

CITY OF FREMANTLE

Minutes of the Ordinary Meeting of Council

Held on Monday 19 July 2004 at 6.00 pm

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CONFIDENTIAL MATTERS

CLOSURE OF MEETING

MINUTES

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

THE MAYOR, MR PETER TAGLIAFERRI DECLARED THE MEETING OPEN AT 6.09 PM AND WELCOMED MEMBERS OF THE PUBLIC TO THE MEETING

ATTENDANCE AND APOLOGIES

Present: The Mayor, Mr Peter Tagliaferri in the Chair and Councillors

East Ward

Cr Kathy Anketell; Cr Rose Pinter

Beaconsfield Ward

Cr Shirley Mackay; Cr John Alberti

Hilton Ward

Cr Bob Smith; Cr Tony Miosich

City Ward

Cr Phil Douglas Cr Steve Gorman

South Ward

Cr Geoff Graham; Cr Helen Hewitt

North Ward

Cr Doug Thompson

Chief Executive Officer, Mr Ray Glickman; Director Corporate Services, Mr Graeme Mackenzie; Director Urban Management, Mr Jayson Miragliotta; Manager Strategic Planning and Corporate Development, Ms Jill Hanna; Manager Finance and Administration, Mr Alan Carmichael; and the Minute Secretary and Mayor's Civic Appointments Secretary, Mrs Nellene Hill.

LEAVE OF ABSENCE

Cr Bob Williams

APOLOGIES

Director Cultural and Community Services, Mr Ken Posney

RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

- 1. Mr Ian Scott
South Fremantle
C0407-17**

Summary of Question

Please explain the difference between gross leasable area compared to net leasable area?

Summary of Response from Ms Jill Hanna

Gross leasable area was included in the recommendation to absolutely define the developable areas of the site.

- 2. Ms Jacqueline Samapas
South Fremantle
C0407-17**

Summary of Question

Ms Samapas spoke on 2a and asked what is intended by the inclusion of words cut and fill?

With regard to 2b, the language is unclear and needs to provide a clearer understanding of R codes.

Summary of Response from Ms Jill Hanna

The reason was to give direction to developers that they were not to put a lot of fill on the site and with regard to R codes that we were asking for was that instructions be given to the developer to show exactly what each R coding would be and so we can provide openness and accountability.

- 3. Mr Jon Strachan
South Fremantle
Item not on Agenda and C0407-17**

Summary of Question

With regard to 51 Daly Street South Fremantle, does Council have a policy or timeline for completion of developments and does council have power to have the development completed or demolished?

With regard to item C0407-17 Mr Strachan asked Councillors to support the recommendation from the Strategic Planning Committee as it was well thought out and gives flexibility that is required and ask Councillors not to approve anything with 75% multiple dwellings that allow a site to be developed that will bear no resemblance to the existing predominately urban landscape that is South Fremantle.

Summary of Response by Manager Development Assessments Mr Andrew Jackson

Mr Andrew Jackson will take the question on notice.

4. **Mr Daryl Cake**
Fremantle
DAC0407-249

Summary of Question

Mr Cake has given a petition to Cr Douglas for presentation to Council from every residents in Suffolk Street and ask the Director of Urban Management to explore the options given in the petition regarding entry and exit in Suffolk Street.

Summary of Response by Mayor P Tagliaferri

Thank you.

5. **Ms Cathy Hall**
Fremantle
C0407-17

Summary of Question

Ms Hall asked Council in 2a not to consider the development going to 4 storeys and with regard to 2b she believes that the recommendation should return to the Strategic Planning Committee original recommendation.

Summary of Response by Mayor P Tagliaferri

Thank you.

6. **Mr David Utting**
C0407-17

Summary of Question

Spoke on the need for officers to improve their game and take on board the comments of the public re public open space and I would ask officers to get stuck into co-operating what the community has said.

Summary of Response by Mayor P Tagliaferri

Thank you.

7. **Mr Gordon Angus**
DAC0407-249

Summary of Question

I ask if Council could think seriously on the traffic issues on Suffolk Street.

Summary of Response by Mayor P Tagliaferri

Thank you.

DISCLOSURE OF INTERESTS BY MEMBERS

Cr John Alberti	DAC0407-249	Impartiality interest as he owns property in close proximity
Cr Rose Pinter	C0407-18	Item is regarding Cr Pinter's resignation and she wished to leave the Chambers

APPLICATIONS FOR LEAVE OF ABSENCE

Nil

PETITIONS/DEPUTATIONS/PRESENTATIONS

Cr P Douglas presented a petition signed by approximately 47 residents and citizens of Fremantle to be forwarded to the appropriate Committee which reads as follows:

"We the undersigned petition the City of Fremantle to extend the parking limit of the parking spaces adjacent to the Fremantle Arts Centre along Finnerty Street"

Cr P Douglas presented a petition signed by approximately 28 residents of Suffolk Street to be forwarded to the appropriate Committee which reads as follows:

"We the undersigned hereby petition the Councillors of the City of Fremantle to change the entry/exit as shown on the plans for the mixed use development at 65 South Terrace Fremantle (corner of Suffolk Street) to South Terrace to protect the amenity of the residents of Suffolk Street."

Cr K Anketell presented Cr Rose Pinter with a broach for her tireless work on the Booyeembara Park project.

CONFIRMATION OF MINUTES

THE MAYOR, MR P TAGLIAFERRI MOVED THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON MONDAY 5 JULY 2004 BE CONFIRMED AS A TRUE AND ACCURATE RECORD INCLUSIVE OF REPLACEMENT PAGES 6 AND 7 SECONDED BY CR D THOMPSON

CARRIED UNANIMOUSLY 12/0

For	Against
The Mayor, Peter Tagliaferri	
Cr Bob Smith	
Cr Shirley Mackay	
Cr John Alberti	
Cr Kathy Anketell	
Cr Geoff Graham	
Cr Phil Douglas	
Cr Steve Gorman	
Cr Doug Thompson	
Cr Rose Pinter	
Cr Helen Hewitt	
Cr Tony Miosich	

ANNOUNCEMENTS BY THE MAYOR

Mayor P Tagliaferri announced at 6.47 pm the presence of ex Cr David Johnston and ex Cr John Troy in the Chamber.

QUESTIONS BY ELECTED MEMBERS

Cr H Hewitt asked if house at 20 Moran Court is or is not on the Municipal Heritage Inventory and whether that listing includes the slogans painted on the exterior of the building. If the building is listed on the Municipal Heritage Inventory has the proper process been followed with regard to the painting out of slogans and whether a Development Assessment application is need to be lodged for any work done to the exterior?

Response by Chief Executive Officer, Mr R Glickman

Thanked Cr Hewitt for advanced notice of the questions. The house but not the slogans and signs are Municipal Heritage Inventory listed and have been given advice that a planning approval is not required to obliterate or paint out the illegal signs.

Cr H Hewitt spoke of the murder in Henderson Street Mall recently and asked if the Mayor would consider opening this street to traffic between 10 pm and 8 am thus increasing the late night surveillance of the area?

Response by Mayor P Tagliaferri

Thank you for giving notice. I personally am not in favour of opening the street open.

Cr S Gorman spoke of his receipt of a fax re painting of 20 Moran Court and asked if we did or did not agree to paint it or agreed to remove anything else on the outside of the building prior to painting?

Response by Chief Executive Officer, Mr R Glickman

The City resolved to agree to paint out the signage which is illegal as long it could be done within a reasonable cost and there was no resolution to deal with any other defects whatever they were.

RESPONSE TO QUESTIONS BY ELECTED MEMBERS

Nil

TABLED DOCUMENTS AND ATTACHMENTS

Petition re extended parking at Arts Centre in Finnerty Street

Petition re exit/entry into Suffolk Street

Proposed additional advisory note on item DAC0407-249

Email from Jon Strachan re C0407-17

Email from Jayson Miragliotta re C0407-17

GLOSSARY OF FREQUENTLY USED ACRONYMS

<i>Acronym:</i>	<i>Details:</i>
A&I	Assets & Infrastructure
ACC	Anti-Corruption Commission
BLIMP	Bottom Line Improvement Management Project
CAT	Central Area Transit
COF	City of Fremantle
CPS	City Planning Scheme
DCD	Director Community Development
DCS	Director Corporate Services
DUM	Director Urban Management
DW	DataWorks
EM	Elected Members
FAB	Fremantle Artillery Barracks
FEB	Fremantle Eastern Bypass
FP	Fremantle Ports
HR	Human Resources
IT	Information Technology
LGMA	Local Government Managers Australia
LRA	Long Range Agenda
MG	Management Group
S&I	Service & Information
SMG	Senior Management Group
SoN	State of the Nation

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SP&CD	Strategic Planning & Corporate Development
TPS	Town Planning Scheme
UE&C	Urban Environment & Control
UNDA	University of Notre Dame Australia
WALGA	Western Australian Local Government Association
WOW	Wipe Out Waste

COMMITTEE ITEMS

DEVELOPMENT ASSESSMENTS COMMITTEE

Items referred to Council from the Development Assessments Committee
held in the Council Chambers, Fremantle City Council
12 July 2004 at 6.00pm

CR H HEWITT ASKED IF ANY MEMBERS PRESENT AT THE DEVELOPMENT ASSESSMENTS COMMITTEE MEETING HELD ON 12 JULY 2004 FORESEE ANY OBJECTIONS TO THE MINUTES AND PRINTED AND PRESENTED

Nil

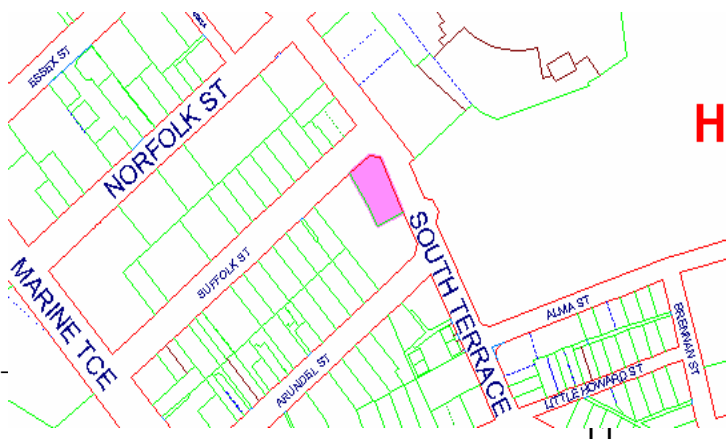
DISCLOSURE OF INTEREST

CR J ALBERTI DISCLOSED AN INTEREST IN ITEM DAC0407-249 BEING AN IMPARTIALITY INTEREST VACATED THE CHAMBER AT THIS JUNCTURE BEING 6.33 PM AND DID NOT VOTE ON THE ITEM

CR KATHY ANKETELL VACATED THE CHAMBER AT THIS JUNCTURE BEING 6.34 PM

DAC0407-249 South Terrace No. 65 (Lot 12) Fremantle
Mixed-Use Development – Three Storey Building With Basement Comprising Private Hospital (Day Surgery), Medical Consulting Rooms, Pharmacy & Six Dwellings: Revised Plans Under Appeal For Council Consideration
(S20/65 Da753/03) (AJ/Dm) (Attachment: Att0407-249)
This Item Is Recommended For Council Advice To Town Planning Appeal Tribunal

Owner Name:	KGK Developments Pty Ltd
Submitted By:	KGK Developments Pty Ltd
MRS:	Urban
TPS No. 3:	Inner Urban
Existing Land Use:	vacant
Lot Area:	1169m ²
Land Use Permissibility:	Service Professional – AA; Residence – AA Retail – Local Convenience (pharmacy)



Introduction

- This report presents revised plans for a medical and apartments building on the site, pursuant to the current appeal process.
- Following refusal of the previous proposal by Council, the applicant appealed to the Town Planning Appeal Tribunal, and deliberations under the appeal process have led to this negotiated position.
- The revised plans have only recently been received on 2 July, and under the TPAT process the City has been allowed to further assess the proposal for advice to a TPAT Directions Hearing on 6 August, hence the need to report to DAC on 12 July and Council on 19 July.
- If Council is inclined to support the revised proposal, then it is anticipated that the TPAT will be prepared to consider granting approval subject to agreed conditions. If Council is not supportive, the TPAT may decide to approve the revised plans or some variation thereto, or may revert to a full hearing of the appeal.

DAC Agenda Attachments

- Previous report and Council refusal – reconsideration request.
- Previous plans – four storeys.
- Revised plans (June 2004) – three storeys.

Background

- Council's refusal of 31 May 2004 was for the following reasons (underlining added):
 1. *The plot ratio of 2.26 exceeds the maximum plot ratio of 1.0 permitted under Table Two of the City of Fremantle Town Planning Scheme No. 3.*
 2. *The four storey with basement development is assessed as being contrary to Council's Policy D.B.H.1 Urban Design and Streetscape Guidelines for the following reason: in the context of this section of South Terrace the building is an overdevelopment in terms of bulk and scale.*
 3. *The development is contrary to Council Policy D.G.N. 29 Suffolk to South Streets Local Area in that it would not preserve the amenity of the area.*
- It can be seen that the three key issues were plot ratio, scale of development and amenity, hence if these aspects are adequately addressed the Council might be willing to support a revised proposal.

Revised Proposal

- In summary the revised proposal now entails:
 - Uses:
 - A down-scaled private hospital component limited to day surgery only, ie deletion of the 21 bed overnight stay hospital and subsequent floor.
 - Medical consulting rooms.
 - Pharmacy.
 - Six residential apartments (3rd Floor).
 - Height: reduction by one storey to three storeys and a lower, centralised lift shaft.
-

- Access and parking: similar access arrangement via Suffolk St and reduction in parking bays.
- Balconies to the apartments setting back the eastern, south and west elevations.
- Continuous awnings to the east and north elevations.
- Overall, the proposal is a less intensive use and lower scale development.

Consultation

- The approach of a revised proposal has been reached through negotiations involving the City, appellant, solicitors for both parties and TPAT.
- In addition the officers have had meetings with representative local residents who objected to the previous proposal, including providing copies of and discussing the revised plans.
- The TPAT timeframe has not allowed for formalised re-advertising, which under the appeal process and Council policy is not mandatory, and in any case the concerns raised by residents have been well-aired.
- Submitters will be notified of the DAC meeting, will be able to access this report and will be able to attend the meeting to observe or speak to voice their views in light of the further assessment based on the revised proposal.
- Residents' concerns essentially are height/scale/bulk/built form and amenity generally including traffic, building appearance as well as the operation of planning controls and exercise of discretion.

Development Requirements

- The table below summarises the key development requirements relating to the proposal, and compares the existing scheme with the proposed scheme, as well as the previous refused proposal with the current revised proposal.
- Note that while the proposal is required to be determined under the existing scheme, regard may be had to the proposed scheme which has been adopted by Council for final approval and hence may be considered a seriously entertained planning proposal, where discretion is involved.

	Existing TPS3 Requirement	Proposed CPS4 Requirement	Previous Proposal (refused)	Current Proposal (revised)
Zoning	Inner Urban	Mixed Use	Complies	Complies
Land Uses	Service Professional – AA Retail Local Convenience – AA Grouped Dwelling – AA	Hospital – D Medical Centre – P Consulting Rooms – P Grouped Dwelling – A Shop – X	Acceptable	Acceptable (except for pharmacy as a shop – may be acceptable as a convenience store or dispensary).
Residential Density	R35, = 4 dwellings	R30/35, = max 4 dwellings	4 dwellings	6 dwellings

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Plot Ratio	Max 1 : 1 (= 1169m ²)	Max 1.5 : 1 (= 1754m ²)	2.26 : 1 (= 2642m ²)	1.54 : 1 (= 1804.7m ²)
Site Cover	50%	100%	100%	100%
Setbacks				
<i>Front</i>	3m	Nil	Nil	Nil
<i>Side</i>	Nil	Nil	Nil	Nil
<i>Rear</i>	9m	Nil	Nil	Nil
Parking	48 bays.	49 plus 1 bay per 2 staff for hospital (depending on use class).	49 (2 bay shortfall from 51 bay requirement).	41 (7 bay shortfall).
Height	No specific height limit.	No specific height limit.	Top of third floor = 14.4m. Top of highest parapet = 15m. (both measured from South Tce footpath level)	Top of second floor = 10.5m (measured from South Tce footpath level) Max = 11.45m (measured from Suffolk St footpath level) <i>Note: max height on Suffolk St measured from existing site level (retained) = 10.5m.</i>

Further Assessment

- From the above comparative table the following points are observed:
 - Land uses – those proposed are almost all approvable under the zonings and under CPS4 medical centre and consulting rooms would have greater certainty as permitted rather than a discretionary uses. The pharmacy is approvable now but would not be under CPS4 (which is an apparent anomaly) but may be if included as a convenience store or dispensary only.
 - Residential density – the RD Codes in dealing with mixed use developments outline that amenity standards should not discourage this form of development, using performance criteria, and that there is some flexibility in terms of density. For the residential component the Codes prescribe relaxations for setbacks, parking, private open space and plot ratio. It is noted that where a floor of apartments is proposed their sizes and number can be varied by design while the building scale and form remains the same. However, the numeric calculation of density does not permit more than four dwellings under either scheme.
 - Plot ratio – in the revised proposal is significantly reduced, although is 1.5 times the current TPS3 standard, however, the built form is substantially altered with a whole storey deleted.

Plot ratio is to be substantially increased under CPS4 (by 50%). Hence while under TPS3 the plot ratio variation is 50%, under CPS4 it would be close to complying.

- Site cover – under CPS4 this is to be increased to 100% to reflect the increased plot ratio and typical standard for the type of site and development. The revised proposal complies with that standard.
- Setbacks – under TPS3 the front and rear setbacks are overly-restrictive to the site, constraining its realistic development potential and design options. Under CPS4 nil setbacks common to inner-urban/mixed-use sites and development are to be the norm. The revised proposal complies with that standard.
- Car parking – while the size and floor space of the revised proposal has reduced, the inclusion of a pharmacy has increased the requirement such that there is a seven bay shortfall. Where the pharmacy is associated with the medical facility it is likely that a significant proportion of the parking demand for the pharmacy will be in conjunction with the use of that facility rather than in addition to it (and as a dispensary would be even less). The shortfall in car parking bay can be addressed by reducing residential dwellings to 4 units, redesign the commercial floor space on the ground floor and provision of a cash-in-lieu contribution to identify and development additional parking in the immediate locality:
- Height – no mandatory height limit is contained in either scheme. The revised proposal reduces height by a whole floor, or by predominantly 3.9m on South Tce (4.5m max) and by a similar amount on Suffolk St.
- Overall, it can be seen that the revised proposal is a lower height, smaller scale development that entails less variation from the basic development requirements and is more in keeping with proposed CPS4.
- Traffic and parking concerns raised by residents include increased traffic affecting Suffolk Street and traffic congestion/safety at the Suffolk St/South Tce intersection. These concerns are noted and the following observations are made regarding how it is considered traffic and parking will actually function for the revised proposal:
 - Parking has been provided on site; however, the shortfall has been increased from 2 to 7 bays, mainly due to the pharmacy being incorporated into the proposal, but this will be reduced by deletion of two dwellings and otherwise covered by conditions.
 - On-street and off-street parking exists in the wider area and the City has initiated a development plan for the locality that will consider additional parking amongst other matters.
 - Controlled parking exists on Suffolk Street.
 - Suffolk St is the logical access point to the site as it has a smaller traffic load than South Tce and the topography permits easier under-croft parking.
 - Travel patterns to or from the site are most likely to use main routes such as South Tce, Hampton Rd, South St and so on rather than Marine Tce and Suffolk St.

Conclusion

- The revised proposal assumes the approach taken by the DAC on 8 March 2004 to redesign to a three storey building.
 - The revised proposal can be seen to respond to the reasons for refusal, in that the plot ratio, bulk and scale and amenity aspects are significantly decreased or improved. The proposal still relies upon the exercise of considerable discretion under TPS3, yet is more compliant with proposed CPS4. It can be seen that plot ratio would still exceed the basic development requirement under each scheme, but that site cover and setbacks would become acceptable under CPS4, while height
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per se is not stipulated under either scheme. The shortfall in parking is not great and reflects other approvals with a relaxed requirement, but is to be addressed by conditions and special planning for the locality is to include consideration of parking needs.

- The approval as recommended contains various conditions to improve upon the building and its contribution to the public domain.
- The proposed recommendation includes conditions designed to address the appearance of the building, traffic management plan, elevation treatments, awning treatments and building materials to address residents concerns and improve the integration of the proposed building into the existing urban fabric.

Recommendation to Council

That Council support planning consent by the Town Planning Appeal Tribunal under the Metropolitan Region Scheme and Town Planning Scheme No. 3 for a mixed use development as a three storey building with basement, comprising private day care hospital, medical consulting rooms, pharmacy and up to four dwellings, at No. 65 (Lot 12) South Terrace, Fremantle, generally based on the modified plans dated June 2004 and which must be further modified to reflect this approval and conditions, subject to the following conditions:

1. To accord with the density coding of the site the number of dwellings shall be reduced to a maximum of four, to a design to the satisfaction of the Director Urban Management.
2. The shortfall in parking bays (5 bays) being accommodated on-site with a redesign of the ground floor consulting offices or by a cash-in-lieu to identify and provide additional parking bays in the immediate locality to the satisfaction of the Director Urban Management.
3. Prior to the issue of a building licence, the applicant shall consult with the City and submit a traffic management plan to the satisfaction of the Director Urban Management, that through engineering design addresses traffic movements and management measures for the development, including works to be undertaken at the cost of the applicant.
4. All elevator plant, air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Director Urban Management. Full details shall be submitted prior to the issue of a building licence.
5. Continuous awnings/verandas shall be provided for pedestrian weather protection and shade at all street frontages of the building, including above the service access, to a design to the satisfaction of the Director Urban Management.
6. Gates to the parking/service areas shall present to the street as being visually open. Details of the design shall be to the satisfaction of the Director Urban Management.
7. Lighting shall be provided at the applicant's expense to the parking/service access facing Suffolk Street. This lighting shall be of a standard to the satisfaction of the Director Urban Management and shall be fully illuminated except during daylight hours.
8. All footpath and verge areas adjacent to the site shall be upgraded to the satisfaction of the Director Urban Management.

9. Details of external materials, finishes and colours and shall be submitted prior to issue of a building licence, to the satisfaction of the Director Urban Management.
10. The applicant shall submit modified elevation plans for the southern elevation of the development detailing architectural treatments including brick banding, additional windows, variation in building materials and colours designed to reduce the visual aspect of the parapet wall, to the satisfaction of the Director Urban Management
11. All car parking areas and access ways shall be sealed, kerbed and line- marked of to the City's specifications and shall be installed prior to occupancy.
12. Vehicle parking and manoeuvring shall be in accordance with AS 2890.1. Car bays shall be a minimum of 2.5m x 5.5m with a 6.0m wide access way between rows. The last car bay in blind aisles shall be a minimum width of 3.5m and any car bay adjacent to a wall, rail, structure, etc higher than 150mm shall be a minimum width of 2.8m.
13. The wing walls as shown at the doorways and adjacent to the vehicular access points to the building shall be deleted and the doorways shall be relocated 1m further into the building to provide better visibility to pedestrians using the footpath.
14. The splitter-island between the two vehicular access points shall be 1.2m wide and demarcated in a contrasting material flush with the proposed crossover.
15. All redundant crossovers shall be removed and the verge reinstated at the applicant's expense to the satisfaction of the Director Urban Management.
16. The five verge trees adjacent to the site in South Terrace shall be protected and retained prior to and during construction. Details of the method of protection to be used shall be submitted to the satisfaction of the Director Urban Management.
17. The affected verge tree in Suffolk St shall be removed at the applicant's expense to the satisfaction of the Director Urban Management.
18. Replacement verge trees for Suffolk Street shall be planted and maintained by the applicant to the satisfaction of the Director Urban Management.
19. Costs associated with removing leaf litter from the canopies of the building shall remain responsibility of the owner.
20. Planter boxes as shown on the plans shall be installed, planted by the applicant prior to occupation of the building, and maintained thereafter, to the satisfaction of the Director Urban Management.
21. The applicant shall ensure, by the use of controlled ventilation, filters, activated carbon or other measures, that no odours emanating from exhaust fume hoods and the like on the premises are detectable on adjacent properties.
22. An independent report shall be commissioned, at the expense of the applicant, detailing any contamination of the site, and the report shall detail any remediation actions required to be

undertaken on the site prior to the use commencing. The site shall be remediated to the satisfaction of the Director Urban Management, in accordance with the recommendations of the independent report on the contamination of the site, prior to the issue of a building licence.

23. To ensure surrounding residential areas are protected from dust, the site shall be securely fenced to a minimum height of 1.8m, with such fencing lined from ground level to full height with dust proof material (eg Hessian or shade-cloth) during any remediation works.
24. All stormwater runoff shall be disposed of to the satisfaction of the Director Urban Management. Details of how this is to be achieved shall be approved prior to the issue of a building licence.
25. Refuse bins shall be provided to adequately service the development prior to occupancy, to the satisfaction of the Director Urban Management.
26. Rubbish storage area to be provided and screened from public view to the satisfaction of Director Urban Management, prior to occupancy.
27. All landscaping and reticulation shall be planted / installed to the satisfaction of the Director Urban Management prior to occupancy and maintained thereafter.
28. A construction management plan shall be submitted prior to the issue of a building licence, detailing matters such as staging, noise and dust mitigation, construction/development times, equipment and materials delivery, storage and removal, waste storage and removal, complaint resolution, worker parking and site rehabilitation during the construction phase of the development. The plan shall be implemented, as required, to the satisfaction of the Director Urban Management.
29. The development shall be connected to the reticulated sewerage system prior to occupancy and thereafter.
30. The awning treatments proposed for the first and second floors shall be modified to improve the visual amenity of the development and complement the surrounding urban development to the satisfaction of the Director Urban Management.
31. Access crossovers provided along Suffolk Street shall be treated in red oxidized asphalt or paved to the satisfaction of the Director Urban Management.
32. A detailed signage plan shall be submitted and approved to the satisfaction of the Director Urban Management prior to the installation of signage, or signage shall be the subject of future application/s for planning approval, and a sign licence shall be applied for and obtained prior to installation of any sign.
33. Revised plans detailing the redesign required by this approval and conditions shall be submitted to the satisfaction of the Director Urban Management prior to the issue of a building licence.
34. The façade treatments fronting South Terrace and Suffolk Street be modified to incorporate a mix of building materials (feature brick work and render), awning lighting, building lighting, upgraded entry statement at the intersection, feature roof profile and variation in awning levels

as detailed in red on the approved plans to complement the surrounding urban character to the satisfaction of the Director Urban Management.

Advisory Notes:

- (i) A building licence is required prior to the commencement of construction works.
- (ii) This plan proposes to construct entry canopies for the building along South Terrace. The applicant is advised that Weeping Elms have a broad canopy spread and are deciduous. Construction of canopies into the road reserve would mean that all cleaning costs for the canopies associated with leaf litter from these trees would be the applicant's responsibility. The applicant is advised that verge trees will not be pruned for vistas to signage. Replacement verge tree species are to be determined by the City's Parks & Gardens department and a minimum root-ball size of 200 litres.
- (iii) No pruning of the South Terrace verge trees is permitted without prior written approval of the City's Parks & Gardens department.
- (iv) Prior to the installation of mechanical ventilation equipment, the manufacturer's rated noise levels and unit locations are to be submitted to the Director Urban Management. Immediately following the installation and commissioning of the equipment, the applicant is to submit to the Director the results of a certified test of the noise level of in-service performance demonstrating compliance with the Environmental Protection (Noise) Regulations 1997.
- (v) In relation to conditions 22 and 23 it is noted that an assessment has been forwarded to the Department of Environment identifying contamination. The information received to date is insufficient to allow assessment of the site and any remediation to be required. The advice the Department of Environment will be sought in regard to the work required by conditions 22 and 23.
- (vi) Used dressings, hypodermic syringed needles, etc are required to be kept in approved sealed impervious receptacles. All medical waste is required to be collected and disposed of by an approved contractor.
- (vii) The applicant is requested to approach the owners of the Arundel Court units with the view of negotiating the possible lease of the existing decked car parking facility and redevelopment options for the Suffolk Street frontage for residential purposes.
- (viii) In relation to condition 34 the applicant is requested to contact the Director Urban Management to finalise the design of the external façade treatments, prior to submitting an application for building approval.

Recommendation to Council

That Council support planning consent by the Town Planning Appeal Tribunal under the Metropolitan Region Scheme and Town Planning Scheme No. 3 for a mixed use development as a three storey building with basement, comprising private day care hospital, medical consulting rooms, pharmacy and up to four dwellings, at No. 65 (Lot 12) South Terrace, Fremantle, generally based on the modified plans dated June 2004 and which must be further modified to reflect this approval and conditions, subject to the following conditions:

1. To accord with the density coding of the site the number of dwellings shall be reduced to a maximum of four, to a design to the satisfaction of the Director Urban Management.
2. The shortfall in parking bays (5 bays) being accommodated on-site with a redesign of the ground floor consulting offices or by a cash-in-lieu to identify and provide additional parking bays in the immediate locality to the satisfaction of the Director Urban Management.
3. Prior to the issue of a building licence, the applicant shall consult with the City and submit a traffic management plan to the satisfaction of the Director Urban Management, that through engineering design addresses traffic movements and management measures for the development, including works to be undertaken at the cost of the applicant.
4. All elevator plant, air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Director Urban Management. Full details shall be submitted prior to the issue of a building licence.
5. Continuous awnings/verandas shall be provided for pedestrian weather protection and shade at all street frontages of the building, including above the service access, to a design to the satisfaction of the Director Urban Management.
6. Gates to the parking/service areas shall present to the street as being visually open. Details of the design shall be to the satisfaction of the Director Urban Management.
7. Lighting shall be provided at the applicant's expense to the parking/service access facing Suffolk Street. This lighting shall be of a standard to the satisfaction of the Director Urban Management and shall be fully illuminated except during daylight hours.
8. All footpath and verge areas adjacent to the site shall be upgraded to the satisfaction of the Director Urban Management.
9. Details of external materials, finishes and colours and shall be submitted prior to issue of a building licence, to the satisfaction of the Director Urban Management.
10. The applicant shall submit modified elevation plans for the southern elevation of the development detailing architectural treatments including brick banding, additional windows, variation in building materials and colours designed to reduce the visual aspect of the parapet wall, to the satisfaction of the Director Urban Management
11. All car parking areas and access ways shall be sealed, kerbed and line- marked of to the City's specifications and shall be installed prior to occupancy.
12. Vehicle parking and manoeuvring shall be in accordance with AS 2890.1. Car bays shall be a minimum of 2.5m x 5.5m with a 6.0m wide access way between rows. The last car bay in blind aisles shall be a minimum width of 3.5m and any car bay adjacent to a wall, rail, structure, etc higher than 150mm shall be a minimum width of 2.8m.

13. The wing walls as shown at the doorways and adjacent to the vehicular access points to the building shall be deleted and the doorways shall be relocated 1m further into the building to provide better visibility to pedestrians using the footpath.
14. The splitter-island between the two vehicular access points shall be 1.2m wide and demarcated in a contrasting material flush with the proposed crossover.
15. All redundant crossovers shall be removed and the verge reinstated at the applicant's expense to the satisfaction of the Director Urban Management.
16. The five verge trees adjacent to the site in South Terrace shall be protected and retained prior to and during construction. Details of the method of protection to be used shall be submitted to the satisfaction of the Director Urban Management.
17. The affected verge tree in Suffolk St shall be removed at the applicant's expense to the satisfaction of the Director Urban Management.
18. Replacement verge trees for Suffolk Street shall be planted and maintained by the applicant to the satisfaction of the Director Urban Management.
19. Costs associated with removing leaf litter from the canopies of the building shall remain responsibility of the owner.
20. Planter boxes as shown on the plans shall be installed, planted by the applicant prior to occupation of the building, and maintained thereafter, to the satisfaction of the Director Urban Management.
21. The applicant shall ensure, by the use of controlled ventilation, filters, activated carbon or other measures, that no odours emanating from exhaust fume hoods and the like on the premises are detectable on adjacent properties.
22. An independent report shall be commissioned, at the expense of the applicant, detailing any contamination of the site, and the report shall detail any remediation actions required to be undertaken on the site prior to the use commencing. The site shall be remediated to the satisfaction of the Director Urban Management, in accordance with the recommendations of the independent report on the contamination of the site, prior to the issue of a building licence.
23. To ensure surrounding residential areas are protected from dust, the site shall be securely fenced to a minimum height of 1.8m, with such fencing lined from ground level to full height with dust proof material (eg Hessian or shade-cloth) during any remediation works.
24. All stormwater runoff shall be disposed of to the satisfaction of the Director Urban Management. Details of how this is to be achieved shall be approved prior to the issue of a building licence.
25. Refuse bins shall be provided to adequately service the development prior to occupancy, to the satisfaction of the Director Urban Management.

26. Rubbish storage area to be provided and screened from public view to the satisfaction of Director Urban Management, prior to occupancy.
27. All landscaping and reticulation shall be planted / installed to the satisfaction of the Director Urban Management prior to occupancy and maintained thereafter.
28. A construction management plan shall be submitted prior to the issue of a building licence, detailing matters such as staging, noise and dust mitigation, construction/development times, equipment and materials delivery, storage and removal, waste storage and removal, complaint resolution, worker parking and site rehabilitation during the construction phase of the development. The plan shall be implemented, as required, to the satisfaction of the Director Urban Management.
29. The development shall be connected to the reticulated sewerage system prior to occupancy and thereafter.
30. The awning treatments proposed for the first and second floors shall be modified to improve the visual amenity of the development and complement the surrounding urban development to the satisfaction of the Director Urban Management.
31. Access crossovers provided along Suffolk Street shall be treated in red oxidized asphalt or paved to the satisfaction of the Director Urban Management.
32. A detailed signage plan shall be submitted and approved to the satisfaction of the Director Urban Management prior to the installation of signage, or signage shall be the subject of future application/s for planning approval, and a sign licence shall be applied for and obtained prior to installation of any sign.
33. Revised plans detailing the redesign required by this approval and conditions shall be submitted to the satisfaction of the Director Urban Management prior to the issue of a building licence.
34. The façade treatments fronting South Terrace and Suffolk Street be modified to incorporate a mix of building materials (feature brick work and render), awning lighting, building lighting, upgraded entry statement at the intersection, feature roof profile and variation in awning levels as detailed in red on the approved plans to complement the surrounding urban character to the satisfaction of the Director Urban Management.
35. The plans being modified to provide a top floor setback from South Terrace to reflect the plans dated February 2004 (A03A) to the satisfaction of the Director, Urban Management.

Advisory Notes:

- (i) A building licence is required prior to the commencement of construction works.
- (ii) This plan proposes to construct entry canopies for the building along South Terrace. The applicant is advised that Weeping Elms have a broad canopy spread and are deciduous. Construction of canopies into the road reserve would mean that all cleaning costs for the canopies associated with leaf litter from these trees would be the applicant's responsibility. The applicant is advised that verge trees will not be pruned for vistas to signage.

Replacement verge tree species are to be determined by the City's Parks & Gardens department and a minimum root-ball size of 200 litres.

- (iii) No pruning of the South Terrace verge trees is permitted without prior written approval of the City's Parks & Gardens department.
- (iv) Prior to the installation of mechanical ventilation equipment, the manufacturer's rated noise levels and unit locations are to be submitted to the Director Urban Management. Immediately following the installation and commissioning of the equipment, the applicant is to submit to the Director the results of a certified test of the noise level of in-service performance demonstrating compliance with the Environmental Protection (Noise) Regulations 1997.
- (v) In relation to conditions 22 and 23 it is noted that an assessment has been forwarded to the Department of Environment identifying contamination. The information received to date is insufficient to allow assessment of the site and any remediation to be required. The advice the Department of Environment will be sought in regard to the work required by conditions 22 and 23.
- (vi) Used dressings, hypodermic syringed needles, etc are required to be kept in approved sealed impervious receptacles. All medical waste is required to be collected and disposed of by an approved contractor.
- (vii) The applicant is requested to approach the owners of the Arundel Court units with the view of negotiating the possible lease of the existing decked car parking facility and redevelopment options for the Suffolk Street frontage for residential purposes.
- (viii) In relation to condition 34 the applicant is requested to contact the Director Urban Management to finalise the design of the external façade treatments, prior to submitting an application for building approval.

Moved by: Cr. Helen Hewitt

For	Against
Cr. Helen Hewitt Cr. Tony Miosich Cr. Kathy Anketell Cr. Steve Gorman Cr. Doug Thompson	

CARRIED: 5/0

CR H HEWITT MOVED THAT THE FOREGOING RECOMMENDATION NUMBERED DAC0407-249 BE ADOPTED

SECONDED BY CR D THOMPSON

CR P DOUGLAS MOVED A MINOR AMENDMENT BY THE INCLUSION OF PART 9 TO THE ADVISORY NOTES AS FOLLOWS:

- (ix) Given the concerns of residents in Suffolk Street to the impact of any increase in traffic as a direct result of this application, the Council requests the Director to consider the petition presented to Council on 19 July 2004 from 28 residents of Suffolk Street prior to executing his delegated authority as contained in condition 3.

CR KATHY ANKETELL RE-ENTERED THE CHAMBER AT THIS JUNCTURE BEING 6.37 PM

MINOR AMENDMENT PUT AND CARRIED 11/1

For	Against
The Mayor, Peter Tagliaferri	Cr Helen Hewitt
Cr Bob Smith	
Cr Shirley Mackay	
Cr Kathy Anketell	
Cr Geoff Graham	
Cr Phil Douglas	
Cr Steve Gorman	
Cr Doug Thompson	
Cr Rose Pinter	
Cr Tony Miosich	

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY 12/0

For	Against
The Mayor, Peter Tagliaferri	
Cr Bob Smith	
Cr Shirley Mackay	
Cr Kathy Anketell	
Cr Geoff Graham	
Cr Phil Douglas	
Cr Steve Gorman	
Cr Doug Thompson	
Cr Rose Pinter	
Cr Tony Miosich	
Cr Helen Hewitt	

CR J ALBERTI RE-ENTERED THE CHAMBER AT THIS JUNCTURE BEING 6.46 PM

**DAC0407-258 Draft Local Planning POLICY: DC2 Special Purpose Dwellings
Deletion Of Current Planning Policy Dc1 Additional Accommodation & Current
Policy Dc2 Aged And Dependant Persons Dwellings To Be Replaced With
Revised Policy (FINAL ADOPTION) (RM) (Attachment: Att0407-258)
This Item Is Recommended For Council Adoption**

Purpose

Final adoption of draft local planning policy and proposed policy deletion.

Relevant Background

October 4th 2002, The Minister for Planning and Infrastructure adopted the revised Residential Design Codes.

The Residential Design Codes form the basis for residential development assessment in Western Australia. Council's Local Planning Policies in many cases are inconsistent with the new Codes and in some cases now irrelevant. The Codes also enable local governments to prepare or amend local planning policies to vary the standard requirements of the Codes in order to respond to local circumstances.

This report identifies the need to revise Council's policies and in some instances delete policies that either conflict with the Codes or that is no longer applicable.

Comment

Special Purpose Dwellings

The new Residential Design Codes have introduced "special purpose dwellings". Special purpose dwellings include: single bedroom dwellings, ancillary accommodation and aged or dependent purpose dwellings.

Subject to fulfilling certain conditions, the Codes provide density bonuses for special purpose dwellings. The density bonus is viewed as an incentive to provide greater variety in housing.

The City currently has policies on some categories of special purpose dwellings that now need to be reviewed in light of the new Residential Design Codes.

Deletion of Council's Policy D.C.1 'Additional Accommodation'

Additional accommodation is the term used to describe "granny flats".

Essentially, the new Residential Design Codes now supersede additional accommodation with "ancillary accommodation". and is defined as follows:

Ancillary accommodation is defined as self-contained accommodation on the same lot as a single house that may be attached or detached from the single house and which is occupied by members of the same family as the occupiers of the main dwelling.

The Codes outline the following key requirements for ancillary accommodation:

- The sole occupant or occupants are members of the family of the occupiers of the main dwelling.
- The lot is not less than 450sqm
- The open space requirements of table 1 (R Codes) are met.

- There is a maximum plot ratio area of 60sqm
- One additional car space to be provided.

Deletion and amendment of policy Council's Policy D.C.2 'Aged and Dependant Persons Dwellings'

It is clear from the lack of detailed information contained in the current policy for aged and dependant persons dwellings that a revision of this policy is appropriate.

The proposed policy "Special Purpose Dwellings" not only deletes the existing policy but replaces it with a more comprehensive policy which covers all dwellings as described in section 4 of the Residential Design Codes.

In accordance with other local authorities it is proposed that Council adopt a standard that goes beyond that of the R Codes and seeks compliance with the Liveable Neighbourhoods community design standards.

Location of aged and dependant person's dwellings should be considered in terms of realistic walking distances for those who cannot afford to own / maintain a motor vehicle.

Further design standards are proposed which give guidance to developers and the planning officer assessing an application to ensure that this type of housing is best suitable for any particular site.

The policy seeks further detailed assessment than the existing policy as well as being consistent with the provisions of the R Codes.

Single bedroom dwellings

The Residential Design Codes, Clause 4.1.3 specify particular standards for the development of small single bedroom special purpose dwellings.

Council's policy seeks to broaden the assessment of the R Codes being specific to Fremantle. It is proposed that any single bedroom residence be limited in height to a single storey with loft (maximum external wall height of 4.8m).

As a relaxation of the Codes, the policy seeks to give guidance to allowing a slight area increase in plot ratio floor space to 75sqm.

The policy seeks to provide additional advice further to the R Codes whilst providing for relaxations which may be applicable to Fremantle.

Housing Density and Land Area Requirements.

The proposed policy seeks to clarify the application of a density bonus system for special purpose dwellings as permitted by the R Codes, as well as use an example for the calculation and methodology of that density bonus.

City Plan

This item reflects Council's commitment to a quality built environment, in particular diversification of housing and accommodation.

Policy Implications

Preparation of the policy is required to conform to the provisions of *Council's Policy D.A.13 'Application of procedures for making and amending Development Land Use Policies'*. The policy requires draft policies to be advertised for a minimum period of 28 days.

Community Consultation Comment

The proposed amendments to Council's policies were adopted for consent to advertise to the community on the 30th September 2003. The period of advertising was originally open until the 30th December 2003, but was however extended until the 30th March 2004 to allow the North Precinct and opportunity to comment in accordance with their meeting schedule.

The proposed policy has been advertised in accordance with Council's Policy D.A.13 'Application of procedures for making and amending Development Land Use Policies', which has included internet webpage access, policies available at the Service and Information Counter, letter of notification to key stakeholders which has included architects, surveyors and building companies. The notification has been sent to each precinct for their comment.

South Precinct Comment

- Restricting the number of single bedroom dwellings to one per development site and restricting the height to 4.8m is not supported. There are development site which may be well suited to several single bedroom dwellings, and restricting the height precludes sites where a two storey single bedroom dwelling may be ideally suited.
- Ancillary Accommodation. No where is there a stipulated size limit. They believe that if the requirements are to truly deal with accommodation for family members (granny flat) then there must be a size limit to reflect that.

No other precinct or individual comment received.

Comment on submission

1. It is assessed that in limiting the amount of single bedroom dwellings to one per site, a development can be controlled to allow for a greater mix and standard of housing. The intention of the provision of single bedroom dwellings is not to over-develop an under sized site, the intention is to provide affordable housing. It is not the intention to limit the amount of one bedroom dwellings per site; it is however intended to limit the extent of density bonus applicable to a site.

It is recommended that only one single bedroom residence attracting a density bonus shall be allowed and this is reflected in Council's policy. One bedroom dwellings which do not warrant a density bonus in accordance with the R Codes will not be limited in number through the application of this policy.

2. The Residential Design Codes 2002 Clause 4.1.1 stipulates criteria for the assessment of ancillary accommodation. A limit of 60m² plot ratio floor space is a requirement of this clause. This has been added to the policy document as a guide. The policy also makes reference to ancillary accommodation only being permitted on lots greater than 450m².

Changes as a result of internal and external comment.

As per point two above.

Conclusion

The draft policy has been prepared in response to changes to State government policy, in specific the Residential Design Codes. The deletion of and amendment to Council's policies seek to update the existing policies and delete those which are duplicated or no longer applicable. It is recommended that the proposed changes to policy will simplify the assessment of associated applications and demonstrate an easier to understand guideline for the City and its residents.

Recommendation to Council

That the Council, ADOPT:

- (i) **The proposed deletion of Council's Policy D.C.1 'Additional Accommodation'**
- (ii) **The proposed deletion of Council's Policy D.C.2 'Aged and Dependant Persons Dwellings'**
- (iii) **Local Planning Policy DC2 Special Purpose Dwellings.**

Moved by: Cr. Helen Hewitt

For	Against
Cr. Helen Hewitt Cr. Tony Miosich Cr. Kathy Anketell Cr. John Alberti Cr. Steve Gorman Cr. Doug Thompson	

CARRIED: 6/0

CR H HEWITT MOVED THAT THE FOREGOING RECOMMENDATION NUMBERED DAC0407-258 BE ADOPTED

SECONDED BY CR D THOMPSON

PUT AND CARRIED UNANIMOUSLY 12/0

For	Against
The Mayor, Peter Tagliaferri	
Cr Bob Smith	
Cr Shirley Mackay	
Cr Kathy Anketell	
Cr Geoff Graham	
Cr Phil Douglas	
Cr Steve Gorman	
Cr Doug Thompson	
Cr Rose Pinter	
Cr Tony Miosich	
Cr Helen Hewitt	
Cr John Alberti	

DAC0407-259 Amendment To Council's Policy D.B.H3 'Development Levels (Extent Of Cut And Fill)' Final Adoption
(RM) (Attachment: Att0407-259)
This Item Is Recommended For Council Adoption

Purpose

Adoption of revised local planning policy amendments.

Relevant Background

October 4th 2002, The Minister for Planning and Infrastructure adopted the Residential Design Codes.

The Residential Design Codes form the basis for residential development assessment policy for Western Australia. Council's Local Planning Policies in many cases are inconsistent with the new Codes and in some cases now irrelevant.

This report identifies the need to revise Council's Policies that either conflict with the Codes or that is no longer applicable.

Comment

Amendment to Council's Policy D.B.H3 'Development Levels (Extent of Cut and Fill)'

The proposed amendments to Council's policy reflect the objectives of the R Codes as well as maintaining clarity in terms of what is an acceptable alteration to site levels. The new R Code provisions are now more stringent than Council's existing policy. It is proposed to combine both methods of assessment into a comprehensive assessment tool in the format of a revised local planning policy.

The revised policy provides guidance for retaining of land, setback of retaining walls, acceptable levels of fill and advertising procedures as per Council's Policy D.A.5 'Advertising and Notification of Development Applications' for potentially affected neighbouring properties.

It is recommended that Council maintain its definition of measuring site levels and if the proposal varies from the policy / R Codes then it shall be determined by the Development Assessments Unit or subsequently referred to the Development Assessments Committee if unresolved at DAU level.

In summary the revised policy coordinates the requirements of the previous policy and the new R Code provisions, providing a clear policy framework for the assessment of site levels and retaining walls for planning applications.

Policy Implications

Preparation of the policy is required to conform to the provisions of *Council's Policy D.A.13 'Application of procedures for making and amending Development Land Use Policies'*. The policy requires draft policies to be advertised for a minimum period of 28 days.

Community Consultation Comment

The proposed amendments to Council's policy were adopted for consent to advertise to the community on the 30th September 2003. The period of advertising was originally open until the 30th December 2003, but was however extended until the 30th March 2004 to allow the North Precinct an opportunity to comment in accordance with their meeting schedule.

The proposed policy has been advertised in accordance with Council's Policy D.A.13 'Application of procedures for making and amending Development Land Use Policies', which has included internet webpage access, policies available at the Service and Information Counter, letter of notification to key stakeholders which has included architects, surveyors and building companies. The notification has been sent to each Precinct for their comment.

South Precinct Comment

- Clause 2.2(f) Stepping down of building levels. The submitter believes that while this may be appropriate for many sites, it does raise the potential for the upper building to gain excessive height over the existing buildings. A provision should allow some cut and fill in these instances.
- The measurement of building height does not state whether or not this takes into consideration the permitted 500mm or not.

No other precinct or individual comment received.

Comment on submission

- The measurement of building height incorporates any degree of fill to a site. The measurement of building height is taken from the height of the wall to the point of natural ground level. The stepping down of buildings discourages the importing of fill to a site in order to maintain one consistent ground level; this is more prevalent on sloping sites.
- Cutting and filling is encouraged whereby the fill does not exceed 500mm above natural ground level, and where it can be demonstrated that the overall development site does not propose amenity impact to adjoining residential properties.
- In the case of Industrial properties it may be more appropriate to consider higher degrees of fill whereby for example in O'Connor, sloping sites and imported fill may not impact on other adjoining industrial properties. This is subject to assessment of this policy and site specific considerations.

Conclusion

The draft policy has been prepared in response to changes in state government policy, in specific the Residential Design Codes. The deletion and amendment to Council's policies seek to update the existing policies and delete those which are duplicated or no longer applicable. It is recommended that the proposed changes to policy will simplify the assessment of associated applications and demonstrate an easier to understand guideline for the City and its residents.

As a result of the community and internal consultation process it is assessed that there are no requirements for further amendments to this policy and that it should be recommended for final adoption.

Recommendation to Council

That the Council, ADOPT:

1. **The proposed amendment, Council’s Policy D.B.H3 ‘Development Levels (Extent of Cut and Fill)’.**

Moved by: Cr. Helen Hewitt

For	Against
Cr. Helen Hewitt Cr. Tony Miosich Cr. Kathy Anketell Cr. John Alberti Cr. Steve Gorman Cr. Doug Thompson	

CARRIED: 6/0

CR H HEWITT MOVED THAT THE FOREGOING RECOMMENDATION NUMBERED DAC0407-259 BE ADOPTED

SECONDED BY CR D THOMPSON

PUT AND CARRIED UNANIMOUSLY 12/0

For	Against
The Mayor, Peter Tagliaferri Cr Bob Smith Cr Shirley Mackay Cr Kathy Anketell Cr Geoff Graham Cr Phil Douglas Cr Steve Gorman Cr Doug Thompson Cr Rose Pinter Cr Tony Miosich Cr Helen Hewitt Cr John Alberti	

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

REPORTS BY MAYOR OR OFFICERS OF COUNCIL

STATUTORY COUNCIL ITEMS 19 July 2004

MAYOR P TAGLIAFERRI MOVED EN BLOC THE FOLLOWING RECOMMENDATIONS NUMBERED C0407-10 TO C0407-15 INCLUSIVE BE ADOPTED.

SECONDED BY CR D THOMPSON

PUT AND CARRIED UNANIMOUSLY 12/0

For

Against

The Mayor, Peter Tagliaferri
Cr Bob Smith
Cr Shirley Mackay
Cr Kathy Anketell
Cr Geoff Graham
Cr Phil Douglas
Cr Steve Gorman
Cr Doug Thompson
Cr Rose Pinter
Cr Tony Miosich
Cr Helen Hewitt
Cr John Alberti

**C0407-10 Abbreviated Statements of Financial Position at 30 June 2004
Financial Statements Book**

**DataWorks Reference: 087/002;
Manager Finance & Administration**

DECISION MAKING AUTHORITY

Council Decision SIMPLE MAJORITY REQUIRED

PURPOSE

Present a summary of financial information for the month ending 30 June 2004.

EXECUTIVE SUMMARY

The abbreviated statements of financial position for the month are contained within the attached Financial Booklet and the item is to receive the statements.

STRATEGIC & POLICY IMPLICATIONS

Efficient and Effective Local Government

- Our financial planning and performance are transparent to the community.
- All statutory and legal requirements are met.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Not applicable.

Environmental

Not applicable

Social

Not applicable.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Information provided in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Not applicable.

OFFICER'S RECOMMENDATION

That the Abbreviated Statements of Financial Position for the period ending 30 June 2004 be received.

ITEM NUMBERED C0407-11 WAS MOVED AND CARRIED EN BLOC UNANIMOUSLY EARLIER IN THE MEETING

C0407-11 Confirmation of Accounts for Payment June 2004 Financial Statements Book

DataWorks Reference: 087/002;
Manager Finance & Administration

DECISION MAKING AUTHORITY

Council Decision SIMPLE MAJORITY REQUIRED

PURPOSE

Present the listing of payments made during June 2004.

EXECUTIVE SUMMARY

The list of payments made during the month is contained within the attached Financial Booklet and the item is to receive the information.

REPORT

Comment

Where a creditor is GST registered, the value of the payment is inclusive of GST. Note: The Council budget figures are exclusive of GST and figures quoted in Council items are taken as GST exclusive unless otherwise stated.

STRATEGIC & POLICY IMPLICATIONS

Efficient and Effective Local Government

- Our financial planning and performance are transparent to the community.
- All statutory and legal requirements are met.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Not applicable.

Environmental

Not applicable

Social

Not applicable.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Information provided in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Not applicable.

OFFICER'S RECOMMENDATION

That the listing of payments of accounts within the Financial Statements Book for the month of June 2004 amounting to \$10,516,302.39 be received.

ITEM NUMBERED C0407-12 WAS MOVED AND CARRIED EN BLOC UNANIMOUSLY EARLIER IN THE MEETING

C0407-12 Sundry Debtors Report June 2004 Attachment No. 1

**DataWorks Reference: 089/004;
Manager Finance & Administration**

DECISION MAKING AUTHORITY

Council Decision SIMPLE MAJORITY REQUIRED

PURPOSE

Present a monthly report on outstanding sundry debtors as requested by Council.

EXECUTIVE SUMMARY

The attached report summaries the outstanding sundry debtors and the item is to receive the information.

STRATEGIC & POLICY IMPLICATIONS

The item has a general connection to the City Plan.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Not applicable.

Environmental

Not applicable

Social

Not applicable.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Not applicable.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Not applicable.

OFFICER'S RECOMMENDATION

That the report for June 2004 be received.

ITEM NUMBERED C0407-13 WAS MOVED AND CARRIED EN BLOC UNANIMOUSLY EARLIER IN THE MEETING

C0407-13 Investment Report June 2004 Attachment No. 2

**DataWorks Reference: 089/004;
Manager Finance & Administration**

DECISION MAKING AUTHORITY

Council Decision SIMPLE MAJORITY REQUIRED

PURPOSE

Present a monthly report on investments as required by Council.

EXECUTIVE SUMMARY

The attached report summarizes the investments and earnings from those investments. The item is to receive the information.

STRATEGIC & POLICY IMPLICATIONS

The item has a general connection to the City Plan.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Not applicable.

Environmental

Not applicable

Social

Not applicable.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Guidelines on Delegated Authority Item 3.2 (Investment of Surplus Cash Funds) require a monthly report to be submitted to Council.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Not applicable.

OFFICER'S RECOMMENDATION

That the report for June 2004 be received.

ITEM NUMBERED C0407-14 WAS MOVED AND CARRIED EN BLOC UNANIMOUSLY EARLIER IN THE MEETING

C0407-14 Applications for Crossovers by City of Fremantle for June 2004

DataWorks Reference: Crossover Applications
Technical Assistant – Street Management

DECISION MAKING AUTHORITY

Information only no decision required.

PURPOSE

Report on the number of crossovers approved by the Manager Physical Services (under delegated authority) to be constructed by the City of Fremantle for the month of June 2004.

Background

Council has requested that details of crossover construction be reported on a monthly basis. For the month of June 2004 3 crossovers constructed.

STRATEGIC & POLICY IMPLICATIONS

Strategy 3 – a Beautiful and accessible place, item 5 Facilities and infrastructure

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Not applicable

Environmental

Not applicable

Social

Not applicable

BUDGET IMPLICATIONS

Not applicable

LEGISLATIVE AND LEGAL CONSIDERATIONS

Not applicable

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

This matter has not been referred to Precincts.

This matter does not come under the guidelines of an Advisory Committee.

OFFICER'S RECOMMENDATION

The information be received.

ITEM NUMBERED C0407-15 WAS MOVED AND CARRIED EN BLOC UNANIMOUSLY AND BY AN ABSOLUTE MAJORITY EARLIER IN THE MEETING

C0407-15 Arts, Culture and Events Advisory Committee - Minutes 25 May 2004 (Council Decision) Attachment No. 3

DataWorks Reference: Advisory Committee-Arts; 039/002;
Author: Ken Posney
Actioning Officer: Ken Posney

DECISION MAKING AUTHORITY

Council Decision ABSOLUTE MAJORITY REQUIRED

PURPOSE

Acceptance of Minutes of the Arts, Culture and Events Advisory Committee Meeting of 25 May 2004 attached as Attachment No. 3.

EXECUTIVE SUMMARY

Business of the meeting included:-

- Fremantle Festival – a report prepared by June Moorhouse was well received and debated by the Committee. The Committee decided to re-visit the Charter and clarify the overall statement of purpose for the Festival and concluded that this could be done in a workshop and selected participants should be invited.
- Outcomes of the community workshop were tabled and recommended actions were listed.
- Discussion of revision of the Cultural Policy and Plan was deferred to the next meeting of the Committee for a more detailed discussion.
- Facilities Reference Group for the Fremantle Arts Centre – the membership and terms of reference were approved.

STRATEGIC & POLICY IMPLICATIONS

N/A

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

N/A

Environmental

N/A

Social

N.A

BUDGET IMPLICATIONS

N/A

LEGISLATIVE AND LEGAL CONSIDERATIONS

N/A

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

N/A

OFFICER'S RECOMMENDATION

That the minutes of the Arts, Culture and Events Advisory Committee meeting held on 25 May 2004 be accepted.

GENERAL COUNCIL ITEMS – 19 July 2004

C0407-16 53 Moran Court (Lot 502), Beaconsfield Sale-

DataWorks Reference: Property Working Group, Property Review 053/001, 53 Moran Court (Lot 502)

David Duncanson – Economic Development Officer

DECISION MAKING AUTHORITY

Council

Absolute majority required

PURPOSE

To advise Council of any public comments received as a result of advertising the sale of 53 Moran Court (Lot 502) as a major land transaction.

EXECUTIVE SUMMARY

There being no public comments received in relation to the sale of 53 Moran Court (Lot 502) it is recommended that the sale proceeds.

REPORT

Background

Council considered an offer to purchase 53 Moran Court (Lot 502) at its meeting on 10 May 2004 (item CO405 -10). The recommendation adopted by Council at that meeting was:

That:

- 1. lot 502 be sold to the Moltoni Clough Joint Venture for the sum of \$560,000 + GST;**
- 2. in order to comply with the Local Government Act, the proposed sale is advertised statewide and that a report be brought back to Council containing any comments received and for final acceptance of the sale by Council;**
- 3. settlement to take place 6 months from the final date of acceptance of the offer by the City of Fremantle, following advertising; and**
- 4. a legal agreement be entered into with the purchaser to ensure that on the subdivision of the land, a two metre wide strip on the northern boundary of Lot 502 be ceded for possible future road widening.**

In accordance with the Local Government Act a business plan was produced and the proposed sale was advertised as a major land transaction both locally and statewide on two occasions. The comment period was six weeks which ended on the 28 June 2004. As a result of the advertising no comments have been received.

Comment

Council has complied with its statutory obligations under the Local Government Act.

Conclusion

No comments with regard to the proposed sale have been received, therefore Council can now make a final decision on the sale of this property.

STRATEGIC & POLICY IMPLICATIONS

This item has general connection to the City Plan.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

The proposed sale will result in the development of the land for residential purposes which will bring additional economic benefits to the City through an increase in the number of residents and an increase in rates revenue.

Jobs will be created in the development phase of the land.

Environmental

The land is currently a disused quarry which, when developed, will improve the appearance of the site.

Social

The development of the land will result in an increase in the number of residents which will increase the demand for services within the area.

BUDGET IMPLICATIONS

The sale will have a positive effect on the budget

LEGISLATIVE AND LEGAL CONSIDERATIONS

Council will enter into a contract with the purchaser to ensure that a two metre wide road reserve be maintained on the site's northern boundary.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

In addition to the proposed sale being advertised locally and statewide the business plan was sent to the local precinct for comment.

OFFICER'S RECOMMENDATION

That:

1. having complied with the Local Government Act 53 Moran Court (Lot 502) be sold to the Moltoni Clough Joint Venture for the sum of \$560,000 + GST;
2. settlement to take place within 6 months from the final date of acceptance of the offer by the City of Fremantle, following advertising; and
3. a legal agreement be entered into with the purchaser to ensure that on the subdivision of the land, a two metre wide strip on the northern boundary of Lot 502 be ceded for possible future road widening.

MAYOR P TAGLIAFERRI MOVED THAT THE FOREGOING RECOMMENDATION NUMBERED C0407-16 BE ADOPTED

SECONDED BY CR D THOMPSON

PUT AND CARRIED UNANIMOUSLY 12/0

For	Against
The Mayor, Peter Tagliaferri	
Cr Bob Smith	
Cr Shirley Mackay	
Cr Kathy Anketell	
Cr Geoff Graham	
Cr Phil Douglas	
Cr Steve Gorman	
Cr Doug Thompson	
Cr Rose Pinter	
Cr Tony Miosich	
Cr Helen Hewitt	
Cr John Alberti	

C0407-17 Structure Plan & Town Planning Scheme No3 Amendment No.64 (Sealanes & Wool Testing Authority Site) - Report on Submissions and Suggested Revision to Structure Plan Amendment - ATT Attachment No. 4

DataWorks Reference: 271/015; 115/079 ; ;
Author: Jill Hanna, Manager Strategic Planning & Corporate Development
Development
Actioning Officer: Jill Gaynor, Land Use Planner

DECISION MAKING AUTHORITY

Council – SIMPLE MAJORITY

PURPOSE

For Council to consider submissions made on the structure plan and town planning scheme amendment for the Sealanes and Wool Testing Authority sites for public comment, identify issues arising and request the proponents prepare modified structure plan and scheme amendment documents to re-release for community comment.

EXECUTIVE SUMMARY

In 2003, Sealanes and Multiplex became joint venture partners in the proposed redevelopment of the Sealanes and adjoining Wool Testing Authority site.

Redevelopment of the 2.4 hectare site for a mixed use redevelopment comprising a mix of townhouse and apartment style residential units and some commercial office and retail space is proposed. Building heights were proposed to vary across the site between 3 and 5 storeys, with a minor component to 6 storeys.

The Strategic Planning Committee (SPC) acting under delegated authority resolved to release the structure plan and scheme amendment for 8 weeks public comment at their meeting in January 2004. Public comment was undertaken over April and May 2004 and almost 1,200 submissions were received both for and against redevelopment of the site as proposed.

The report presented to the SPC on 21 June included an analysis of the submissions received and recommendations to modify the structure plan and scheme amendment. SPC included in their recommendations to Council that the R-IC coding be replaced with appropriate medium density coding (up to residential R60). At the Council meeting on 5 July 2004 officers provided a revised recommendation. The item was deferred to the Council meeting of 19 July to enable further consideration to be given to the issues raised by the proponents and the community.

This report supports the recommendation being amended to enable the medium density residential R60 coding to be averaged across the site (maximum 150 dwellings), with appropriate controls to ensure that the bulk and scale of the development is acceptable and brings significant community benefits.

The project proponents are to be asked to return with modified documents, addressing the issues. The documents should then be re-released for additional community comment for 4 weeks before a report is brought back to Council for a decision.

REPORT

Background

During 2001-2002 Sealanes announced plans to relocate their South Fremantle operations and redevelop their current site. They also purchased the adjoining Wool Testing Authority site. Sealanes then selected Multiplex as a joint venture partner for the redevelopment of the two sites.

The Strategic Planning Committee, acting under delegated authority from Council, resolved to release the structure plan and scheme amendment for the site for community comment in January 2004 (item SP0401-04 refers): Report SP0401-04 contains an overview of the proposal and scheme amendment.

Since that time the project proponents have been asked to submit a modified structure plan and scheme amendment addressing issues raised by members of the community. They have agreed and have indicated that they will lodge a revised plan in time for the August SPC meeting.

A report on the submissions and suggested revisions to the structure plan and scheme amendment was the subject of a report to the Strategic Planning Committee and subsequently to Council on 5 July 2004 (item SP0406-42 refers and forms Attachment 4). On the day of the Council meeting a request was received from the developers asking for a reconsideration of the part of the wording that refers to 'medium' density in the Committee Recommendation 2 b). An amended officer's recommendation was tabled at the Council meeting on 5 July 2004 and Council subsequently deferred the item to the next Council meeting (on 19 July 2004) to allow elected members the opportunity to look at the issues raised by Sealanes and members of the community.

Since that time officers have considered the issues raised by the developers, and convened a meeting with nine community members and the developers to enable an exchange of views. A similar meeting for elected members has also been held to enable issues to be raised.

Comment

At the SPC meeting of 21 June 2004 the officer's recommendation was amended from:

2b) remove the R-IC coding and replace with appropriate numerical codings across the site to reflect the proposed residential density

to:

2b) remove the R-IC coding and replace with appropriate *medium* density numerical codings across the site to reflect the proposed residential density.

The proponents have advised that the impact of the change to include *medium* density, if it is taken to mean nothing other than residential R60 in any part of the site (rather than an average across the site) is restrictive and would result in the creation of strata lots, rather than green title lots. This would result in a loss of benefits to the community.

It is the opinion of officers that leaving 'appropriate medium density' in the recommendations may:

- Produce an overdevelopment along the South Terrace frontage due the development of smaller units to meet the R60 standard. The application is seeking to reduce the R coding along the periphery to complement the scale and density of the existing development along this frontage;
- Produce a lack of building types as the density would be standardised across the entire site, rather than breaking it into individual cells to provide interest and variety. The variation in building heights needs to be complemented by a variation in density codings to suit the desired building forms.

Through discussion with the proponents, officers are confident that significant community benefits can be gained, and community concerns can be addressed by removing the R-IC coding and replacing it with medium density coding which is averaged across the site, by introducing other controls. The major issues of concern raised by members of the community are:

- Height. It is recommended that this be controlled by reducing the original proposed maximum building height from 5 and 6 storeys, retaining 2 – 3 storeys to the periphery of the site and 3 – 4 storeys in the centre. Site fill to increase height will not be permitted.

Consideration was given to including a metre height limit, however it is recommended that they be included in the design guidelines to allow for a more detailed approach to accommodate the variation of R-codes and locations. Metre height limits will be guided by the R-codes.

- Density. It is recommended that this be controlled by allowing 4 storey development to be restricted to 15% of the *total* site (ie including the public open space provision and road and access ways). The number of residential units to be restricted to a maximum of 150 dwellings. R- coding to be shown in each section of the structure plan and scheme amendment to ensure that the development concept is retained.
- Building mass. It is recommended that this be controlled by ensuring vertical articulation of the buildings and the linear setbacks to Marine and South Terraces. Height controls identified above which will be included with the Structure Plan and subsequent design guidelines will regulate building mass across the site.
- Building design. Design guidelines will be developed for the site (and opened for public comment) prior to any development proceeding.
- Provision of usable public open space. This will be addressed in more detail when the revised structure plan is lodged, however it will be recommended that the 'town square' design and treatment be subject to concept plans being provided and public consultation undertaken before the final concept is adopted.
- Traffic management and access across the site. As outlined in SP0406-42 (Attachment 4) legibility and clarity, the roads should be dedicated public roads and consideration given to ensuring a low speed environment, safety for all users, and should line up with the existing streets.

It is recommended that more definitive information on the tenure, function and width of the proposed new roads/accessways be provided with the revised structure plan.

Conclusion

Enabling the medium density residential R60 coding to be averaged across the site, together with appropriate controls, is more likely to result in a development that will address community concerns and provide considerable community benefits such as access across the site, usable public open space, a diversity of residential product and undergrounding of power in the vicinity. Issues pertaining to the revised structure plan will be the subject of a future report when the final revised plan is lodged.

STRATEGIC & POLICY IMPLICATIONS

The site is currently zoned Inner Urban with a density coding of R25. Draft City Planning Scheme 4 shows the site as a Development Zone, noting a structure plan is required. Density codings for all development zones were removed from CPS4 when adopted by Council in April 2004. The structure plan and amendment provisions adopted under TPS 3 will be carried forward to CPS4 also.

The site falls within the DGF16 Marine Terrace policy area (last updated in 1992). This policy sets a height limit of 3 storeys. A variation from this policy will be required if the structure plan and scheme amendment propose more than 3 storeys.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Redevelopment of the site will provide new housing units and additional commercial space in South Fremantle.

New businesses could attract other businesses and customers, helping consolidate existing commercial development along South Terrace.

The new households will help support local businesses.

There will be increased rates revenue for the City as well as an increase in infrastructure maintenance costs.

Environmental

The City's policy framework will ensure energy efficient measures are incorporated in building design.

Soil testing will be required prior to subdivision clearance to ensure the site is suitable for residential purposes (also a requirement under the TPS amendment).

Proponent will underground power lines in the vicinity of the development.

Social

Further loss of jobs and land use diversity from Fremantle/South Fremantle.

The plan will contribute to the mix of housing and lifestyle opportunities in South Fremantle.

New east-west visual and physical links will be provided across the site (and removing significant visual blight caused by the bulk of the existing industrial buildings).

New open space is proposed.

The redevelopment will change the traffic mix in South Fremantle, eliminating many heavy vehicle movements associated with the current activity.

BUDGET IMPLICATIONS

There are no budget implications from advertising/re advertising the structure plan and scheme amendment.

LEGISLATIVE AND LEGAL CONSIDERATIONS

The amendment process will conform with all legislative requirements.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The consultation process undertaken on the original structure plan is outlined in SP0406-42 (Attachment 4). In the two weeks since the last Council meeting, a meeting was held with nine community members who had directly expressed concerns on the proposed changes. Whilst some attendees at that meeting raised issues of concerns (eg public open space provisions, roof designs, building designs, etc) the overwhelming majority expressed agreement that averaging the density across the site was good in principle, subject to other controls being in place.

ORIGINAL OFFICER'S RECOMMENDATION

That Council

1. Notes the comments made in submissions on the Sealanes Structure Plan and TPS 3 Amendment No. 64 (Attachment ATT-SP0406-42.).
2. Advise the applicants that the following issues be addressed and a modified structure plan and scheme amendment be returned to the Strategic Planning Committee for release for community comment for an additional 4 week period:
 - a) reduce building height from 5 and 6 storeys and redesign, retaining 2-3 storeys to the periphery of the site and 3-4 storeys in the centre.
 - b) remove the R-IC coding and replace with appropriate numerical codings across the site to reflect the proposed residential density;
 - c) ensure vertical articulation of the buildings (to address building mass) and linear setbacks to Marine and South Terraces;
 - d) provide more definitive information on the tenure, function and width of the proposed new roads/accessways including circulation patterns and access to on site parking, intersection treatments and traffic management;
 - e) revise location and/or form of open space.

STRATEGIC PLANNING COMMITTEE RECOMMENDATION (from SPC meeting 21 June 2004)

That Council

1. Notes the comments made in submissions on the Sealanes Structure Plan and TPS 3 Amendment No. 64 (Attachment ATT-SP0406-42).
2. Advise the applicants that the following issues be addressed and a modified structure plan and scheme amendment be returned to the Strategic Planning Committee for release for community comment for an additional 4 week period:
 - a) reduce building height from 5 and 6 storeys and redesign, retaining 2-3 storeys to the periphery of the site and 3-4 storeys in the centre.
 - b) remove the R-IC coding and replace with appropriate medium density codings across the site to reflect the proposed residential density;
 - c) ensure vertical articulation of the buildings (to address building mass) and linear setbacks to Marine and South Terraces;
 - d) provide more definitive information on the tenure, function and width of the proposed new roads/accessways including circulation patterns and access to on site parking, intersection treatments and traffic management;
 - e) revise location and/or form of open space.
- 3, That Council request the consultants undertaking the current review of the Community Participation processes to consider recent submission processes that have been characterised by mass campaigns to enlist people to make submission and recommend alternative approaches that Council could adopt to better reflect the views of ordinary residents.

OFFICER'S REVISED RECOMMENDATION

That Council:

1. Notes the comments made in submissions on the Sealanes Structure Plan and TPS 3 Amendment No. 64 as outlined in SP0406 -42 (and included in **Attachment 4.**)
2. Advise the applicants that the following issues be addressed and a modified structure plan and scheme amendment be returned to the Strategic Planning Committee for release for community comment for an additional 4 week period:
 - a) reduce building height from 5 and 6 storeys and redesign, retaining 2-3 storeys to the periphery of the site and 3-4 storeys in the centre. 4 storeys are to cover a maximum of 15% (gross leaseable area) of the total site area. Site fill shall not exceed the provisions of Council's Cut and Fill policy.
 - b) remove the R-IC coding and replace with medium density residential R60 coding which is to be averaged across the site to reflect the proposed residential density of a maximum of 150 dwellings. R-coding to be shown in each residential parcel identified within the structure plan;
 - c) ensure vertical articulation of the buildings (to address building mass) and linear setbacks to Marine and South Terraces;
 - d) provide more definitive information on the tenure, function and width of the proposed new roads/accessways including circulation patterns and access to on-site parking, intersection treatments and traffic management;
 - e) revise location and/or form of open space.

3. That Council request the consultants undertaking the current review of the Community Participation processes to consider recent submission processes that have been characterised by mass campaigns to enlist people to make submission and recommend alternative approaches that Council could adopt to better reflect the views of ordinary residents.

MAYOR P TAGLIAFERRI MOVED THAT THE FOREGOING RECOMMENDATION NUMBERED C0407-17 BE ADOPTED

SECONDED BY CR D THOMPSON

PUT AND CARRIED UNANIMOUSLY 12/0

For

The Mayor, Peter Tagliaferri
Cr Bob Smith
Cr Shirley Mackay
Cr Kathy Anketell
Cr Geoff Graham
Cr Phil Douglas
Cr Steve Gorman
Cr Doug Thompson
Cr Rose Pinter
Cr Tony Miosich
Cr Helen Hewitt
Cr John Alberti

Against

DISCLOSURE OF INTEREST

CR R PINTER DISCLOSED AN INTEREST IN ITEM C0407-18 AS THE ITEM REFERS TO CR PINTER, VACATED THE CHAMBER AT THIS JUNCTURE BEING 7.02 PM AND DID NOT VOTE ON THE ITEM

C0407-18 Replacement Members to Vacancies on Council Committees & Outside Organisations Represented by Cr Rose Pinter

DataWorks Reference: Cr Rose Pinter; 099/011;
Author: Graeme Mackenzie, Director Corporate Services
Actioning Officer: Graeme Mackenzie, Director Corporate Services

DECISION MAKING AUTHORITY

Council Decision ABSOLUTE MAJORITY REQUIRED

PURPOSE

Nominations to vacancies on council committees and outside organisations.

EXECUTIVE SUMMARY

Seek elected member nominations to council committees and outside organisations to fill vacancy due to Cr Rose Pinter's resignation.

REPORT

Background

At the 5th July 2004 Council meeting (item C0407-06 refers) Cr Rose Pinter's resignation notice was accepted. Recommendation 4 sought nominations from other elected members to fill vacancies on council committees and outside organisations, however, this did not occur at that meeting.

Comment

Elected members consider nominating to those current council committees and outside organisations that Cr Pinter represented which are listed in the recommendation.

Conclusion

That vacancies be filled on these committees prior to Cr Rose Pinter vacating office on 10th August 2004.

STRATEGIC & POLICY IMPLICATIONS

Not applicable.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Not applicable.

Environmental

Not applicable.

Social

Not applicable.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Not applicable.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Not applicable.

OFFICER'S RECOMMENDATION

Seek nominations from elected members to the following vacancies to council committees and outside organisations which Cr Rose Pinter represented:

- Transport Advisory Committee
(Replacement Elected Member: _____)
- Booyeembara Park Task Force
(Replacement Elected Member: _____)
- City Centre Blue Print Working Group
(Replacement Elected Member: _____)
- South Fremantle Landfill Steering Working Group
(Replacement Elected Member: **NO LONGER**)
- Audit Governance Committee
(Replacement Elected Member: _____)
- City of Fremantle Trust Fund
(Replacement Elected Member: _____)
- Cultural Development Trust Fund
(Replacement Elected Member: _____)
- Deputy Rep. South Metropolitan Zone of Local Government Association
(Replacement Elected Member: _____)

MAYOR P TAGLIAFERRI MOVED THE FOREGOING ITEM NUMBERED C0407-18 AND CALLED FOR NOMINATIONS TO THE VACANT POSITIONS

Transport Advisory Committee
Nomination received from Cr Steve Gorman Unopposed

Booyeembara Park Task Force
Nominations received from Cr John Alberti and Cr Geoff Graham Vote resulted - Cr Alberti 7, Cr Graham 4

City Centre Blue Print Working Group
Nomination received from Cr Shirley Mackay Unopposed

Audit Governance Committee

Nomination received from Cr Geoff Graham Unopposed

City of Fremantle Trust Fund

Cr K Anketell as she is now a member of SDR & CP

Cultural Development Trust Fund

Nomination received from Cr Doug Thompson Unopposed

Deputy Rep. South Metropolitan Zone of Local Government Association

Nomination received from Cr Phil Douglas Unopposed

SECONDED BY CR D THOMPSON

PUT AND CARRIED UNANIMOUSLY 11/0

For	Against
The Mayor, Peter Tagliaferri	
Cr Bob Smith	
Cr Shirley Mackay	
Cr Kathy Anketell	
Cr Geoff Graham	
Cr Phil Douglas	
Cr Steve Gorman	
Cr Doug Thompson	
Cr Tony Miosich	
Cr Helen Hewitt	
Cr John Alberti	

CR R PINTER RE-ENTERED THE CHAMBER AT THIS JUNCTURE BEING 7.13 PM

CONFIDENTIAL ITEM

Nil

CLOSURE OF MEETING

Prior to the closure of the meeting Councillors expressed their best wishes to the Chief Executive Officer, Mr Ray Glickman who has resigned from his position with the City of Fremantle effective 30 July 2004.

Mayor P Tagliaferri congratulated Ray for 9 years service to the City and expressed his best wishes.

Cr R Pinter expressed her appreciation on receiving guidance from Ray which was immensely valuable.

Cr S Gorman commended Ray in his new position with Anglican Homes as the Chief Executive Officer.

Cr G Graham expressed his appreciation for the great time he has and commended Ray as a highly skilled good bloke.

Cr S Mackay expressed how Ray was always very approachable, and good leader of his staff and helpful to Elected Members who needed his assistance.

Cr P Douglas spoke of Ray as one of the most professional people he has met and how extremely fair Ray is and wished him all the best.

Cr H Hewitt spoke of Ray's good and broad sense of humour and of his direction of the most important thing being Corporate Governance.

Cr K Anketell found Ray's assistance and advice excellent and said he was an excellent CEO.

Cr T Miosich joked that the senior citizens will actually understand Ray's jokes now.

Cr D Thompson expressed how very pleased he was that Ray was the City's CEO and found him head and shoulders above other CEO and thought we had the best.

Cr B Smith advised he could be a future client of Anglican Homes.

Cr J Alberti expressed his enjoyment of the company and great advice shown by Ray.

The Ordinary Meeting of Council concluded at 7.24 pm.