



# Minutes

## Ordinary Meeting of Council

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Wednesday, 26 September 2018, 6.00pm

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## **ORDINARY MEETING OF COUNCIL**

Minutes of the Ordinary Meeting of Council  
held in the North Fremantle Community Hall  
on **26 September 2018** at 6.00 pm.

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### **1 OFFICIAL OPENING, WELCOME AND ACKNOWLEDGMENT**

The Presiding Member declared the meeting open at 6.01pm and welcomed members of the public to the meeting.

#### **2.1 ATTENDANCE**

Cr Ingrid Waltham	Deputy Mayor / East Ward
Cr Jenny Archibald	East Ward
Cr Bryn Jones	North Ward
Cr Rachel Pemberton	City Ward
Cr Adin Lang	City Ward
Cr Sam Wainwright	Hilton Ward
Cr Jeff McDonald	Hilton Ward
Cr Jon Strachan	South Ward
Cr Andrew Sullivan	South Ward
Cr Dave 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 Garbett	Director Strategic Planning and Projects
Mr Graham Tattersall	Director Infrastructure and Project Delivery
Mr Paul Dunlop	Manager Communications and Media
Ms Charlie Clarke	Manager Governance
Ms Melody Foster	Administration Officer

*There were approximately 3 members of the public and 2 members of the press in attendance.*

#### **2.2 APOLOGIES**

Nil

#### **2.3 LEAVE OF ABSENCE**

Dr Brad Pettitt	Mayor
Cr Doug Thompson	North Ward

### **3. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

### **4. DISCLOSURES OF INTEREST BY MEMBERS**

Cr Adin Lang declared a proximity interest in item number FPOL1809-10, as he owns a property opposite the proposed solar farm site.

Cr Andrew Sullivan declared a financial interest in item number FPOL1809-3, as the owner of Manning Building is his landlord.

### **5. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**The following questions from Shane Braddock were taken on notice at the Ordinary Meeting of Council held Wednesday, 22 August 2018;**

#### **Question 1:**

*I note that answers to my questions regarding the artwork at the previous Council meeting were not provided in this meeting's minutes as is required in Part 5.7.10 of the Meeting procedures. Will Fiona Hodges response be provided as a correction in the next agenda?*

#### **City of Fremantle response to question 1:**

Council minutes do not provide verbatim notes. The minutes provided a summarised response as usual.

#### **Question 2:**

*Is it appropriate for Mayor, Brad Pettitt to comment to the Fremantle Herald editor regarding an RFQ prior to the submission deadline and to have the amounts he provided published? If it is not appropriate is it also not legal?*

#### **City of Fremantle response to question 2:**

The City is not aware that the Mayor has made comment prior to the RFQ deadline. Under the Local Government Act 1995 the Mayor is the spokesperson for council.

#### **Question 3:**

*As per the revised 2018/19 budget, the amount allowed for the removal of the artwork has increased from \$20,000 to \$220,000 – to the detriment of the Streets Art Festival, the Fremantle Arts Centre and the Sunday Music Program. What convinced the Council to change this amount since Fiona Hodges provided a budgeted amount of \$15,000 at the last Council meeting?*

**City of Fremantle response to question 3:**

Council is able to modify budgets from time to time during a financial year with the vote of a majority of council. Changes to budget items occur based on updated information.

**Question 4:**

*Will the Council be providing the RFQ bids to support the increase in the artworks removal budget? If not can a legal reason be provided? Does the budget provide for money to defend a FOI request and its appeals?*

**City of Fremantle response to question 4:**

RFQ's are provided by third parties and are not generally made publicly available and the answer to the second part of the question is, No.

**Question 5:**

*Are the Councillors aware that a high street building owner had his solicitor issue a writ against the Council this week to pay the quoted amount of \$50,000 to repair his building? Has any legal fees to defend this writ been included in the budgeted amount?*

**City of Fremantle response to question 5:**

Elected Members had not been advised of this legal matter at the time of the Council meeting and the answer to the second part of the question is, No.

**Question 6:**

*How much has been budgeted for the production of the public tender documents?.*

**City of Fremantle response to question 6:**

Tender documents are generally produced in-house therefore no funds have been included for this purpose.

**Question 7:**

*Will the CEO be requesting the resignation of officers because of their incompetence in providing this artwork from its inception? Will the Fremantle City Councillors be requesting the resignation of the CEO over this?*

**City of Fremantle response to question 7:**

No public comment will be made in relation to staff matters.

**Question 8:**

*Is the Council aware that the mishandling of the organisation of the High Tide artwork, and other recent issues such as the Council officers failure to guarantee air quality on Henry Street and see friable asbestos across the road from Lance Holt School, are simply undermining the Council's evidence-based credibility in regards to other projects such as the South Fremantle Solar Park?*

**City of Fremantle response to question 8:**

This question is taken as a rhetorical statement.

**Question 9:**

*Is the Council aware its credibility is undermined by the spin on the CEO's press release?*

**City of Fremantle response to question 9:**

This question is taken as a rhetorical statement.

**Question 10:**

*Why have neither of the City Ward Councillors made an attempt to contact building owners regarding the artworks removal? Are they aware of the problems?*

**City of Fremantle response to question 10:**

Responses are provided on behalf of the collective council and not on behalf of individual elected members.

**Question 11:**

*Regarding representation – Given the returning officer made a mistake regarding one of the candidates at the last council election, will the CEO provide proof that his addition of Adin Lang to the electoral roll was correct?*

**City of Fremantle response to question 11:**

The City's rate records show that Cr Lang is a property owner within the City of Fremantle.

**Question 12:**

*If Adin Lang used his company registered in Hamilton Hill (as he doesn't live nor own property in Fremantle) to be included on the electoral roll, can proof be provided that Mr Lang has continually until this date contributed to Fremantle through the paying of rates?*

**City of Fremantle response to question 12:**

Cr Lang's enrolment was not based on a company address.

**The following questions from Julie Morgan were taken on notice at the Ordinary Meeting of Council held Wednesday, 22 August 2018;**

**Question 1:**

*That methodology was used to produce the figure of \$707,000 which the City says it loses from Notre Dame each year?*

**City of Fremantle response to question 1:**

The valuations on each property owned or leased by NDU multiplied by the CBD differential rate.

**Question 2:**

*This should include not just the buildings owned by Notre Dame but all 50 buildings Notre Dame occupies.*

**City of Fremantle response to question 2:**

The calculation is based as stated above, multiple buildings exist on a property – rates are not calculated for each building, but by a Gross Rental improved value on a property.

**Question 3:**

*Does this calculation change the amount provided in the answer? What is the new total amount of forgone rates?*

**City of Fremantle response to question 3:**

As per above answer and the second part of the question is not applicable.

**Question 4:**

*I also ask that the Council provide the figures of the commercial rates forgone per annum on the following buildings:*

*Cleopatra Hotel: 24 High Street - ND30  
School of Physiotherapy: Cnr High & Mouat Streets - ND28  
School of Physiotherapy: Cnr High & Mouat Streets - ND31  
P & O Hotel: 25 High Street - ND5  
School of Arts & Sciences: Cnr High & Cliff Streets - ND32  
Arts & Science & Chancellery: Cnr Cliff & High Streets - ND42  
His Majesty's Hotel: Cnr Phillimore & Mouat Streets - ND36  
Student Centre: Mouat Street - ND7  
St Teresa's Library: 35 Henry Street - ND17  
School of Medicine & Galvin Library: 38-40 Henry Street - ND35  
Tannock Hall of Education: 19 Mouat Street  
Prindiville Hall: Cnr Mouat & Croke Streets - ND3*

**City of Fremantle response to question 4:**

As per the answer to question 1 above, rates are calculated on property valuations and not on individual buildings on each property. The building numbers provided by NDU are based on their use and not on property.

The City's calculation is calculated as below;

Address	GRV	Rates
5 - P & O Hotel 25 High Street FREMANTLE WA 6160	292,500	24,792.30
30 - Cleopatra Hotel 24 High Street FREMANTLE WA 6160	186,000	15,765.36
28; 29 22 High Street FREMANTLE WA 6160	169,000	14,324.44



<b>Address</b>	<b>GRV</b>	<b>Rates</b>
31 20 High Street FREMANTLE WA 6160	107,000	9,069.32
19 16 High Street FREMANTLE WA 6160	73,320	6,214.60
42 6 High Street FREMANTLE WA 6160	352,500	29,877.90
32 4 High Street FREMANTLE WA 6160	217,500	18,435.30
37 17 Phillimore Street FREMANTLE WA 6160	97,000	8,221.72
40; 46 33 Phillimore Street FREMANTLE WA 6160	90,000	7,628.40
41 1/33 Phillimore Street FREMANTLE WA 6160	39,000	3,305.64
27 28 Marine Terrace FREMANTLE WA 6160	164,000	13,900.64
12 - Port Lodge 28-30 Marine Terrace FREMANTLE WA 6160	59,000	5,000.84
2-4 Croke St & 22 Marine Tce & 31 Mouat Street FREMANTLE WA 6160	164,000	13,900.64
3 High Street FREMANTLE WA 6160	113,500	9,620.26
43 1 Mouat Street FREMANTLE WA 6160	128,610	10,900.98
44 3/28 Mouat Street FREMANTLE WA 6160	82,940	7,029.99
38 25A Henry Street FREMANTLE WA 6160	26,730	2,265.63
1 Henry Street FREMANTLE WA 6160	89,000	7,543.64
35 38-40 Henry Street FREMANTLE WA 6160	459,732	38,966.88
2 Henry Street FREMANTLE WA 6160	3,307,435	280,338.19
36 - His Majestys Hotel 2 Mouat Street FREMANTLE WA 6160	224,000	18,986.24
21-23 Henry Street FREMANTLE WA 6160	138,500	11,739.26
11-25 Mouat Street FREMANTLE WA 6160	690,000	58,484.40
6 26 Mouat Street FREMANTLE WA 6160	79,000	6,696.04
7-11; 13-17; 34; 39 47 Henry Street FREMANTLE WA 6160	995,000	84,336.20
		<b>707,344.83</b>

**Question 5:**

*Can the Council provide numbers and percentages of retail space vacancies in Fremantle?*

**City of Fremantle response to question 5:**

In the Fremantle City Centre, bounded by Norfolk and Parry Streets:

- 641 street-front commercial premises
- 88 vacancies
- 13.7%

In the CBD the Town Planning Scheme allows a variety of uses so these vacancies could be used for café, restaurant, retail, bar, commercial office, professional services or accommodation.

**Question 6:**

*I am aware of one national / international retail company that started in on Market Street, Fremantle. This company didn't want to leave its flag-ship store, but was going to due to collapsing sales. Fortunately the landlord agreed to a 30% reduction in rent. As the landlord reduced his income by 30%, will the Council be:*

- A. Reducing Council rates by 30%?
- B. Reducing its wages to Council workers by 30%?
- C. Reducing pay to Councillors by 30%?

**City of Fremantle response to question 6:**

- A. Annual rates are determined by Council when setting the annual budget.
- B. Staff salaries are determined through negotiations with staff and unions through an enterprise agreement process. These agreements usually last for three years.
- C. Elected Member sitting fees and allowances are determined by the state government Salaries and Allowances Tribunal each year.

**6. PUBLIC QUESTION TIME**

Mr Robert O'Brian spoke in relation to item FPOL1809-2.

**7. PETITIONS**

Nil

**8. DEPUTATIONS**

Nil

**8.1 Presentations**

Cr Jon Strachan reported information and feedback from the WALGA Zone Meeting and State Council meeting held at the Shire of Irwin.

**9. CONFIRMATION OF MINUTES**

**COUNCIL DECISION**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Jenny Archibald**

**That the minutes of the Ordinary Meeting of Council dated 22 August 2018 be confirmed as a true and accurate record.**

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

**10. ELECTED MEMBER COMMUNICATION**

Nil

**11. REPORTS AND RECOMMENDATIONS FROM COMMITTEES**

**11.1 PLANNING COMMITTEE 5 SEPTEMBER 2018**

Nil

**11.2 FINANCE, POLICY, OPERATIONS AND LEGISLATION COMMITTEE 12  
SEPTEMBER 2018**

**ITEMS APPROVED “EN BLOC”**

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

**COUNCIL DECISION**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Hannah Fitzhardinge**

**Council adopted en bloc the committee recommendations for the following items:**

<b>FPOL1809-2</b>	<b>New Licence - Unit 4, J Shed, Fremantle</b>
<b>FPOL1809-5</b>	<b>Budget Amendments - August 2018</b>
<b>FPOL1809-6</b>	<b>Proposed partial road closures for amalgamation with Reserve No. 30135 - No.30 John Street, North Fremantle</b>
<b>FPOL1809-8</b>	<b>Private Right of Way No.11 (45A Quarry Street, Fremantle) - Closure and Amalgamation with part ceded to City in Land Swap</b>
<b>FPOL1809-9</b>	<b>Property Local Law Determination - Dinghy Management</b>
<b>FPOL1809-15</b>	<b>Payments to terminating employees policy</b>

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

**FPOL1809-2 NEW LICENCE - UNIT 4, J SHED, FREMANTLE**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Economic Development and Marketing  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**COUNCIL DECISION ITEM FPOL1809-2**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council:**

- 1. Determine that Unit 4, J Shed, Arthur Head, Fremantle qualifies for an exemption under Policy SG62 – Leasing of City Property, part 2.3(a), and supports the granting of a new licence to Ellen McCarthy and Ross Potter**
- 2. Authorise the Chief Executive Officer to execute documents in order to finalise the Licence between the City and Ellen McCarthy and Ross Porter under the following key licence terms:**
  - a. Licence Fee: \$440 inclusive GST per month**
  - b. Licence term: five months**
  - c. Permitted use: Studio, Gallery and Gallery related/Arts events**
  - d. Performance criteria:**
    - Connect with the public**  
Demonstrate the ability to instigate creative methods for engaging general public and visitors. Creative output and continuous visible display of art/culture at and associated with the space to connect with and engage the public on a day-day basis. Tenants must participate in a regular and ongoing public programming/designated showcase.
    - Public space**  
Demonstrate a willingness to participate in and take responsibility for activating the public space with contributions to activities that may be external to studio practice such as cultural activities, festivals, online activities and updates, and initiate activities and events within BBAP.
    - Arthur Head community**  
To participate in the overarching advisory group for the ongoing generation of activation, promotion, collaborations and cohesiveness amongst all BBAP tenants and plan for regular public programming, communications with Council, festivals etc. Individuals must participate; groups or collectives must nominate a representative.

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

## FPOL1809-5 BUDGET AMENDMENTS - AUGUST 2018

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Finance  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

### **COUNCIL DECISION ITEM FPOL1809-5** **(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council approves the required budget amendments to the adopted budget for 2018/2019 as outlined below:**

Item	Account #	Account Details	2018/19 Adopted Budget	Increase/ Decrease	2018/19 Amended Budget
1.1	Establish a budget of \$12,500 to fund the implementation and annual fee for a Fees and Charges Cloud Application which will automate the compliance checks, collation, production and reporting of the City's annual fees and charges. Transfer of funds from savings identified in the revaluation of assets as these cost were less than anticipated.				
	100047.6823	Prepare statutory financial reports – contract expense	-	12,500	12,500
	100048.6824	Maintain financial asset registers – consultant expense	50,000	(12,500)	37,500
1.2	Establish a budget for Project 10295 - Public Realm - Newman Court Construction - Kings Square this financial year in order to finalise design work in time for calling tenders in first half of 2019 to enable site works to commence by mid-2019 to finish part of Newman Court to coincide with retail fitout and trade in lead up to Christmas 2019. Currently the budget for this project is incorporated within Project 10297 - Construct-Council Admin Offices -Kings Square. Project 10295 will be funded from Investment Reserve.				
	300000.1606	Project 10297 - Construct-Council Admin Offices -Kings Square – capital expense	46,300,000	(2,114,545)	44,185,455
	300085.1606	Project 10295 - Public Realm - Newman Court Construction - Kings Square – capital expense	0	2,114,545	2,114,545
	300000.3923	Project 10297 - Construct-Council Admin Offices -Kings Square – transfer from reserve	(26,300,000)	2,114,545	(24,185,455)
	300085.3923	Project 10295 - Public Realm - Newman Court Construction - Kings Square – transfer from reserve	0	(2,114,545)	(2,114,545)
1.3	Establish a separate budget of \$100,000 for Project-11815 to design and construct South Terrace Node 2. Currently the budget for this project is incorporated within Project-11649 Install node (including urban realm) South Terrace.				
	300089.1606	P-11815 Design and construct-South Tce Node 2 – capital expense	0	100,000	100,000
	300069.1606	Project-11649 Install node (including urban realm) South Tce – capital expense	280,000	(100,000)	180,000

1.4	Removal of budget related to the Disposal of Knutsford St Depot site as all tenders submitted for FCC513/18 were rejected at Ordinary Council Meeting 22 August 2018. Funded by the reduction of sale proceeds transferred to Investment Reserve.				
	300043.4812	Project-11803 Disposal of Knutsford Street Depot site – sale proceeds	(5,000,000)	5,000,000	0
	300043.3919	Project-11803 Disposal of Knutsford Street Depot site – transfer to reserve	5,000,000	(5,000,000)	0
	300043.5204	Project-11803 Disposal of Knutsford Street Depot site – loss on disposal of asset (non-cash)	6,511,000	(6,511,000)	0
1.5	Reduce operating budget of \$65,000 from Department of Transport for Coastal Adaptation and Protection as this grant is budgeted under operating projects 1. Beach coastal monitoring and 2. Port Beach assessment. Transfer from operating budget contract expense 100314 Maintain natural areas to fund shortfall.				
	100314.4311	Maintain natural areas – grant income	(120,000)	65,000	(55,000)
	100314.6823	Maintain natural areas – contract expense	320,000	(65,000)	255,000
3.1	Adjustments to the budget for the following carrying forward projects due to the variances in the estimated carried forward budget and final actual performance at the end of 2017/18 financial year. Overall the funds held in Surplus Carried Forward from 30 June 2018 will be increased by \$10,422 for prior year projects.				
	100723.6823	100723 - MOU Notre Dame – increase unspent grant funds	75,000	33,640	108,640
	300072.1607	Project-11042 Modify and upgrade existing network infrastructure – reduce unspent muni funds	48,716	(6,174)	42,542
	200053.6823	Project-10980 Undertake aboriginal youth project – ARISE – reduce unspent grant funds	37,331	(47)	37,284
	200446.6824	Project-11699 Indigenous Culture Centre Feasibility Study – reduce muni surplus funds	35,000	(7,064)	27,936
	200106.6823	Project-11727 FAC Revealed 2018 – reduce unspent grant funds	57,905	(5,521)	52,384
	200344.6823	Project-10848 Deliver In Cahoots art exhibition and new residency – increase unspent grant funds	143,725	1,535	145,260
	300075.1606	Project-10350 Construct Fremantle Park Sport and Community Centre – reduce unspent muni funds	2,765,960	(52,128)	2,713,832
	300069.1606	Project-11649 Install node (including urban realm) South Terrace – increase unspent grant funds	180,000	6,544	186,544
	300080.1606	Project-10024 Footpath Replacement Program – increase unspent muni funds	63,000	11,789	74,789
	200214.6823	Project-10534 Maintain electrical equipment - Predictive Maintenance – reduce unspent muni funds	4,000	(620)	3,380

	300064.1606	Project 11788 - Kings Square Temporary Public Toilets – increase unspent grant funds	12,464	18,536	31,000
	300066.1606	Project-10965 Install new drainage pits pipes and soakwells – increase unspent muni funds	70,000	29,442	99,442
	200357.6823	Project-10404 Prepare Northbank Foreshore stabilisation – increase unspent grant funds	10,000	2,367	12,367
	300071.1606	Project-10369 Landscape recreation reserve - pocket park for White Gum Valley – reduce unspent muni funds (project completed 17/18)	52,235	(52,235)	0
	300082.1606	Project-10882 Relocation and upgrade of cricket training nets – increase unspent muni funds	95,000	9,850	104,850
	200132.6824	Project-10300 Prepare master plan for the Fremantle Oval Precinct – increase unspent muni funds	13,600	6,571	20,171
	200237.6824	Project-10293 Prepare concept design for Kings Square Public – increase unspent muni funds	12,000	949	12,949
	300093.1606	Project-11738 Install new drinking fountain - Stevens Street – increase unspent muni funds , project completed 18/19	0	8,436	8,436
	100481.6823	Project: 100481 - Operate toy library – increase unspent grant funds	0	4,280	4,280
	900520.3911	Municipal Surplus Carried Forward from 30 June 2018	(2,505,390)	(10,150)	(2,515,540)
3.2	Increase budget for Project-10329 Cantonment Hill by \$74,841 to \$124,841 which is the balance of the grant from Lotterywest yet to be received. The funds held in Surplus Carried Forward from 30 June 2018 will be reduced by \$50,000 as there were nil unspent grant funds at 30 June 2018.				
	300084.1606	Project-10329 Cantonment Hill Project – capital expense	50,000	74,841	124,841
	300084.4214	Project-10329 Cantonment Hill Project – capital grant income	0	(124,841)	(124,841)
	900520.3911	Municipal Surplus Carried Forward from 30 June 2018	(2,515,540)	50,000	(2,465,540)
3.3	Increase budget for Project-10242 Install compliant lift and stairs to Evan Davies building by \$3,178 (from \$27,000 estimated to \$30,178 final actual balance for this project at 30 June 2018) with funding from Investment Reserve.				
	300065.1606	Project-10242 Install compliant lift and stairs to Evan Davies building – capital expense	27,000	3,178	30,178
	300065.3923	Project-10242 Install compliant lift and stairs to Evan Davies building – transfer from reserve	(27,000)	(3,178)	(30,178)
3.4	Reduce a budget for Project-11639 Civic Building Demolition - Kings Square by \$349,591 (from \$2,539,144 estimated to \$2,189,553 final actual balance for this project at 30 June 2018) with funding from Investment Reserve reduced.				
	300074.1606	Project-11639 Civic Building Demolition - Kings Square – capital expense	2,539,144	(349,591)	2,189,553



	300074.3923	Project-11639 Civic Building Demolition - Kings Square – transfer from reserve	(2,539,144)	349,591	(2,189,553)
3.5	<p>Amend adopted budget for various Roads to Recovery grant carried forward projects from estimated to final actual balance for the following road projects:</p> <ol style="list-style-type: none"> <li>1. Sainsbury Rd – reduce expenditure and income as road grant will not be received for this project in 18/19 and reduce unspent muni funds to final actual unspent of \$3,524</li> <li>2. Collick St Traffic Calming – reduce budget to final actual unspent of \$66,619 which is made up of \$44,180 unspent muni funds and \$22,439 unspent grant funds</li> <li>3. Collick St Resurface – increase budget to final actual unspent of \$105,038 which is made up \$36,400 unspent muni funds and \$68,638 unspent grant funds.</li> </ol>				
	300079.4212	Project-11810 R2R Resurface - Sainsbury Road – grant income	(93,000)	93,000	0
	300079.1606	Project-11810 R2R Resurface - Sainsbury Road – capital expense	129,000	(125,476)	3,524
	300070.1606	Project-11809 R2R Construct new traffic calming measures - Collick St – capital expense	106,313	(39,694)	66,619
	300090.1606	R2R Resurface - Collick Street, Hilton – Section – capital expense	0	105,038	105,038
	900520.3911	Municipal Surplus Carried Forward from 30 June 2018	(2,465,540)	(32,868)	(2,498,408)

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

**FPOL1809-6 PROPOSED PARTIAL ROAD CLOSURES FOR AMALGAMATION  
WITH RESERVE NO. 30135 - NO.30 JOHN STREET, NORTH  
FREMANTLE**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Information Technology  
**Decision Making Authority:** Council  
**Agenda Attachments:** Council letter and resolution in August 1985

**COUNCIL DECISION ITEM FPOL1809-6**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council:**

1. Approve (Part 1) the advertising and proposed partial closure of a portion (approximately 1,110m<sup>2</sup>) of John Street, North Fremantle for the purpose of amalgamation with the adjoining Reserve No. 30135 being No. 30 (Lot 366 on Plan 172995) John Street, North Fremantle (North Fremantle Primary School) - pursuant of Section 58 of the *Land Administration Act 1997* and subject to no objections received and;
  - a. Support the Department of Education's (DoE) request and apply to the Minister for Lands to close and amalgamate a portion of John Street, North Fremantle as described in item 1 and;
  - b. Indemnify the Minister for Lands against any claim for compensation that may arise from the proposed closure and amalgamation as described in item 1.
  - c. A licence for the portion of (approximately 1,110m<sup>2</sup>) John Street, North Fremantle with North Fremantle Primary School in accordance with the following key licence terms;
    - i. Licence Fee: \$0.00
    - ii. Licence Term: 12 months
    - iii. Permitted use: Primary School and grounds
    - iv. Special Condition: Either party may terminate the licence by 30 days notification in writing at any stage during the term.
  - d. Authorise the Chief Executive Officer to execute documents in order to finalise the licence between the City and North Fremantle Primary School for the portion of (approximately 1,110m<sup>2</sup>) John Street, North Fremantle.
2. Refuse (Part 2) the proposed partial closure of a portion (approximately 355m<sup>2</sup>) of Turton Street, North Fremantle for amalgamation with Reserve No. 30135 (North Fremantle Primary School) as the reduced road width is not supported.

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

**FPOL1809-8 PRIVATE RIGHT OF WAY NO.11 (45A QUARRY STREET, FREMANTLE) - CLOSURE AND AMALGAMATION WITH PART CEDED TO CITY IN LAND SWAP**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Information Technology  
**Decision Making Authority:** Council  
**Agenda Attachment 1:** City of Fremantle letter to Owner - 08 August 2018

**COUNCIL DECISION ITEM FPOL1809-8**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council:**

1. Endorse the agreement between the owner of 45 (Lot 13) and 45A (Lot 51) Quarry Street, Fremantle whereby the City of Fremantle will transfer an approximate 98m<sup>2</sup> portion of Certificate of Title Volume 138 Folio 50 being Lot 12 on Plan 1404 in return (in a land swap) for approximately 98m<sup>2</sup> portion of 45A Quarry Street (ROW No.11) following the completion of a private road /right of way closure process and that the land apportionment should be as follows:
  - a) City owned 4 wide strip being Lot 12 on Plan 1404 (approximately 98m<sup>2</sup>) be transferred to the adjoining Lot 13 (45 Quarry Street, Fremantle).
  - b) ROW 11 – portion adjoining 13 James Street to be amalgamated with 45 Quarry Street, Fremantle.
  - c) ROW 11 – portion at the rear of 45 Quarry Street and extending into the Leisure Centre Carpark to be amalgamated with the City owned adjoining Lot No's 3, 8 and 12 on Plan 1404 together with Lot No. 1 on Diagram 6211.
2. Has no objection to the proposed closure and amalgamation of 45A (Lot 51) Quarry Street, Fremantle subject to the agreement as outlined in item 1 above together with the land apportionment shown in the City of Fremantle map (see Figure 2) titled '*Proposal to close and amalgamate ROW 11 (45A Quarry Street)*'.

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

**FPOL1809-9 PROPERTY LOCAL LAW DETERMINATION - DINGHY  
MANAGEMENT**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Parks and Landscape  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**COUNCIL DECISION ITEM FPOL1809-9**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

That Council determines in accordance with the *City of Fremantle Local Government Property Local Law 2002* that persons permitted by the City of Fremantle may leave a boat, which must be:

- the hull only,
- no longer than 3.5 metres and
- no wider than 1.5 metres

within the facility provided at Prawn Bay, North Fremantle.



*Image: Dinghy Management Storage System, Prawn Bay, North Fremantle*

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

## **FPOL1809-15 PAYMENTS TO TERMINATING EMPLOYEES POLICY**

**Meeting Date:** 26 September 2018  
**Responsible Officer:** Manager Governance  
**Decision Making Authority:** Council  
**Agenda Attachments:** Payments to terminating employees

### **COUNCIL DECISION ITEM FPOL1809-15** **(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

#### **Council:**

1. Adopts the 'Payments to terminating employees policy shown below;  
and
2. Causes local public notice to be given in accordance with section 5.50 of  
the *Local Government Act 1995*.

## **Council policy**



### **Payments to terminating employees**

#### **Policy statement**

To comply with section 5.50 of the Local Government Act 1995, and set out the circumstances in which the City may pay to an employees whose employment with the City is finishing, an amount in addition to any amount to which the employee is entitled under a contract of employment, or award, and the manner of assessment of the additional amount.

#### **Principles**

To support and recognise the achievements of our employees, the City aims to implement a planned approach to 'how' and 'what' we recognise as achievement. This policy aims to support the City's achievement culture. The annual Reward and Recognition program is the method that employees are rewarded and recognised. The program is reviewed on an annual basis.

The City's commitment to reward and recognition of employees is reflected in the following principles:

- Leaders value and promote reward and recognition of employees.
- Reward and recognition supports and aligns to the City's desired culture of achievement.
- Procedural fairness and equity in process is practiced.
- The City of Fremantle's Core Values are fundamental in the practice of reward and recognition.
- Recognition of the length of service of employees.

#### **Scope**

**1. Reward and recognition for behaviour in individuals and teams that supports our desired culture**

Employees are nominated by other employees periodically throughout the year for the Reward and Recognition program. An assessment criteria is applied by a selection panel, which comprises employees from various service areas of the City.



Employees who demonstrate behaviours that are consistent and support an achievement culture receive a reward of their choosing, within a selection, to the value of \$100. They are recognised via an announcement on the City's intranet.

Employees who are nominated but not rewarded are recognised via an announcement on the City's intranet.

## **2. Recognition of terminating employees**

Employees who have worked at the City for a period of time exceeding 5 years are recognised as follows when they finish their employment with the City of Fremantle:

<b>Number of years of service</b>	<b>Recognition</b>
Between 5 and 10	Certificate of recognition and a token gift up to the value of \$20.
Between 10 and 20	A certificate of recognition, a token gift up to the value of \$20 and a gift voucher to the value of \$100.
More than 20	A certificate of recognition, a token gift up to the value of \$20 and a gift voucher to the value of \$150.

## **Definitions and abbreviations**

Nil.

### **Review information and related documentation**

<b>Reviewing officer:</b>	Director People and Culture/Manager Governance
<b>Policy adopted:</b>	26 September 2018
<b>Policy amended:</b>	Click here to enter a date. "<Council number>"
<b>Legislation:</b>	Section 5.50 Local Government Act 1995 Relevant employment law and contract provisions
<b>Delegations:</b>	NA
<b>Related documents:</b>	Relevant City of Fremantle employee policy and procedure
<b>Next review date:</b>	26 September 2020

**Carried: 11/0**  
**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,**  
**Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,**  
**Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

Cr Andrew Sullivan disclosed a financial interest in item FPOL1809-3 and left the meeting at 6.32pm.

**FPOL1809-3 POTENTIAL IMPROVEMENTS TO THE URBAN REALM ADJACENT TO THE MANNING BUILDING**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Economic Development & Marketing  
**Decision Making Authority:** Committee  
**Agenda Attachments:** Community Engagement report  
Feedback form

**COMMITTEE RECOMMENDATION ITEM FPOL1809-3**  
**(Officer's recommendation)**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Jon Strachan**

Council:

1. Receives the attached report on community engagement regarding the request by the Manning Building owners to remove the customer parking bays and loading zone on Market Street to allow for the re-instatement of the awning.
2. Approves the removal of the parking bays and loading zone, to allow for the re-instatement of the awning, monitor the resulting impacts and consider making modifications if required.

**Advisory Note:**

*The City advises the adjoining property owner that it would likely not support any future request for alfresco dining in this area if the business use in this location were to change to food and beverage. The City may consider a policy to manage the amount of alfresco dining in this area in the future.*

**AMENDMENT 1**

**Moved: Cr Adin Lang**

**Seconded: Cr Dave Hume**

**Minor amendment to remove the following Advisory Note from the committee recommendation;**

**Advisory Note:**

*The City advises the adjoining property owner that it would likely not support any future request for alfresco dining in this area if the business use in this location were to change to food and beverage. The City may consider a policy to manage the amount of alfresco dining in this area in the future.*

**Amendment carried: 8/2**

**For**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan,  
Cr Adin Lang, Cr Jenny Archibald, Cr Sam Wainwright,  
Cr Jeff McDonald, Cr Dave Hume

**Against**

Cr Hannah Fitzhardinge, Cr Rachel Pemberton



**COUNCIL DECISION ITEM FPOL1809-3**  
**(Committee and officer recommendation)**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Jon Strachan**

**Council:**

- 1. Receives the attached report on community engagement regarding the request by the Manning Building owners to remove the customer parking bays and loading zone on Market Street to allow for the re-instatement of the awning.**
- 2. Approves the removal of the parking bays and loading zone, to allow for the re-instatement of the awning, monitor the resulting impacts and consider making modifications if required.**

**Carried: 10/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

At 6.32pm Cr Andrew Sullivan returned to the meeting.  
Cr Adin Lang disclosed a proximity interest in item FPOL1809-10 and left the meeting at 6.32pm.

**FPOL1809-10 SOLAR FARM AT SOUTH FREMANTLE LANDFILL SITE - BUSINESS PLAN - FINAL APPROVAL**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Director City Business  
**Decision Making Authority:** Council  
**Agenda Attachments:** 1. Business Plan as advertised for public comment  
2. Schedule of submissions

**COUNCIL DECISION ITEM FPOL1809-10**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council:**

1. Approves the Business Plan, as advertised and without modification, for the lease of part of the South Fremantle landfill site (lot 1 No. 17 Cockburn Road and lots 8, 9 and 10 Island Street, South Fremantle) to Epuron Projects Pty Ltd for the purposes of a solar farm as included as attachment 1 to the item in the Finance, Policy, Operations and Legislation Committee agenda dated 12 September 2018, in accordance with section 3.59 of the *Local Government Act 1995*.
2. Authorises the Chief Executive Officer to prepare a lease based on the terms contained in the Business Plan referred to in (1) above. The lease shall not be executed until Epuron Projects Pty Ltd has fulfilled all of the following requirements:
  - a. Obtained written confirmation from the City of Fremantle that all conditions of development approval ref. DA0040/18 to be complied with prior to issue of a building permit or commencement of development (including but not limited to preparation of a site management plan and construction management plan) have been satisfied.
  - b. Complied with requirements of the Department of Water and Environmental Regulation administered under relevant environmental legislation.
  - c. Provided written confirmation to the City of Fremantle that financial arrangements are in place to enable the solar farm project as described in the Business Plan to proceed.

**Carried: 10/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Hannah Fitzhardinge, Cr Jenny Archibald,  
Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

At 6.35pm Cr Adin Lang returned to the meeting.

**FPOL1809-11 CITY OF FREMANTLE CCTV PLAN 2019-2023**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Field Services  
**Decision Making Authority:** Council  
**Agenda Attachments:** CoF CCTV Plan 2019 - 2023

**COUNCIL DECISION ITEM FPOL1809-11**  
**(Committee and office recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Jenny Archibald

**Council adopts the City of Fremantle CCTV Plan 2019 – 2023 as attached to the Finance, Policy, Operations and Legislation (FPOL) Committee agenda of 12 September, 2018.**

**Carried: 10/1**

**For**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Jeff McDonald, Cr Dave Hume

**Against**

Cr Sam Wainwright

**FPOL1809-12 WARD BOUNDARY AND REPRESENTATION REVIEW 2018/2019**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Governance  
**Decision Making Authority:** Council  
**Agenda Attachments:** Review of Ward Boundaries and Representation  
Discussion Paper

**COUNCIL DECISION ITEM FPOL1809-12**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council:**

- 1. Releases the 'Review of ward boundaries and Representation Discussion Paper' for the purposes of seeking public submissions.**
- 2. Gives local public notice to be given of its intention to consider a review of wards and representation and invites submissions as required under Clause 6(1) of Schedule 2.2 of the Local Government Act 1995.**
- 3. Considers any submissions received during the public submission period.**

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

**FPOL1809-14 STRATEGIC COMMUNITY PLAN - PROPOSED REVIEW**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Chief Executive Officer  
**Decision Making Authority:** Council  
**Agenda Attachments:** 1 –Strategic Planning Framework Resolution 18 April 2018

**COUNCIL DECISION ITEM FPOL1809-14**  
**(Committee and officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Rachel Pemberton

**That Council:**

- 1. Note the requirement to prepare a new Corporate Business Plan in 2018/19.**
- 2. Support the conduct of a review of the Strategic Community Plan in 2018/19 to inform and feed into the new Corporate Business Plan.**
- 3. Support the pursuit of an integrated strategic planning and reporting framework which involves:**
  - a) major (statutory) review of the Strategic Community Plan every four years, aligning with the mayoral election cycle.**
  - b) minor (non-statutory) review of the Strategic Community Plan every four years, aligning with the non-mayoral election cycle.**
  - c) Annual update and extension of the Corporate Business Plan.**
  - d) Integration of planning for and workshops on corporate planning priorities and capacity ahead of and informing planning for and workshops on the annual budget.**
- 4. Consider as part of the review of the Strategic Community Plan referred to in part 2 above the preparation of a companion document to the Strategic Community Plan which graphically illustrates and describes key spatial projects and strategic initiatives including (but not limited to) the following:**
  - Priority public transport corridors (South Street and Fremantle to Cockburn)**
  - Victoria Quay development opportunities**
  - Railway/bus station forecourt public realm improvements**
  - Fremantle Oval precinct**
  - Major development areas (e.g. Heart of Beaconsfield and Knutsford Street/Swanbourne Street development zones)**
  - Fremantle Alternative diverse housing areas**
  - Bike Plan routes**
  - Urban intensification precincts (e.g. Queen Victoria Street 'east end' precinct, Hilton centre)**

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

### 11.3 STRATEGIC PLANNING AND TRANSPORT COMMITTEE 19 SEPTEMBER 2018

#### SPT1809 - 1 AMENDMENT NO. 1 TO LEFROY ROAD QUARRY LOCAL STRUCTURE PLAN - OUTCOMES OF COMMUNITY ENGAGEMENT AND RECOMMENDATION FOR FINAL APPROVAL

**Meeting Date:** 19 September 2018  
**Responsible Officer:** Manager Strategic Planning  
**Decision Making Authority:** Council  
**Agenda Attachments:** 1. Proposed Structure Plan Amendment Document  
 2. Proponent's Design Report  
 3. Schedule of Submissions  
 4. Site Photos

#### **COMMITTEE RECOMMENDATION ITEM SPT1809 -1** (Officer recommendation)

That Council:

1. Note the submissions received as detailed in the report relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan considered at the meeting of the Strategic Planning and Transport Committee on 19 September 2018 and Attachment 3 to that report.
2. Pursuant to Regulation 20 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submit the report referred to in (1) above relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan and its attachments to the Western Australian Planning Commission with a recommendation that the Amendment be approved subject to modifications addressing the issues outlined in the officers report, as follows:

No.	Structure Plan Section	Modification Required	Reason
1	Page 10 Part 3.1 – Land Use Zones and Reserves	<p>Insert new point b as follows, and renumber point b accordingly:</p> <p>b. Land Use: Notwithstanding the Residential zoning of Lot 5 Strang Street, the following land uses shall be considered as Additional Uses, with an 'A' use permissibility, where proposed as incidental uses forming part of a comprehensive aged care` and/or aged and dependant persons development and provided primarily to service residents of the facility</p>	<p>LAND USE:</p> <ul style="list-style-type: none"> <li>• The applicant had indicated intent to use the site for an aged care development or similar. The City does not have a land use class accommodating contemporary aged care facilities. Additional uses are recommended to ensure that there is no land use permissibility issues upon assessment of a development application for the site. The uses listed are all 'X' permissibility within the Residential Zone.</li> </ul>

		<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Consulting Rooms</li> <li>• Medical Centre</li> <li>• Health Studio</li> </ul>	
2	Page 11 - Part 3.3	Renumber points 1, 2, 3 and 4 to a, b, c and d	<b>NUMBERING</b> <ul style="list-style-type: none"> <li>• Apply consistent numbering protocol and allow easier reference.</li> </ul>
3	Page 11 – Part 3.3 – Paragraph 1 (a)	<p>Reword first development standard applicable to Lot 5 Strang Street to read as follows:</p> <p><i>A portion of the lot area, not less than 15.0 metres in width, along the length of the western boundary of the lot shall be provided as public open space. This portion of land shall be transferred at no cost to the City of Fremantle to provide a north-south pedestrian and open space linkage connecting the future public open space areas to the north, as outlined within this local structure plan, with Strang Street and the Clontarf Road Area to the south.</i></p>	<b>GREEN LINKAGE</b> <ul style="list-style-type: none"> <li>• Width of open space linkage increased to 15.0 metres to reflect Liveable Neighbourhoods standard for linear POS.</li> <li>• Increased width also takes into account required public open space provision equating to approximately 10 percent of the lot area.</li> <li>• Public open space provision reflects the current LSP and linkages in Greening Strategy 2020.</li> <li>• Provides greater security of tenure.</li> </ul>
4	Page 11 – Part 3.3 – Paragraph 3 (c)	Replace the words 'Additional Development Requirements' with 'Criteria listed in'	<b>TERMINOLOGY CORRECTION</b> <ul style="list-style-type: none"> <li>• Maintain consistent terminology</li> </ul>
5	Page 11 – Table 1 – Criteria 2	<p>Re-word point 2 as follows:</p> <p><i>All buildings shall be set back a minimum of 6.0 metres to the eastern and southern boundaries of the site and a minimum of 25m to the south-east corner of the lot.</i></p>	<b>BOUNDARY SETBACKS</b> <ul style="list-style-type: none"> <li>• Provide greater separation to existing low density residential to the south east, and promote maintenance of the existing 'landscaped' batter.</li> </ul>
6	Page 11 – Table 1 – Criteria 3	Delete point 3 relating to connectivity with existing road and footpath network and renumber subsequent points accordingly	<b>CONNECTIVITY CRITERIA</b> <ul style="list-style-type: none"> <li>• This is a general provision that is already covered by Paragraph 1 (relating to publicly accessible pedestrian connection) and is also accounted for within the Design Advisory Committee assessment provisions (within Table 2).</li> </ul>
7	Page 11 – Table 1 – Criteria 4 (3)	Re-word point 4 pertaining to open space provision and replace with the following:	<b>OPEN SPACE DEFINITION &amp; DEEP SOIL ZONE DEFINITION</b> <ul style="list-style-type: none"> <li>• Retained heritage building should not contribute towards</li> </ul>

		<i>A minimum of 50 percent open space (including public open space) shall be provided across the site, including a minimum of 1 deep soil zone with a minimum dimension of 6.0 metres and comprising a minimum 12 percent of the site area (or as otherwise defined in subsequently approved State Planning Policy).</i>	<p>open space provision.</p> <ul style="list-style-type: none"> <li>• Deep soil zone provision in accordance with relevant requirement in draft Design WA Apartment Code (Planning Control Element 3.4).</li> </ul>
8	Page 11 – Table 1 – New Criterion	<p>Insert new criteria 5</p> <p><i>New development shall maintain views of the retained Healy residence from the north and north-east. To achieve this, buildings situated on the eastern side of the retained heritage building shall be set back a minimum of 25.0 metres from the northern boundary.</i></p>	<p><b>VIEWS OF HEALY RESIDENCE</b></p> <ul style="list-style-type: none"> <li>• Additional mandatory provision to ensure desired view lines of the retained heritage building are achieved from the north and north-east and reduce subjectivity of decision in this regard.</li> </ul>
9	Page 11 – Table 1 – Criteria 6	<p>Re-word point 6 pertaining to the Design Advisory Committee and replace with the following:</p> <p><i>Notwithstanding the zoning of the site, development applications for the site require referral to the City's Design Advisory Committee and must demonstrate high quality design taking into account the matters outlined in Clause 78B – Advisory Committees of Local Planning Scheme No. 4 and any associated policy, as well as the additional site-specific design outcomes outlined in Table 2 below.</i></p>	<p><b>DESIGN CRITERIA</b></p> <ul style="list-style-type: none"> <li>• Reference to the relevant clause in LPS4 pertaining to Advisory Committees, to ensure that all of the Committee's general terms of reference are applicable to the subject site.</li> <li>• Reference made to additional site-specific design requirements in revised Table 2.</li> </ul>
10	Page 11 – Note 1	Modify Note 1 to replace reference to minimum dimension of 4m with 6m.	<p><b>DEEP SOILS DEFINITION</b></p> <ul style="list-style-type: none"> <li>• Maintain consistency with Design WA Apartment Code</li> </ul>
11	Page 11 – Table 1 – Additional Development Standard 1	Amend Standard 1 to stipulate 'Maximum' building height, and delete 'measured from entry level to the building'.	<p><b>HEIGHT ASSESSMENT</b></p> <ul style="list-style-type: none"> <li>• Clarify that standard represents a maximum height, not a mandatory height.</li> <li>• Maintain consistent approach to measuring building height as per Local Planning Scheme No. 4 and R-Codes.</li> </ul>
12	Page 12 – Part 3.3 – Paragraph 4 (d) (High Quality Design	Re-word paragraph 4 (d) to the following:	<p><b>HIGH QUALITY DESIGN CONSIDERATIONS</b></p> <ul style="list-style-type: none"> <li>• New Table 2 to include</li> </ul>



	Outcomes)	<p><i>High Quality Design: When assessing the proposal's demonstration of high quality design, regard will be given to the general provisions outlined in Clause 78B of Local Planning Scheme No. 4 and associated planning policy, as well as the site-specific outcomes detailed in Table 2 below:</i></p> <p>Delete Table 2 and insert new table as per below.</p>	<p>provision of additional site-specific criteria only, to supplement the existing design review criteria in Council's local planning policy and LPS.</p>
13	Plan	<p>Modify the Structure Plan in accordance with below to:</p> <ul style="list-style-type: none"> <li>• Designate the area abutting the north south pedestrian link along the western boundary of the site as public open space</li> <li>• Designate 'A' on Lot 5 to reference the Additional Uses provided for in Clause 3.1 and define this annotation in the Legend as 'Additional Use (Refer Clause 3.1 b)'</li> <li>• Incorporate Pedestrian Access Provision east to west across the south-east corner of the site and adjoining site to the east to enable greater connectivity and through movement in accordance with Heart of Beaconsfield Concepts, and annotate the extension of this south of the plan area as 'Pedestrian connection'</li> <li>• Include a graphic representation of the Healy residence on the plan and annotation of this</li> </ul>	<p>PLAN</p> <ul style="list-style-type: none"> <li>• To graphically reflect key requirements of the LSP and integration with adjoining site planning.</li> </ul>
14	Page 13 Part 5.0 Additional Information	<p>Modify part 5.0 of the LSP to include the following additional submission requirement:</p> <p>Additional Information: Intrusive investigation (Cone Penetration Testing or borehole testing) into composition, variability and composition of material underlying the site</p>	<p><b>GEOTECH &amp; CONTAMINATION</b></p> <ul style="list-style-type: none"> <li>• To confirm composition of material underlying site and its suitability to support development, and the absence of landfill contamination intruding into Lot 5 Strang Street</li> </ul>

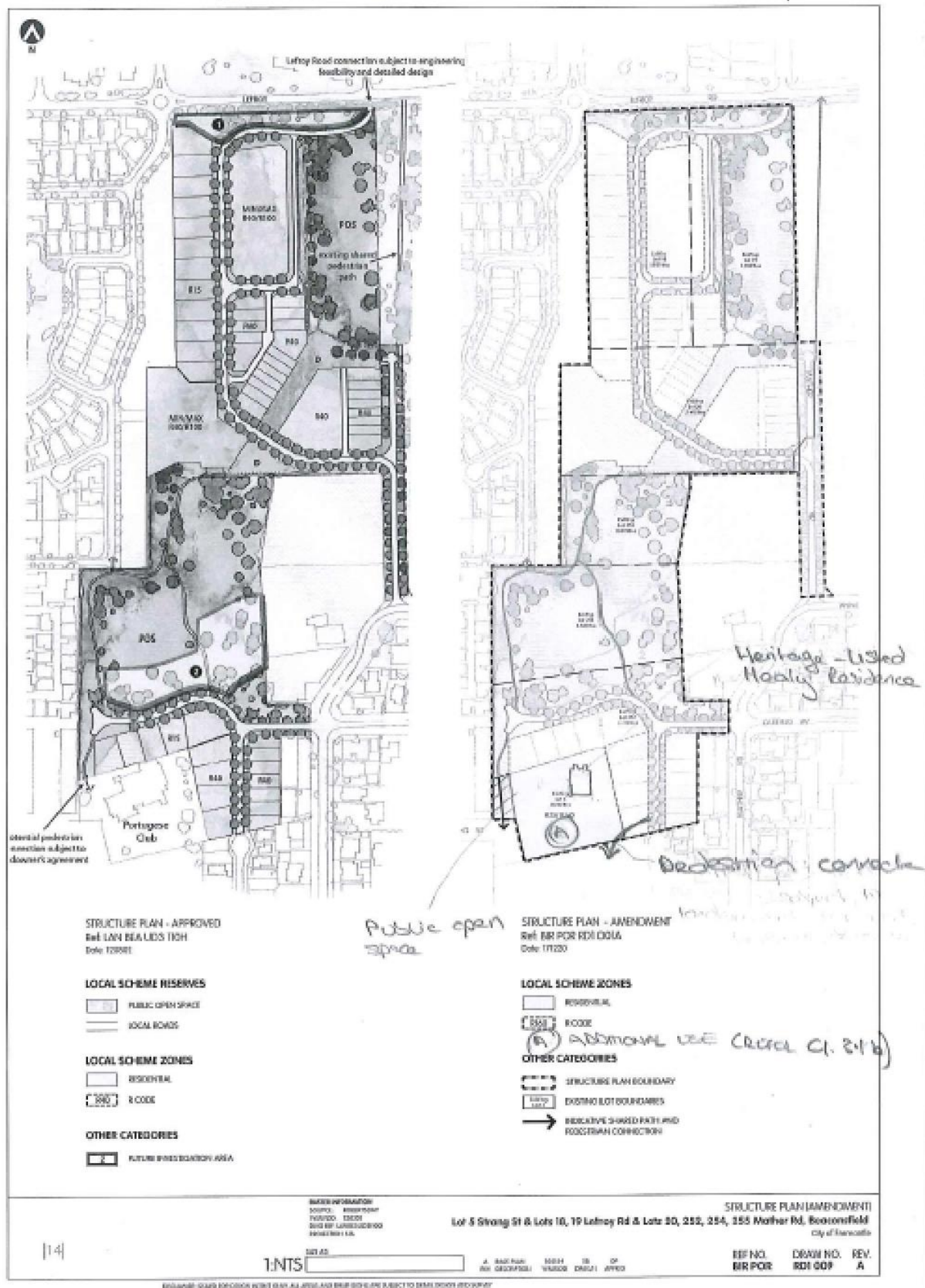
		Approval Stage: Condition of subdivision or development approval Consultation required: City of Fremantle with advice from Department of Water and Environmental Regulation	
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**Revised 'Table 2'**

(Attachment 1 to Schedule of Modifications)

HIGH QUALITY SITE-SPECIFIC DESIGN OUTCOMES Additional criteria to supplement <i>Local Planning Policy 1.9: Design Advisory Committee and Principles of Design</i>	
Character	<ul style="list-style-type: none"> <li>• Responds to existing residential development on Mather Road and Butterworth Place without significant impact on amenity, whilst accommodating an increase in building height and scale, reflecting the infill nature of the site.</li> <li>• Delivers a design which recognises the high visibility of the site from surrounding areas and contributes positively to the outlook from around the site, particularly from the north and east where views of the site are most prominent.</li> <li>• Integrates the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List into the development scheme in a sympathetic manner, maintaining prominent views of this building from the north and east (including setback of any building east of the residence a minimum of 25m from the northern boundary of the site).</li> </ul>
Quality of the Public Realm	<ul style="list-style-type: none"> <li>• Contributes to the amenity of the area's public realm through appropriate interfaces to public areas (existing or planned) including pedestrian routes and public open space (taking into account Crime Prevention Through Environmental Design principles), and the design and treatment of publicly accessible areas (including on-site pedestrian connections).</li> <li>• Contributes to a well-functioning and amenable network of public open space, streets, pedestrian routes and green linkages within the locality that enhance the pedestrian experience.</li> </ul>
Adaptability	<ul style="list-style-type: none"> <li>• Includes the conservation and adaptive re-use of the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List to enhance the heritage value of the place.</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>• Development achieves a star rating of at least one star in excess of the current energy efficiency requirement of the National Construction Code (Building Code of Australia), as certified by an independent accredited energy assessor.</li> <li>• Water use to demonstrate consideration and implementation of sustainable systems for potential re-use, grey water techniques, consumption minimization methods and water wise landscape practices.</li> </ul>

ATTACHMENT 2 TO SCHEDULE OF MODIFICATION (13)



### **Officer's additional comment**

In response to issues raised during debate on this item at the Strategic Planning and Transport Committee meeting on 19 September 2018, officers propose the following amended recommendation for council's consideration. The amended recommendation responds to the concerns raised by the proponent about the implications of the recommendations in relation to increased setbacks and open space, and the Committee's indication that it was supportive of investigation of the alternatives suggested by the proponent to address the issues underlying these.

After further investigation of these matters, officers recommend amended wording for modifications 3, 5 and 8 in the table in part 2 of the recommendation below. The amended wording is shown in italics and strikethrough.

**Cr Ingrid Waltham moved the amended officer's recommendation as presented in the Council agenda, as follows;**

### **AMENDED OFFICER'S RECOMMENDATION**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Jon Strachan**

That Council:

1. Note the submissions received as detailed in the report relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan considered at the meeting of the Strategic Planning and Transport Committee on 19 September 2018 and Attachment 3 to that report.
2. Pursuant to Regulation 20 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submit the report referred to in (1) above relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan and its attachments to the Western Australian Planning Commission with a recommendation that the Amendment be approved subject to modifications addressing the issues outlined in the officers report, as follows:

No.	Structure Plan Section	Modification Required	Reason
1	Page 10 Part 3.1 – Land Use Zones and Reserves	<p>Insert new point b as follows, and renumber point b accordingly:</p> <p>b. Land Use: Notwithstanding the Residential zoning of Lot 5 Strang Street, the following land uses shall be considered as Additional Uses, with an 'A' use permissibility, where proposed as incidental uses forming part of a comprehensive aged care and/or aged and dependant persons development and provided primarily to service</p>	<p>LAND USE:</p> <ul style="list-style-type: none"> <li>The applicant had indicated intent to use the site for an aged care development or similar. The City does not have a land use class accommodating contemporary aged care facilities. Additional uses are recommended to ensure that there is no land use permissibility issues upon assessment of a development</li> </ul>

		<p>residents of the facility</p> <ul style="list-style-type: none"> <li>• Hospital</li> <li>• Consulting Rooms</li> <li>• Medical Centre</li> <li>• Health Studio</li> </ul>	<p>application for the site. The uses listed are all 'X' permissibility within the Residential Zone.</p>
2	Page 11 - Part 3.3	<p>Renumber points 1, 2, 3 and 4 to a, b, c and d</p>	<p>NUMBERING</p> <ul style="list-style-type: none"> <li>• Apply consistent numbering protocol and allow easier reference.</li> </ul>
3	Page 11 – Part 3.3 – Paragraph 1 (a)	<p>Reword first development standard applicable to Lot 5 Strang Street to read as follows:</p> <p><i>A portion of the lot area, not less than 15.0 metres in width, along the length of the western boundary of the lot shall be provided as <del>public</del> open space. This portion of land shall be <del>transferred at no cost to the City of Fremantle</del> landscaped, lit, incorporate a continuous footpath and passive surveillance in accordance with an approved plan, and shall be subject to an enduring Easement in Gross to provide a north-south pedestrian and open space linkage connecting the future public open space areas to the north, as outlined within this local structure plan, with Strang Street and the Clontarf Road Area to the south.</i></p>	<p>GREEN LINKAGE</p> <ul style="list-style-type: none"> <li>• Width of open space linkage increased to 15.0 metres to reflect Liveable Neighbourhoods standard for linear POS.</li> <li>• Increased width also takes into account required public open space provision equating to approximately 10 percent of the lot area.</li> <li>• Public open space provision reflects the current LSP and linkages in Greening Strategy 2020.</li> <li>• Provides greater security of tenure.</li> </ul>
4	Page 11 – Part 3.3 – Paragraph 3 (c)	<p>Replace the words 'Additional Development Requirements' with 'Criteria listed in'</p>	<p>TERMINOLOGY CORRECTION</p> <ul style="list-style-type: none"> <li>• Maintain consistent terminology</li> </ul>
5	Page 11 – Table 1 – Criteria 2	<p>Re-word point 2 as follows:</p> <p><i>All buildings shall be set back a minimum of 6.0 metres to the eastern and southern boundaries of the site and a minimum of <del>25m</del> 20m to the south-east corner of the lot.</i></p>	<p>BOUNDARY SETBACKS</p> <ul style="list-style-type: none"> <li>• Provide greater separation to existing low density residential to the south east, and promote maintenance of the existing 'landscaped' batter.</li> </ul>
6	Page 11 – Table 1 – Criteria 3	<p>Delete point 3 relating to connectivity with existing road and footpath network and renumber subsequent points accordingly</p>	<p>CONNECTIVITY CRITERIA</p> <ul style="list-style-type: none"> <li>• This is a general provision that is already covered by Paragraph 1 (relating to publicly accessible pedestrian connection) and is also accounted for within the</li> </ul>

			Design Advisory Committee assessment provisions (within Table 2).
7	Page 11 – Table 1 – Criteria 4 (3)	<p>Re-word point 4 pertaining to open space provision and replace with the following:</p> <p>A minimum of 50 percent open space (including public open space) shall be provided across the site, including a minimum of 1 deep soil zone with a minimum dimension of 6.0 metres and comprising a minimum 12 percent of the site area (or as otherwise defined in subsequently approved State Planning Policy).</p>	<p>OPEN SPACE DEFINITION &amp; DEEP SOIL ZONE DEFINITION</p> <ul style="list-style-type: none"> <li>Retained heritage building should not contribute towards open space provision.</li> <li>Deep soil zone provision in accordance with relevant requirement in draft Design WA Apartment Code (Planning Control Element 3.4) .</li> </ul>
8	Page 11 – Table 1 – New Criterion	<p>Insert new criteria 5</p> <p><i>New development shall maintain views of the retained Healy residence from the north and north-east. To achieve this, buildings situated on the eastern side of the retained heritage building shall be set back a minimum of 25.0 metres from the northern boundary or otherwise demonstrate how the design maintains open and unimpeded views of the front portion of the residence (from the belvedere forward) from the north and north-east to maintain the building's visual prominence and landmark attributes from surrounding areas.</i></p>	<p>VIEWS OF HEALY RESIDENCE</p> <ul style="list-style-type: none"> <li>Additional mandatory provision to ensure desired view lines of the retained heritage building are achieved from the north and north-east and reduce subjectivity of decision in this regard.</li> </ul>
9	Page 11 – Table 1 – Criteria 6	<p>Re-word point 6 pertaining to the Design Advisory Committee and replace with the following:</p> <p>Notwithstanding the zoning of the site, development applications for the site require referral to the City's Design Advisory Committee and must demonstrate high quality design taking into account the matters outlined in Clause 78B – Advisory Committees of Local Planning Scheme No. 4 and any associated policy, as well as the additional site-specific</p>	<p>DESIGN CRITERIA</p> <ul style="list-style-type: none"> <li>Reference to the relevant clause in LPS4 pertaining to Advisory Committees, to ensure that all of the Committee's general terms of reference are applicable to the subject site.</li> <li>Reference made to additional site-specific design requirements in revised Table 2.</li> </ul>

		design outcomes outlined in Table 2 below.	
10	Page 11 – Note 1	Modify Note 1 to replace reference to minimum dimension of 4m with 6m.	<b>DEEP SOILS DEFINITION</b> <ul style="list-style-type: none"> <li>Maintain consistency with Design WA Apartment Code</li> </ul>
11	Page 11 – Table 1 – Additional Development Standard 1	Amend Standard 1 to stipulate ‘Maximum’ building height, and delete ‘measured from entry level to the building’.	<b>HEIGHT ASSESSMENT</b> <ul style="list-style-type: none"> <li>Clarify that standard represents a maximum height, not a mandatory height.</li> <li>Maintain consistent approach to measuring building height as per Local Planning Scheme No. 4 and R-Codes.</li> </ul>
12	Page 12 – Part 3.3 – Paragraph 4 (d) (High Quality Design Outcomes)	<p>Re-word paragraph 4 (d) to the following:</p> <p>High Quality Design: When assessing the proposal’s demonstration of high quality design, regard will be given to the general provisions outlined in Clause 78B of Local Planning Scheme No. 4 and associated planning policy, as well as the site-specific outcomes detailed in Table 2 below:</p> <p>Delete Table 2 and insert new table as per below.</p>	<b>HIGH QUALITY DESIGN CONSIDERATIONS</b> <ul style="list-style-type: none"> <li>New Table 2 to include provision of additional site-specific criteria only, to supplement the existing design review criteria in Council’s local planning policy and LPS.</li> </ul>
13	Plan	<p>Modify the Structure Plan in accordance with below to:</p> <ul style="list-style-type: none"> <li>Designate the area abutting the north south pedestrian link along the western boundary of the site as public open space</li> <li>Designate ‘A’ on Lot 5 to reference the Additional Uses provided for in Clause 3.1 and define this annotation in the Legend as ‘Additional Use (Refer Clause 3.1 b)’</li> <li>Incorporate Pedestrian Access Provision east to west across the south-east corner of the site and adjoining site to the east to enable greater connectivity and through movement in accordance with Heart of Beaconsfield Concepts, and</li> </ul>	<b>PLAN</b> <ul style="list-style-type: none"> <li>To graphically reflect key requirements of the LSP and integration with adjoining site planning.</li> </ul>

		<p>annotate the extension of this south of the plan area as 'Pedestrian connection'</p> <ul style="list-style-type: none"> <li>• Include a graphic representation of the Healy residence on the plan and annotation of this</li> </ul>	
14	Page 13 Part 5.0 Additional Information	<p>Modify part 5.0 of the LSP to include the following additional submission requirement:</p> <p>Additional Information: Intrusive investigation (Cone Penetration Testing or borehole testing) into composition, variability and composition of material underlying the site</p> <p>Approval Stage: Condition of subdivision or development approval</p> <p>Consultation required: City of Fremantle with advice from Department of Water and Environmental Regulation</p>	<p><b>GEOTECH &amp; CONTAMINATION</b></p> <ul style="list-style-type: none"> <li>• To confirm composition of material underlying site and its suitability to support development, and the absence of landfill contamination intruding into Lot 5 Strang Street</li> </ul>



Revised 'Table 2'

(Attachment 1 to Schedule of Modifications)

**HIGH QUALITY SITE-SPECIFIC DESIGN OUTCOMES**

Additional criteria to supplement *Local Planning Policy 1.9: Design Advisory Committee and Principles of Design*

**Character**

- Responds to existing residential development on Mather Road and Butterworth Place without significant impact on amenity, whilst accommodating an increase in building height and scale, reflecting the infill nature of the site.
- Delivers a design which recognises the high visibility of the site from surrounding areas and contributes positively to the outlook from around the site, particularly from the north and east where views of the site are most prominent.
- Integrates the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List into the development scheme in a sympathetic manner, maintaining prominent views of this building from the north and east ~~(including setback of any building east of the residence a minimum of 25m from the northern boundary of the site).~~

**Quality of the Public Realm**

- Contributes to the amenity of the area's public realm through appropriate interfaces to public areas (existing or planned) including pedestrian routes and public open space (taking into account Crime Prevention Through Environmental Design principles), and the design and treatment of publicly accessible areas (including on-site pedestrian connections).
- Contributes to a well-functioning and amenable network of public open space, streets, pedestrian routes and green linkages within the locality that enhance the pedestrian experience.

**Adaptability**

- Includes the conservation and adaptive re-use of the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List to enhance the heritage value of the place.

**Sustainability**

- Development achieves a star rating of at least one star in excess of the current energy efficiency requirement of the National Construction Code (Building Code of Australia), as certified by an independent accredited energy assessor.
- Water use to demonstrate consideration and implementation of sustainable systems for potential re-use, grey water techniques, consumption minimization methods and water wise landscape practices.

3. *Notes that the alignment of the north-south pedestrian link referred to in item 3 of the table of modifications in part 2 of this resolution (above) will be considered further as part of the Heart of Beaconsfield (HoB) project. The outcome of the HoB project may warrant an amended spatial arrangement for the pedestrian link(s) and this shall be taken into account at subsequent planning stages.*

## AMENDMENT 1

Moved: Cr Jon Strachan

Seconded: Cr Hannah Fitzhardinge

Minor amendment to item 5, to change the minimum set back from 20m to 25m to the south-east corner of the lot, as follows;

5	Page 11 – Table 1 – Criteria 2	Re-word point 2 as follows:  <i>All buildings shall be set back a minimum of 6.0 metres to the eastern and southern boundaries of the site and a minimum of <b>25m</b> <del>20m</del> to the south-east corner of the lot.</i>	<b>BOUNDARY SETBACKS</b> <ul style="list-style-type: none"> <li>Provide greater separation to existing low density residential to the south east, and promote maintenance of the existing 'landscaped' batter.</li> </ul>
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Amendment carried: 9/2

For

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright,

Against

Cr Jeff McDonald, Cr Dave Hume

### Reason for change:

It was felt that the set back to the south-east corner of the lot should remain at a minimum set back of 25m (as recommended by officers), as a 20m set back may present too greater impact on the amenity of the surrounding properties.

Cr Ingrid Waltham moved the amended officer's recommendation as amended, to read as follows.

## COUNCIL DECISION ITEM SPT1809-1

Moved: Cr Ingrid Waltham

Seconded: Cr Jon Strachan

### That Council:

- Note the submissions received as detailed in the report relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan considered at the meeting of the Strategic Planning and Transport Committee on 19 September 2018 and Attachment 3 to that report.
- Pursuant to Regulation 20 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submit the report referred to in (1) above relating to Amendment 1 to the Lefroy Road Quarry Local Structure Plan and its attachments to the Western Australian Planning Commission with a recommendation that the Amendment be approved subject to modifications addressing the issues outlined in the officers report, as follows:

No.	Structure Plan Section	Modification Required	Reason
1	Page 10 Part 3.1 – Land Use Zones and Reserves	<p>Insert new point b as follows, and renumber point b accordingly:</p> <p>b. Land Use: Notwithstanding the Residential zoning of Lot 5 Strang Street, the following land uses shall be considered as Additional Uses, with an 'A' use permissibility, where proposed as incidental uses forming part of a comprehensive aged care and/or aged and dependant persons development and provided primarily to service residents of the facility</p> <ul style="list-style-type: none"> <li>• Hospital</li> <li>• Consulting Rooms</li> <li>• Medical Centre</li> <li>• Health Studio</li> </ul>	<p><b>LAND USE:</b></p> <ul style="list-style-type: none"> <li>• The applicant had indicated intent to use the site for an aged care development or similar. The City does not have a land use class accommodating contemporary aged care facilities. Additional uses are recommended to ensure that there is no land use permissibility issues upon assessment of a development application for the site. The uses listed are all 'X' permissibility within the Residential Zone.</li> </ul>
2	Page 11 - Part 3.3	Renumber points 1, 2, 3 and 4 to a, b, c and d	<p><b>NUMBERING</b></p> <ul style="list-style-type: none"> <li>• Apply consistent numbering protocol and allow easier reference.</li> </ul>
3	Page 11 – Part 3.3 – Paragraph 1 (a)	<p>Reword first development standard applicable to Lot 5 Strang Street to read as follows:</p> <p>A portion of the lot area, not less than 15.0 metres in width, along the length of the western boundary of the lot shall be provided as open space. This portion of land shall be <i>landscaped, lit, incorporate a continuous footpath and passive surveillance in accordance with an approved plan, and shall be subject to an enduring Easement in Gross</i> to provide a north-south pedestrian and open space linkage connecting the future public open space areas to the north, as outlined within this local structure plan, with Strang Street and the Clontarf</p>	<p><b>GREEN LINKAGE</b></p> <ul style="list-style-type: none"> <li>• Width of open space linkage increased to 15.0 metres to reflect Liveable Neighbourhoods standard for linear POS.</li> <li>• Increased width also takes into account required public open space provision equating to approximately 10 percent of the lot area.</li> <li>• Public open space provision reflects the current LSP and linkages in Greening Strategy 2020.</li> <li>• Provides greater security of tenure.</li> </ul>

		Road Area to the south.	
4	Page 11 – Part 3.3 – Paragraph 3 (c)	Replace the words 'Additional Development Requirements' with 'Criteria listed in'	<b>TERMINOLOGY CORRECTION</b> <ul style="list-style-type: none"> <li>Maintain consistent terminology</li> </ul>
5	Page 11 – Table 1 – Criteria 2	Re-word point 2 as follows:  All buildings shall be set back a minimum of 6.0 metres to the eastern and southern boundaries of the site and a minimum of 25m to the south-east corner of the lot.	<b>BOUNDARY SETBACKS</b> <ul style="list-style-type: none"> <li>Provide greater separation to existing low density residential to the south east, and promote maintenance of the existing 'landscaped' batter.</li> </ul>
6	Page 11 – Table 1 – Criteria 3	Delete point 3 relating to connectivity with existing road and footpath network and renumber subsequent points accordingly	<b>CONNECTIVITY CRITERIA</b> <ul style="list-style-type: none"> <li>This is a general provision that is already covered by Paragraph 1 (relating to publicly accessible pedestrian connection) and is also accounted for within the Design Advisory Committee assessment provisions (within Table 2).</li> </ul>
7	Page 11 – Table 1 – Criteria 4 (3)	Re-word point 4 pertaining to open space provision and replace with the following:  A minimum of 50 percent open space (including public open space) shall be provided across the site, including a minimum of 1 deep soil zone with a minimum dimension of 6.0 metres and comprising a minimum 12 percent of the site area (or as otherwise defined in subsequently approved State Planning Policy).	<b>OPEN SPACE DEFINITION &amp; DEEP SOIL ZONE DEFINITION</b> <ul style="list-style-type: none"> <li>Retained heritage building should not contribute towards open space provision.</li> <li>Deep soil zone provision in accordance with relevant requirement in draft Design WA Apartment Code (Planning Control Element 3.4) .</li> </ul>
8	Page 11 – Table 1 – New Criterion	Insert new criteria 5  <i>New development shall maintain views of the retained Healy residence from the north and north-east. To achieve this, buildings situated on the eastern side of the retained heritage building shall be set back a minimum of 25.0 metres from the northern boundary or otherwise</i>	<b>VIEWS OF HEALY RESIDENCE</b> <ul style="list-style-type: none"> <li>Additional mandatory provision to ensure desired view lines of the retained heritage building are achieved from the north and north-east and reduce subjectivity of decision in this regard.</li> </ul>

		<i>demonstrate how the design maintains open and unimpeded views of the front portion of the residence (from the belvedere forward) from the north and north-east to maintain the building's visual prominence and landmark attributes from surrounding areas.</i>	
9	Page 11 – Table 1 – Criteria 6	<p>Re-word point 6 pertaining to the Design Advisory Committee and replace with the following:</p> <p>Notwithstanding the zoning of the site, development applications for the site require referral to the City's Design Advisory Committee and must demonstrate high quality design taking into account the matters outlined in Clause 78B – Advisory Committees of Local Planning Scheme No. 4 and any associated policy, as well as the additional site-specific design outcomes outlined in Table 2 below.</p>	<p><b>DESIGN CRITERIA</b></p> <ul style="list-style-type: none"> <li>Reference to the relevant clause in LPS4 pertaining to Advisory Committees, to ensure that all of the Committee's general terms of reference are applicable to the subject site.</li> <li>Reference made to additional site-specific design requirements in revised Table 2.</li> </ul>
10	Page 11 – Note 1	Modify Note 1 to replace reference to minimum dimension of 4m with 6m.	<p><b>DEEP SOILS DEFINITION</b></p> <ul style="list-style-type: none"> <li>Maintain consistency with Design WA Apartment Code</li> </ul>
11	Page 11 – Table 1 – Additional Development Standard 1	Amend Standard 1 to stipulate 'Maximum' building height, and delete 'measured from entry level to the building'.	<p><b>HEIGHT ASSESSMENT</b></p> <ul style="list-style-type: none"> <li>Clarify that standard represents a maximum height, not a mandatory height.</li> <li>Maintain consistent approach to measuring building height as per Local Planning Scheme No. 4 and R-Codes.</li> </ul>
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		<p>and associated planning policy, as well as the site-specific outcomes detailed in Table 2 below:</p> <p>Delete Table 2 and insert new table as per below.</p>	
13	Plan	<p>Modify the Structure Plan in accordance with below to:</p> <ul style="list-style-type: none"> <li>Designate the area abutting the north south pedestrian link along the western boundary of the site as public open space</li> <li>Designate 'A' on Lot 5 to reference the Additional Uses provided for in Clause 3.1 and define this annotation in the Legend as 'Additional Use (Refer Clause 3.1 b)'</li> <li>Incorporate Pedestrian Access Provision east to west across the south-east corner of the site and adjoining site to the east to enable greater connectivity and through movement in accordance with Heart of Beaconsfield Concepts, and annotate the extension of this south of the plan area as 'Pedestrian connection'</li> <li>Include a graphic representation of the Healy residence on the plan and annotation of this</li> </ul>	<p><b>PLAN</b></p> <ul style="list-style-type: none"> <li>To graphically reflect key requirements of the LSP and integration with adjoining site planning.</li> </ul>
14	Page 13 Part 5.0 Additional Information	<p>Modify part 5.0 of the LSP to include the following additional submission requirement:</p> <p>Additional Information: Intrusive investigation (Cone Penetration Testing or borehole testing) into composition, variability and composition of material underlying the site</p> <p>Approval Stage: Condition of subdivision or development</p>	<p><b>GEOTECH &amp; CONTAMINATION</b></p> <ul style="list-style-type: none"> <li>To confirm composition of material underlying site and its suitability to support development, and the absence of landfill contamination intruding into Lot 5 Strang Street</li> </ul>

		approval Consultation required: City of Fremantle with advice from Department of Water and Environmental Regulation	
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**Revised 'Table 2'**

**(Attachment 1 to Schedule of Modifications)**

**HIGH QUALITY SITE-SPECIFIC DESIGN OUTCOMES**

**Additional criteria to supplement *Local Planning Policy 1.9: Design Advisory Committee and Principles of Design***

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- Delivers a design which recognises the high visibility of the site from surrounding areas and contributes positively to the outlook from around the site, particularly from the north and east where views of the site are most prominent.
- Integrates the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List into the development scheme in a sympathetic manner, maintaining prominent views of this building from the north and east.

**Quality of the Public Realm**

- Contributes to the amenity of the area's public realm through appropriate interfaces to public areas (existing or planned) including pedestrian routes and public open space (taking into account Crime Prevention Through Environmental Design principles), and the design and treatment of publicly accessible areas (including on-site pedestrian connections).
- Contributes to a well-functioning and amenable network of public open space, streets, pedestrian routes and green linkages within the locality that enhance the pedestrian experience.

**Adaptability**

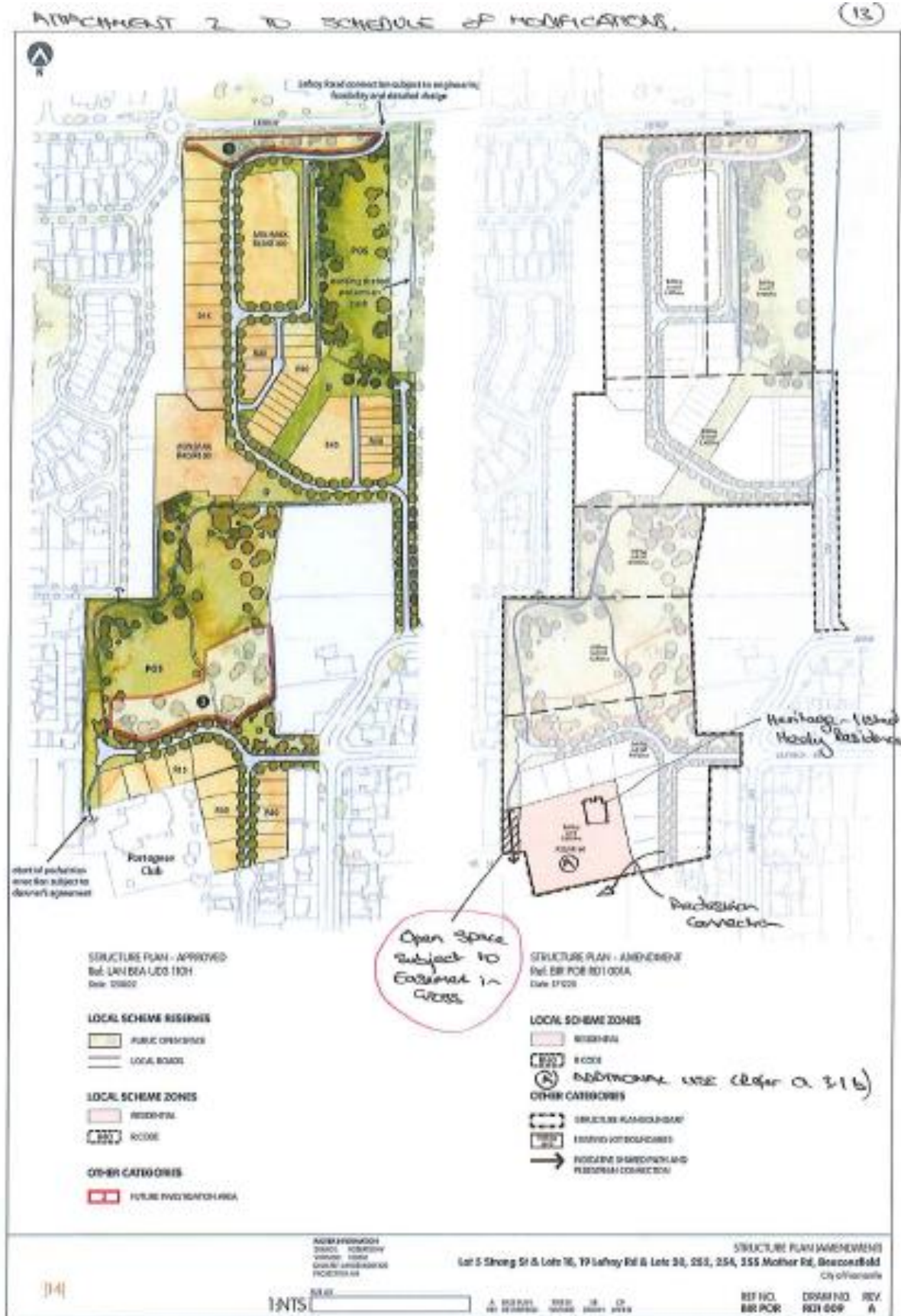
- Includes the conservation and adaptive re-use of the original 1890s Healy residence identified on the City's Municipal Heritage Inventory and Heritage List to enhance the heritage value of the place.

**Sustainability**

- Development achieves a star rating of at least one star in excess of the current energy efficiency requirement of the National Construction Code (Building Code of Australia), as certified by an independent accredited energy assessor.
- Water use to demonstrate consideration and implementation of sustainable systems for potential re-use, grey water techniques, consumption minimization methods and water wise landscape practices.

3. *Notes that the alignment of the north-south pedestrian link referred to in item 3 of the table of modifications in part 2 of this resolution (above) will be considered further as part of the Heart of Beaconsfield (HoB) project. The outcome of the HoB project may warrant an amended spatial arrangement for the pedestrian link(s) and this shall be taken into account at subsequent planning stages.*





Carried: 11/0

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume



**SPT1809 - 2 DRAFT LOCAL PLANNING POLICY 2.23 - REGISTER OF  
SIGNIFICANT TREES AND VEGETATION AREAS - ADOPT FOR  
ADVERTISING**

**Meeting Date:** 19 September 2018  
**Responsible Officer:** Manager Strategic Planning  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**AMENDMENT 1**

**Moved: Cr Adin Lang                      Seconded: Cr Dave Hume**

**Minor amendment to add an additional point 4 of part 1.2 of the Policy**

- *have potential to become significant.*

**Carried: 10/1**

**For**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

**For**

Cr Jon Strachan

**Cr Ingrid Waltham moved the committee recommendation including the minor amendment, to read as follows:**

**COUNCIL DECISION ITEM SPT1809 – 2**

**(Committee and officer's recommendation, as amended)**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Dave Hume**

**Council:**

- 1. Approve the following draft *Local Planning Policy 2.23 - Register of Significant Trees and Vegetation Areas* for the purposes of advertising in accordance with the procedures set out in clause 4 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the *City of Fremantle Local Planning Policy 1.3 Public Notification of Planning Proposals*, and note the associated draft Procedure:**

**CITY OF FREMANTLE**

**LOCAL PLANNING POLICY 2.23**

**REGISTER OF SIGNIFICANT TREES AND VEGETATION AREAS**

**ADOPTION DATE: ??/??/20??**

**AUTHORITY: LOCAL PLANNING SCHEME NO.4 and PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015**

## **STATUTORY BACKGROUND**

The Schedule 2 Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* are to be read as though part of City's Local Planning Scheme (LPS4).

Clause 67 of the Deemed Provisions defines matters to be considered by local government in determining a development application and includes, amongst other things:

- whether any trees or vegetation should be preserved; and
- any local planning policy for the Scheme area.

Clause 3 of the Deemed Provisions allows local government to prepare a local planning policy in respect of any matter relating to the planning and development of the Scheme area.

LSP4 permits tree and vegetation removal on private land without approval unless the tree or vegetation is identified on a significant tree or vegetation register:

6.12 Schedule A – Supplementary provisions to the deemed provisions.....

Clause 61 *Note: Development that does not require the approval the Council....*

*(k) Removal of trees or vegetation areas except where trees and vegetation areas are identified in the register of significant trees or vegetation areas.*

Schedule A of LPS4 makes provision for Council to create and maintain a register:

### ***Clause 13A Conservation of Significant Trees or Vegetation Areas***

- (1) The Council may establish and maintain a register of significant trees to identify those trees or vegetation areas within the Scheme area considered worthy of conservation under the provisions of the Scheme, together with a description of each tree or vegetation area and the reasons for its entry.*
- (2) In considering a proposal to include a place on the register of significant trees, the Council shall -*
  - (a) notify in writing the owner and occupier of the place where the tree is located and provide them with a copy of the description referred to in clause 4.1 and the reasons for the proposed entry,*
  - (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the date specified in the notice,*
  - (c) carry out such other consultations as it thinks fit, and*

- (d) consider any submissions made and resolve to enter the place on the register of significant trees with or without modification or reject the proposal after consideration of the submissions.**

This policy applies as a Local Planning Policy prepared under Clause 3 of the Deemed Provisions.

## PURPOSE

The purpose of this policy is to:

- Define criteria for the inclusion or removal of trees and vegetation areas on the Significant Trees and Vegetation Areas Register ('the Register').
- Provide guidance for the assessment of development applications for sites including trees and vegetation areas listed on the Register.

## APPLICATION

This policy applies to land subject to the provisions of LPS4. Land and development outside the control of LPS4 (including works on reserved land by a public authority) are not bound by the provisions of LPS 4 or this policy and so there is a presumption against inclusion of trees and vegetation areas on the Register which are not on zoned land.

## POLICY

### 1. Criteria for Inclusion on Significant Trees and Vegetation Areas Register

- 1.1 Nominations for trees or vegetation area must be made by the owner or with their written consent at the time of nomination of the land on which the tree is located. .**

- 1.2 Nominations will be assessed against the following criteria:**

- (i) Healthy specimen with ongoing viability.
- (ii) Species not a weed of national interest.
- (iii) Particular significance based on at least one of the following:
  - i. Botanic/Horticultural value
    - Tree(s) or vegetation may:
      - be a rare or endangered species;
      - be of an *significant* size or specimen for its species; or
      - have special scientific value.
      - *have potential to become significant.*
  - ii. Visual/Aesthetic/Landmark value
    - Tree(s) or vegetation may:
      - have significant visual and aesthetic qualities e.g. size/form/shape/ colour/texture; or
      - create a significant landmark.

**iii. Heritage value**

Tree(s) or vegetation may:

- be of high cultural heritage significance defined against historic, social, spiritual, rarity and representativeness values.

**iv Ecological value not otherwise protect through environmental legislation**

Tree(s) or vegetation may:

- provide *significant* habitat and/or seed source
- represent remnant pre-European tree or vegetation; or
- have special ecological significance.
- *Provide substantial canopy cover*

**1.3 In assessing the ongoing viability of the tree / vegetation, consideration may be given to the following:**

- The development potential of the site and prospects for retaining the tree or vegetation in future development.
- Proximity to and impact on buildings and / or infrastructure.
- Proximity to boundary and impact on neighbouring property.
- The root structure and attributes of the plant and its propensity to be affected by changes to the environment outside the lot boundaries (eg development on neighbouring land).

Trees with a limited prospect of long term retention or lifespan will not be included.

**1.5 In assessing the ecological value of trees and vegetation areas, consideration will be given to proximity to recognised ecological linkages or biodiversity corridors.**

**1.6 Nominations for inclusion, and requests for removal of trees and vegetation areas from the Register made independent of a development application will be assessed annually.**

**2. Development Application for sites including a tree/vegetation on the Register**

**2.1 Development shall avoid detrimental impact on the registered tree / vegetation where feasible.**

**2.2 Applications to remove a tree or vegetation area on the Register not associated with other development will be assessed against the criteria and considerations listed in 1 above. Withdrawal of the support of the owner of the land (or subsequent owner of the land) will not be considered sufficient reason for removal.**

**2.3 Applications for other forms of development involving or likely to result in removal of a tree or vegetation areas on the Register will be considered under the following circumstances:**

- (i) Where retention is likely to cause damage or injury to infrastructure, services, buildings or health and safety**

**Tree/vegetation removal is permissible where it has been clearly demonstrated that the tree/vegetation roots and/or branches are likely to cause damage or injury to –**

- a. water, stormwater, power, gas, telecommunications or sewer lines, or**
- b. the structural integrity of a building or structure of value, or**
- c. the safe and efficient operation of an existing public road, private road, right-of-way, or formed accessway, or the integrity of a base course of an existing public road, private road, right-of-way, or formed vehicle accessway; or**
- d. health and safety of a person/s; and**
- e. all other reasonable remedial treatments have been determined to be ineffective.**

- (ii) Where the tree or vegetation is structurally unsound or in poor health**

**Tree/vegetation removal is permissible where it has been clearly demonstrated that the tree / vegetation is:**

- a. imminently dangerous (refer Exempt Development below); or**
- b. in poor health with a low chance of survival; and**
- c. all other reasonable remedial treatments have been determined to be ineffective.**

- (iii) Where the retention of tree/vegetation on a development site would preclude permissible development**

**Tree/vegetation removal is permissible where it has been clearly demonstrated that the location of the tree / vegetation:**

- a. renders development of the site in accordance with its zoned purpose unfeasible.**

**2.3 In assessing proposals, applicants may be requested to provide professional evidence such as an arboricultural report or a structural engineers report demonstrating compliance with the above criteria.**

**2.4 Where removal is supported, replacement of the tree or vegetation in a suitable location may be sought as a condition of approval.**

**2.5 Development on lots containing registered tree or vegetation shall comply with *AS 4970 – 2009 Protection of trees on development sites*.**

**ADVISORY NOTES:**

**Exempt Development:** Works urgently necessary for public safety, safety or security of plant or equipment, maintenance of essential services, or protection of the environment is exempt from development approval under LPS4.

Demonstration of compliance with this definition may be sought where works are undertaken without approval.

**Pruning:** Pruning of a tree or vegetation on the Register is permitted where it does not constitute removal. Pruning is encouraged to comply with Australian Standards (*AS 4373- 2007 Pruning of amenity trees*) and may:

- (i) Involve removal of dead wood, treatment of disease, or is in the general interests of the health of the tree; or
- (ii) Address risk to public or private safety where other alternatives are not viable; or
- (iii) Address damage to buildings or structures of value where other alternatives are not viable; or
- (iv) Maintain the aesthetic appearance and structural integrity of the tree or vegetation.



## Procedure for modifying the Register of Significant Trees and Vegetation Areas

The process for inclusion of a significant tree or vegetation on the register is set out in **6.12 Schedule A – Supplementary provisions to the deemed provisions, Clause 13A Conservation of Significant Trees or Vegetation Areas of Local Planning Scheme No.4 (LPS4)**. The procedure for including a tree or vegetation area on the Register is as follows:

- (i) Applicant is to complete the *Register of significant trees or vegetation areas on private land nomination form*, as provided in appendix A, to apply for a significant tree or vegetation to be included on the Register. The application should address the criteria for inclusion listed in the policy.

*Note: The City will not accept an application for a significant tree or vegetation area to be included on the Register without the landowner's consent.*

- (ii) Applicant to lodge the application with the City of Fremantle's strategic planning team by:

Email: [planning@fremantle.wa.gov.au](mailto:planning@fremantle.wa.gov.au)

Post: Planning Services, City of Fremantle, PO Box 807, FREMANTLE WA 6959

Hand Deliver: City of Fremantle Administration Building

- (iii) The City will undertake an assessment of nominated trees and vegetation areas in accordance with part one of the policy. This assessment may include the commission of an independent arboricultural report. Assessments may be deferred to align with annual reporting (see v below).
- (iv) The City will provide the assessment to the landowner and occupier of the place (if applicable) and invite comment from them and immediately adjacent neighbours for a period of 21 days.
- (v) A report on the nominated trees and vegetation areas and public submissions received will be submitted to Council annually (generally between February and April) for a decision on their inclusion on the Register [contained in appendix B].

The procedure for removing a tree or vegetation area on the Register is as follows:

- (i) Requests for removal of trees or vegetation from the Register which do not form part of a Development Application should be submitted in writing to the City and be accompanied by justification addressing the criteria listed in part one of the policy including, where appropriate, supporting technical documents such as an arboricultural report or structural engineering report demonstrating relevant criteria are met.

- (ii) The City will undertake an assessment of trees and vegetation areas in accordance with part one of this policy. This assessment may include the commission of an independent arboricultural report. Assessments may be deferred to align with annual reporting (see v below).**
- (iii) Where the City's assessment does not support the request for removal, the City will provide the assessment to the landowner and occupier of the place (if applicable) and invite comment from them for a period of 21 days. The City may, at its discretion, also invite comment from adjacent neighbours.**
- (iv) A report on the nominated trees and vegetation areas and public submissions received will be submitted to Council annually (generally between February and April) for a decision on their removal from the Register [contained in appendix B].**
- (v) All trees or vegetation granted development approval for removal will be automatically removed from the Register without further consultation with the landowner or other parties.**



# Appendix A – Register of Significant Trees and Vegetation Areas on private land nomination form



## Register of Significant Trees and Vegetation Areas on Private Land Nomination Form

### INFORMATION ON TREE/VEGETATION FOR NOMINATION

Please tick appropriate:

Single Tree/Plant ☐ Group of Trees/Plant ☐ Number of trees/plants in group.....

#### Location of tree/vegetation

Street number

Street name.....

Suburb .....

Location on the site.....

#### Tree/vegetation details

Common name.....

Latin/Botanical

name.....

Height (approximate)

.....

Girth.....

Age (approximate).....

### Why do you think the tree/vegetation is important (please tick applicable):

- ☐ Botanical/Horticultural value (rare/endangered species or genetic type)
- ☐ Visual/Aesthetic/Landmark value (size/form/colour/texture/landmark)
- ☐ Heritage value (social/spiritual/rarity/representative)
- ☐ Ecological value (provides *significant* habitat/seed source/remnant of pre European vegetation)

.....

.....

.....

.....

### NOMINATED BY

Name .....

Address .....

Telephone .....

Date .....

### OWNER'S CONSENT

*Consent from the owner of the land upon which the tree or vegetation is located must be obtained when nominating trees/vegetation. The City of Fremantle will not consider a nomination without owner's consent.*

Name .....

Signature.....

## ADDITIONAL INFORMATION

To assist the nomination process please provide the following additional information as an attachment to this form:

**1. Any additional information to support your nomination**

☐

(e.g. media articles, historical information, arboriculturalist report etc.)

**2. Photo(s) of the tree(s)/vegetation**

☐

**3. Map indicating location of the tree(s)/vegetation**

☐



City of  
**Fremantle**

## Appendix B – Register of Significant Trees and Vegetation Areas

Tree ID	Common and Botanical name	Address (& GPS coordinates)	Brief description of tree(s) or vegetation	Statement of significance (reason for entry)

Also refer to the State Register of Heritage Places, City of Fremantle Heritage List, and federal and state environmental legislation for other listings.

2. Request that consultation with landowners and the Heritage Council be undertaken on the following changes proposed to the Heritage List and Municipal Inventory of Heritage Places, and draft Significant Tree and Vegetation Areas Register:
  - a) Removal of the following entries from the Heritage List and transfer to the Significant Tree and Vegetation Areas Register.
    - a. Tree, 11 Harvest Road North Fremantle
    - b. Trees, 15 Harvest Road, North Fremantle
    - c. Tree Grove, 21 Harvest Road, North Fremantle
    - d. Trees, 45 Henderson Street, Fremantle.
    - e. Morton Bay Fig, 195 High Street, Fremantle
  - b) Removal of the following sites from the Heritage List and reclassification as Historical Record Only on the Municipal Inventory of Heritage Places:
    - a. 1 Bannister Street, Fremantle
    - b. 8 John Street, North Fremantle
  - c) Removal of all trees on public land from the Heritage List with the exception of the Proclamation Tree which is included on the State Register of Heritage Places, and transfer of their record of significance to the City's internal tree asset register or reserve masterplans, as applicable.

**Carried: 10/1**

**For**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Andrew Sullivan, Cr Rachel Pemberton,  
Cr Adin Lang, Cr Hannah Fitzhardinge, Cr Jenny Archibald,  
Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

**Against**

Cr Jon Strachan

## **12. REPORTS AND RECOMMENDATIONS FROM OFFICERS**

### **C1809-1 MONTHLY FINANCIAL REPORT - AUGUST 2018**

**Meeting Date:** 26 September 2018  
**Responsible Officer:** Manager of Finance  
**Decision Making Authority:** Council  
**Agenda Attachments:** Monthly Financial Report – 31 August 2018

#### **COUNCIL DECISION ITEM C1809-1** **(Officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Hannah Fitzhardinge

**Council receives the City of Fremantle Monthly Financial Report including the Statement of Comprehensive Income, Statement of Financial Activity, Statement of Financial Position and Statement of Net Current Assets for the period ended 31 August 2018.**

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

**ITEMS APPROVED “EN BLOC”**

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

**COUNCIL DECISION**

Moved: Cr Ingrid Waltham

Seconded: Cr Dave Hume

Council adopted en bloc the officer’s recommendations for the following items:

C1809-2	Statement of investments as at 31 August 2018
C1809-3	Schedule of payments for the month of August 2018

Carried: 11/0

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

**C1809-2          STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2018**

**Meeting Date:** 26 September 2018  
**Responsible Officer:** Manager Finance  
**Decision Making Authority:** Council  
**Agenda Attachments:** Investment Report – 31 August 2018

**COUNCIL DECISION ITEM C1809-2**  
**(Officer recommendation)**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Dave Hume**

**Council receives the Investment Report for the month ending 31 August 2018.**

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

**C1809-3          SCHEDULE OF PAYMENTS FOR THE MONTH OF AUGUST 2018**

**Meeting Date:** 26 September 2018  
**Responsible Officer:** Manager Finance  
**Decision Making Authority:** Council  
**Agenda Attachments:** 1. Schedule of payments and listing  
2. Purchase card transactions  
*Attachments viewed electronically*

**COUNCIL DECISION ITEM C1809-3**  
**(Officer recommendation)**

**Moved:** Cr Ingrid Waltham

**Seconded:** Cr Dave Hume

**Council:**

1. **Accepts the list of payments made under delegated authority, totalling \$7,273,211.02 for the month ending 31 August 2018, as contained within Attachment 1.**
2. **Accepts the detailed transaction listing of credit card expenditure, for the month ending 31 August 2018, as contained within Attachment 2.**

**Carried: 11/0**

**Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume**

**13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

A member may raise at a meeting such business of the City as they consider appropriate, in the form of a motion of which notice has been given to the CEO.

**14. URGENT BUSINESS**

In cases of extreme urgency or other special circumstances, matters may, on a motion that is carried by the meeting, be raised without notice and decided by the meeting.

**15. LATE ITEMS**

In cases where information is received after the finalisation of an minutes, matters may be raised and decided by the meeting. A written report will be provided for late items.

**16. CONFIDENTIAL BUSINESS**

Members of the public may be asked to leave the meeting while confidential business is addressed.

**PROCEDURAL MOTION**

At 7.51 pm the following procedural motion was moved:

**COUNCIL DECISION**

Moved: Cr Ingrid Waltham

Seconded: Cr Dave Hume

**That the meeting be moved behind closed doors to consider the confidential item/s on the agenda.**

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

At 7.51pm members of the public were requested to vacate the meeting.



**FPOL1809-16 CONFIDENTIAL ITEM - CAR SHARE SCHEME - OUTCOMES OF EOI**

**Meeting Date:** 12 September 2018  
**Responsible Officer:** Manager Strategic Planning  
**Decision Making Authority:** Council  
**Agenda Attachments:** 1 – Existing Car Share Policy SG57  
2 – Assessment & Summary of response to EOI  
3 – Estimate of Lost Revenue from Parking Bays

**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 ITEM FPOL1809-16**  
**(Committee and officer's recommendation)**

**Moved: Cr Ingrid Waltham**

**Seconded: Cr Dave Hume**

**Council:**

- 1. Note the submissions received through Expression of Interest FCC517/18 and the level of support indicated as likely to be required to support the establishment of a car share scheme in Fremantle.**
- 2. Resolve not to seek tenders for the establishment of a car share scheme in Fremantle at this time given the apparent absence of sufficient market demand to sustain this without substantial subsidisation.**
- 3. Request that the current Car Share policy SG57 be reviewed to provide greater flexibility to support the initial establishment of a car share scheme in the future, based on the findings of the Phillip Boyle report submitted to Council on 28 March 2018.**
- 4. Request that discussion with other interested local governments, WALGA and other potential stakeholders continue to indicate the City's interest in establishing a car share scheme and preparedness to work cooperatively with partners to facilitate this, should a viable model emerge.**
- 5. Thank all those who made submissions on Expression of Interest FCC517/18 and invite them to continue to monitor the market and to inform the City if and when establishment of a scheme in accordance with the terms of Council's revised policy appears viable.**

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

### **PROCEDURAL MOTION**

At 7.54 pm the following procedural motion was moved:

### **COUNCIL DECISION**

Moved: Cr Ingrid Waltham

Seconded: Cr Dave Hume

**That the meeting come out from behind closed doors.**

**Carried: 11/0**

Cr Ingrid Waltham, Cr Bryn Jones, Cr Jon Strachan, Cr Andrew Sullivan,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Hannah Fitzhardinge,  
Cr Jenny Archibald, Cr Sam Wainwright, Cr Jeff McDonald, Cr Dave Hume

## **17. CLOSURE**

The Presiding Member declared the meeting closed at 7.55 pm.