
TOWN OF
EAST FREMANTLE



MINUTES

Council Meeting

Tuesday, 8 December 2015 at 6.35pm



MINUTES OF A COUNCIL MEETING, HELD IN THE COUNCIL CHAMBER, ON TUESDAY, 8 DECEMBER, 2015 COMMENCING AT 6.35PM.

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2. ACKNOWLEDGEMENT OF COUNTRY	
3. RECORD OF ATTENDANCE/APOLOGIES	
4. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS	
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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER ON TUESDAY, 8 DECEMBER 2015 AT 6.35PM.

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting and welcomed members of the gallery.

2. ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member made the following acknowledgement:

“On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place.”

3. RECORD OF ATTENDANCE/APOLOGIES

Mayor Jim O’Neill	Presiding Member
Cr Cliff Collinson	
Cr Jenny Harrington	
Cr Andrew McPhail	
Cr Michael McPhail	
Cr Dean Nardi	
Cr Lukus Nicholson	
Cr Tony Watkins	
Mr Gary Clark	Acting Chief Executive Officer
Mr Les Mainwaring	Executive Manager Finance & Administration (To 7.20pm)
Ms Janine May	Minute Secretary

Cr Andrew White was an apology for this meeting.

There was one member of the gallery in attendance.

4. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS

Nil.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6. PUBLIC QUESTION TIME

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Minutes of Special Council Meeting 10 November 2015

Cr Collinson moved, seconded Cr Watkins

That the Minutes of the Special Council Meeting of 10 November 2015 be confirmed as a true and accurate record. CARRIED 8:0

7.2 Minutes of Council Meeting 17 November 2015

Cr Collinson moved, seconded Cr Watkins

That the Minute of the Council Meeting of 17 November 2015 be confirmed as a true and accurate record. CARRIED 8:0

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7.3 Minutes of Special Council Meeting 1 December 2015

Cr Collinson moved, seconded Cr Watkins

That the Minutes of the Special Council Meeting of 1 December 2015 be confirmed
as a true and accurate record. CARRIED 8:0

8. DEPUTATIONS/PRESENTATIONS

Nil.

9. DISCLOSURES OF INTEREST BY MEMBERS

Nil.

10. LATE ITEMS NOTED

Nil.

11. REPORTS OF COMMITTEES

REPORT 11.1

TOWN PLANNING & BUILDING COMMITTEE MEETING 1 DECEMBER 2015

RESPONSIBLE DIRECTOR	Gary Clark Acting Chief Executive Officer
ATTACHMENT	(A) Town Planning Committee Minutes & Attachments
AUTHORITY/DISCRETION	Simple Majority of Council

PURPOSE

To submit the minutes and delegated decisions of the Town Planning & Building Committee for receipt by Council.

EXECUTIVE SUMMARY

As the Committee, at its meeting on 1 December 2015, has exercised its delegation in all matters before it, there is no further action other than to receive the minutes of that meeting.

RECOMMENDATION

That the Minutes of the Town Planning & Building Committee Meeting held on 1 December 2015 be received

Cr Nardi moved, seconded Cr A McPhail

That the Minutes of the Town Planning & Building Committee Meeting held on 1 December 2015 be received. CARRIED 8:0

REPORT 11.2

AUDIT COMMITTEE MEETING 3 DECEMBER 2015

RESPONSIBLE DIRECTOR	Gary Clark Acting Chief Executive Officer
AUTHORITY/DISCRETION	Absolute Majority of Council

PURPOSE

To refer the recommendations of the Audit Committee meeting held on 3 December for adoption by Council.

EXECUTIVE SUMMARY

The minutes of the Audit Committee are submitted for receipt and consideration by Council.

COMMENT

As the Committee will not meet until after the finalisation of this Council Agenda, the Minutes and attachments relating to this meeting will be circulated separately.

RECOMMENDATION

That the Minutes of the Audit Committee Meeting held on 3 December 2015 be received and Council give consideration to the Committee recommendations contained within.

Cr M McPhail moved, seconded Cr A McPhail

That the Minutes of the Audit Committee Meeting held on 3 December be received.

CARRIED 8:0

Annual Financial Audit Report 2014-15

Cr McPhail moved, seconded Cr Nicholson

That Council:

1. receives the CEO's Report relating to the 2014-2015 annual financial audit.
2. receives the annual financial audit report and management report dated 11 November 2015
3. accepts the annual financial report
4. gives a note of thanks to the Executive Manager Finance & Administration and the finance team and the Principal Auditor and the audit team for the preparation of the annual financial report.

CARRIED 8:0

ABSOLUTE MAJORITY

12. REPORTS OF OFFICERS - FINANCE

REPORT 12.1.1

MONTHLY FINANCIAL ACTIVITY STATEMENT 30 NOVEMBER 2015

RESPONSIBLE DIRECTOR Executive Manager Finance & Administration

FILE NUMBER F/FNS2

ATTACHMENT (A) Monthly Financial Activity Statement

AUTHORITY / DISCRETION Simply Majority

PURPOSE

For Council to receive the Monthly Financial Activity Statement.

EXECUTIVE SUMMARY

To provide timely financial information to Elected Members including regular review of the current forecast. This statement compares actual performance against budget estimates, and summarises operating and capital results in accordance with statutory requirements.

It is therefore recommended that Council receives the Financial Activity Statement for the period ending 30 November 2015.

BACKGROUND

The report comprises the monthly financial results with commentary focusing on comparisons to the year to date budget position.

The monthly Financial Activity Statement for the period ending 30 November 2015 is appended and includes the following:

- Financial Activity Statement
- Notes to the Financial Activity Statement including schedules of investments, rating information and debts written off.
- Capital expenditure Report

The attached Financial Activity Statements are prepared in accordance with the amended Local Government (Financial Management) Regulations 1996; together with supporting material to provide Council with easy to understand financial information on Council activities undertaken during the financial year.

DETAILS

The following is a summary of information on the attached financial reports:

Revised Budget Forecast

The current budget forecast for the 30th June 2016 indicates a small surplus of \$20,900 which was the original budget position adopted 20th July 2015.

Operating YTD Actuals (compared to the YTD Budget)

Operating Revenue 102%; is \$197,000 more than the YTD budget. (Favourable)

Operating Expenditure 101%; is \$45,000 more than the YTD budget. (Unfavourable)

After non-cash adjustments, the total operating cash forecast is \$815,000 more than the YTD budget (Favourable).

Operating Revenue is 2% Favourable with year to date budget.

The significant favourable variances within operating revenue are receipt of an earlier than anticipated grant amounting to \$50,000, being for the development of the Recreation and Community Facilities Plan; early timing difference of HACC funding \$35,000; the early raising of yacht club lease payments \$59,000.

Operating Expenditure is 1% unfavourable to year to date budget.

The main areas of favourable variation for operating expenditure is timing differences in Governance - Consultants Strategic Business Planning \$77,000, Employee costs \$88,000 and Consultants Legal/Administration \$37,000 which will be offset during the year; Community Amenities – Waste Collection \$33,000, Waste Composting Facility \$76,000 and bulk Green waste \$30,000 which is mainly due to invoices received in the following month, Planning employee costs \$30,000 which will be offset during the year. Transport which includes Road and Street Maintenance, and Street Pruning have favourable balances amounting to \$97,000, which is mainly due to seasonal factors and will be offset during the year.

Other areas of favourable variance are spread across various programs as detailed in the report.

The significant areas of unfavourable variation for operating expenditure have resulted from elevated levels of depreciation in Recreation & Culture \$347,000 and Transport \$308,000 due to the increase in valuation of infrastructure assets. Variations in depreciation are non-cash therefore there is no impact on the cash position; however it has significantly distorted the operating expenditure figures in the Recreation and Transport programs. Other activities of Transport that are unfavourable are Footpath & Cycleways, Verges, Street Cleaning, Tree replacement and Drainage with balances amounting to \$116,000 which is mainly due to seasonal factors and will be offset during the year.

All capital activities have been set forward in the budget so that they can be easily monitored in terms of progress.

The current year's capitals works programmes are at early mobilisation stage at reporting date.

Other details can be found in the attached notes to the financial activity statement.

Capital Programs YTD Progress Summaries

Annual Timeline 42% of year elapsed

Land & Buildings 2% expended

Infrastructure Assets 6% expended

Plant & Equipment 49% expended

Furniture & Equipment 5% expended

Capital expenditure is \$1,835,000 less than the YTD budget (Favourable) which represents 89% of the capital programs to be completed. The report provides details on individual capital works to have progressed as at 30 November 2015.

Issues and options considered

No budget revisions recommended to date.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995 (As amended)
Local Government (Financial Management) Regulations 1996 (As amended)

Strategic Community Plan

Key theme

Key Focus Area 4: Governance and Leadership

Objective

Aspiration: The community is served by a leading and listening local government

Strategic initiative

4.9 A financially sustainable Town – Provide financial management services to enable the Town to sustainably provide services to the community

Policy

Significant accounting policies are adopted by Council on an annual basis. These policies are used in the preparation of the statutory reports submitted to Council.

Risk management considerations

No options for budget revision are presented for risk consideration. The original budget forecast is a surplus of \$20,900.

Financial / budget implications

The November 2015 Financial Activity Statement shows variances in income and expenditure when compared with year to date draft budget estimates.

There are no positive or negative impacts on the current budget forecast.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable. The recommendation of this report has no direct sustainability implications although the intent of budget monitoring is to promote economic sustainability.

Consultation

Nil

COMMENT

The attached Financial Activity Statement for the period 1 July 2015 to 30 November 2015 is presented to the Council for timely information. The current annual forecast of a small \$20,900 surplus is confirmed by these accounts in conjunction with further analytical analysis undertaken at officer level.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives the Financial Activity Statement for the period ending 30 November 2015.

Cr M McPhail moved, seconded Cr Nardi

That Council receives the Financial Activity Statement for the period ending 30 November 2015.

CARRIED 8:0

REPORT 12.1.2

ACCOUNTS FOR PAYMENT - NOVEMBER 2015

RESPONSIBLE DIRECTOR	Executive Manager Finance & Administration Les Mainwaring
FILE NUMBER	F/FNS2
ATTACHMENT	(A) Monthly List of Payments
AUTHORITY / DISCRETION	Simply Majority

PURPOSE

For Council to receive the monthly list of accounts paid.

EXECUTIVE SUMMARY

To endorse the list of payments made under delegated authority for the month of November 2015.

It is therefore recommended that Council receives the List of Accounts paid for the period 1 November to 30 November 2015, as per the summary table.

BACKGROUND

The Acting Chief Executive Officer has delegated authority to make payments from the Municipal and Trust Accounts in accordance with budget allocations.

The Town provides payments to suppliers by electronic funds transfer, cheque or credit card. Attached is an itemised list of all payments made under delegated authority during the said period.

DETAILS

The attached itemised list of payments are prepared in accordance with Regulation 13 of the amended Local Government (Financial Management) Regulations 1996.

The list of payments is to be presented to Council at the next Ordinary Meeting after it has been prepared, and recorded in the minutes of that meeting.

Issues and options considered

No options to consider.

Legislation / Strategic Community Plan / policy implications

Legislation Regulation 13: Local Government (Financial Management) Regulations 1996 (As amended)

Strategic Community Plan

Key theme Key Focus Area 4: Governance and Leadership

Objective Aspiration: The community is served by a leading and listening local government

Strategic initiative 4.9 A financially sustainable Town – Provide financial management services to enable the Town to sustainably provide services to the community

Policy F8.1 Ordering of Goods and Services.

Risk management considerations
Not applicable.

Financial / budget implications
Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

Regional significance
Not applicable.

Sustainability implications
Not applicable.

Consultation
Nil

COMMENT
The List of Accounts paid for the month of November 2015 requires endorsement by the Council.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That the List of Accounts paid for the period 1 November to 30 November 2015 be received, as per the following summary table:

NOVEMBER 2015		
Voucher Nos	Account	Amount
4935 – 4942	Municipal (Cheques)	\$3,404.26
EFT 21656 – EFT 21748	Electronic Transfer Funds	\$403,248.99
Payroll	Electronic Transfer Funds	\$201,964.84
Superannuation	Electronic Transfer Funds	\$33,948.13
Credit Card	CEO	957.85
	Total Payments	\$643,524.07

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Cr M McPhail moved, seconded Cr Watkins

That the List of Accounts paid for the period 1 November to 30 November 2015 be received.

CARRIED 8:0

REPORT 12.2.1 - PLANNING

LEEWIN BARRACKS SITE PLANNING

RESPONSIBLE DIRECTOR	Gary Clark, Acting Chief Executive Officer
AUTHORS	Gary Clark, Acting Chief Executive Officer, Jamie Douglas, Manager Planning Services
FILE NUMBER	B/PLB1
ATTACHMENT	(A) Study Area
AUTHORITY/DISCRETION	Simple Majority of Council

PURPOSE

This report seeks to formalise Council's position in regard to the sale, town planning and stakeholder engagement processes for the Leeuwin Barracks site. This will allow the Mayor and Acting Chief Executive Officer to engage with the Assistant Minister for Defence Darren Chester MP, and other key stakeholders to advocate for Council's position.

EXECUTIVE SUMMARY

Leeuwin Barracks is a 14.3 hectare Commonwealth property on the Swan River in the Town of East Fremantle.

The Department of Defence intends to sell Leeuwin Barracks to fund improvements and maintenance of other properties in the Defence estate.

The Town of East Fremantle, along with other significant stakeholders, sees the sale and development of the property as a significant opportunity for the Swan River foreshore and the surrounding area to be redeveloped. This would optimise the community and economic opportunities for the Town, the region and the future residents of the property.

The Town believes that this opportunity is best achieved by master planning prior to the sale of the property. However the Department of Defence does not share this view. They consider that the planning is a matter for the future owner, the Town of East Fremantle and the Western Australian Planning Commission to address once the property is sold.

The Acting Chief Executive Officer made an assumption, based on previous communication with the Assistant Minister for Defence, that the Australian Government's priorities for the sale of the property are;

1. To maximise the sale value of the property.
2. To achieve a high level of community acceptance of the sale of the property.
3. To have the sale proceed as soon as practicable without unduly compromising the sale value and the level of community acceptance.

The Assistant Minister, in a phone meeting with the Mayor and the Acting Chief Executive Officer, confirmed that the above assumptions were correct although they were not necessarily in that order of priority.

The proposal by the Town of East Fremantle to the Australian Government is to prepare, prior to sale:

- A Community Consultation strategy and Design Charrette
- A Concept Plan
- Master Plan Outline

It is estimated that a reasonable cost contingency for the above is \$200,000. A contribution of \$150,000 is sought from the Department of Defence, with Council providing the balance plus staff resources 'in kind'.

It is therefore recommended that Council endorse the position that developing a master plan prior to the sale of the property will better meet the Government's priorities. This position will be used as a basis for further engagement with the Assistant Minister for Defence and other key stakeholders including the Department of Defence.

BACKGROUND

The Leeuwin Barracks site is located at Preston Point with frontage to Riverside Road. It comprises 14.3 hectares in six existing lots and is zoned as a Metropolitan Region Scheme Reserve 'Public Purposes – Commonwealth Government' under TPS N03.

The site has been used as a Naval Training facility and continues to house various defence related activities. Department of Defence advises that it will be probable that these activities will continue on-site in the immediate future, presumably on a lease back agreement should the land be sold. There are 58 buildings on site and some other structures including memorials and swimming pools, vehicle depots etc. The site has been included on the Scheme's Heritage List and has an A category under the Municipal Inventory.

DETAILS

The Town has engaged Planning Context, one of the leading Town Planning practices within this State and led by Mr Charles Jonson, to undertake the initial site planning. The process will comprise the delivery of three principal milestones-

1. A Community Consultation Strategy and Design Charrette
2. A Concept Plan
3. Master Plan Outline

A map showing the proposed Study Area forms Attachment A to this report. It should be noted that the Study Area includes some adjacent Council reserves and foreshore areas. This does not imply that these areas should necessarily form part of any redevelopment but it is necessary to consider how this land and current uses can be integrated with any future development.

The Master Plan would include a Context and Vision Statement, which would outline the regional and local context, the Master Plan objectives and success measures; Master Plan drivers such as key transforming actions, key activations, connections and opportunities; Master Plan elements including the planning framework, planning precincts, land use and forecast demand etc; public realm would outline the landscape and identity, streetscapes,

precinct strategies and interventions, public open space, public art and public activation; Infrastructure and servicing which details general approach, water and sewer, gas, power, drainage; and ecology and environment including ecology and environment overview and value, foreshore integration strategy, and other strategies and interventions.

The Master Plan would be supported by a Community Needs Analysis and Development Contribution Assessment; Commercial Market assessments to support mixed uses; Recreation Study; Heritage Assessment including Indigenous heritage; environmental investigations; traffic impacts assessment and infrastructure and servicing assessments.

The Leeuwin Barracks site deserves the best innovation and exemplary outcomes and it is recommended that any planning and development follow the best practice principles for urban redevelopment outlined in the Metropolitan Regional Authority regulations:

- promote urban efficiency
- build a sense of place
- enhance connectivity
- promote economic wellbeing
- promote social inclusion
- environmental integrity

The Acting Chief Executive Officer and Mayor have been in discussion with the Assistant Minister for Defence and relevant officials from the Department of Defence to seek agreement to delay marketing of the site for a period of six months to allow this initial planning to be undertaken and to gain the Department's participation in, and contribution to, the planning process. These discussions are ongoing and further contact with the Assistant Minister for Defence is planned in December. It is considered the planning process will considerably increase the value to the site through;

- increasing development certainty on land which currently has no indicated land use or development provisions upon which to assess value;
- reducing the cost and time required to plan redevelopment for a prospective purchaser,
- providing base data upon which to undertake 'due diligence',
- consider how associated foreshore areas and council reserves could be integrated with the site to enhance its commerciality and community benefits.

Issues and options considered

- A. Should the Department of Defence not agree to Council's request to defer the sale of the site and contribute to the proposed Planning Study, it is considered that the site analysis should proceed to inform a community consultation exercise. The outcome from this would then generate a Vision Statement for development of the site and to establish the Town's criteria for a future. In this event Council would likely be liable for costs of up to \$150,000 (some reduction in scope would be necessary) although there is a possibility for some cost recoupment via any future Developer Contribution Scheme.
- B. Cr Michael McPhail has raised the idea of speaking with the Western Australian Minister for Lands, the Honourable Terry Redman MLA, about involving Landcorp in the development of Leeuwin Barracks in the event that the Department of Defence don't delay the sale to allow Master Planning. The idea being that LandCorp would purchase the site, undertake the planning process and the sell and or joint venture develop created

lots with the necessary planning in place thereby capturing the added land value for the State. Charles Johnson has provided the following advice in this regard;

“In response to the requests for advice on the potential involvement of LandCorp in the Leeuwin Barracks Project I can offer the following comments which are in part from John Ellis who has in the past has been an employee of that organisation.

Certainly the project would be within LandCorp's professional capability, as they have done Minimum Cove, Mt Henry Hospital Redevelopment of NE Precent in Claremont etc.

The problem is a lack of cash for them to buy the site outright and also that the Government has asked them to focus on regional and industrial projects and to leave the high valued city stuff to the private sector. Having said that they are doing the Redevelopment of the Shenton Park Rehab Hospital as it is State Government land.

The way forward could be to involve them through Minister Redman in making an approach to the Federal Government for the creation of a joint venture where the Feds provide land, LandCorp does the project management, the planning including sub division creating development parcels and then the retail sale value is shared. This is not unlike how the State Government proceeds to develop Greenfield Land by creating a joint venture e.g. LandCorp with Lend Lease at Alkimos in Wanneroo.

*It should be remembered that having LandCorp involved will not ensure that Council will necessarily have a strong say in planning and development. In the case of the Shenton Park Rehab Hospital the State Government is introducing an **Improvement Plan** to override the planning controls of the City of Nedlands. That Council is being deliberately shut out of the planning process.*

Anyway the overall idea of a joint venture has merit and should be at least raised in discussions.”

The Manager Planning Services has ten years' experience working for LandCorp as a Business Manager and consultant planner and as such concurs with this advice and suggests that an approach to Minister Redman should be made if the Department of Defence do not support Council's position in regard to the prior planning and deferred sale of the site.

Legislation / Strategic Community Plan / policy implications

Legislation

Metropolitan Region Scheme
Town of East Fremantle Town Planning Scheme No 3
Planning and Development Act 2005

Strategic Community Plan

Key theme

KEY FOCUS AREA 3: BUILT AND NATURAL ENVIRONMENT

Objective

Aspiration: Our town is developing in harmony with our unique character within the fabric of the region's built and natural environment

Strategic initiative

Facilitating sustainable growth whilst maintaining urban and natural character

Policy

Draft Local Planning Strategy 2013

Risk management considerations

Risks to the project include financial, political, social, environmental, heritage, legal issues. It is considered that a project of this significance warrants a comprehensive risk analysis which would be informed by the site analysis. It is therefore proposed that a Risk Analysis be conducted in the New Year once the base data has been gathered as part of the planning process.

Financial / budget implicationsCurrent financial year impact

Account no.	E10215.
Budget Item	Consultants Town Planning.
Budget amount	\$0 for this item.
Amount spent to date	\$0
Proposed cost	\$50,000 unbudgeted (or \$150,000).
Balance	\$50,000(or \$150,000). *Current estimates of the carried forward position, after adoption and the annual financial report, are \$425,336 which could be used as a source of funding for this project.

Future financial year impact

Annual operating cost	\$50,000 one off contribution to total cost \$200,000.
Estimated annual income	\$0 direct income from project however land will become rateable.
Capital replacement	Not applicable.
20 Year Strategic	The rating impact could be \$200,000 based on vacant land value. Developed rate income will depend on GRV.
Financial Plan impact	
Impact year	2016-17.

All amounts quoted in this report are exclusive of GST.

Regional significance

The 14.3 ha Leeuwin Barracks site represents possibly the last significantly sized redevelopment site on the Swan River. Its use as a naval barracks since the late 1940's has ensured the site's survival as a single development parcel and it is unique within a regional and state context.

Because the site is of regional and state significance, stakeholders will include the Swan River Trust, Departments of Lands and Planning, community and special interest groups, industry representatives, professional institutes and the Department of Defence and Veterans Affairs.

Sustainability implications

The sustainable development of the site is fundamental to the planning and development process. It is therefore recommended that the following six urban design principles (taken from the Metropolitan Redevelopment Authority regulations) should be adopted by Council as planning objectives for the site.

- promote urban efficiency
- build a sense of place
- enhance connectivity
- promote economic wellbeing
- promote social inclusion
- environmental integrity (response to climate change)

Consultation

The Acting Chief Executive Officer and Mayor have been in discussion with the Assistant Minister and relevant officials from the Department of Defence to seek agreement to delay marketing of the site for a period of six months to allow this initial planning to be undertaken and to gain the Department's participation in, and contribution to, the planning process. These discussions are on-going and further contact with the Assistant Minister for Defence is planned in December 2015.

Staff from the Department of Defence have conducted two public 'information sessions' regarding the sale process however little or no information was given regarding the site or its possible future planning and development.

The proposed Planning Study includes a substantial community consultation activity in the form of a 'Design Charrette' comprising the following elements;

- Prior to workshop extensive site and context analysis
- Intensive, 5 day multi-disciplinary design workshop led by a team of design experts.
- Meetings held with stake holders including community groups, government representatives, and neighbours, gathering information on the issues that relate to potential development options.
- Team develops a range of potential design solutions that can be evaluated against agreed performance criteria.
- Evaluation of options including feedback from stakeholders which helps develop a preferred concept vision for development which is presented at the end of workshop.
- Following the workshop a report is prepared and advertised for further comment.

COMMENT

It is considered the planning process will considerably increase the value to the site through;

- increasing development certainty on land which currently has no indicated land use or development provisions upon which to assess value;
- reducing the cost and time required to plan redevelopment for a perspective purchaser,
- providing base data upon which to undertake 'due diligence',
- consider how associated foreshore areas and council reserves could be integrated with the site to enhance its commerciality and community benefits.

Concurrently the proposed planning process will deliver enhanced community outcomes and address the following opportunities for the site.

- Respect and celebrate the history of the site.
- Open up the site to the public and avoid creation of a gated community
- Integrating the re-development of the site with the enhancement of the Swan River foreshore and the surrounding area in a cohesive way. Improve/optimize the relationship between land use and the river.
- Realign the road to increase foreshore recreation area.

- Develop community and economic opportunities for the Town of East Fremantle in support of implementing the Local Planning Strategy
- Provide for increased housing choice in support of State Government Infill planning targets.
- To rationalise/optimize sport recreation spaces through swap, relocation etc. (recreation study)
- Access to the river
- Views of the river and beyond
- Possible use of existing buildings?
- Developer contributions for community infrastructure.
- Consideration of 10% POS requirement with subdivision.

In order to capture these broader community benefits it is considered there is substantial justification for the Town to proceed independently should the Department of Defence not agree to Council's request to defer the sale of the site and contribute to the proposed Planning Study. It is envisaged that a 'Vision Statement' for the site which was informed by community consultation could be developed within six months and may be available to prospective purchasers prior to the finalisation of any marketing campaign for the site. It would also form the basis for necessary re-zoning criteria to inform the future planning process.

Once more information is available about the Department of Defence marketing timeframe for the property it may be necessary to provide a more condensed version of a 'Vision Statement' to ensure that prospective purchasers are informed prior to the sale.

VOTING REQUIREMENTS

A determination requires a Simple Majority of Council.

RECOMMENDATION

It is recommended that Council endorse the following as a basis for further negotiation with the Department of Defence and to guide future planning and development of the site;

1. Council endorse the Planning Study as outlined in this report with the following components;
 - A Community Consultation strategy and Design Charrette
 - A Concept Plan
 - Master Plan Outline
2. No sale of the site should occur prior to completion of the indicated Planning Study.
3. The planning and development of the site be based upon the following six objectives;
 - Promote urban efficiency
 - Build a sense of place
 - Enhance connectivity
 - Promote economic wellbeing
 - Promote social inclusion
 - Environmental integrity (response to climate change)
4. Council endorse the Study Area as defined in Attachment A to this report.

Cr M McPhail moved, seconded Cr Nicholson

That Council:

- A. endorse the following as a basis for further negotiation with the Department of Defence and to guide future planning and development of the site;**
- 1. Council endorse the Planning Study as outlined in this report with the following components;**
 - **A Community Consultation strategy and Design Charrette**
 - **A Concept Plan**
 - **Master Plan Outline**
 - 2. No sale of the site should occur prior to completion of the indicated Planning Study.**
 - 3. The planning and development of the site be based upon the following six objectives;**
 - **Promote urban efficiency**
 - **Build a sense of place**
 - **Enhance connectivity**
 - **Promote economic wellbeing**
 - **Promote social inclusion**
 - **Environmental integrity (response to climate change)**
 - 4. Council endorse the Study Area as defined in Attachment A to this report.**
- B. seek a meeting with the Hon Minister for Lands to discuss the State Government's potential role in the site.**
- C. allocate \$50,000 towards actioning part 1 of this resolution with any further expenditure to be subject to Council approval.**
- D. express deep gratitude to the Acting CEO and the planning team for their thorough and valued work in this matter.**

CARRIED 8:0
ABSOLUTE MAJORITY

REPORT 12.2.2

TOWN HALL FIT OUT DESIGN CONCEPT

RESPONSIBLE DIRECTOR	Jamie Douglas Manager Planning Services
FILE NUMBER	B/THFIT
ATTACHMENT	(A) Concept Design Plans CPO1, 2, 3
AUTHORITY / DISCRETION	Simple majority of Council

PURPOSE

The purpose of this report is to advise on progress of the internal fit out of the Town Hall. A Concept Plan has been prepared as stage one of the initial project brief and it is proposed to move to stage two which is a request for quotation for the design and construction of the works indicated in the Concept Plan.

EXECUTIVE SUMMARY

The project for the internal renovation and fit out of the Town Hall will be undertaken in two stages;

Stage 1

Design - To identify the organisation's space and fit out requirements then determine the best option for accommodating them. Develop detailed design plans and specifications suitable for selection of a preferred building contractor.

Stage 2

Construct – to demolish, make good, install in accordance with the contract submission. Staging of the works program is necessary to minimise staff disruption and maintain to the maximum extent possible, the existing levels of public interface during the construction process.

The majority of stage one is now complete and has resulted in the development of the Concept Design Plans CPO1, 2, 3 which form Attachment One to this report. The Conceptual Design is considered to meet the Design Criteria of the initial brief whilst reflecting the feedback from consultation undertaken with staff and elected members. It is proposed to advise the consultants that the Conceptual Design is acceptable as a basis for the preparation of documentation to allow for competitive selection for the construction of the Internal fit out.

It is therefore recommended that the Concept Design Plans CPO1, 2, 3 be endorsed.

BACKGROUND

Major conservation works and refurbishment of the external surfaces and openings of the Town Hall building and landscaping has been completed. The internal refurbishment was delayed pending outcomes of the proposed Council amalgamation and a budget allocation.

Currently there are 18 work stations excluding Mayor's office and computer room and including the less than minimum size rangers office with 2 desks. The current organisational review and revised workforce plan are yet to be finalised, however, based on current information it is prudent to plan for the existing staff component plus five full time equivalent staff and one additional "hot seat" available for casual employees and in-house consultant use.

Although the organisational review has yet to be finalised it is anticipated that a further iteration of this will be available during the design phase. For example, particular workstation/staff locations and floor planning will be influenced by envisaged staff functions and reporting relationships. However there are a number of functional requirements which are fundamental to a contemporary work place environment and these are identified in the following Design Requirements. These requirements will inform the design process.

A recent assessment of the existing air-conditioning plant has confirmed the need to include mechanical engineering design input for the plant replacement and ducting within the detailed design phase.

DETAILS

The following are considered fundamental components of a contemporary work environment and conservation practice which a design concept shall achieve;

1. The design, construction techniques and materials shall be informed by and meet the requirements of, the *East Fremantle Town Hall Complex Conservation Plan*, Considine, Griffiths & Chinnery 2004 – *Conservation Policy* pp136-167.
2. A minimum of twenty-five work stations shall be created, however opportunities for additional staff accommodation/ dual use areas shall be maximized wherever practical.
3. Due consideration shall be given to work place security and safety, this shall include the segregation of public access and movement from the work spaces and building security during public meetings etc.
4. Equal access opportunities shall be provided to all public areas and staff accommodation spaces and facilities.
5. Discreet staff and public toilet facilities shall be established which include end of trip facilities for staff and equal access provisions consistent with current Building Code of Australia requirements.
6. A single customer interface/reception space shall be established with access to a six person meeting room. A second meeting room to accommodate eight persons shall also be provided.
7. Consideration shall be given to energy efficiency, ventilation and lighting with respect to the division of spaces and fit out.
8. The Council meeting chamber shall accommodate the projected functional requirements of Council, including audio visual and IT provisions, seating for at least 50 people and associated dining/ meeting area to accommodate regional local government events.

Issues and options considered

Extensive consultation was undertaken with staff and elected members this included, an on line survey, presentations and interviews. The Consultants also observed current work practices and the utilisation of the existing accommodation and conducted a visual and photographic assessment of the building.

The following is a summary of the outcomes arising from the above consultation and analysis:

Staff Desired Outcomes

- Security was considered to be a major issue by all staff;
- Staff were concerned about the public face, interaction and access of the existing layout;
- Way-finding: Confusing for people upon entering, no signage etc;
- Privacy: Nowhere to discuss private matters with customers;
- Noise/Acoustics: Offices around reception are very noisy and there is no soundproofing between offices;
- Air-Conditioning: Cooling / Heating inconsistent;
- High Energy Consumption;
- Disabled Access in general is poor;
- Reception to have more counter space, as currently not enough if more than 1 customer at a time;
- Close proximity of printing area to reception;
- Proximity of reception working closely with records officers and the rangers to be retained;
- Payroll & Finance requires secure storage space;
- Payroll requires a private area for confidential discussions
- Rangers desk & computer each (currently sharing)
- Lots more of storage space
- Space for private interviews with members of the public

Elected Member Desired Outcomes

Corporate Living attended and met with the Elected Members on:

- 8 September 2015 for a preliminary discussion of needs;
- 6 October 2015 for presentation of first draft concept; and
- 13 October 2015 for presentation of revision of concept.

The basis of these discussions was to obtain feedback from elected members about their general thoughts and feedback on the developing conceptual design which are as follows:

- Have shower facilities for members;
- Have a service kitchen;
- Mayor to have office in workspace;
- Multiple meeting areas required and breakout spaces required;
- Dining space for 30 required;
- To retain the Heritage characteristics of the building;
- Chambers to remain grand with any modernization or relocation;
- Chamber furniture to be designed to fit within the heritage concept;
- Chambers space to be used as a multifunctional space;
- Staff should be encouraged to use the chambers for information meeting or planning meetings;
- Chambers to be inviting to all guests
- Chambers to accommodate as many persons as could be feasible within the confines of the space;
- Revert the chambers back to the ground floor

- Have adequate storage units for all personal and department;
- Encourage open plan working;
- Staff being able to control the visitors to the space;
- Each stakeholder should not feel as though they have lost by this improvements;
- Air Conditioning to be looked at in terms of layout;
- Natural light to all staff areas; and
- Furniture styles to be flexible and adaptable.

The required design components and desired outcomes from the consultation informed the conceptual design. The design outcome is considered to be the best practical solution to address the principal and desired components (refer attached Concept Design Plans CPO1/2/3).

Legislation / Strategic Community Plan / policy implications

N/A

Risk management considerations

The identified project risks are considered to be as follows. A detailed Risk Matrix will be developed at the completion of Stage 1 and in association with the preferred contractor:

RISK	RESPONSE
Lack of staff, elected member and public support for project	<ul style="list-style-type: none"> • Extensive consultation has been undertaken and will continue throughout the project. • An electronic ‘suggestion/complaints box’ will be established • Respond to realistic desired outcomes in design process • Allow for adaptation for personal needs where practical • Understand functional requirements of staff and elected members • Provide timely advice to public and clients regarding progress of the project.
Disruption to Council services during construction	<ul style="list-style-type: none"> • Establish a staging plan. • Identify possible short term accommodation options if required. • Encourage pre fabrication of room dividers and furniture
Cost Estimate Exceeds Budget Cost over run	<ul style="list-style-type: none"> • Employ Quantity Surveyor to cost detailed plans before inviting quotes • Well defined and comprehensive design and specifications • Use WALGA pre- qualified panel • Standardised contract • Limit variations and disbursements

Time over run	<ul style="list-style-type: none"> • Clarify timeline milestones in contract • Tie progress payments to achievement of milestones
Heritage Commission do not support planned renovations	<ul style="list-style-type: none"> • Consult with Heritage Commission at Concept Plan stage • Seek written endorsement of construction drawings and methodology.
Systems failure due to design	<ul style="list-style-type: none"> • Appropriately plan and design for IT, air-conditioning, telephony, water, sewerage and electrical systems within building design and construction

Financial / budget implications

Current financial year impact

Account no.	EO4604
Budget Item	Buildings- Town Hall
Budget amount	\$400,000
Amount spent to date	\$8,625
Proposed cost	To be determined by competitive quote
Balance	\$391,375

Future financial year impact

To be determined

Regional significance

The Town Hall is a Heritage landmark that is significant to the region.

Sustainability implications

Environmental

The proposed refit will reduce the quantity of energy consumed and hence greenhouse gas emissions through reduction in electricity consumption in respect to lighting, air conditioning and heating.

Social

The proposal will;

- enhance the amenity of public spaces within the Town Hall
- meet targeted needs within the community such as equal accessibility, security for workers and the public etc.
- improve the level of services available to the community
- enhance and promote the conservation of an historically significant building.

Economic

The proposal will:

- minimise on-going maintenance costs
- reduce electricity consumption charges
- increase the value of the Town's assets

Consultation

Extensive consultation was undertaken with staff and elected members in the development of the Design Concept, this included an on line survey, presentations and interviews.

The Consultants preparing the Design Concept met with the elected members on:

- 8 September 2015 for a preliminary discussion of needs;
- 6 October 2015 for presentation of first draft concept; and
- 13 October 2015 for presentation of revision of concept.

A public information program will be undertaken to advise residents and clients of the Council about the project and temporary arrangements for service provision during construction. This will include newspaper advertising, newsletters, website and 'facebook' articles and signage within the building.

An electronic 'suggestion/complaints box' will be established.

COMMENT

A recent independent contractor's assessment of the existing air conditioning plant in the Town Hall indicates that it would be appropriate to include mechanical engineering advice in respect to the replacement and redesign of the system as part of the internal redevelopment of the Town Hall. Accordingly it is proposed to include specifications for this within the preparation of design documentation.

The Design Concept establishes a freely accessible – 'public space' on the ground floor of the Town Hall.

Meeting and function rooms have been established sufficient to meet the desired outcomes of elected members and staff.

The proposed layout provides a more efficient work environment tailored to the functional requirements of staff, the public and elected members.

Equal access opportunities have been established to all areas of the building.

Security has been enhanced with a clear delineation established between public areas and staff working areas of the building.

Sufficient work spaces have been achieved to accommodate the projected maximum staff numbers.

The working environment will be substantially improved with the introduction of contemporary facilities and furniture.

It is now proposed to prepare necessary documentation to allow for competitive quotes to be invited from at least three firms listed on the WAGA Preferred Supplier Panel. WALGA lists the following benefits in the use such Panels:-

WALGA's Business Solutions arm focuses on harnessing the collective purchasing power of Local Government to provide access to key goods and services on terms more favourable than would be available to each Local Government individually. This is achieved through conducting commercial negotiations on behalf of Members and exploring strategic partnering, as well as providing guidance on purchasing and tendering issues.

8 December 2015

MINUTES

- *Streamlined procurement*
- *Tender exempt*
- *Cost savings*
- *Significant value for money*
- *High quality and compliant procurement*
- *Professional contract management*

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

It is recommended that the report be received and the attached Concept Design Plans CPO1, 2, 3 for the internal fit out of the Town Hall be endorsed.

Cr M McPhail moved, seconded Cr A McPhail

That the report be received and the attached Concept Design Plans CPO1, 2, 3 for the internal fit out of the Town Hall be endorsed. CARRIED 8:0

REPORT NO 12.2.3

PLANNING DELEGATION TO CHIEF EXECUTIVE OFFICER

RESPONSIBLE DIRECTOR	Jamie Douglas Manager Planning Services
AUTHORITY / DISCRETION	Absolute Majority

PURPOSE

To grant delegation to the Acting Chief Executive Officer to approve or refuse planning applications that may otherwise have been determined by the Town Planning & Building Committee and/or Council during the Council recess in January 2016.

EXECUTIVE SUMMARY

As elected members will be aware, there are no meetings scheduled for the Town Planning & Building Committee or Council during January 2016, with the next meetings scheduled for 2 and 16 February 2016 respectively. Accordingly, elected members may wish to consider either:

- *Providing delegation to the Acting Chief Executive Officer to determine planning applications that may otherwise have been determined by the Town Planning & Building Committee and/or Council; or*
- *Scheduling meetings in January 2015.*

DETAILS

Delegation to the Acting Chief Executive Officer to determine planning applications currently considered by both the Town Planning & Building Committee and/or Council, would be appropriate in order to avoid a backlog of applications that may be lodged during this period and to also avoid a 'Deemed Refusal' under Clause 10.9 of TPS3 given that the closing date for the December 1 Town Planning & Building Committee meeting was 7 October 2015. This is the delegation that Council put in place for the same period last year.

However one application that must be assessed during January is the Kaleeya Hospital redevelopment which is to go before the State's Development Assessment Panel for final determination (Council makes a recommendation to the DAP and has two representatives on the DAP panel).

Issues and options considered

Options open to Council are either to approve a delegation or to schedule a special meeting of Council to be held prior to 20 January 2016 in order to meet the timeframe for submission of its recommendation in respect to the Kaleeya development application to the DAP.

Legislation / Strategic Community Plan / policy implications

Legislation Town Planning Scheme No.3 Clause 10.9

Strategic Community Plan There are no strategic implications relevant to this report.

Risk management considerations

Failure to determine an application within the statutory time period (60 days or 90 days if the proposal has been advertised) could initiate an appeal to the State Administrative Appeals Tribunal.

Failure to determine the DAP application would mean that the matter is determined by the DAP without a recommendation from Council.

COMMENT

At time of writing, there are fourteen applications which have been lodged and awaiting determination which will not be included in the December round of meetings. Of these, it is estimated that 6 applications will not be determined within the statutory period and therefore 'deemed refused' (in addition to the Kaleeya Hospital DAP application) if delegation is not granted or a meeting of Council is not held in January.

VOTING REQUIREMENTS

Absolute Majority resolution required.

RECOMMENDATION

That for the period 9 December 2015 to 1 February 2016 Council delegates to the Acting Chief Executive Officer, under Clause 11.3 of Town Planning Scheme No 3, the power to determine planning applications in accordance with the terms of delegation currently attributable to a 4 member majority of the Town Planning & Building Committee.

Absolute Majority Resolution Required

ALTERNATIVE RECOMMENDATION

That no delegation is granted and all matters are either dealt with at a Special Meeting to be held prior to 20 January 2016 or held over to the normal round in February 2015.

Cr Collinson moved, seconded Cr Nardi

That for the period 9 December 2015 to 1 February 2016 Council delegates to the Acting Chief Executive Officer, under Clause 11.3 of Town Planning Scheme No 3, the power to determine planning applications in accordance with the terms of delegation currently attributable to a 4 member majority of the Town Planning & Building Committee.

CARRIED 8:0
ABSOLUTE MAJORITY

REPORT 12.3.1 – GOVERNANCE

ANNUAL REPORT 2014/15 – ANNUAL ELECTORS’ MEETING

RESPONSIBLE DIRECTOR	Gary Clark Acting Chief Executive Officer
ATTACHMENT	(A) Annual Report 2014/15
AUTHORITY / DISCRETION	Absolute majority

PURPOSE

The purpose of this report is to present the 2014/15 Annual Report for Council acceptance and set a date for the Annual Electors’ Meeting.

EXECUTIVE SUMMARY

The 2014/15 Annual Report has been compiled by Wendy Cooke in collaboration with the Mayor and Acting Chief Executive Officer and reflects the achievements of the Town of the previous financial year. Acceptance of this Report allows the setting of the date of the Annual Electors’ Meeting.

BACKGROUND

The 2014/15 financial statements which form part of the Annual Report will be considered by the Audit Committee on 4 December and recommended for acceptance at the Council Meeting.

DETAILS

The Annual Report includes information about the progress of activity outlined in the 2013-2023 Strategic Community Plan as well as an outline of the outcomes of the Mini Review of the Strategic Community Plan and subsequent strategic direction, which was undertaken in March/April 2015. This is in keeping with the requirements of the Integrated Planning and Reporting framework required by the Department of Local Government.

Issues and options considered

There are no issues or options to consider.

Legislation

Under s5.54 of the Local Government Act, the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.

Under s5.27(2) of the Local Government Act, an electors’ general meeting is to be held on a day selected by the local government but no more than 56 days after the local government accepts the annual report for the previous financial year.

Strategic Community Plan

There are no strategic implications to this report.

Risk management considerations

There are no risk management implications to this report.

8 December 2015

MINUTES

Financial / budget implications

There are no financial implications to this report.

Regional significance

There is no regional significance to this report.

Sustainability implications

There are no sustainability implications to this report.

Consultation

No consultation was required for this matter.

COMMENT

The proposed date for the Electors' Meeting would fall on the 55th day following adoption by Council at its December meeting. If this date was unsuitable for the majority of elected members, an alternative date during January 2016 would need to be agreed to.

VOTING REQUIREMENTS

Absolute majority resolution.

RECOMMENDATION

That Council:

1. accept the 2014/15 Annual Report
2. hold the Annual Electors' Meeting on Monday, 1 February 2016.

Absolute Majority Resolution

Cr Nardi moved, seconded Cr A McPhail

That Council:

1. accept the 2014/15 Annual Report
2. hold the Annual Electors' Meeting on Monday, 1 February 2016.
3. thanks staff for an informative summary of their work over the past year.

CARRIED 8:0
ABSOLUTE MAJORITY

8 December 2015

MINUTES

The Executive Manager Finance & Administration left the meeting at 7.20pm.

13. CONFIDENTIAL BUSINESS

Refer below.

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING – ELECTED MEMBERS, OFFICERS

14.1 Appointment of New Chief Executive Officer

Mayor O'Neill moved, seconded Cr M McPhail

That the matter of the appointment of the new CEO be heard.

CARRIED 8:0

15. CONFIDENTIAL BUSINESS

15.1 Appointment of New Chief Executive Officer (Continued)

Cr Nardi moved, seconded Cr Watkins

That the meeting be closed to the public in accordance with the Local Government Act section 5.23(2)(a) for the purpose of considering a matter affecting an employee or employees.

CARRIED 8:0

Cr M McPhail moved, seconded Cr Nardi

That Standing Orders be suspended to allow discussion on the matter.

CARRIED 8:0

The Acting CEO and Minute Secretary left the meeting at 7.22pm, returning to the meeting at 7.40pm.

Cr A McPhail moved, seconded Cr Watkins

That Standing Orders be resumed.

CARRIED 8:0

16. OPENING OF MEETING TO PUBLIC

Cr Nardi moved, seconded Cr M McPhail

That the meeting be opened to the public at 7.40pm.

CARRIED 8:0

17. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING – ELECTED MEMBERS, OFFICERS (CONTINUED)

17.1 Appointment of New Chief Executive Officer (Continued)

Mayor O'Neill moved, seconded Cr M McPhail

That Council:

1. appoints Mr Gary Tuffin to the position of Chief Executive Officer with the Town of East Fremantle for a period of five (5) years commencing on 14 March 2016 and concluding on 13 March 2021.
2. is of the belief that Mr Gary Tuffin is suitably qualified for the position of Chief Executive Officer.
3. is satisfied with the provisions of the proposed employment contract to be entered into with Mr Gary Tuffin with a total package of \$203,597 per annum.

CARRIED 8:0

ABSOLUTE MAJORITY

18. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 7.45pm.

*I hereby certify that the Minutes of the ordinary meeting of the **Council** of the Town of East Fremantle, held on **8 December 2015**, Minute Book reference **1. to 17.** were confirmed at the meeting of the Council on*

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Presiding Member