



Minutes

Ordinary Meeting of Council

Wednesday 10 April 2024 6pm



Table of Contents

1.	Official opening, welcome and acknowledgement.....	2
2.	Attendance, apologies and leave of absence	2
2.1	Attendance	2
2.2	Apologies.....	2
2.3	Leave of absence	3
3.	Applications for leave of absence	3
4.	Disclosures of interest by members.....	3
5.	Responses to previous public questions taken on notice.....	3
6.	Public question time	3
7.	Petitions	7
8.	Deputations	7
8.1	Special deputations	7
8.2	Presentations	7
9.	Confirmation of minutes.....	8
10.	Elected member communication	8
11.	Reports and recommendations from officers	9
11.1	Planning reports.....	9
C2404-1	REFERRED ITEM - SNOOK CRESCENT, NO. 46 (LOT 2), HILTON - ALTERATIONS & ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0283/23).....	9
C2404-2	BUTSON STREET, NO. 18 (LOT 28), HILTON - ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0009/24).....	24
C2404-4	PLANNING INFORMATION REPORT - APRIL 2024.....	34
C2404-3	KEEGAN STREET, NO. 3A (LOT 32) & NO. 3B (LOT 34), O’CONNOR - SINGLE STOREY BULKY GOODS SHOWROOM DEVELOPMENT- (JD DAP001/24).....	37
11.2	Strategic and general reports.....	57
C2404-5	ARTS, CULTURE AND CREATIVE STRATEGY AND ACTION PLAN	57
C2404-6	ELECTED MEMBER COUNCIL POLICY REVIEW	63
11.3	Committee and working group reports.....	72
11.4	Statutory reports.....	72
12.	Motions of which previous notice has been given.....	72
13.	Urgent business.....	72
14.	Late items	72
15.	Confidential business	72
16.	Closure.....	72



1. Official opening, welcome and acknowledgement

The Presiding Member declared the meeting open at 6:00pm and welcomed members of the public to the meeting.

The Presiding Member informed members of the public that the meeting was being recorded and streamed live on the internet. They further advised that while all care is taken to maintain privacy, visitors in the public gallery and members of the public submitting a question, may be captured in the recording.

2. Attendance, apologies and leave of absence

2.1 Attendance

Ms Hannah Fitzhardinge	Mayor/Presiding Member
Cr Jenny Archibald	Deputy Mayor/Central Ward
Cr Geoff Graham	Central Ward
Cr Adin Lang	Coastal Ward
Cr Andrew Sullivan	Coastal Ward
Cr Jemima Williamson-Wong	Coastal Ward
Cr Fedele Camarda	East Ward
Cr Ben Lawver	East Ward
Cr Frank Mofflin	East Ward
Cr Doug Thompson	North Ward
Cr Ingrid van Dorssen	North Ward
Mr Glen Dougall	Chief Executive Officer
Mr Matt Hammond	Director City Business
Mr Sarah Wilkinson	A/Director Creative Arts and Community
Mr Graham Tattersall	Director Infrastructure
Mr Russell Kingdom	Director Planning, Place and Urban Development
Ms Chloe Johnston	Manager Development Approvals
Ms Melody Foster	Manager Governance
Ms Alli Doherty	A/Manager Arts
Mr David Settelmaier	Manager Strategic Communications and Stakeholder Relations
Ms Gabrielle Woulfe	Meeting Support Officer

There were approximately 12 members of the public and no members of the press in attendance.

2.2 Apologies

Nil.



2.3 Leave of absence

Nil.

3. Applications for leave of absence

Nil.

4. Disclosures of interest by members

Nil.

5. Responses to previous public questions taken on notice

The questions taken on notice at the Ordinary Meeting of Council held on 27 March 2024 were answered within the Agenda of this meeting.

6. Public question time

Stacey Cattalini-Towne spoke in relation to matters not on the agenda and asked the following questions:

Question 1:

After a prolonged delay, we now have incomplete responses to questions raised at the OCM on 13 March 2024. According to staff, delays in getting our responses were blamed on the need for further investigation. We asked 8 questions on 13 March 2024 but only one has been satisfactorily answered.

Please advise why the additional delays were required when they achieved no further outcomes or responses other than creating some obstruction to our family taking further action?

Response:

Whilst we understand that the family are desperate to get these answers, we need to make sure we undertake a thorough investigation of the process.

There are no remaining staff that were part of the process in 2018/2019. Using our record system, although we can retrieve the letter that was provided, the way that the data has been dumped for the mail merge means we have to go through it to see who is an occupier and who is an owner; and whether that letter was actually sent to that person.

Once that's undertaken, we will provide an answer. I have assured Mr Tony Cattalini that this will be provided by the end of this week.



Question 2:

Local Planning Scheme No. 4 requires the Council to notify all owners and occupiers of a place where a tree is proposed to be included in the Significant Tree Register. The landowner has no record of correspondence being received regarding this initial proposal, nor the occupiers of 195 High Street. Can you please confirm if the City followed their own requirements of Local Planning Scheme No. 4 by notifying the occupiers of 195 High Street when creating the Significant Tree Register, or not?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Danielle Cattalini spoke in relation to matters not on the agenda and asked the following questions:

Question 1:

Local Planning Scheme No. 4 requires the Council to notify all owners and occupiers of a place once a tree has been included in the Significant Tree Register. The occupiers of 195 High Street were not notified that tree was determined to be listed on the register, as was required by LPS4. Can you please confirm if the City followed their own requirements of Local Planning Scheme No. 4 by notifying the occupiers of 195 High Street when the Significant Tree Register had been created, or not?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 2:

We believe that the Council did not carry out the procedure as required under the provisions of its own Local Planning Scheme No. 4 in creating the Significant Tree Register. Please confirm if this is the case?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 3:

Is the City aware that when a procedure outlined in a provision under a local planning scheme is not followed, that the outcome has no statutory effect and is null and void?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.



Question 4:

LPP 2.23 clearly states that trees will not be placed on the Significant Tree register without the landowner's consent. This consent was not given. Can you please confirm that you have received legal advice to suggest that the landowner's permission was not required?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 5:

Is the City aware and concerned, as the Mayor quite rightly commented at Council Meeting on 20 February 2024, that listing significant trees and vegetation without private landowner permission will encourage the removal of trees and vegetation that would have otherwise likely remained?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Keryth Cattalini spoke in relation to matters not on the agenda and asked the following questions:

Question 1:

We are aware that the occupiers of 195 High Street were not notified of the proposed or final decision to list the Moreton Bay Fig tree on the Significant Tree Register. The Council is also aware of this. Why is the City refusing to be open, honest, upfront, and transparent by admitting to this?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 2:

Is it true that the trees located on the park adjacent to 195 High Street are infected by the Polyphagus Shothole Borer, which is highly contagious and for which there is no remedy, and are to be removed over the coming weeks?

Response:

Correct, there are a number of trees in Queens square which have been infected and we've been liaising with DPIR in respect to when and how these will be addressed or removed.



Elisabeth Megroz spoke in relation to matters not on the agenda and asked the following questions:

Question 1:

What is the total cost of running an OCM, covering all elected members, all admin personnel present, and absolutely every other aspect that requires payment, for example catering, parking, serviced vehicles, travel allowances, childcare, and so on?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 2:

Livestreaming/recording was resolved to be implemented in the new Civic Centre at the AGME on 9 March 2020, where the first OCM was held on 15 Dec 2021. Is it reasonable that after 2 years in this new 20 plus million more than budgeted building, that ratepayers have to put up with 'technical difficulties' in livestreaming/recording?

Response:

Livestreaming will be compulsory for all Local Governments from the 1st of January 2025; The City have been livestreaming since we have been in the Walyalup Civic Centre, and have experienced a few hiccups which can happen with technology.

Question 3:

Who is funding the livestreaming and recording arrangements, if not ratepayers?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 4:

What were the considerations made at the OCM on 28 Feb 2024 by Council in relation to the motion of the rejection of the Annual Report?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

Question 5:

To whom specifically will I formally address my grave concerns about your published minutes?

Response:

There is information on the website regarding complaints.
[Feedback and complaints | City of Fremantle](#)



Ian Ker spoke in relation to matters not on the agenda and asked the following question:

Question 1:

Will Fremantle Council follow the lead of the City of Nedlands Council and appoint an independent forensic auditor to identify, and where possible, correct the many errors, inconsistencies, and other problems that have been identified by community members over recent years in the Annual Report/s?

Response:

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

The following member of the public spoke in relation to the Nannine Common Community Garden:

Barry Healy

The following members of the public spoke against the recommendation for item C2404-1:

Joshua Smith

Amanda Hodgson

The following member of the public spoke against the recommendation for item C2404-2:

Martin Tait

7. Petitions

Nil.

8. Deputations

8.1 Special deputations

Nil.

8.2 Presentations

Nil.



9. Confirmation of minutes

COUNCIL DECISION

Moved: Mayor Hannah Fitzhardinge Seconded: Cr Andrew Sullivan

Council confirm the minutes of the Ordinary Meeting of Council dated 27 March 2024.

Carried: 11/0

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,
Cr Doug Thompson, Cr Ingrid van Dorsen**

10. Elected member communication

Nil.



11. Reports and recommendations from officers

11.1 Planning reports

C2404-1 REFERRED ITEM - SNOOK CRESCENT, NO. 46 (LOT 2), HILTON - ALTERATIONS & ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0283/23)

Meeting date:	10 April 2024
Responsible officer:	Manager Development Approvals
Voting requirements:	Simple Majority
Attachments:	<ol style="list-style-type: none">1. Amended Development Plans2. Cover Letter3. Additional Justification4. Heritage Impact Assessment5. Site Photos

SUMMARY

Approval is sought for alterations and additions to an existing Single house at No. 46 Snook Crescent, Hilton.

At the meeting held on 14 February 2024 Council resolved to defer the decision for this item to the next appropriate Council meeting to allow the applicant more time to consider submitting an amended proposal to setback the upper floor addition further behind the existing ridge line of the dwelling and/or provide additional information on the current proposal.

The applicant has opted to have the item determined based on the development plans referred to the 14 February 2024 Council meeting, with no amendments being made to the design.

The proposal is referred back to Council due to the nature of some discretions being sought against Local Planning Policies. These discretionary assessments include the following:

- **Wall height**
- **Upgrading of existing dwelling**
- **Extensions and additions**

The application is recommended for refusal.



PROPOSAL

Detail

Approval is sought for alterations and additions to an existing Single house at No. 46 Snook Crescent, Hilton (subject site). The proposed works include:

- Demolition of outbuilding on east side boundary.
- Demolition of rear existing chimney.
- Removal of existing tiled roof and replacement with new zincalume roof sheeting.
- Removal of windows on the rear of the dwelling and installation of a glass sliding door.
- Internal wall removal and alterations.
- Loungeroom addition on east side of dwelling.
- Installation of four (4) highlight windows along west side of dwelling.
- Replacement of existing asbestos cladding with fibrous cement sheeting.
- Installation of timber 'weatherboard' slatting to external walls of the dwelling.
- Second storey bedroom addition.

The applicant submitted amended plans on 18 January 2024 including the following:

- Relocation of the second storey addition to be situated behind the existing roof ridge line.
- Reduced height of the front edge of the second storey addition to match the existing roof ridge height (max. building height to remain the same).
- Reduction in floor area of the second storey addition from 26.54m² to 22.92m².
- Timber 'weatherboard' slats to extend up to the windowsill height on the external walls of the existing dwelling and to the full height of the external walls on the lounge and bedroom additions.

Refer to Figures 1 and 2 illustrating the key design change of the second storey addition.

The amended development plans that were considered by Council in February are included as attachment 1.

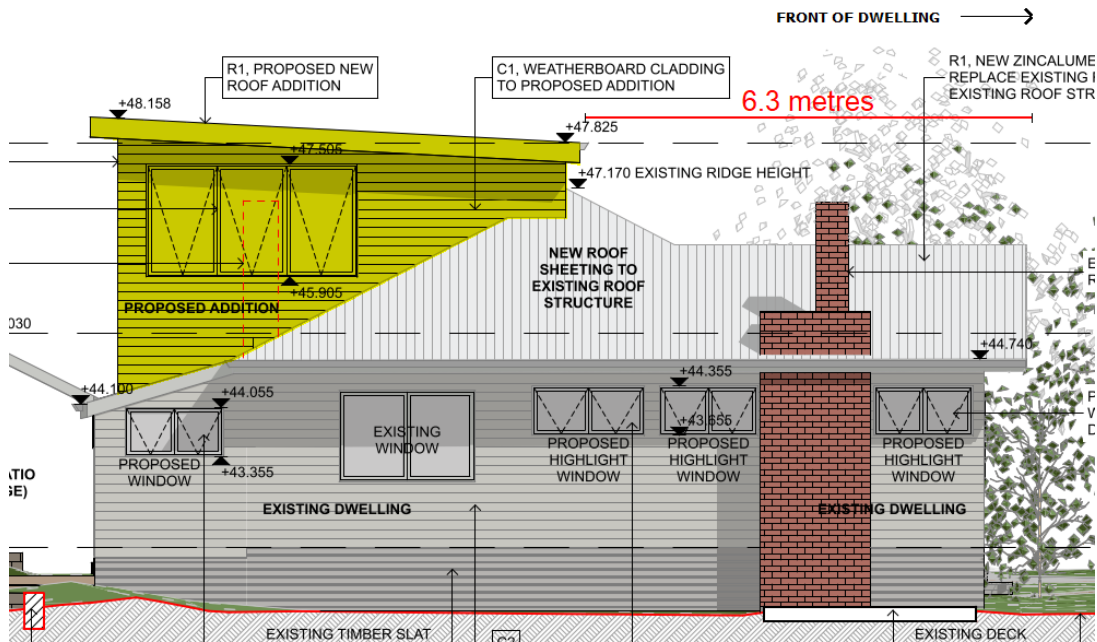


Figure 1 – Original plan extract illustrating second storey addition.

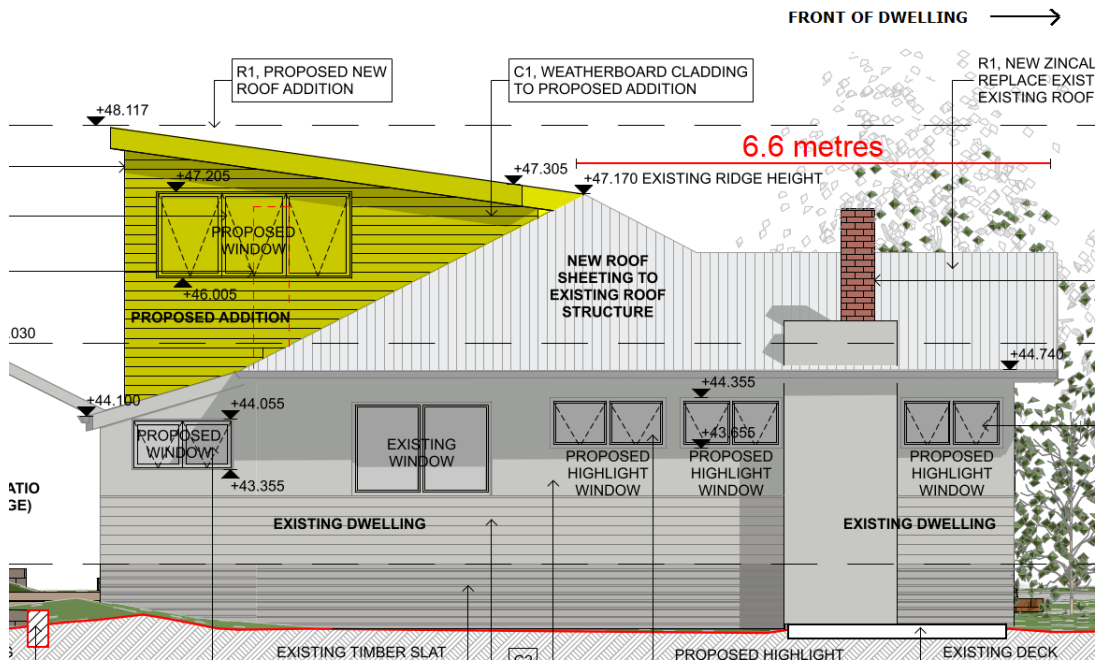


Figure 2 – Amended plan extract illustrating relocation of second storey addition.



Site/application information

Date received: 19 September 2023
Owner name: Joshua Smith and Amanda Hodgson
Submitted by: Manuela Gioia
Scheme: Residential R20/R25
Heritage listing: Hilton Garden Suburb Precinct
Existing land use: Single House
Use class: Single House
Use permissibility: P

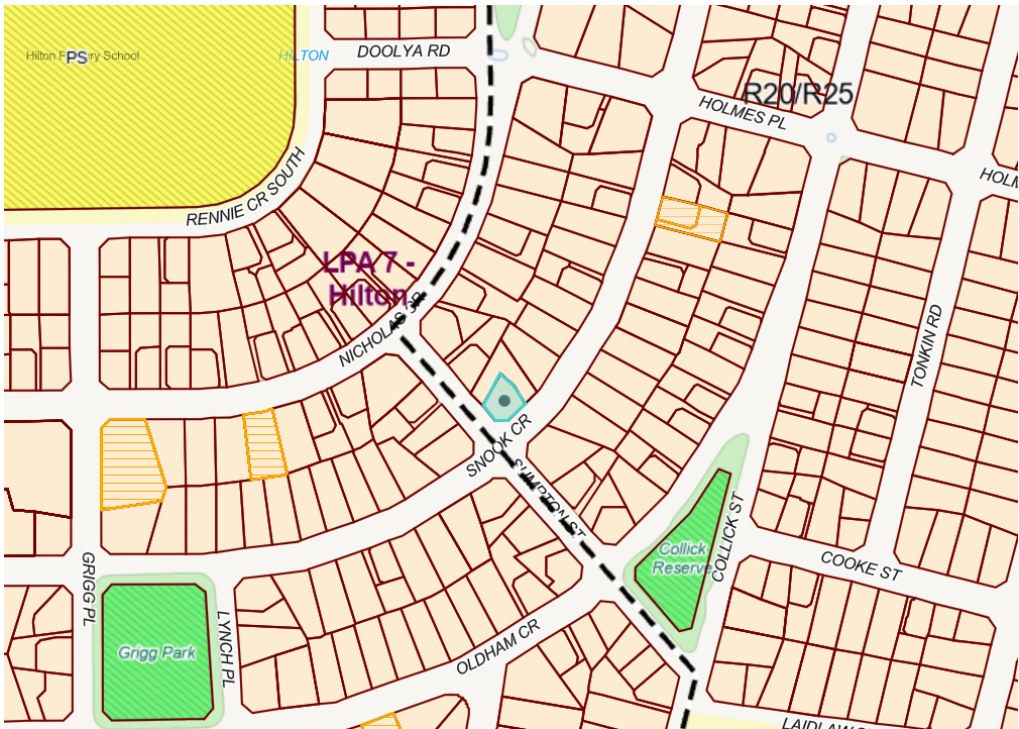


Figure 3 – Planning Context Map



Figure 4 – Aerial image of the subject site.

CONSULTATION

External referrals

Nil required.

Internal referrals

City of Fremantle Heritage

The following comments were provided, based on the original plans submitted with the development application, in relation to the heritage impact of the proposal:

- The proposed upper floor addition to 46 Snook Crescent is not acceptable as it will have a negative impact upon this original heritage house and its contribution to the Hilton Garden Suburb Heritage Area.
- The proposed upper floor addition does not comply with LPP3.7 Hilton Garden Suburb Precinct Heritage Area because it does not conserve the original external form of the house and its roof. The upper floor is



constructed over the main section of the original house and can be clearly seen from the street.

- A two-storey addition would be acceptable if it was set back behind the main hipped roof of the existing building because the existing house would largely conceal the additions from the street so that they have minimal impact on the streetscape of Snook Crescent.
- The proposed replacement of the existing asbestos cement sheet wall cladding and cover battens with an alternative profile of wall cladding is also not acceptable. The distinctive flat sheeting and cover battens need to be replaced with a modern cladding type with a matching profile to the original.
- The replacement of the tile roof cladding with corrugated steel sheeting is acceptable as is the proposed single storey addition on the east side of the existing house.
- The use of weatherboard profile wall cladding on the side addition is acceptable as it is sympathetic with the character of the area but is different to the original house so the addition can be read as a new element.

A meeting was held with the applicant and landowners on 10 November 2023 to discuss potential amendments to the proposal. Amended plans were subsequently submitted on 18 January 2024.

The proposed single storey lounge addition to the side of the original house, the replacement of existing roof tiles with corrugated metal sheeting, the replacement of asbestos cement sheet cladding with fibrous cement sheeting, the use of weatherboard cladding to half the external wall height (up to sill height) on the original house, the use of weatherboard cladding for the total external wall height on the proposed additions and the internal modifications, are all acceptable as they will have only a minor impact on the heritage fabric and values of the Hilton Garden Suburb Heritage Area.

However, the proposed upper floor extension shown in the amended plans, above the original house is not acceptable as it will reduce the authenticity of the house and will have an adverse impact on the heritage values of the house and the contribution that it makes to the Hilton Garden Suburb Heritage Area.

Following discussions with the property owners the upper floor addition was modified to reduce the visual impact upon the house and the surrounding streetscapes. While the changes have reduced the impact of the upper floor additions it will still be clearly visible from the surrounding streets and will set a precedent for future development. The perspective drawings provided as a part of this application minimise the visual impact of the proposal.

The revised upper floor extension to the single storey timber house at 46 Snook Crescent will have an adverse effect on the character of the Hilton Garden Suburb Precinct Heritage Area because it does not conserve the original external form of the house and will be visible from the surrounding streets. The modified roof form will contrast with the simple roof forms of the highly intact surrounding streetscape of original Hilton houses in Snook Crescent and Sumpton Street.



The modest single storey, timber framed Post War housing set in generous front gardens in Hilton exhibits a high degree of uniformity with similar scale, form, massing and detailing to houses and only minor variety created by variation in cladding types, window arrangements and porch design. This uniformity contributes to the distinctive character of the heritage area. While some houses have later extensions, these have been added to the side and rear of the existing house and have not involved altering the main roof form by changing its form or pitch or adding dormer windows so the distinctive character of the built form has been maintained.

LPP 3.7 Hilton Garden Suburb Precinct seeks to control development in the heritage area by retaining and conserving original buildings and ensuring that infill housing respects the character of the area. This policy section 5.1 Upgraded dwellings requires that:

- *External alterations shall conserve the overall architectural style and the original external form of the dwelling as viewed from the street.*
- *The original form of the roof of the dwelling shall be retained as viewed from the street.*
- *New extensions shall be located at the rear or side of the original dwelling.*

The original external form of the dwelling which needs to be conserved includes the front porch and the main section of the house under the hip and gable roof. Rear additions need to be located to rear of the original dwelling, that is, behind this main section of the house in the rear garden or where the rear lean-to is located. The rear lean-to can be removed without affecting the heritage value of the place.

There is some discretion for when “the front and side elevations of the development present generally as a single storey dwelling when viewed from the street”. This means that a two-storey addition may be acceptable at the rear of the original house as long as the single storey form of the original section of the house is retained. This does not refer to the construction of upper floors over the original house or the use of dormer style windows or loft extensions within the roof space of the original house.

Further, while the sub-divided, diamond shaped property is small and constrained, there is potential for an alternative single storey rear or side additions which would provide the same accommodation as the proposed upper floor but without the visual impact on the largely intact heritage streetscapes surrounding this house.

The upper floor addition proposed by this application is not acceptable as it will have a negative impact on the heritage values of 46 Snook Crescent and the Hilton Garden Suburb Heritage Area.

The complete Heritage Impact Assessment is included as an attachment 4.



Community

The application was advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal sought to vary street setback and building height requirements. The advertising period concluded on 27 October 2023 and one (1) submission was received in support of the proposal.

A summary of the key points raised in the submission in support of the proposal is detailed below:

- They are in support of the new features such as building height being implemented in the design and support the introduction of these features to the area.
- They are pleased that the family will provide themselves a dwelling that will accommodate a contemporary lifestyle and growing family.

The application was not readvertised upon the receipt of amended plans as there was no change to the originally proposed street setback and the extent of variation to the building height requirements was considered to be reduced by the amended plans.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R-Codes and relevant Council local planning policies. Where a proposal does not meet the Deemed-to-comply requirements of the R-Codes, an assessment is made against the relevant Design principles of the R-Codes. Not meeting the Deemed-to-comply requirements cannot be used as a reason for refusal. In this particular application the areas outlined below do not meet the Deemed-to-comply or policy provisions and need to be assessed under the Design principles:

- Wall height
- Upgrading of existing dwelling
- Extensions and additions

The above matters are discussed below.

Background

The subject site is located on the corner of Sumpton Street and Snook Crescent (north side of the intersection). The site has a land area of approximately 517m² and is currently occupied by a Single house. The site is zoned Residential and has a split density coding of R20/R25. The site is not individually heritage listed but is located in the Hilton Garden Suburb Precinct Heritage Area.

The Hilton Garden Suburb Precinct Heritage Area is of cultural heritage significance within the City of Fremantle for the following reasons:



- As an example of a substantially intact 'Garden Suburb' dating from the immediate post World War II period and characterised by its curvilinear road layout, parks, large and irregular shaped lots.
- It has historical value as an area developed by the State Housing Commission to provide affordable housing at a time of increased housing demand in Australia, particularly to house new arrivals: returned servicemen and immigrants. It also has historical significance for its association with the importation of prefabricated homes from Austria and for the timber homes designed by prominent architect Marshall Clifton.
- Hilton has aesthetic value for its parks, streetscapes, mature trees, areas of indigenous vegetation and birdlife. Its stock of relatively intact modest housing, including both timber and brick cottages, set on large lots, many with mature trees and gardens, contribute to the ambiance of the area and create a distinct and cohesive streetscape character.
- It has social value to the people who live there for the range of community facilities provided and the diversity of the local community including private owners, Department of Housing tenants, elderly people and families.

The subject site is considered a contributory place as per Local Planning Policy 1.6 Heritage Assessment and Protection which states –

Places within heritage areas can be defined as either 'contributory' or 'non-contributory' to the significance of the area. Contributory places may include places which are not individually heritage listed. Contributory places are determined by Council having due regard to an assessment against the criteria of the Burra Charter¹ and may include representative examples of a place type, period or style, places which contribute to the streetscape; and/or one which combines with other related places to demonstrate the historic development of a heritage area. Where mapping of contributory places has not been undertaken for a Heritage Area, or has not been completed due to the inaccessibility of the site or the inability to fully reveal the existence of potentially fabric of cultural significance, this will be assessed upon planning application.

The site has been identified at the time of the development application as being a contributory place due to it being a representative example of the place type of which, combined with other similar dwellings, demonstrates the historic development of the Hilton Heritage Area.

A search of the property file has revealed the following history for the site:

- BP0230/1959 – Garage addition – Approved 1959 (note: this garage was demolished to facilitate subdivision).
- DA0147/14 – Patio addition – Approved 2014
- DA0507/12 - Primary and Secondary Street fence and Outbuilding Addition – Approved 2012
- WAPC133167 – Two (2) lot freehold subdivision – Approved 2006



At an Ordinary Council Meeting in February, Council considered the item and referred it back to the administration to allow the applicant to make changes to the plans. After considering this, they have opted not to amend the proposal further.

Land Use

A Single House is a 'P' land use within the Residential zone which means that the use is permitted by the Scheme.

LPP3.7 – Wall height

Element	Requirement	Proposed	Extent of Variation
Wall height	Maximum -3.5m	6.306m	2.806m

LPP 3.7 sets out secondary criteria that allows a greater external wall height in certain circumstances:

Under Part 2 of LPP 3.7, Council may, at its discretion, allow a greater external wall height and/or greater roof ridge height where it is satisfied that the development meets one of the following criteria:

- a) The development is on a rear survey strata lot, battleaxe lot or the equivalent and has minimal presentation to the streetscape and the development complies with the Deemed-to-comply requirements of the Residential Design Codes for the following:
 - i. Clause 5.1.3 Lot Boundary Setback,*
 - ii. Clause 5.1.4 Open Space, and*
 - iii. Clause 5.4.2 Solar access for adjoining sites**
- or*
- b) Excluding development on a rear survey strata lot, battleaxe lot or the equivalent, the front and side elevations of the development present generally as a single storey dwelling when viewed from the street with the predominant bulk of the element exceeding the prescribed maximum building height located at the rear of the dwelling; or*
 - c) Excluding development on a rear survey strata lot, battleaxe lot or the equivalent, the proposed building height is consistent with the building height of development within the prevailing streetscape.*

The subject site is not located on a rear survey strata lot, battleaxe lot or equivalent, the wall height can therefore only be considered against criteria b) and c) above.

The proposed wall height of the second storey addition does not meet the requirements b) and c) above or the Design principles of the R-Codes for the following reasons:

- The front and side elevations of the second storey addition will be visible from the street as illustrated by Figure 5 below. This will result in the dwelling no longer presenting as a single storey.
- The prevailing streetscape is considered as the three (3) properties adjoining either side of the subject site fronting the same street and in the same street block. In this instance the prevailing streetscape is considered as the three (3) properties north east of the subject site along Snook Crescent as well as the three (3) properties north west of the subject site along Sumpton Street. These dwellings are all single storey dwellings with no examples of second storey additions.
- The second storey addition will result in a detrimental impact to the amenity of the streetscape as it is incompatible with the siting, scale, external form and architectural style of the surrounding area.

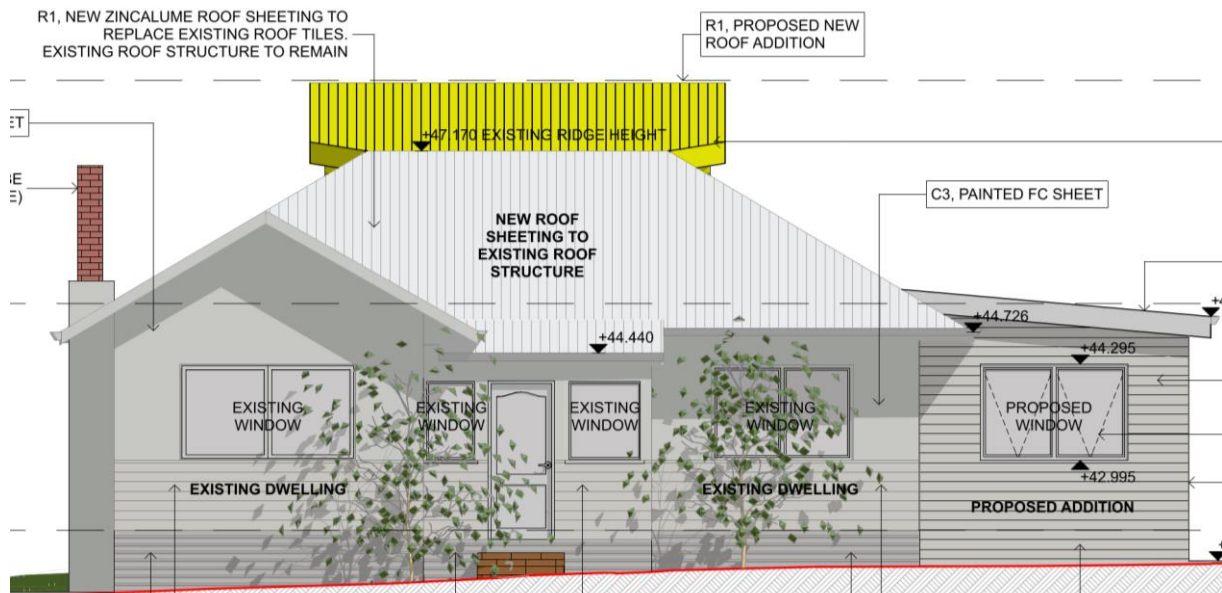


Figure 5 – Street elevation (south) with proposed upper floor addition highlighted in yellow.

LPP3.7 – Upgrading of existing dwelling

The requirements for the upgrading of existing dwellings as per clause 5.1 of LPP3.7 are defined below:

5.1.1 External alterations shall conserve the overall architectural style and the original external form of the dwelling as viewed from the street but may include modern and/or contrasting materials.

5.1.2 The original size and position of openings (doors and windows) visible from the street shall be conserved. Non-traditional materials may be used in the replacement of the doors or windows, subject to the appearance of the replacement doors or windows reflecting the styles of original Hilton dwellings.



5.1.3 The original size and position of verandahs and porches visible from the street shall be conserved.

5.1.4 Front verandahs and porches are not to be enclosed.

5.1.5 The original form of the roof of the dwelling shall be retained as viewed from the street.

Council may, at its discretion, vary the requirements of clauses 5.1.1 – 5.1.5 where it is satisfied that the development meets one of the following criteria:

- a) The proposed development involves minor variations and is specifically designed according to solar passive design principles to achieve a significantly higher level of energy efficiency than could otherwise be achieved by complying with clauses 5.1.1 to 5.1.5 above; or*
- b) The original dwelling is not an original timber framed or brick dwelling constructed during the establishment of the Hilton Garden Suburb Precinct (dwellings constructed prior to 1965).*

The proposed upgrading of the existing dwelling, specifically the second storey bedroom addition, does not meet the requirements of Part 5.1 of LPP3.7 for the following reasons:

- The original form of the roof of the dwelling will be lost due to the proposed second storey addition situated within the roof area beginning at the roof ridge line and extending towards the rear.
- The second storey addition features a skillion roof which does not contribute to the conservation of the overall architectural style or external form of the dwelling.
- The proposed upgrading of the dwelling does not specifically relate to achieving a higher energy efficiency level.
- The dwelling was constructed pre-1965 and is considered to be an original timber framed dwelling.

LPP3.7 – Extensions and additions

The requirements for extensions and additions as per clause 5.2 of LPP3.7 are defined below.

5.2.1 New extensions shall be located at the rear or side of the original dwelling.

5.2.2 Upward extensions shall be designed to comply with Part 2 – Building Height of this policy.

5.2.3 The external form of the front of the conserved dwelling is to be retained.

Council may, at its discretion, vary the requirements of clauses 5.2.1 – 5.2.3 where it is satisfied that the development meets one of the following criteria:

- a) The front and side elevations of the development present generally as a single storey dwelling when viewed from the street; or*



b) The original dwelling is not an original timber framed or brick dwelling constructed during the establishment of the Hilton Garden Suburb Precinct (dwellings constructed prior to 1965).

The proposed extension and addition to the existing dwelling, specifically the second storey bedroom addition, does not meet the requirements of Part 5.2 of LPP3.7 for the following reasons:

- The second storey addition is located in the roof area of the existing dwelling (beginning at the ridge line and extending back). This is not considered to be located at the rear or side of the dwelling.
- The upward extension does not comply with Part 2 of LPP3.7 – Building Height (refer wall height assessment above).
- The external form of the front of the dwelling will be lost due to the appearance of the second storey addition beginning at the roof ridge line.
- The dwelling will no longer present as a single storey dwelling when viewed from the street as the second storey addition will be clearly visible where it extends back from the roof ridge.
- The dwelling was constructed pre-1965 and is considered to be an original timber framed dwelling.

CONCLUSION

Approval is sought for alterations and additions to an existing Single house at No. 46 Snook Crescent, Hilton. The application has been referred to Council due to variations with the local planning policies, specifically clause 2.2, 5.1 and 5.2 of Local Planning Policy 3.7 – “Hilton Garden Suburb Precinct” Heritage Area. It is considered that these variations will result in a significantly detrimental impact to the heritage significance of the surrounding area.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2015-25

- Increase the number of people living in Fremantle

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

VOTING AND OTHER REQUIREMENTS

Simple majority required



OFFICER'S RECOMMENDATION

Moved: Cr Jenny Archibald

Seconded: Cr Andrew Sullivan

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Alterations and Additions to Existing Single House at No. 46 (Lot 2) Snook Crescent, Hilton, as detailed on plans dated 18 January 2024, for the following reasons:

1. The proposed second storey addition is inconsistent with clause 2.2, 5.1 and 5.2 of the City of Fremantle's Local Planning Policy 3.7 "Hilton Garden Suburb Precinct" Heritage Area as it will be inconsistent with the prevailing streetscape, the original external roof form will be lost, and the dwelling will no longer present as a single storey when viewed from the street. It is considered that the proposed second storey addition will have a significantly detrimental impact on the heritage significance of site and surrounding area.
2. The proposal is inconsistent with clauses 67(a), 67(c), 67(g), 67(k), 67(l) and 67(m) of the Deemed Provisions and clause 6.6 (Development control principles) of State Planning Policy 3.5 (Historic Heritage Conservation) as it will detract from the heritage significance of the existing building and will be incompatible with the architectural style and form of the heritage area.

In accordance with clause 9.7 of the Meeting Procedures Policy, Cr Ben Lawver moved the following alternative motion, as provided in the additional documents:

COUNCIL DECISION ITEM C2404-1 **(Alternative Motion)**

Moved: Cr Ben Lawver

Seconded: Cr Adin Lang

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Alterations and Additions to Existing Single House at No. 46 (Lot 800) Snook Crescent, Hilton subject to the following conditions:

1. **This approval relates only to the development as indicated on the approved plans, dated 18 January 2024. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.**



- 2. All storm water discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.**
- 3. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.**

Advice note(s):

- i. A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.**
- ii. If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.**

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.

Carried: 8/3

For

**Mayor Hannah Fitzhardinge, Cr Geoff Graham,
Cr Adin Lang, Cr Jemima Williamson-Wong, Cr Fedele Camarda,
Cr Ben Lawver, Cr Frank Mofflin, Cr Ingrid van Dorssen**

Against

Cr Jenny Archibald, Cr Andrew Sullivan, Cr Doug Thompson

Reasons for Alternative Motion:

This is a highly constrained site with limited opportunities for development and the proposed plans will enhance the community while respecting the principals the heritage precinct seeks to preserve.



C2404-2 BUTSON STREET, NO. 18 (LOT 28), HILTON - ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE – (JD DA0009/24)

Meeting date: 10 April 2024
Responsible officer: Manager Development Approvals
Voting requirements: Simple Majority
Attachments:
1. Development Plans
2. Heritage Impact Assessment
3. Site Photos

SUMMARY

Approval is sought for alterations and additions to an existing Single house at No. 18 Butson Street, Hilton.

The proposal is referred to Council due to the nature of some discretions being sought against Local Planning Policies. These discretionary assessments include the following:

- **Upgrading of existing dwelling**

The application is recommended for refusal.

PROPOSAL

Detail

Approval is sought for alterations and additions to an existing Single house at No. 18 Butson Street, Hilton (subject site). The proposed works include:

- Removal of the existing asbestos panels on the exterior of the dwelling and replace with timber 'weatherboard' slatting to external walls of the dwelling.
- Remove existing steps and deck at the front of the dwelling (the porch roof structure and supporting posts will be retained as annotate on the development plans) and construct a 6.6m wide x 3m deep deck in its place.
- Remove and replace timber slats at the front of the dwelling beneath the floor level of the dwelling.
- Remove and replace existing windows.

Development plans are included as attachment 1.



Site/application information

Date received: 15 January 2024
Owner name: Martin James Tait
Submitted by: Martin James Tait
Scheme: Residential R20
Heritage listing: Hilton Garden Suburb Precinct Heritage Area
Existing land use: Single House
Use class: Single House
Use permissibility: P



Figure 1 – Planning Context Map



Figure 2 – Aerial image of the subject site.

CONSULTATION

External referrals

Nil required.

Internal referrals

City of Fremantle Heritage

The following comments are provided in relation to the heritage impact of the proposal:

- Retaining the original cladding type is important because it maintains the character and original design intent of the heritage area which included variation in cladding type between houses as a way of promoting variety and individuality.
- Clause 5.1 from LPP 3.7 Hilton Heritage Area provides the opportunity to use modern materials with the same profile to achieve the same appearance as the original but meet modern performance requirements.



- This recognises the need to replace asbestos products because of their associated health risk and also the need for the periodic renewal of timber elements such as weatherboards.
- Under this clause Hardie Flex sheeting or similar can be used to replace the original asbestos sheeting and timber battens can be used to replace the horizontal asbestos cover battens.
- Also, compressed sheet products in a profile to match the original can be substituted for the traditional jarrah weatherboards.
- Hardies Linea Weatherboards or similar are a good match for the simple sawn boards (Feather edge) traditionally used on State Housing Commission houses built in the 1940s – 1960s. NOTE: The Weatherboards to the Austrian houses have a different profile which is like James Hardie Primeline Newport.
- Generally, the replacement cladding on Hilton houses should match the profile of the original cladding and replicate other original details such as expressed cover battens.
- The designs used in Hilton show the influence of popular stylistic elements of the time that give the composition a horizontal emphasis.
- The horizontal cover battens are an important feature of the designs and need to be replicated as part of the cladding replacement.
- Recently there have been requests to replace flat sheet wall cladding with weatherboards – this may be due to the growing popularity of Federation era timber housing and the ‘Hamptons’ look as well as the ongoing perception that fibrous cement sheeting is an inferior product. These proposals have not been approved because:
 - Changing the wall cladding type will reduce the authenticity and heritage value of the house.
 - Changing the wall cladding type will reduce the heritage value of the area by changing its character by reducing the designed variety creating by using varying cladding types.
 - The most common cladding types in Hilton were the full flat sheet with horizontal battens type and the half weatherboard and half flat sheet type. Full height weatherboard cladding was less common.
 - Full height weatherboard houses are typical of the Federation era not the Post-War era and do not have the distinctive horizontal batten details which show the influence of Inter-War and Post War architectural styles. The gradual replacement of flat sheet cladding will change the character of the area and confuse the history of the place.
- The proposed new deck at the front of the house has a simple balustrade of timber handrail and wire rails, and front steps. The porch roof structure and supporting posts will not be affected by the works. This deck is acceptable as it will have minimal impact on the presentation of the front of the house and the contribution that it makes to the streetscape house.
- The battens fixed to the stumps of the deck can be slightly different than the battens to the house as this will subtly identify it as a new element however the facing should allow ventilation under the deck and house to discourage termites.



- Like for like replacement of deteriorated/ damaged timber elements is acceptable as it will conserve the heritage value of the building.

The works proposed in this application are not acceptable as they will have a negative impact on the heritage values of the Hilton Garden Suburb Heritage Area.

The proposed works would be acceptable if the original external cladding profile was replicated with new fibrous cement sheeting with cover battens as approved under a previous application.

The complete Heritage Impact Assessment is included as attachment 2.

Community

The application was not required to be advertised in accordance with Schedule 2, clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R-Codes and relevant Council local planning policies. In this particular application the areas outlined below do not meet the policy provisions and need to be assessed under the Design principles:

- Upgrading of existing dwelling

The above matters are discussed below.

Background

The subject site is located on the east side of Butson Street. The site has a land area of approximately 451m² and is currently a Single house. The site is zoned Residential and has a density coding of R20. The site is not individually heritage listed but is located within the Hilton Garden Suburb Precinct Heritage.

The Hilton Garden Suburb Precinct Heritage Area is of cultural heritage significance within the City of Fremantle for the following reasons:

- As an example of a substantially intact 'Garden Suburb' dating from the immediate post World War II period and characterised by its curvilinear road layout, parks, large and irregular shaped lots.
- It has historical value as an area developed by the State Housing Commission to provide affordable housing at a time of increased housing demand in Australia, particularly to house new arrivals: returned servicemen and immigrants. It also has historical significance for its



- association with the importation of prefabricated homes from Austria and for the timber homes designed by prominent architect Marshall Clifton.
- Hilton has aesthetic value for its parks, streetscapes, mature trees, areas of indigenous vegetation and birdlife. Its stock of relatively intact modest housing, including both timber and brick cottages, set on large lots, many with mature trees and gardens, contribute to the ambiance of the area and create a distinct and cohesive streetscape character.
 - It has social value to the people who live there for the range of community facilities provided and the diversity of the local community including private owners, Department of Housing tenants, elderly people and families.

The subject site is considered a contributory place as per Local Planning Policy 1.6 Heritage Assessment and Protection which states –

Places within heritage areas can be defined as either 'contributory' or 'non-contributory' to the significance of the area. Contributory places may include places which are not individually heritage listed. Contributory places are determined by Council having due regard to an assessment against the criteria of the Burra Charter¹ and may include representative examples of a place type, period or style, places which contribute to the streetscape; and/or one which combines with other related places to demonstrate the historic development of a heritage area. Where mapping of contributory places has not been undertaken for a Heritage Area, or has not been completed due to the inaccessibility of the site or the inability to fully reveal the existence of potentially fabric of cultural significance, this will be assessed upon planning application.

City Heritage Officers have identified the subject site at the time of the planning application as being a contributory place due to it being a representative example of the place type of which, combined with other similar dwellings, demonstrates the historic development of the Hilton Heritage Area.

A search of the property file has revealed the following history for the site:

- DA0281/21 - Re-cladding of an existing single house
- BP0046/15 – Patio addition to rear of dwelling
- DA0175/12 - Front fence addition, replacement roofing and external alteration to existing single house
- PW0009/10 – Public Works – demolition of existing dwelling
- BL7473 – Patio addition to existing single house – 1973
- Dwelling constructed circa 1954 as State Housing

In August 2010 a Public Works application was referred to the City of Fremantle for comment from the Department of Housing for the demolition of the dwelling located on the subject site. At a meeting held on 6 October 2010 the City of Fremantle resolved to refer to the application to the Western Australian Planning



Commission (the determining authority) with a recommendation for REFUSAL.

On 24 November 2010 approval was granted by the Western Australian Planning Commission for the demolition of the dwelling on the subject site. The development subject of this approval was required to be substantially commenced within two years of the date of the decision letter. As the development did not substantially commence within this time, the approval lapsed and was of no further effect.

The subject site was sold to a private landowner circa 2012 with the original dwelling constructed as State Housing circa 1954 remaining in situ.

Land Use

Single House is a 'P' land use within the Residential zone which means that the use is permitted by the Scheme.

Local Planning Policy 3.7 – Upgrading of existing dwelling

The requirements for the upgrading of existing dwellings as per clause 5.1 of LPP3.7 are defined below:

5.1.1 External alterations shall conserve the overall architectural style and the original external form of the dwelling as viewed from the street but may include modern and/or contrasting materials.

5.1.2 The original size and position of openings (doors and windows) visible from the street shall be conserved. Non-traditional materials may be used in the replacement of the doors or windows, subject to the appearance of the replacement doors or windows reflecting the styles of original Hilton dwellings.

5.1.3 The original size and position of verandahs and porches visible from the street shall be conserved.

5.1.4 Front verandahs and porches are not to be enclosed.

5.1.5 The original form of the roof of the dwelling shall be retained as viewed from the street.

Council may, at its discretion, vary the requirements of clauses 5.1.1 – 5.1.5 where it is satisfied that the development meets one of the following criteria:

- a) The proposed development involves minor variations and is specifically designed according to solar passive design principles to achieve a significantly higher level of energy efficiency than could otherwise be achieved by complying with clauses 5.1.1 to 5.1.5 above; or*
- b) The original dwelling is not an original timber framed or brick dwelling constructed during the establishment of the Hilton Garden Suburb Precinct (dwellings constructed prior to 1965).*

The proposed upgrading of the existing dwelling, specifically the replacement of the existing external wall cladding with timber weatherboard slats, does not meet the requirements of clause 5.1 of LPP3.7 for the following reasons:



- The external addition of the timber 'weatherboard' slats will be inconsistent with the original architectural style and external appearance of the dwelling. The original dwelling was cladded in a flat fibrous cement sheeting and horizontal battens. The proposed recladding includes replacing this sheeting with a new profile weather board style fibrous cement sheeting to the full height of the external walls. The replacement of the original cladding with a weatherboard style is inconsistent with the original architectural style of the dwelling and will result reduce the authenticity of the dwelling.
- The proposed upgrading of the dwelling does not specifically relate to achieving a higher energy efficiency level.
- The dwelling was constructed pre-1965 and is considered to be an original timber framed dwelling.

State Planning Policy

State Planning Policy 3.5 - Historic Heritage Conservation

The proposed development is inconsistent with the development control principles of SPP3.5 which states that development should respect and compliment the heritage significance of the area. In this instance, it is considered that the replacement of the external cladding with timber weatherboard slats will not respect or compliment the heritage significance of the area as it seeks to remove architectural features of the original timber dwelling which contribute to the character of the Hilton Garden Suburb Precinct Heritage.

CONCLUSION

Approval is sought for the alterations and additions to an existing Single house at No. 18 Butson Street, Hilton. The application has been referred to Council due to variations with the local planning policies, specifically clause 5.1 of Local Planning Policy 3.7 – "Hilton Garden Suburb Precinct" Heritage Area. It is considered that this variation will result in a detrimental impact on the heritage significance of the surrounding area.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil



VOTING AND OTHER REQUIREMENTS

Simple majority required

OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Doug Thompson

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Alterations and Additions to Existing Single House at No. 18 (Lot 28) Butson Street, Hilton, as detailed on plans dated 15 January 2024, for the following reasons:

1. The proposed replacement of the flat sheet cladding with weatherboard cladding is inconsistent with clause 5.1.1 of the City of Fremantle's Local Planning Policy 3.7 "Hilton Garden Suburb Precinct" Heritage Area as it will not conserve the original architectural style and materials of the dwelling and will detract from the heritage significance of the original Hilton timber dwelling as well as the surrounding area.

LOST: 4/7

For

**Cr Jenny Archibald, Cr Andrew Sullivan,
Cr Fedele Camarda, Cr Doug Thompson**

Against

**Mayor Hannah Fitzhardinge, Cr Geoff Graham,
Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Ben Lawver, Cr Frank Mofflin, Cr Ingrid van Dorsen**

COUNCIL DECISION ITEM C2404-2

(Alternative Motion)

Moved: Cr Ben Lawver

Seconded: Cr Adin Lang

Council:

APPROVE under the Metropolitan Region Scheme and Local Planning Scheme No. 4 the Alterations and Additions to Existing Single House at No. 18 Butson Street (Lot 28), Hilton subject to the following conditions:

1. **This approval relates only to the development as indicated on the approved plans dated 15 January 2024. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of the decision letter.**



2. **The horizontal timber boards at the base of the deck shall match those on the house, inclusive of gaps between each board to the satisfaction of the City of Fremantle.**

Advice Note(s):

- i. **A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.**
- ii. **If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.**

Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.

**Carried: 7/4
For**

**Mayor Hannah Fitzhardinge, Cr Geoff Graham,
Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Ben Lawver, Cr Frank Mofflin, Cr Ingrid van Dorsen**

Against

**Cr Jenny Archibald, Cr Andrew Sullivan,
Cr Fedele Camarda, Cr Doug Thompson**

Reasons for Alternative Motion:

The improvements as a whole will enhance the character of the neighbourhood and make a positive contribution to the Hilton Garden Suburb Precinct.



Cr Ingrid van Dorssen left the meeting at 7:12pm prior to consideration of the following item and did not return.

C2404-4 PLANNING INFORMATION REPORT - APRIL 2024

1. SCHEDULE OF APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

Meeting date: 10 April 2024
Responsible Officer: Manager Development Approvals
Voting requirements: Simple Majority
Attachments: 1. Schedule of applications determined under delegated authority

Under delegation, development approvals officers determined, in some cases subject to conditions, each of the applications relating to the place and proposals as listed in the attachments

2. UPDATE ON METRO INNER-SOUTH JDAP DETERMINATIONS AND RELEVANT STATE ADMINISTRATIVE TRIBUNAL APPLICATIONS FOR REVIEW

Meeting date: 10 April 2024
Responsible Officer: Manager Development Approvals
Voting requirements: Simple Majority
Attachments: Nil

Applications that have been determined by the Metro Inner-South JDAP and/or are JDAP/Council determinations that are subject to an application for review at the State Administrative Tribunal are included below.

1. Application Reference
DA0127/23
Site Address and Proposal
21 Herbert Street, North Fremantle – Demolition of existing Single house and incidental structures
Current Status
<ul style="list-style-type: none">• At its meeting held August 2023, the Council resolved to refuse the application in accordance with the officer recommendation.• An Application for Review by the State Administrative Tribunal has been lodged by the owner.• Directions Hearings were held in December, with mediation following on 12 January. A further mediation is scheduled for 1st February.• An order was issued by SAT for Council to reconsider its decision, with the applicant providing updated information for consideration.



- At its meeting on 13 March 2024, reconsidered the proposal and approved the demolition.

2. Application Reference
DAPV001/24
Site Address and Proposal
No. 19-25 Burt Street, Fremantle – Amendments to public works development (Mixed use development comprising of Community Purpose, Restaurant/Café, Convenience Store, Industry Cottage and Multiple Dwellings)
Current Status
<ul style="list-style-type: none"> • Application to vary the approved development was received on 8 January 2024. • Referral comments have been provided to officers at the Department of Planning, Lands and Heritage who are the Responsible Authority, noting the changes are supported with the exception of earthworks in the road reserve, and two apartments that do not meet adequate standards for solar access. • At the time of writing this report, a determination had not been made.

3. Application Reference
DAP008/23
Site Address and Proposal
30-4 Amherst Street and 2-4 Stack Street, Fremantle – 57 Grouped Dwellings, 24 Multiple Dwellings, 7 Commercial tenancies and associated common property
Current Status
<ul style="list-style-type: none"> • Application for development was received on 13 December 2023. • The item was considered by Council in March, with Council making minor amendments to the officers recommendation for approval. • A JDAP meeting was held on 27 March 2024 to determine the application, where it was approved in accordance with Council’s recommendation.

4. Application Reference
DAP001/24
Site Address and Proposal
3B Keegan Street, O’Connor – Single storey Retail and Warehouse development
Current Status
<ul style="list-style-type: none"> • Application for development was received on 23 January 2024. • A responsible authority report is part of this agenda for Council consideration. • At the time of writing this report, a DAP meeting had not been scheduled.



5. Application Reference
DAPV002/24
Site Address and Proposal
28 Cantonment Street, Fremantle – Variation to Approval (Proposal to delete Public Art contribution condition)
Current Status
<ul style="list-style-type: none">• Application for development was received on 21 March 2024.• At the time of writing this report, the application was under assessment.

COUNCIL DECISION ITEM C2404-4
(Officer’s recommendation)

Moved: Cr Ben Lawver

Seconded: Cr Andrew Sullivan

Council receive the following information reports for April 2024:

- 1. Schedule of applications determined under delegated authority**
- 2. Update on Metro Inner JDAP determinations and relevant State Administrative Tribunal applications for review.**

Carried: 10/0

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin, Cr Doug Thompson**



**C2404-3 KEEGAN STREET, NO. 3A (LOT 32) & NO. 3B (LOT 34),
O’CONNOR - SINGLE STOREY BULKY GOODS SHOWROOM
DEVELOPMENT– (JD DAP001/24)**

Meeting date:	10 April 2024
Responsible officer:	Manager Development Approvals
Voting requirements:	Simple Majority
Attachments:	<ol style="list-style-type: none">1. Amended Development Plans2. Cover Letter and Planning Report3. Waste Management Plan4. Traffic Impact Statement5. Green Star Report6. DWER Referral Response7. Landscaping Plan8. Artist Impressions9. Overshadowing Diagram10. Site Photos

SUMMARY

Approval is sought for a single storey Bulky goods showroom development at No. 3A (Lot 32) and No. 3B (Lot 34) Keegan Street, O’Connor. As the estimated cost of development is \$7 million, the applicant has chosen to have the application determined by a Development Assessment Panel as it satisfies the “opt-in” value threshold.

The City’s Responsible Authority Report (RAR) is referred to Council for endorsement of the recommendation.

The application is recommended for conditional approval.

PROPOSAL

Detail

Approval is sought for a single storey Bulky goods showroom development at No. 3A (Lot 32) and No. 3B (Lot 34) Keegan Street, O’Connor (subject site). The proposed works include:

- The construction of two (2) 1700m² and 2800m² Bulky goods showroom tenancies.
- The construction of 82 car parking bays.
- The construction of two (2) crossovers from Keegan Street and the removal of two (2) redundant crossovers.
- The installation of landscaping.



The applicant submitted amended plans on 14 February 2024 including the following:

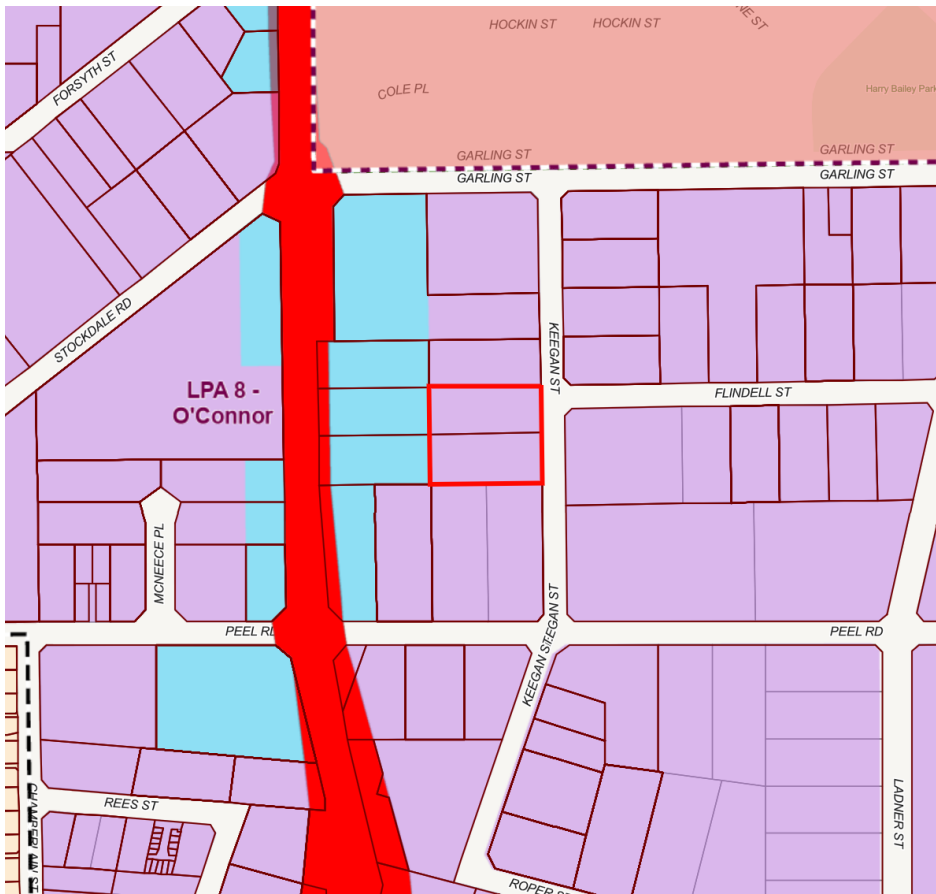
- The relocation of the proposed southern crossover to avoid an existing street tree.
- The relocation of the Western Power transformer to under the proposed building.

Amended development plans are included as attachment 1.

Note: The signage on the amended development plans is indicative only and will be subject of a future development application (if required).

Site/application information

Date received:	23 January 2024
Owner name:	Outram Investments Pty Ltd
Submitted by:	Meyer Shircore & Associates Architects
Scheme:	Industrial Zone
Heritage listing:	Not Listed
Existing land use:	Vacant Lot
Use class:	Bulky Goods Showroom
Use permissibility:	P





COUNCIL DECISION ITEM C2404-3
(Officer's recommendation)

Moved: Cr Jenny Archibald

Seconded: Cr Frank Mofflin

Council:

SUPPORT the Officer's Recommendation to APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Single Storey Bulky Goods Showroom Development, at No. 3A (Lot 32) and No. 3B (Lot 34) Keegan Street, O'Connor subject to conditions, for the reasons outlined in the Responsible Authority Report (RAR).

Carried: 10/0

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin, Cr Doug Thompson**



LOT 32 (NO. 3A) & LOT 34 (NO. 3B) KEEGAN STREET, FREMANTLE – SINGLE STOREY BULKY GOODS SHOWROOM DEVELOPMENT

Form 1 – Responsible Authority Report
(Regulation 12)

DAP Name:	Metro Inner	
Local Government Area:	City of Fremantle	
Applicant:	Meyer Shircore & Associates Architects	
Owner:	Outram Investments Pty Ltd	
Value of Development:	\$7 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
Responsible Authority:	City of Fremantle	
Authorising Officer:	Manager Development Approvals	
LG Reference:	DAP001/24	
DAP File No:	DAP/24/02637	
Application Received Date:	23 January 2024	
Report Due Date:	18 April 2024	
Application Statutory Process Timeframe:	90 Days	
Attachment(s):	1. Development Plans (as amended) 2. Applicants Supporting Report 3. Waste Management Plan 4. Traffic Impact Statement 5. Green Star Report 6. DWER Referral Response 7. Site Photos 8. Council Minutes	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A	Complete Responsible Authority Recommendation section
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the Metro Inner JDAP resolves to:

- Accept** that the DAP Application reference DAP/24/02637 is appropriate for consideration as a “Bulky Goods Showroom” land use and compatible with the objectives of the zoning table in City of Fremantle Local Planning Scheme No. 4;
- Approve** DAP Application reference DAP/24/02637 and accompanying plans (SK008 Sheet 1, SK008 Sheet 3, SK008 Sheet 4, SK009 Sheet 5, SK009 Sheet 6, SK009 Sheet 7), dated 14 February 2024 (City of Fremantle received date) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local*



Planning Schemes) Regulations 2015, and the provisions of City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Prior to lodgement of a Building Permit application for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
4. Prior to lodgement of a Building Permit application for the development hereby approved, the applicant is to submit, and have approved to the satisfaction of the City of Fremantle, a detailed parking plan design which complies with the Australian Standard AS/NZS 2890 and AS/NZSC 1428, including parking bay/s, loading bays, disabled bays, aisle widths, circulation areas, driveway/s and points of ingress and egress.
5. Prior to lodgement of a Building Permit application for the development hereby approved, a Construction Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.

The approved Construction Management Plan shall be adhered to throughout the construction of the new development.

6. Prior to lodgement of a Building Permit application for the development hereby approved, a minimum of three (3) for tenancy 1 and four (4) for tenancy 2 Class 1 (as defined in LPS4) bicycle racks shall be provided, to the satisfaction of the City of Fremantle. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.



7. Prior to lodgement of a Building Permit application for the development hereby approved, a minimum of one (1) male and one (1) female end of trip facility per tenancy shall be provided, to the satisfaction of the City of Fremantle. Prior to occupation of the development the approved end of trip facilities must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
8. Prior to lodgement of a Building Permit application for the development hereby approved, a minimum of three (3) for tenancy 1 and four (4) for tenancy 2 lockers, shall be provided, to the satisfaction of the City of Fremantle. The facilities must thereafter be retained for the life of the development to the satisfaction of the City of Fremantle.
9. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed landscaping plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn etc), shall be submitted to and approved by the City of Fremantle.
10. Prior to occupation of the development hereby approved, the approved landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.
11. Prior to occupation of the development hereby approved, any redundant crossovers shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.
12. Prior to occupation of the development hereby approved, vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.
13. Prior to occupation of the development hereby approved, all car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
14. Prior to occupation of the development hereby approved, No. 3A (Lot 32) and No. 3B (Lot 34) Keegan Street are to be legally amalgamated into one lot on the Certificate of Title. Alternatively the owner may enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned. The legal agreement will specify measures to allow the development approval to operate having regard to the subject site consisting of two separate lots, to the satisfaction of the City of Fremantle.
15. The waste management plan, prepared by Talis Consultants, dated 15 December 2023 (WMP23092) must be implemented at all times to the satisfaction of the City of Fremantle.
16. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.



17. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice Notes

1. A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
2. In regard to the condition requiring a Construction Management Plan, Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>
A copy of the City's Construction and Demolition Management Plan Proforma which needs to be submitted with building and demolition permits can be accessed via: <https://www.fremantle.wa.gov.au/sites/default/files/Construction%20and%20Demolition%20Management%20Plan%20Proforma.pdf>
The Infrastructure Business Services department can be contacted via info@fremantle.wa.gov.au or 9432 9999.
3. In regard to the condition requiring a detailed landscaping plan, diamond shaped tree pits decrease the long term viability of trees installed in parking area. You are advised to consider alternative tree pit design options in the detailed landscaping plan to allow for trees installed in the parking area to be viable for the long term future.
4. The applicant is advised that where contamination is detected, the site is required to be reported to the Department of Water and Environmental Regulation and remediated in accordance with the requirements of that Department. For further information, please see the Department fact sheet on Identifying and Reporting Contaminated sites available online at https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact_sheets_tech_advice/Fact_sheet_1.pdf.
5. Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via info@fremantle.wa.gov.au or 9432 9999.
6. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
 - a) The applicant is advised that the /The new/ modified vehicle crossover shall be separated from any verge infrastructure by:
 - b) a minimum of 2.0 metres in the case of verge trees
 - c) a minimum of 1.2 metres (in the case of bus shelters, traffic management devices, parking embayment's or street furniture), and
 - d) a minimum of 1.0 metre in the case of power poles, road name and directional signs.



7. Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City’s Prevention and Abatement of Sand Drift Local Law.
8. The existing tree within the road reserve, shown on the approved plans shall be protected through the implementation of a Tree Protection Zone for protection during construction. Additional information with regard to the tree protection zone requirements can be found here: <https://www.fremantle.wa.gov.au/residents/trees-and-verges>.
9. The applicant is advised that bicycle parking facilities are to be provided in accordance with the following standards:
 - Class 1 – High security level – Fully enclosed individual locker;
 - Class 2 – Medium security level – Lockable compound fitted with class 3 facilities with communal access using duplicated keys;
 - Class 3 – Low security level – Rails or racks to which both the bicycle frame and wheels can be locked.

For more information refer to ‘Austroads Cycling Aspects to Austroads Guides’

10. The applicant is advised that any signage may be subject to a separate application for planning approval.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Industry Zone
Local Planning Scheme	Local Planning Scheme 4
Local Planning Scheme - Zone/Reserve	Industrial Zone
Structure Plan/Precinct Plan	N/A
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Bulky Goods Showroom - P
Lot Size:	3A Keegan Street: 3845m ² 3B Keegan Street: 4047m ² Total: 7892m ²
Existing Land Use:	Vacant Lot
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No



Proposal:

The proposed development is for a single storey bulky goods showroom at Lot 32 (No. 3A) and Lot 34 (No. 3B) Keegan Street, O'Connor (subject site). The key components of the development are included in Attachment 1 and are summarised as follows:

Proposed Land Use	Bulky Goods Showroom
Proposed Net Lettable Area	4100m ²
Proposed No. Storeys	Single Storey
Proposed No. Dwellings	N/A

The works component of the development includes;

1. The construction of two (2) 1700m² and 2800m² bulky goods showroom tenancies.
2. The construction of 82 car parking bays.
3. The construction of two (2) crossovers from Keegan Street and the removal of two (2) redundant crossovers.
4. The installation of landscaping.

In response to comments received during the internal referral process, the applicant submitted amended plans on 14 February 2024 including the following:

- The relocation of the proposed southern crossover to avoid an existing street.
- The relocation of the Western Power transformer to under the proposed building.

Amended development plans are included as attachment 1.

Note: The signage on the amended development plans is indicative only and will be subject of a future development application (if required).

Background:

Subject Site

The subject site comprises two (2) vacant lots with a total land area of 7892m². The two (2) lots are to be amalgamated in accordance with the applicable recommended condition. An alternative option involving a legal agreement between the landowner and the City of Fremantle that the lots be amalgamated within a year of the completion of the development is included within this condition.

The site is located on the west side of Keegan Street which is accessed by Garling Street in the north and Peel Road in the South. The site abuts lots utilised for commercial/industrial activities (warehouse and steel fabricator) in the north and south and abuts a vacant lot to the west. The vacant lot to the west has a current development approval for the construction of four (4) show rooms and associated signage under DAP003/16.

Refer to Table 1 below for the individual lot details for the subject site.



Table 1 – Individual lot details of the subject site

Address	Landowner	Vol.	Folio	Area (m²)
Lot 32 (No. 3A) Keegan Street, O'Connor	Outram Investments Pty Ltd	1191	786	3845m ²
Lot 34 (No. 3B) Keegan Street, O'Connor	Outram Investments Pty Ltd	1181	786	4047m ²
Total				7892m ²

This subject site was historically used as a foundry for the manufacturing of pumps. The subject site was in operation from 1956 until approximately 2013 with all buildings being demolished in 2014.

In summary, the subject site is described as follows:

1. Zoned 'Industry' under the Metropolitan Region Scheme (MRS) and 'Industrial' under the City of Fremantle Local Planning Scheme No. 4 (LPS4).
2. The site abuts Keegan Street to the east and private commercial lots to the north, south and west.
3. Located within Local Planning Area 8 – O'Connor under LPS4.
4. The site is classified under the Contaminated Sites Act 2003 as 'possibly contaminated - investigation required' on 11 July 2011 and a memorial (reference number L701276 ML) was placed on the certificate of title.
5. The site is currently vacant, featuring small shrubs and trees.

Refer to the figures below for additional site context.

Site History

The development history evident under the property file is listed below:

- DA0503/14 – Construction of Twenty Six (26) Industrial Units (approval was never acted upon)
- DP0029/14 – Demolition of Existing Warehouse (completed)
- DA0358/14 - Demolition of Existing Warehouse
- Construction of Industrial Building Circa 1956 (no documentation on record)

**Minutes – Ordinary Meeting of Council
10 April 2024**

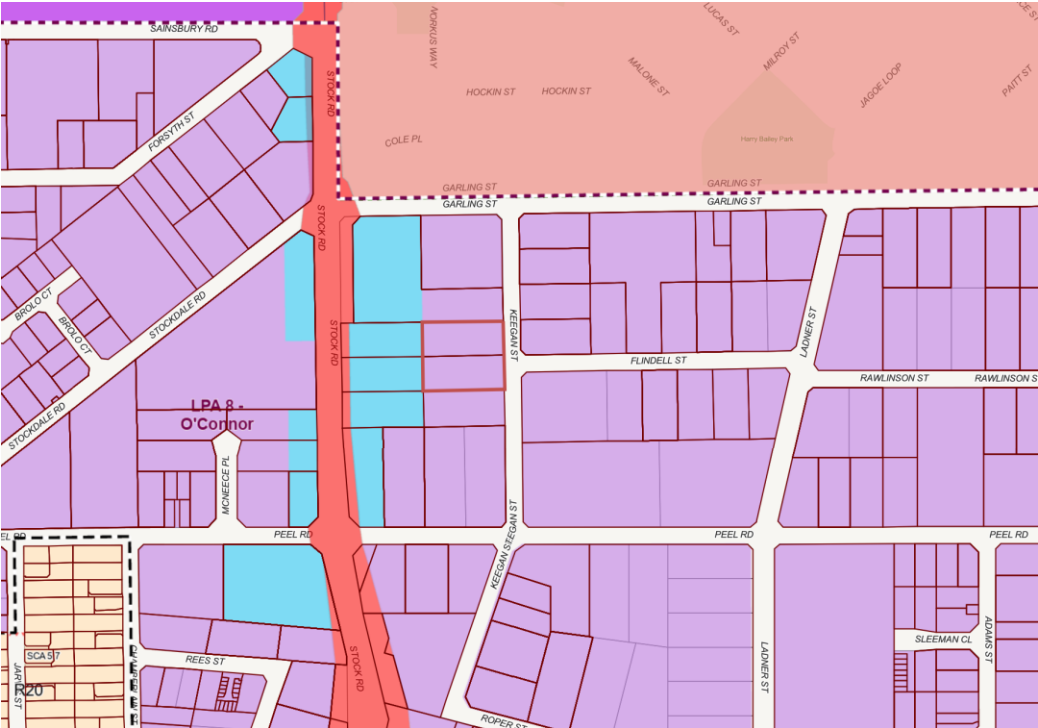


Figure 1 – Planning Context Map



Figure 2 – Site Aerial Image



Figure 3 – Existing Street View Looking in a South Westerly Direction

Legislation and Policy:

Legislation

1. *Planning and Development Act 2005*
2. *Planning and Development (Local Planning Schemes) Regulations 2015 (WA)*
3. *Planning and Development (Development Assessment Panels) Amendment Regulations 2024*
4. *Contaminated Sites Act 2003*
5. Metropolitan Region Scheme
6. City of Fremantle Local Planning Scheme No. 4

State Government Policies

7. State Planning Policy 7.0 – Design of the Built Environment

Local Policies

8. Local Planning Policy 1.10 – Construction Sites
9. Local Planning Policy 2.14 – Advertisement Policy
10. Local Planning Policy 3.8 – Local Planning Area 8 – O'Connor
11. Local Planning Policy 2.24 – Waste Management Plans for New Development

The development assessment has been undertaken in accordance with the abovementioned legislation and policies.



Consultation:

Public Consultation

This application involves the development of a vacant lot. The proposed land use is a permitted use and does not seek significant discretions to any applicable planning controls. As such, advertising in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* was not required.

Referrals/consultation with Government/Service Agencies

Department of Water and Environmental Regulation

Land at Lots 32 and 34 on Plan 6369 (the site) was classified under the CS Act as 'possibly contaminated - investigation required' on 11 July 2011 and a memorial (reference number L701276 ML) was placed on the certificate of title. As per the requirements under section 58(6)(b) of the *Contaminated Sites Act 2003*, advice is required from the relevant Government department as to the suitability of the land for the proposed development.

In accordance with the details above, the proposed development subject of this application was referred to the Department of Water and Environmental Regulation (DWER). The following advice was provided:

Based on available information, the proposed development does not comprise a change to a more sensitive land use. Therefore, the department has no objection to the proposed development of the site and recommends that the approval should not include a contamination condition.

However, given the risks associated with the potential presence of ACM at the site, the department recommends that the following advice note is applied to any approval granted by the City of Fremantle.

Advice

An appropriate site management plan should be prepared to address the risks associated with potential exposure of ACM soil contamination during site development works. The department recommends that investigations for soil contamination are carried out prior to commencement of development works to inform the site management plan, including any potential areas of concern not previously assessed.

Reports documenting any completed contamination investigations and/or remediation and validation works should be provided to the department, to facilitate re-classification of the site.

City of Fremantle

Infrastructure Engineering

The study for the proposed showroom development is satisfactory and the car park design and access sightlines are deemed adequate. The design adheres to Australian standards, with compliance in dimensions, layout, and accessibility. Vehicle access points meet



the necessary sight distance requirements, taking into consideration factors such as speed limits and potential obstacles like the existing trees to the north of the access. Routine monitoring and maintenance, particularly regarding low hanging branches may be required to maintain sightlines.

Parks and Landscape

The mature Eucalyptus camaldulensis tree that is requested to be removed for the crossover was found to be in reasonable condition. It does not present any major structural features that would suggest concern. The tree also displays good vitality. The City would not support the removal of this tree based on inspection findings.

Note: The applicant amended the location of the southern crossover to allow for the retention of the abovementioned verge tree. Refer amended development plans included as attachment 1.

Other Advice

The application was referred to the relevant internal departments at the City of Fremantle for formal comment as part of the assessment process. All departments were generally satisfied with the proposed development. Any comments received will be addressed via conditions and advice notes. The comments received related to ensuring standard requirements are followed, specifically:

1. Building permit (advice note)
2. Vehicle crossover permit (advice note)
3. Works within a thoroughfare permit (advice note)
4. Tree protection zone (advice note)
5. Request for a landscaping, waste management, stormwater disposal, car parking and construction management plans (refer recommended conditions/advice notes).

Planning Assessment:

Land Use

Table 2 – Land Use Permissibility

Provision	Proposal	Zone	Permissibility
Local Planning Scheme 4 clause 3.3 - Zoning Table	Bulky Goods Showroom	Industrial	P

The proposed land use is a P use which means that the use is permitted by LPS4 providing the use complies with the relevant development standards and requirements of the scheme.

Built Form

The following matters, as per clause 67 of the Regulations, are deemed applicable to the built form assessment of the proposed development:

- (m) the compatibility of the development with its setting, including —



- (i) the compatibility of the development with the desired future character of its setting; and
- (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;’
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;

The proposed bulky goods showroom development is considered to address the above matters for the following reasons:

1. The proposed development is compatible with the existing and future character of the area being a largely mixed use/commercial precinct.
2. The approval of this development will not result in an over-densification of bulky goods showrooms in the area.
3. The proposed development is compatible with the existing and future character of the area being commercial/mixed use.
4. The building bulk or scale of the single-storey building is not considered excessive and will not result in any significantly detrimental impact on the amenity of the surrounding area.
5. The building is orientated parallel to the street, resulting in a uniform and legible appearance.
6. No detrimental environmental or social impacts are expected to arise from the proposed development.
7. The proposed development is appropriately located in an area which was historically an industrial area which is experiencing a shift towards commercial/mixed use developments.

The applicable built form requirements are specified in Local Planning Policy 3.8 - Local Planning Area 8 - O'Connor. Refer Table 3 below.

Table 3 – Primary Controls

Provision	Permitted	Proposed	Complies
Plot Ratio	1.0	0.52	Complies
Site Coverage	75% / 5919m ²	51.95% / 4100m ²	Complies
Building Height	No restriction	13m	Complies
Primary Street Setback	Min. 6m	6m	Complies
Rear Setback	Min. Nil	Nil	Complies
Side Setback	Min. Nil	North: 12m South: 6.2m	Complies



Car Parking

The proposed onsite vehicle parking has been assessed against LPS 4 cl. 4.7.2 Vehicle Parking Requirements. Refer Table 4 below.

Table 4 – Parking Requirements

Element	Requirement	Proposed	Complies
Car parking bays	<p>Ratio: 1 : 50m² of NLA</p> <p>Tenancy 1: 1700m² of NLA / 34 bays required</p> <p>Tenancy 2: 2400m² / 48 bays required</p> <p>Total – 82 bays required</p>	82 bays	Complies
Delivery bays	<p>Ratio: 1 per unit</p> <p>Total: 2 units / 2 bays required</p>	Service area provided at rear of the units.	Complies
Bicycle racks	<p>Ratio: Class 1 : 1 per 750m² NLA Class 3 : 1 per 1000m² NLA</p> <p>Tenancy 1 (1700m² NLA): 2.3 class 1 racks 1.7 class 3 racks</p> <p>Tenancy 2 (2400m² NLA): 3.2 class 1 racks 2.4 class 3 racks</p>	<p>3 bicycle hoops are located in the public parking area which is sufficient for 6 bicycles.</p> <p>No Class 1 bicycle racks indicated on plans.</p>	Condition to be applied.



The provision of onsite carparking complies with the requirements of LPS4. Delivery bays and bicycle racks have not been indicated on the development plans although it is considered that there will be suitable area to address these requirements. A standard condition is recommended for a detailed parking plan design which complies with the Australian Standard AS/NZS 2890 and AS/NZS 1428.

End of Trip Facilities

The end of trip facility requirements is assessed against clause 4.15 of LPS4. Refer Table 5 below.

Table 5 – End of Trip facilities

Element	Requirement	Proposed	Complies
Shower Facilities	One male and one female shower (or 2 unisex) required for every 10* Class 1 or 2 bicycle racks required	Male and female facilities provided for each tenancy.	To be conditioned.
Lockers	For every class 1 or 2 bicycle racks required one locker shall be provided within the development in a location that is easily accessible to the shower facilities required under clause 4.15.1, where required. Tenancy 1 – 2.3 class 1 racks / 3 lockers required Tenancy 2 – 3.2 class 1 racks / 4 lockers required	Not indicated on plans.	To be conditioned.

End of Trip facilities have not been indicated on the development plans although it is considered that there will be suitable area to address these requirements. A standard condition has been recommended for these facilities to be provided for on the building plans prior to the lodgement of a building permit application.



Landscaping

The applicable landscaping requirements are specified in Local Planning Policy 3.8 - Local Planning Area 8 - O'Connor (LPP3.8). Refer Table 6 below for the assessment of these requirements.

Table 6 – Landscaping Requirements

Element	Requirement	Proposed	Complies
Landscaping	5% of the total lot area, distributed in areas no less than 4m ² and no less than 1.5m wide – 394.6m ² of landscaping required.	6.2% - 490m ²	Complies
Trees	1 shade tree for every 50m ² of landscaping provided on the lot and within the street verge area – 8 trees required. 1 shade tree located in parking area for every 4 car parking bays – 19.25 trees required in public parking area	8 trees provided (5 in verge, 3 in setback area – these will provide shade for the 2 car bays in the street setback area) 18 trees provided in car parking area and 6 trees along the public vehicular access way.	Complies (it is noted that there is a shortfall of 1.25 trees located entirely within the public car parking area, however, it is considered this is a minor discretion and is offset by the additional 6 trees provided along the vehicular access way.

The landscaping complies with the requirements of LPP3.8. A standard condition has been recommended for a landscaping plan to be provided prior to the lodgement of a building permit application. It is considered necessary to include this condition to ensure that all the final details (as specified in the condition) relating to the landscaping are included and formally approved prior to the building permit being processed. In addition, a condition requiring the approved landscaping to be installed prior to occupation has been recommended.

Traffic and Access

The subject site features two (2) existing crossovers from Keegan Street. These crossovers are to be removed with the verge and kerbing to be reinstated with this requirement forming a recommended condition. Two (2) new crossovers will be constructed to service the retail aspect of the development as well as the service/delivery areas of the development. The proposed development will not result in a significant intensification of vehicular traffic.



Signage

The applicant has specified that this they are not applying for signage as part of this application. The location of the signage on the amended development plans is indicative only. If required, the signage will be applied for via a separate development application at a later date.

Local Planning Policy

Local Planning Policy 3.8 - Local Planning Area 8 – O’Connor

The built form requirements of LPP3.8 have been assessed above. The remaining Statement of Objectives are addressed in Table 7 below.

Table 7 – Statement of Objectives.

	Statement	Assessment
1.	To retain the O’Connor Industrial area as a strategic industrial area for Fremantle and the South-West metropolitan region and to ensure that development contributes to high standard of amenity and design as well as compatibility with adjacent residential uses.	The proposed use is a permitted use under LPS4. The proposed development is of an acceptable standard and will contribute to the amenity of the area via its built form and landscaping. The subject site is not located within the immediate vicinity of any residential uses.
2.	To provide adequate zoning for the development of commercial uses along major roads and to restrict the encroachment of such uses into residential and industrial areas.	The proposed use is a permitted use in the Industrial zone under LPS4. There will be no encroachment into residential areas.
3.	To retain existing residential areas as predominantly low density residential, with access to suitable open space and protection of amenity from adjoining industrial uses.	N/A
4.	To ensure the development of the South Street Local Centre as a vibrant community hub that serves the day-to-day needs of nearby residents.	N/A
5.	To ensure safe access and movement for pedestrians and cyclists.	There are no pedestrian footpaths along Keegan Street. In addition, it is not considered to be a major thoroughfare for pedestrians or cyclists. Regardless of this, the proposed development features appropriate vehicular access/egress points with adequate sight lines. As such, it is not considered that the subject site will feature any significant amount of pedestrian traffic.



6.	To prevent, as far as practicable, the intrusion of commercial and industrial traffic into residential streets.	The proposal will not result in any significant intrusion of commercial traffic into residential areas. Keegan Street extends between Peel Road and Garling Street which are considered appropriate traffic corridors to manage an increase in traffic to and from the area resulting from the proposed development.
----	---	--

Conclusion:

Approval is sought for a single storey bulky goods showroom development at No. 3A (Lot 32) and No. 3B (Lot 34) Keegan Street, O'Connor. The proposed development has been appropriately designed in relation to the context of the subject site and the applicable planning controls and will contribute to the amenity of the area. The proposed development will provide a convenient location for the purchase of bulky goods.

In accordance with the above considerations, the proposed single storey bulky goods showroom is recommended for approval, subject to conditions.



11.2 Strategic and general reports

C2404-5 ARTS, CULTURE AND CREATIVE STRATEGY AND ACTION PLAN

Meeting date:	10 April 2024
Responsible officer:	Manager Arts
Voting requirements:	Simple Majority
Attachments:	<ol style="list-style-type: none">1. Arts, Culture and Creative Strategy 2024 – 20342. Arts, Culture and Creative Strategy Action Plan 2024 – 2028

SUMMARY

The purpose of the City of Fremantle Arts, Culture and Creative Strategy 2024 – 2034, and accompanying Action Plan, is a commitment to empowering arts, culture, and creativity in Fremantle. It provides high-level direction to guide the city in its scope, approach and operational decisions ensuring we maximise the decades of past creativity and investment and build on that into the future. The Strategy highlights four key priorities, each with a vision.

- ***First Nations:*** Fremantle is a place that recognises, respects and celebrates First Nations arts and culture.
- ***Experience:*** Fremantle is a place of meaningful artistic, culture and creative expression and participation for everyone.
- ***Incubation:*** Fremantle is a place that values artists and creatives to help grow and sustain creative practices and careers.
- ***Partnership:*** Fremantle is a place where people partner up to create work and sustain their practice, as well as to advocate for thriving arts, culture and creative sector.

This report recommends that Council endorse the Arts, Culture and Creative Strategy 2024-2034.

BACKGROUND

The City's new Arts, Culture and Creative Strategy (the Strategy) is a key informing document for services provided through the City's Arts and Culture team. The four priority areas of the Strategy convey the aspirations of the community identified through the engagement process conducted by the City throughout 2022 and 2023. The Strategy is designed to be public-facing for people in the cultural and creative industry such as artists, creatives, cultural and creative organisations and businesses, local, state and federal government agencies and community stakeholders.



The Strategy is underpinned by an internal Arts, Culture and Creative Strategy Action Plan 2024 – 2028 (the Action plan) that will guide the City’s teams through the delivery process. It is important to note that the Action Plan is operational and intended to be a living document reviewed on an annual basis to adapt to new opportunities and developments in the community.

FINANCIAL IMPLICATIONS

Preparation and adoption of the Strategy is in accordance with allocations in the City’s operating budget.

LEGAL IMPLICATIONS

The Strategy and Action Plan has been prepared in accordance with relevant State and Federal cultural policies. There is no current legislative requirement for local government in Western Australia to provide for arts and culture.

CONSULTATION

Community input has directly shaped the Strategy and Action Plan with the consultation process delivered in three parts:

1. Industry engagement - August 2022 to April 2023

Engagement methods:

- 1 workshop hosted by the city in August 2022, attended by 45 stakeholders of the arts, culture and creative industries including Whadjuk Traditional Owners, visual artists, performing artists, literature sector, architects, designer fashion, contemporary music and the libraries and museum sector.
- 1 workshop hosted by the city in August 2022 with a focus on the local theatre sector cultural infrastructure needs, attended by 30 stakeholders predominantly artists and industry representatives.
- Audience research surveys by Culture Counts from three of the City’s cultural services - the Fremantle Arts Centre and two city-produced festivals
- Interviews with selected stakeholders from the arts, culture, and creative industries in Fremantle

2. Public consultation - April 2023 to 31 July 2023

Engagement methods:

- Published [Arts, Culture & Creative Strategy | My Say Freo \(fremantle.wa.gov.au\)](https://www.fremantle.wa.gov.au) page which included:
 - consultation document
 - a survey
 - thought provoking collateral including a video and article.
 - inviting the community to directly contact to the Senior Arts Officer
 - advertised drop in sessions



3. Public consultation Strategic Community Plan Review Let's talk, Freo campaign – February to July 2023

As part of the City's review of the Strategic Community Plan, community consultation occurred over a six-month period via a campaign called Let's talk, Freo with six key focus topics:

- Creative city
- Learning city
- Living in your local area
- Future of our city centre
- Climate future
- Jobs for the future

Engagement methods specifically for Creative City included:

- Published [Let's Talk Freo: Strategic Community Plan Review | My Say Freo \(fremantle.wa.gov.au\)](https://www.fremantle.wa.gov.au)
- A survey specific to [Creative City](#)
- Drop-in sessions available to community and staff at local community events across Fremantle
- Special Attention Arts, Culture and Creative Industry event hosted by the city on 6 July 2023 attended by 60 community representatives from the artistic, cultural, and creative community.
- Weekend of Courageous Conversations 28 and 29 July attended by the public which included artist-led engagements including Map of Memories and Freo Power Awards where the community made badges for each other for the great things they do and values they practice.

Communication and marketing platforms included:

- City of Fremantle website and socials
- Weekly newsletters
- Letterbox drop to select households
- Pop up engagements
- Precinct groups and community partners
- Printed collateral including Freo-Oh! magazine
- Local press

OFFICER COMMENT

The development of the Strategy and Action Plan included extensive research, an assessment of the cultural ecology of Fremantle, consultation with key community stakeholders and a review of the City's arts and culture services.

The strategy aligns with the City's current Strategic Community Plan 2015-2025 focus area of Character, Culture and Heritage, and the new draft Strategic Community Plan 2024-2034 focus area of Creative City.

The Strategy and Action Plan are a critical step in ensuring a clear and transparent approach to providing effective arts, culture and creative services for the community and growing the City's reputation as a cultural hub. It is



intended that this strategy is reviewed every four years to ensure it remains current and is reported on annually to the community.

Acknowledging Fremantle's significance in the nation's broader arts, cultural and creative industries is an important context for the Arts, Cultural and Creative Strategy and Action Plan. It has informed the City's role, particularly in relation to:

When and how the city leads: The City is one part of an interconnected community with feedback from the consultation reinforcing that the key to evolving as a creative city is to nurture a ground-up, community-led approach in Fremantle. This has been a hallmark of the City's past engagement and we will build on this into the future. When the City provides leadership in arts, culture, and creative activities, it is informed by the City's ongoing relationship with the community.

Inclusiveness: The community values of fairness and inclusivity are to be put into practice to welcome and support everyone to participate in artistic, cultural, and creative offerings in Fremantle. This informs the choices the City makes in programming and resources.

Regional centre: It is evident that the programming directly undertaken by the city attracts people well beyond Fremantle. Fremantle Arts Centre, annual festivals and events, activities with Nyoongar Elders and community, are all important to artists, creatives, and audiences across Western Australia and beyond. This programming also attracts significant external investment and is all part of being a destination city.

Cultural hub: Similarly, artists, creatives, organisations and businesses in Fremantle have a remit that extends beyond this geographical area. Artists and creatives are attracted from elsewhere to employment opportunities here, while many living in Fremantle contribute to state, national and global creative economies. Innovative artistic, cultural and creative practice occurs in Fremantle by specialists setting high benchmarks and inspiration amongst the national cultural and creative industries.

Key initiatives over the next ten years include:

- Commitment to advancing reconciliation and truth-telling through a First Nations First approach.
- Regularly celebrating and showcasing the impact and outcomes of the arts, culture and creative industry whilst owning Fremantle as a major cultural hub nationally.
- The City's arts and culture programs will continue to be inspired by Fremantle's unique identity with a focus on becoming accessible to all members of the community.
- A diverse and resilient arts, culture and creative community will grow through capacity-building programs and programming for audiences of all levels of interest and knowledge.



- The City will collaborate with partners on an annual calendar of homegrown and independent events
- The City will continue to provide and improve current cultural infrastructure, whilst advocating for future fit-for-purpose cultural infrastructure and affordable housing for artists and creatives.

The actions of the Strategy are future-focused and guided by the community's request to respect, understand and look after Fremantle for current and future generations.

VOTING AND OTHER REQUIREMENTS

Simple majority required

OFFICER'S RECOMMENDATION

Moved: Mayor Hannah Fitzhardinge Seconded: Cr Andrew Sullivan

Council:

- 1. Acknowledge and thank the community for participating in the engagement process and for their contribution towards the development of the Arts, Culture and Creative Strategy.**
- 2. Adopt the City of Fremantle's Arts, Culture and Creative Strategy 2024-2034.**

AMENDMENT

Moved: Cr Ben Lawver Seconded: Cr Adin Lang

To amend the Officer's Recommendation to include a part 3:

Council:

- 3. Request the CEO undertake an audit of all unoccupied council owned properties to identify potential opportunities to match artists/creatives with any suitable council-owned properties as part of the strategy.*

Amendment LOST: 2/8
For
Cr Adin Lang, Cr Ben Lawver

Against
Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Frank Mofflin, Cr Doug Thompson



Reasons for amendment:

Fremantle should lead by example and make an effort in the next ten years to provide unused city owned spaces to artists/creatives who otherwise might not be able to practice/hone/perform their craft(s) in our city.

**COUNCIL DECISION ITEM C2404-5
(Officer's recommendation)**

Moved: Mayor Hannah Fitzhardinge

Seconded: Cr Andrew Sullivan

Council:

- 1. Acknowledge and thank the community for participating in the engagement process and for their contribution towards the development of the Arts, Culture and Creative Strategy.**
- 2. Adopt the City of Fremantle's Arts, Culture and Creative Strategy 2024-2034.**

Carried: 10/0

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin, Cr Doug Thompson**



C2404-6 ELECTED MEMBER COUNCIL POLICY REVIEW

Meeting date:	10 April 2024
Responsible officer:	Manager Governance
Voting requirements:	Absolute Majority
Attachments:	<ol style="list-style-type: none">1. Amended Electors Meetings Council Policy2. Amended Caretake Period Council Policy3. Amended Coat of Arms, Logo and Common Seal Council Policy4. Amended Council Members, Committee Members, and Candidates Code of Conduct5. Amended Elected Member and Committee Member Allowances and Reimbursements Council Policy6. Amended Elected Member and Chief Executive Officer Attendance at Events Council Policy7. Amended Elected Member Professional Development Council Policy8. Amended Electoral Activities and Signage Council Policy9. Amended Meeting Procedures Council Policy10. Summary of Changes

SUMMARY

A review of the City of Fremantle’s elected member related Council Policies was conducted following the 2023 Local Government Ordinary Election.

This report recommends that Council adopt the proposed amendments to the following Council Policies:

- **Annual General Meeting of Electors/Special Meeting of Electors (“Electors Meetings”);**
- **Council Decision Making During Electoral Period (“Caretaker Period”);**
- **Coat of Arms, Logo and Common Seal;**
- **Council Members, Committee Members, and Candidates Code of Conduct;**
- **Elected Member and Committee Member Allowances and Reimbursements;**
- **Elected Member and Chief Executive Officer Attendance at Events;**
- **Elected Member Professional Development;**
- **Electoral Activities and Signage; and**
- **Meeting Procedures**



BACKGROUND

The policies reviewed as part of this report apply specifically to elected members and are reviewed following each ordinary election to familiarise and gain the support of the newly elected council. Policy amendments may also be recommended to reflect contemporary practices, changes in legislation and Council direction, whilst clarifying working requirements.

Recommended amendments and other changes to these policies are outlined within the provided attachments and the report below.

FINANCIAL IMPLICATIONS

Officer's recommend that Council approve to pay all independent committee members a meeting allowance of \$415, to be paid on a per meeting basis, at the top of the band 1 range as determined by the Salaries and Allowances Tribunal in accordance with section 5.100 of the *Local Government Act 1995*.

Any expenditure required as a result of the attached policies, is considered as part of the annual budget process and adopted by Council.

LEGAL IMPLICATIONS

The Council Members, Committee Members and Candidates Code of Conduct Council Policy was adopted in accordance with section 5.104 of the *Local Government Act 1995* on 28 April 2021 (FPOL2104-8), with amendments recorded within the Policy review record.

The Elected Member and Chief Executive Officer Attendance at Events Council Policy was adopted in accordance with section 5.90A of the *Local Government Act 1995* on 23 September 2020 (FPOL2009-8), with amendments recorded within the Policy review record.

The Elected Member Professional Development Council Policy was adopted in accordance with section 5.128 of the *Local Government Act 1995* on 23 September 2020 (FPOL2009-8), with amendments recorded within the Policy review record.

The Caretaker Period Council Policy will need to be further amended once the new state-wide regulations are implemented mid to late 2024, as part of the Local Government Act reforms.

The Meeting Procedures Council Policy will need to be further amended once the new state-wide regulations, proposed to standardise meeting procedures for all WA local governments, are implemented (expected to be 2025).



CONSULTATION

All reviewed Council Policies are pre-existing and distributed as part of elected member induction, post swearing-in, to ensure awareness and compliance with the policies. The reviewed policies were presented to Elected Members at an informal meeting for information and general feedback prior to being presented to Council for adoption.

OFFICER COMMENT

The recommended amendments to the Council Policies are tracked within **Attachments 1-9**. The following table, also provided in **Attachment 10**, lists the proposed amendments to the elected member Council Policies and the justification for each amendment.

Change	Reason
Annual General Meeting of Electors / Special Meeting of Electors	
1. Changed the title and references within from "Annual General Meeting of Electors / Special Meeting of Electors" to "Electors Meetings".	1. Aligns with dialogue used in the Act.
2. Updated legislative reference to section 5.28 of the Act from "100" or more electors to "300" or more electors.	2. Legislative change in recent reforms.
3. Inserted reference to section 5.28 (5) of the Act.	3. New legislation as part of recent reforms.
4. Inserted text as part of the reference to section 5.33 of the Act.	4. Mirrors legislation.
5. Inserted text as part of the reference to regulation 15 of the Admin Regs.	5. Mirrors legislation.
6. Inserted Format of Meeting point 3b.	6. Administrative change to assist the presiding person to maintain order.
7. Inserted reference to livestreaming in Format of Meeting point 3g.	7. Administrative change to reflect common practice.
Council Decision Making During Electoral Period	
1. Changed the title and references within from "Council decision making during electoral period" to "Caretaker Period".	1. Aligns with dialogue used by the Department of Local Government, Sport, and Cultural Industries and the Western Australian Local Government Association (WALGA).
2. Inserted a reference to section 1.4A of the Act.	2. Relevant legislative reference.
3. Inserted an exception to the caretaker period.	3. Ensures the Council is compliant with their legal obligations.



Coat of Arms, Logo and Common Seal	
1. Updated Manager Communications and Events title to "Manager Strategic Communications and Stakeholder Relations".	1. Administrative change.
2. Inserted "Seeking Approval" information to ensure correct record management.	2. Administrative change.
Council Members, Committee Members and Candidates Code of Conduct	
1. Updated Manager Governance contact for compliant forms.	1. Administrative change.
Elected Member Allowances and Reimbursements	
1. Changed the title and references within from "Elected Member Allowances and Reimbursements" to include "Elected Member and Committee Member Allowances and Reimbursements".	1. Committee members are now able to receive a meeting attendance fee. The <i>Local Government Amendment Act 2023</i> provides for independent committee members to receive meeting fees. On 3 November 2023, the Salaries and Allowances Tribunal (SAT) made a variation to the Local Government Chief Executive Officers and Elected Members Determination, issued on 6 April 2023. The variation sets the thresholds for the payment of meeting fees for independent committee members.
2. Inserted definition of a Committee Member or Independent Committee Member.	2. Included for clarification.
3. Inserted a meeting attendance allowance for a committee member (1.3).	3. Maximum amount provided to encourage quality committee member applicants every 2 years.
4. Inserted reference to the childcare and travel costs incurred by completing required training (2.1 and 2.2).	4. Regulation 31(c) of the <i>Local Government (Administration) Regulations 1996</i> .
5. Inserted "e-newsletter" (3.4).	5. Administrative change to include "e-newsletter" as an option.
6. Inserted "Other" expenses (3.7).	6. Discretionary reimbursements may be approved where other categories do not fit the description.
7. Inserted requirements for reimbursement requests (8.1 c)	7. Reduce incomplete applications being made.



Elected Member and Chief Executive Officer Attendance at Events	
1. Re-ordered pre-existing information/headings to improve readability (changes highlighted in "comments" within document). Inserted minor amendments which assist with understanding disclosure types.	1. Administrative change to assist understanding of key information and requirements.
2. Inserted minor amendments which assist with understanding disclosure types	2. Administrative change to assist understanding of key information and requirements.
3. Removed information which was duplicated and summarised elsewhere.	3. Administrative change to assist understanding of key information and requirements.
Elected Member Professional Development	
1. Inserted reference to the mandatory training. (1.2 (1))	1. Regulation 35 of the <i>Local Government (Administration) Regulations 1996</i> .
2. Moved reference to the City paying for training from 1.2 (1) to 1.2 (4).	2. Formatting change for readability.
3. Inserted reference to the reimbursement Policy request form (3.1).	3. The correct form should be used when requesting a reimbursement.
4. Inserted 3.3 - Reporting.	4. Section 5.127 of the <i>Local Government Act 1995</i> .
Electoral Activities and Signage	
1. Added reference to Activities in Thoroughfares and Public Places and Trading Local Law, and edited guidelines within Policy to comply with the Local Law.	1. The Local Law covers electoral signage. The policy should align with the Local Law.
2. Inserted reference to the electoral material following WAEC guidelines.	2. Administrative change.
Meeting Procedures	
1. Inserted procedure addressing camera absence and how it is treated and recorded (Part 2A, 4e)	1. Administrative change.
2. Inserted requirement for Elected Members to seek approval to attend an in-person meeting electronically, and requirements	2. Regulation 14C of the <i>Local Government (Administration) Regulations 1996</i> and procedural amendments.



surrounding approval and attendance (Part 2B)	
3. Inserted clarification around how many times a member of the public can speak during public question time (5.7 (3)).	3. Provides clarification for members of the public who have multiple topics to speak on.
4. Removed 'special' deputation (5.9)	4. Administrative change. 'Deputation' remains. This change will result in 'special deputation' being removed in agendas.
5. Inserted Leave of Absence procedure (7.1 (2)) and parental leave entitlements (7.1 (3 and 4))	5. Administrative change, in accordance with section 2.25 of the <i>Local Government Act 1995</i> . Parental leave entitlements as per section 5B of the Act.
6. Inserted clarification around alternative motions (9.9 (2))	6. Provides clarification of how an amendment will be treated if it negates the original motion or the intent of the original motion.
7. Removed 10.6 "Item to be referred or adjourned".	7. Duplicate clause of 10.7 (now 10.6)
8. Inserted procedure for allowing elected members who disclose an interest in an item to stay in the meeting (11.1 (2))	8. Section 5.68 of the <i>Local Government Act 1995</i> .

At the Ordinary Meeting of Council on 13 March 2024, Council adopted amendments to the Meeting Procedures Council Policy, to improve decision making and meeting process. The policy has been further amended, with minor changes made which reflect common practice and legislative requirements.

As proposed in the amended Elected Member and Committee Member Allowances and Reimbursement Council Policy, the Local Government Act reforms has allowed for committee members who attend a meeting of the committee to be entitled to be paid a fee determined by the Local Government. The Salaries and Allowances Tribunal has determined the remuneration, to be paid per meeting, at a minimum of \$0 and a maximum of \$415 for an independent member in a band 1 Local Government. The officer's recommendation, and Council Policy amendment, recommends the maximum allowance be paid to attract quality committee members.

The proposed amendments are minor in nature and/or are required to be made to reflect legislative changes and are recommended to Council for adoption.

VOTING AND OTHER REQUIREMENTS

Absolute majority required



OFFICER'S RECOMMENDATION

Moved: Cr Fedele Camarda

Seconded: Cr Jenny Archibald

Council:

- 1. Adopt the following amended Council Policies, provided in Attachments 1-9:**
 - a. Electors Meetings**
 - b. Caretaker Period**
 - c. Coat of Arms, Logo and Common Seal**
 - d. Council Members, Committee Members and Candidates Code of Conduct**
 - e. Elected Member and Committee Member Allowances and Reimbursements**
 - f. Elected Member and Chief Executive Officer Attendance at Events**
 - g. Elected Member Professional Development**
 - h. Electoral Activities and Signage**
 - i. Meeting Procedures**
- 2. Approve to pay independent committee members a meeting allowance of \$432 (top of the band 1 range), to be paid on a per meeting basis, as determined by the Salaries and Allowances Tribunal in accordance with section 5.100 of the *Local Government Act 1995*.**
- 3. Note that minor amendments that do not change the effect or intent of the policy such as formatting, branding and corrections considered appropriate by the administration, may be made without further approval from Council.**



AMENDMENT

Moved: Cr Ben Lawver

Seconded: Cr Adin Lang

Amend part 3.4 b. of the Elected Member and Committee Member Allowances and Reimbursement Policy (Attachment 5), to include the words highlighted below:

3.4 Ward Newsletters

Elected members may be reimbursed reasonable expenses incurred for the printing and/or distribution costs incurred to print and/or distribute ward newsletters, including e-newsletters, in accordance with the following:

- a. The content of ward newsletters is to be approved by the Chief Executive Officer before ~~printing and~~ distribution.
- b. Printing, ~~and/or~~ delivery and/or e-newsletter costs will be reimbursed for a joint ward newsletter a maximum of six times per calendar year per ward; or an individual councillor ward newsletter may be reimbursed for upto a maximum of three times calendar year.
- c. Printing may be requested to be undertaken by the administration.
- d. Ward newsletters funded, by way of printing and/or distribution, by the City should state that the Information included is not provided as an official publication of the city of Fremantle.
- e. Decisions of Council and other City of Fremantle information must be accurately reproduced.
- f. Ward newsletters funded (printing and/or distribution) by the City must not be used for electioneering purposes and must not support any particular candidate or group of candidates in an election.

Amendment carried: 8/2

For

Mayor Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,

Against

Cr Geoff Graham, Cr Doug Thompson

Reasons for amendment:

To enable Elected Members to distribute an individual ward newsletter and seek a reimbursement of reasonable expenses incurred.



COUNCIL DECISION ITEM C2404-6
(Amended Officer's recommendation)

Moved: Cr Fedele Camarda

Seconded: Cr Jenny Archibald

Council:

- 1. Adopt the following amended Council Policies, provided in Attachments 1-9:**
 - a. Electors Meetings**
 - b. Caretaker Period**
 - c. Coat of Arms, Logo and Common Seal**
 - d. Council Members, Committee Members and Candidates Code of Conduct**
 - e. Elected Member and Committee Member Allowances and Reimbursements* as amended**
 - f. Elected Member and Chief Executive Officer Attendance at Events**
 - g. Elected Member Professional Development**
 - h. Electoral Activities and Signage**
 - i. Meeting Procedures**
- 2. Approve to pay independent committee members a meeting allowance of \$432 (top of the band 1 range), to be paid on a per meeting basis, as determined by the Salaries and Allowances Tribunal in accordance with section 5.100 of the *Local Government Act 1995*.**
- 3. Note that minor amendments that do not change the effect or intent of the policy such as formatting, branding and corrections considered appropriate by the administration, may be made without further approval from Council.**

Carried: 10/0

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin, Cr Doug Thompson**



11.3 Committee and working group reports

Nil.

11.4 Statutory reports

Nil.

12. Motions of which previous notice has been given

Nil.

13. Urgent business

Nil.

14. Late items

Nil.

15. Confidential business

Nil.

16. Closure

The Presiding Member declared the meeting closed at 8:01pm.