented as per the summaries set out in the attached schedules and include creditors that have been paid in accordance with the Local Government (Financial Management) Regulations 1996.


SECONDED: Cr Jenny Archibald

CARRIED: 11/0
<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
COUNCIL ITEMS

C1801-2 TERMS OF REFERENCE OF THE NEW STRATEGIC PLANNING AND TRANSPORT COMMITTEE

Meeting Date: 24 January 2018
Responsible Officer: Chief Executive Officer
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

At the Ordinary Council Meeting held on 13 December 2017, council resolved to approve a review of the Strategy and Project Development Committee and the development of new terms of reference based on the following principles:

- Scope of responsibility - All strategic land use planning and transportation matters.
- Frequency - Once a month, with the option for the CEO to cancel the meeting if there is insufficient business.
- Membership - 6 elected members and mayor as ex-officio member.
- Delegated authority - Yes – limited to approval of general principles for development of policy/strategy and authority to request research/reports be undertaken by staff.
- Accessibility - Open to the public but can be closed as necessary.

Council also resolved that a further report setting out full details of recommended terms of reference based on the principles above be presented to the next appropriate Ordinary Meeting of Council.

This item recommends detailed terms of reference of the committee, to be called the Strategic Planning and Transport Committee, for Council’s approval. Subject to Council’s approval of the recommended terms of reference, this item also recommends that Council determines the appointment of elected members to the committee and approves amendments to the meeting schedule for the Ordinary Meeting of Council and Standing Committees for the remainder of the period July 2017 to June 2018 to align with the recommended terms of reference.

BACKGROUND

At the Ordinary Council Meeting held on 22 November 2017, council resolved that a report be presented to the next appropriate Ordinary Meeting of Council on a review of the terms of reference of the Strategy and Project Development Committee. A report on the review, including two options for future terms of reference of the committee, was considered at the Ordinary Council Meeting on 13 December 2017 (item C1712-3).
At the 13 December meeting council resolved to approve a review of the Strategy and Project Development Committee and the development of new terms of reference based on the following principles:

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>OPTION 2 – NEW STRATEGIC PLANNING COMMITTEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scope of responsibility</td>
<td>All strategic land use planning and transportation matters</td>
</tr>
<tr>
<td>Frequency</td>
<td>Once a month, with the option for the CEO to cancel the meeting if there is insufficient business</td>
</tr>
<tr>
<td>Membership</td>
<td>6 elected members and mayor as ex-officio member</td>
</tr>
<tr>
<td>Delegated Authority</td>
<td>Yes – limited to approval of general principles for development of policy/strategy and authority to request research/reports be undertaken by staff</td>
</tr>
<tr>
<td>Accessibility</td>
<td>Open to the public but can be closed as necessary</td>
</tr>
</tbody>
</table>

Council also resolved that a further report setting out full details of recommended terms of reference based on the principles above be presented to the next appropriate Ordinary Meeting of Council.

OFFICER COMMENT

Terms of reference for the committee, proposed to be called the Strategic Planning and Transport Committee, have been prepared in accordance with the principles approved by council on 13 December 2017. The full terms of reference are set out in part 1 of the Officer’s Recommendation at the end of this item. Key aspects of the terms of reference are discussed below.

Objectives and responsibilities of the Committee

The primary objective of the committee will be to consider and make recommendations to the council on strategic land use, planning, urban design and transportation matters. It is recommended that this should include, but not be limited to, the following:

- Amendments to, and review of, the City’s Local Planning Scheme.
- Adoption and review of local planning policies under the Scheme.
- Consideration of master plans and similar non-statutory documents intended to guide future land use and transportation planning and development, e.g. Fremantle Oval Master Plan, Heart of Beaconsfield, Victoria Quay precinct.
• Consideration of strategic planning and transportation matters referred to the City for comment by state agencies, e.g. Metropolitan Region Scheme amendments, draft State Planning Polices and regional planning and transport strategy documents.
• Matters relating to Fremantle Port planning and related freight transport issues.
• Consideration of strategic transportation matters related to the City’s Integrated Transport Strategy, e.g. public transport corridor planning and bicycle network planning.
• Consideration of local structure plans and local development plans.
• Consideration of research and general principles to inform the development of strategies and policies on land use, urban design and transportation planning matters.

If council approves the terms of reference as recommended, matters of a less strategic nature previously considered by the Strategy and Project Development Committee would be reported to the Finance, Policy, Operations and Legislation Committee and the business of the Planning Committee would be statutory development control matters only, which already make up the majority of the committee’s business (and for which the committee already has extensive delegated decision-making powers).

Powers and delegated authority

Consistent with council’s resolution of 13 December 2017 on the principles of the terms of reference for the committee, it is recommended that the committee be given some limited delegated authority to make decisions on matters such as the guiding principles of strategic planning documents. This would provide more timely direction to officers to progress with the research and preparation of draft documents such as planning scheme amendments. The formal approval of complete draft documents for public consultation purposes, and final adoption of documents would remain a decision of the full council as under current arrangements.

It is recommended that the committee’s exercise of delegated authority should be subject to the same conditions as currently apply to the delegated authority of the Planning Committee and Finance, Policy, Operations and Legislation Committee, including the condition that at least five members of the committee vote in favour of the recommendation in order to make a decision under delegation.

Committee membership

Council’s previous resolution supported membership of the committee comprising six elected members plus the Mayor as an ex-officio member. To maintain consistency with the approach to membership of the Finance, Policy, Operations and Legislation Committee (FPOL) and the Planning Committee under the council’s Standing Orders, it is recommended that each of the six wards should be represented on the committee by one elected member.

FINANCIAL IMPLICATIONS

Nil.
LEGAL IMPLICATIONS
Nil.

CONSULTATION
Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS
Absolute Majority Required

Mayor, Brad Pettitt MOVED a minor amendment to part 3 of the Officer's Recommendation, as follows;

| 3 | Strategic Planning and Transport Committee | 21 February 2018 | 7.00 pm |

SECONDED: Cr D Hume

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
</table>
| Mayor, Brad Pettitt  
Cr Ingrid Waltham  
Cr Doug Thompson  
Cr Bryn Jones  
Cr Jon Strachan  
Cr Rachel Pemberton  
Cr Adin Lang  
Cr Hannah Fitzhardinge  
Cr Jenny Archibald  
Cr Jeff McDonald  
Cr Dave Hume |
COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

Council:

1. Approve the Terms of Reference of the Strategic Planning and Transport Committee as set out below:

Strategic Planning and Transport Committee

1. OBJECTIVES OF THE STRATEGIC PLANNING AND TRANSPORT COMMITTEE

The primary objective of the Strategic Planning and Transport Committee is to consider and make recommendations to the council in relation to the following strategic land use, planning, urban design and transportation matters:

- Amendments to, and review of, the City’s Local Planning Scheme.
- Adoption and review of local planning policies under the Scheme.
- Consideration of master plans and similar non-statutory documents intended to guide future land use and transportation planning and development.
- Consideration of strategic planning and transportation matters referred to the City for comment by state agencies, including Metropolitan Region Scheme amendments, draft State Planning Policies and regional planning and transport strategy documents.
- Matters relating to Fremantle Port planning and related freight transport issues.
- Consideration of strategic transportation matters related to the City’s Integrated Transport Strategy.
- Consideration of local structure plans and local development plans.
- Consideration of research and general principles to inform the development of strategies and policies on land use, urban design and transportation planning matters.

2. POWERS OF THE STRATEGIC PLANNING AND TRANSPORT COMMITTEE
2.1 The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference.

2.2 The committee is a formally appointed committee of the Council and is responsible to the Council.

2.3 The committee has authority delegated by Council to make decisions on matters specified in part 9 of these terms of reference and in the Register of Delegated Authority.

2.4 The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility.

2.5 The committee does not have any management functions and cannot involve itself in management processes or procedures.

3. MEMBERSHIP

3.1 The committee will be made up of the following members: a) Mayor (as ex-officio), and b) each of the six wards should be represented on the committee by one elected member.

3.2 The CEO or their nominee is to attend meetings to provide advice and guidance to the committee.

3.3 Membership shall be for a period of up to 2 years terminating on the day of the Ordinary Council Elections.

4. CHAIRPERSON

4.1 The position of Chairperson shall be appointed by a vote of the committee following a call for nominations for the position.

5. MEETINGS

5.1 The Committee shall meet every month, on specific dates to be advised, with the option for the CEO to cancel the meeting if there is insufficient business.

5.2 Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

6. QUORUM AND REDUCTION OF

As per s5.15 and 519 of the Local Government Act 1995, the quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of members of the committee. The local government may reduce, by absolute majority; the number of offices of
committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

7. SUSPENSION OF COMMITTEE

Suspension or termination of the Committee may be at the discretion of Council.

8. COMMITTEE DECISIONS

This Committee has decision making authority to approve the guiding principles of strategic planning documents and to request officers to undertake research on and preparation of draft documents such as planning scheme amendments and local planning policies. This decision making authority does not extend to the approval of final draft documents for the purposes of public consultation.

2. Appoint the following members to the Strategic Planning and Transport Committee:

<table>
<thead>
<tr>
<th>WARD</th>
<th>MEMBER</th>
<th>DEPUTY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mayor (Ex-officio)</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Cr Bryn Jones</td>
<td>Cr Doug Thompson</td>
</tr>
<tr>
<td>South</td>
<td>Cr Jon Strachan</td>
<td>NA</td>
</tr>
<tr>
<td>City</td>
<td>Cr Rachel Pemberton</td>
<td>Cr Adin Lang</td>
</tr>
<tr>
<td>Hilton</td>
<td>Cr Jeff McDonald</td>
<td>Cr Sam Wainwright</td>
</tr>
<tr>
<td>Beaconsfield</td>
<td>Cr David Hume</td>
<td>Cr Hannah Fitzhardinge</td>
</tr>
<tr>
<td>East</td>
<td>Cr Jenny Archibald</td>
<td>Cr Ingrid Waltham</td>
</tr>
</tbody>
</table>

3. Approve the amended meeting schedule for the Ordinary Meeting of Council and Standing Committees for the period February 2018 to June 2018 as set out below:

<table>
<thead>
<tr>
<th>Week</th>
<th>Committee/council meeting</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Committee Name</td>
<td>Date</td>
<td>Time</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>--------</td>
</tr>
<tr>
<td>1</td>
<td>Planning Committee</td>
<td>7 February 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>2</td>
<td>Library Advisory Committee Finance, Policy, Operations and Legislation (F-POL)</td>
<td>14 February 2018</td>
<td>5.30 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6.00 pm</td>
</tr>
<tr>
<td>3</td>
<td>Strategic Planning and Transport Committee</td>
<td>21 February 2018</td>
<td>7.00 pm</td>
</tr>
<tr>
<td>4</td>
<td>Ordinary Council</td>
<td>28 February 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>March</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Planning Committee</td>
<td>7 March 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>2</td>
<td>Audit and Risk Committee</td>
<td>13 March 2018</td>
<td>5.30 pm</td>
</tr>
<tr>
<td>2</td>
<td>Finance, Policy, Operations and Legislation (F-POL)</td>
<td>14 March 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>3</td>
<td>Strategic Planning and Transport Committee</td>
<td>21 March 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>4</td>
<td>Ordinary Council</td>
<td>28 March 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>April</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Planning Committee</td>
<td>4 April 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>2</td>
<td>Finance, Policy, Operations and Legislation (F-POL)</td>
<td>11 April 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>3</td>
<td>Ordinary Council</td>
<td>18 April 2018</td>
<td>6.00 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Planning Committee</td>
<td>2 May</td>
<td>6.00 pm</td>
</tr>
<tr>
<td>2</td>
<td>Audit and Risk Committee</td>
<td>8 May</td>
<td>5.30 pm</td>
</tr>
<tr>
<td>2</td>
<td>Library Advisory Committee Finance, Policy, Operations and Legislation (F-POL)</td>
<td>9 May</td>
<td>5.30 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6.00 pm</td>
</tr>
</tbody>
</table>
4. Approve amendments to Section 1 of the Register of Delegated Authority 2017-18 (delegations by Council to Committees in accordance with section 5.16 of the Local Government Act 1995) to include delegation to the Strategic Planning and Transport Committee of decision making authority to approve the guiding principles of strategic planning documents and to request officers to undertake research on and preparation of draft documents such as planning scheme amendments and local planning policies.

SECONDED: Cr D Hume

CARRIED: 11/0

<table>
<thead>
<tr>
<th></th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Strategic Planning and Transport Committee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>16 May 2018 6.00 pm</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Ordinary Council</td>
<td></td>
</tr>
<tr>
<td></td>
<td>23 May 2018 6.00 pm</td>
<td></td>
</tr>
<tr>
<td></td>
<td>June</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Planning Committee</td>
<td>6 June 2018 6.00 pm</td>
</tr>
<tr>
<td>2</td>
<td>Finance, Policy, Operations and Legislation (F-POL)</td>
<td>13 June 2018 6.00 pm</td>
</tr>
<tr>
<td>3</td>
<td>Strategic Planning and Transport Committee</td>
<td>20 June 2018 6.00 pm</td>
</tr>
<tr>
<td>4</td>
<td>Ordinary Council</td>
<td>27 June 2018 6.00 pm</td>
</tr>
</tbody>
</table>
LATE ITEM
C1801-3 DEFERRED ITEM - SOUTHERN METROPOLITAN REGIONAL COUNCIL (SMRC) AMENDED BUSINESS PLAN (8 SEPTEMBER 2017)

Meeting Date: 24 January 2018
Responsible Officer: Director City Business
Decision Making Authority: Council
Agenda Attachments: Draft SMRC Business Plan

SUMMARY

The draft amended Business Plan was presented to the Ordinary meeting of Council held 13 December 2017 and subsequently deferred to the January round of meetings, to enable Elected Members to receive more information from officers in relation to the business plan prior to making a decision.

It is recommended that Council to consider approving the amended Business Plan for the Southern Metropolitan Regional Council (SMRC) and the Regional Resource Recovery Centre (RRRC) as required under Project Participants Agreement (PPA) due to the withdrawal of the City Of Cockburn as a member to the Agreement.

BACKGROUND

The City of Cockburn announced its intention to withdraw from the Regional Resources Recovery Centre (“RRRC”) project (the “Project”) operated by the SMRC, with an effective date of 30 June 2017. This triggered a requirement under Clause 2.8(1) of the RRRC Project Participant’s Agreement to prepare an amended business plan (“Amended Business Plan” or the “Plan”) for the Project having regard to the effect of the withdrawal of the City of Cockburn.

The Deed of Variation of the Project Participant’s Agreement also requires the SMRC to determine the proportional entitlement of the surplus funds or liability of the withdrawing participant which would be payable if the Regional Local Government was wound up, but disregarding any borrowings or assets acquired from borrowed funds, hereafter referred to as the “Notional Winding Up”.

In December 2016, RSM Australia Pty Ltd along with MRA Consulting Group and JDsi Consulting Engineers were awarded the contract to amend the business plan and consider the notional winding up by the SMRC.

FINANCIAL IMPLICATIONS

The amended Business Plan considers the effect on member contributions from the withdrawal by the City of Cockburn. It also considers the context of the waste market and any factors which will affect future operations and assesses its likely impact on these contributions.
The amended Plan highlights three scenarios in relation to the future operations by the SMRC. Two of the three indicate that there would likely be net deficit outcomes and one where there would likely be a net surplus outcome. Net deficit outcomes would negatively affect the contribution required by the remaining members.

For the third scenario the amended Plan assumes that the Container Deposit Scheme (CDS) is adopted by the State Government by June 2019 and that remaining members of the PPA move to a three bin FOGO system by July, 2020.

The cost of the amended Plan is paid for by the withdrawing partner, in this case the City of Cockburn.

LEGAL IMPLICATIONS

The PPA contemplates a withdrawal by a member. Clause 2.8(1) of the PPA requires the withdrawing member to provide an amended Business Plan for the remaining participants.

CONSULTATION

Nil

OFFICER COMMENT

The amended Business Plan addresses the effect of the withdrawal of the City of Cockburn and details changes to the annual contributions payable by the Project Participants after the withdrawal takes effect. The Plan also provides an estimate of the proportional liability of the City of Cockburn based on a notional winding up of the RRRC Project effective 30 June 2017.

In addition, the amended Plan considers industry developments and other business factors impacting the future direction of the SMRC. Specifically, the recommendations from the 2016 SMRC Strategic Waste Management Plan in relation to Food Organics and Garden Organics “FOGO” processing options and the future implementation of a Container Deposit Scheme (“CDS”) by the state government of Western Australia have been incorporated.

The amended Plan considers three main scenarios moving forward;

1. Business as usual – this scenario would see significant operating losses as a result of the withdrawal of Cockburn until the end of the PPA on 30 June, 2023. Whilst Cockburn has agreed to bring its MSW to the RRC facility until June 2020, post this period the business model indicates that operating deficits would result if no other aspect of change occurred.

2. Container Deposit Scheme – this scenario considers the introduction of CDS by July, 2019. Under this model the project would generate additional revenue of approximately $1m per year. This change in operations would reduce the operating losses but losses would likely still occur post 2020.
3. FOGO – the third scenario considers the introduction of a three bin system (food organics and green organics) FOGO by July 2020 by the remaining members in accordance with the SMRC’s adopted Waste Management Plan. Under this scenario the use of the Waste Composting Facility (WCF) has ceased and the sheds used to generate commercial rent. With the decreased costs from not operating the three large digesters the operating position results in surplus and the net cost of managing waste drops to approximately $150p/t.

The current PPA has an end date of 30 June, 2023. There are further considerations to how the remaining members manage waste operations post this date. The amended Plan proposes both the CDS and a move to the three bin system as providing the most likely scenario to ensure the RRRC can provide operating surpluses moving forward.

The notional winding up of the RRRC project results in an estimated net contribution from the City of Cockburn to the remaining members of $381,154. This is based on a net liability from the notional wind up of the project of $1,006,214.

The City of Cockburn’s share of the net liability will be sought through a Deed of Settlement and Release that will prescribe the contribution and the cost of preparing the amended Business Plan.

VOTING AND OTHER SPECIAL REQUIREMENTS
Simple Majority Required

COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

Council approves the amended Business Plan for the Regional Resource and Recovery (RRRC) Project with the Southern Metropolitan Regional Council as prepared by RSM Australia Pty Ltd dated 8 September, 2017, which provides for the withdrawal of the City of Cockburn from the RRRC Project as of 1 July, 2017.

SECONDED: Cr Ingrid Waltham

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
CONFIDENTIAL MATTERS

RESOLUTION FOR CONFIDENTIALITY

MOVED: Mayor, Brad Pettitt

That item FPOL1801-5 be closed to members of the public in accordance with Section 5.23(2) (e) of the Local Government Act 1995.

SECONDED: Cr Jeff McDonald

CARRIED: 11/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Adin Lang</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>

At 6.56 pm the public vacated the chamber to allow discussion on the following, which was deemed to be confidential.

At 6.58 pm Cr Adin Lang declared a financial interest in item number FPOL1801-5 and was absent during discussion and voting of this item.

Cr Adin Lang left the meeting at 6.59 pm and did not return.
FPOL1801-5  KNUTSFORD STREET DEPOT SITE REDEVELOPMENT

Meeting Date: 17 January 2018
Responsible Officer: Director Strategic Planning and Projects
Decision Making Authority: Council
Agenda Attachments: Nil

REASON FOR CONFIDENTIALITY

This report is CONFIDENTIAL in accordance with Section 5.23(2) of the Local Government Act 1995 which permits the meeting to be closed to the public for business relating to the following:

(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

COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

Council:
1. Approve the suspension of discussions with LandCorp regarding the City’s depot site at No. 81 Knutsford Street under the terms of the resolution made at the Ordinary Meeting of Council on 23 March 2016 (item FPOL1603-6).

2. Approve the issue of a request for tender for the purchase of some or all of the land at No. 81 Knutsford Street for redevelopment as a medium/high density mixed residential development incorporating leading edge environmental sustainability performance, based on the following tender requirements:

   • Proposed development outcomes
     o Minimum density R60 on any portion of the site and an average density across the whole development of R80.
     o Sustainability outcomes as defined in the table below:

<table>
<thead>
<tr>
<th>One Planet Living Principles</th>
<th>Residential development to achieve minimum NatHERS 1 star above minimum compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Zero carbon</td>
<td>-Zero Energy Buildings that produce annually, on average, more energy than they consume (verification method to be provided pre-development)</td>
</tr>
</tbody>
</table>
- Must meet Green Star maximum demand benchmark (energy storage or demand management as acceptable options)

2. Zero Waste

- A 95% diversion from Landfill is targeted.
- Sites to be declared 'Smart Waste Zones' with all contractors to comply with the various protocols.
- A Materials Survey is to be lodged prior to demolition detailing items and materials suitable for reuse onsite, and a strategy for storing and adapting these. All other materials to be removed must go to a licenced resource recovery plant or, if contaminated, removed by a licenced hazardous waste operator.

3. Sustainable Transport

- Reduced (on site/occupant) parking provision measured as an agreed % of BAU parking standards at the time of development
- Design of site access and parking is such a way as to avoid domination of recreation and pedestrian spaces within a development (eg peripheral parking)
- Onsite parking to allow provision for charging of electric vehicles
- Support for street based embayment parking for visitors designed so that the City could remove bays in the future when car ownership becomes the exception rather than the norm
- Provision of (accommodation for) vehicular transport alternatives such as car share and ride share services, separate title for parking bays and future provision for autonomous vehicles.
- Greenstar benchmarks for minimum bicycle storage

4. Sustainable Materials

- Material reuse will be supported through the provision of a 'lay down area' reserved for contractors to deposit excess, useful materials during the construction phase. Demonstrate best practice approaches to managing issues such as pesticide residue and uncontrolled
fill onsite, minimising the need to transport contaminated materials through the local area, as well as reducing unnecessary landfill.
- Lightweight and timber (e.g. cross-laminated) construction techniques will be strongly encouraged through design guidelines.
- Green Star benchmarks apply for Volatile Organic Compounds, formaldehyde content and PVC sourcing, to minimise both ongoing and supply chain impacts from these chemicals.
- All timber, including any timber formwork for concrete, to be sustainably sourced. Green Star benchmark applies.

5. Local and Sustainable Food
- Trees in landscaped areas to include 30% edible species.
- Community gardens and lot level shared gardens encouraged.

6. Sustainable Water
- Reduction of potable water consumption of more than 60-70% compared to Perth Residential Water Use Study (2010). (amounts to be specified)
- A whole of development approach to grey water reuse (to be reviewed if the sustainable ground water recharge approach cannot be implemented.)
- A whole of development approach to non-potable water supply, (probably based on sustainable ground water recharge.)
- Non-potable system for irrigation.
- Water sensitive urban design principles integrated with the non-potable water supply system for the development as a whole.

7. Land Use and Wildlife
- Through public open space landscaping and mandatory requirements on developers of private lots, a net positive impact on ecological value is targeted, using the Green Star Ecological Value calculator as a measure.
- A best practice approach to flora and fauna surveys, protection zones, relocation, nesting boxes, retained
natural hollows and retention of habitat trees if present on site.
- EnviroDevelopment benchmarks will be used as a measure for these outcomes.

8. Culture and Community
- Offer select sites/agreed portion of area to public/social/innovative housing groups as a first option
- aim to provide a mixing of housing typologies, involving local artistic and cultural groups.
- show genuine responses to input from the local community.
- Demonstrate a placemaking approach which compliments the overall Knutsford/Swanbourne St precinct including enhancements to the public realm particularly in Knutsford St. response to the AUDRC/Josh Byrne proposals for Knutsford St
- % for Art to apply.

9. Equity and Local Economy
- All requests for tender let by the developer should require bidders to demonstrate equitable employment policies and assist disadvantaged groups to enter the workforce.
- Use local suppliers and venues for project related events.
- Achieving Silver or Gold level under Liveable Housing Australia design guidelines for all dwellings.
- A not for profit housing provider to be sought for portion of the dwellings (eg. Access Housing)

10. Health and Happiness
- A Red List Statement listing intended use of any Red List materials is to be lodged with the City prior to construction commencing. [See https://living-future.org/declare/declare-about/red-list/]
- This development will seek to extend the local community and to ensure that new residents feel included in that community.
• Timeline:
  o Settlement to occur on completion of servicing and remediation.
  o Development to substantially commence within one year of settlement.

• Price (assuming site is serviced and remediated).
• Contract conditions of sale which require purchaser to fulfil development outcomes and timeline requirements.

• Options:
  o Option for the City to negotiate the sale of a portion of the site rather than the whole site (the portion for sale to be a minimum of 60% of the total site area) with the remaining area retained by the City for development and operation of a light industrial/mixed use operations centre.

2. Provide for tenderers to submit non-conforming tenders that:
  o allow for proposals to meet the sustainability outcomes in an alternative way; and/or
  o a longer development timeline

3. Request a report on the outcome of the tender process referred to in (2) above to be presented to the next appropriate meeting of the Finance, Policy, Operations and Legislation Committee.

SECONDED: Cr Jeff McDonald

CARRIED: 10/0

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor, Brad Pettitt</td>
<td></td>
</tr>
<tr>
<td>Cr Ingrid Waltham</td>
<td></td>
</tr>
<tr>
<td>Cr Doug Thompson</td>
<td></td>
</tr>
<tr>
<td>Cr Bryn Jones</td>
<td></td>
</tr>
<tr>
<td>Cr Jon Strachan</td>
<td></td>
</tr>
<tr>
<td>Cr Rachel Pemberton</td>
<td></td>
</tr>
<tr>
<td>Cr Hannah Fitzhardinge</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Archibald</td>
<td></td>
</tr>
<tr>
<td>Cr Jeff McDonald</td>
<td></td>
</tr>
<tr>
<td>Cr Dave Hume</td>
<td></td>
</tr>
</tbody>
</table>
CLOSURE OF MEETING

THE MAYOR, B PETTITT DECLARED THE MEETING CLOSED AT 7.04 PM.