



AGENDA

Council Meeting

Tuesday, 18 October 2022 at 6:30 PM

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

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Procedure for Deputations, Presentations and Public Question Time at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p>Deputations</p> <p>A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p>Presentations</p> <p>An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.</p>
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Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received **by 5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- (a) is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Mayor or an appropriate Councillor.

Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to three (3) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Mayor may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the ***Town of East Fremantle Local Government (Council Meetings) Local Law 2016***:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to three (3) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by **5pm on the day before the meeting and be signed by the author**. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Council will be held on 18 October 2022 at 6:30 PM in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.



GARY TUFFIN
Chief Executive Officer
14 October 2022

AGENDA

1 OFFICIAL OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging.”

3 ANNOUNCEMENT TO GALLERY

“Members of the gallery are advised that no Council decision from tonight’s meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting, unless Council, by resolution carried at this meeting, requested the CEO to take immediate action to implement the decision.”

4 RECORD OF ATTENDANCE

4.1 ATTENDANCE

4.2 APOLOGIES

4.3 APPROVED

Cr Collinson
Cr White

5 DISCLOSURES OF INTEREST

5.1 FINANCIAL

5.2 PROXIMITY

5.3 IMPARTIALITY

6 PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS OF THE PUBLIC TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME

7 PRESENTATIONS/DEPUTATIONS

7.1 PRESENTATIONS

Nil.

7.2 DEPUTATIONS

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 MEETING OF COUNCIL (20 SEPTEMBER 2022)

OFFICER RECOMMENDATION

That the minutes of the Ordinary meeting of Council held on Tuesday, 20 September 2022 be confirmed as a true and correct record of proceedings

10 ANNOUNCEMENTS BY THE PRESIDING MEMBER

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

12 REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 WORKS COMMITTEE REPORT

Report Reference Number	OCR-1516
Prepared by	Nicholas King, Executive Manager Technical Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple Majority
Documents tabled	Nil

Attachments

1. Works Committee Minutes 27 September 2022

PURPOSE

To submit the minutes of the Works Committee meeting for receipt by Council.

EXECUTIVE SUMMARY

The Committee held its meeting on 27 September 2022, discussing items noted in the terms of reference as agreed by Council.

BACKGROUND

Nil.

CONSULTATION

Works and Reserves Committee

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

RISK IMPLICATIONS

Nil.

SITE INSPECTION

Nil.

COMMENT

Nil.

CONCLUSION

The unconfirmed minutes of the Works and Reserves Committee are now presented to Council to be received.

12.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That the unconfirmed Minutes of the Works Committee Meeting held on 27 September 2022 be received.

REPORT ATTACHMENTS

Attachments start on the next page



MINUTES

Works Committee Minutes Tuesday, 27 September 2022 6:30:00 PM

Disclaimer

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

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MINUTES

MINUTES OF THE ORDINARY MEETING OF THE WORKS COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY 27 SEPTEMBER 2022

1 DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

The Presiding Member opened the meeting at 6.30pm

2 ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging."

3 RECORD OF ATTENDANCE

3.1 ATTENDANCE

The following members were in attendance:

Mayor J O'Neill
Cr L Mascaro
Cr A McPhail
Cr D Nardi
Cr M Wilson Presiding Member
Cr A White
Cr K Donovan

The following staff were in attendance:

Mr G Tuffin Chief Executive Officer
Mr N King Executive Manager Technical Services
Ms H Clark Minute Secretary / Operations Coordinator

3.2 APOLOGIES

Nil.

3.3 APPROVED LEAVE

Cr C Collinson

4 MEMORANDUM OF OUTSTANDING BUSINESS

Nil.

5 DISCLOSURES OF INTEREST

Nil.



6 PUBLIC QUESTION TIME

Nil.

7 PRESENTATIONS/DEPUTATIONS

Nil.

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 WORKS COMMITTEE TUESDAY, 23 AUGUST 2022

OFFICER RECOMMENDATION

Moved Cr Donovan, seconded Cr Nardi

That the minutes of the Works Committee meeting held on Tuesday, 23 August 2022, with the deletion of Cr McPhail in the list of attendees, be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil.

10 REPORTS AND RECOMMENDATIONS OF COMMITTEES

Reports start on the next page

10.1 BUILDING MAINTENANCE & IMPROVEMENT PROGRAM

Report Reference Number	WCR-3
Prepared by	Nicholas King
Supervised by	Gary Tuffin
Meeting date	Tuesday, 27 September 2022
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

PURPOSE

The Works Committee is requested to receive this report regarding the Town's Building Maintenance & Improvement Program.

EXECUTIVE SUMMARY

The Town has approximately \$37 million in building asset portfolio and 44 individual asset items relating to buildings. Considering this number the Town has allocated \$80,000 to the 2022/23 financial year for maintenance and upgrades.

BACKGROUND

The Town's last building condition assessments were undertaken in 2017, with most of the Town's assets in good condition, and only needing minor maintenance. Since then the allocation to maintenance of buildings annually has been below what was recommended within the asset management plan. The next Building condition assessments will be undertaken in October and November 2022, with the services out to the market for prices in September 2022.

In addition to the maintenance program the Town is undertaking the upgrade of the Fremantle City Women's soccer club building upgrade. The project has an existing budget of \$720,000, with an additional \$200,000 requested from the Department of Local Government, Sport and Cultural Industries.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995
 Building Code of Australia 2005
 Environment Protection Act 1994
 Heritage Act 2004
 and Regulations
 Crown Lands Act 1989

POLICY IMPLICATIONS

Purchasing Policy 2.1.3

FINANCIAL IMPLICATIONS

Allocation of \$80,000 for the 2022/23 financial year for building maintenance and upgrades.

MINUTES FOR WORKS COMMITTEE MEETING Tuesday, 27 September 2022



Fremantle City Women's soccer club building upgrade has a budget of \$700,000 in the 2022/23 financial year with \$20,000 spent in the 2021/22 financial year. This project is 100% funded externally by the State Government (Department of Local Government, Sport and Cultural Industries), and the Club.

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states:

Strategic Priority 1 – Social - A socially connected, inclusive and safe community.

1.2 Inviting open spaces, meeting places and recreational facilities

Strategic Priority 3 – Built Environment – Accessible, well planned built landscapes which are in balance with

the Town's unique heritage and open spaces

3.2 Maintaining and enhancing the Town's character

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
If buildings are not maintained they deteriorate and costs become more long term	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION Medium term temporary interruption - backlog cleared by additional resources <1 week	Manage by updating asset management plans and maintenance budgets to avoid long term issues

Risk Matrix

Consequence		Likelihood				
		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

MINUTES FOR WORKS COMMITTEE MEETING Tuesday, 27 September 2022

*Risk Rating*

Risk Rating	5
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Nil

COMMENT

With the condition assessment quote sent to market in September 2022, this will flow into the five year capital building plan. Once the condition assessments are received, the priority list can be provided to the Works committee, proposed for November 2022.

Fremantle City Women's soccer club building upgrade is at 70% design completion, with no confirmation from the Department regarding the additional funding as of mid-September 2022. Irrelevant of this, the design package is being worked on by the architect, to go to tender for Construction in October 2022.

CONCLUSION

The Towns building assets are a major component of its asset portfolio, meaning it is important to maintain our buildings to a suitable standard at all times. Considering the limited use of some of the Towns buildings they may get neglected, however the Town should be maintaining all assets to a suitable standard, so that the wider public and stakeholders can utilize them when required.

10.1 OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Committee Resolution 012709

OFFICER RECOMMENDATION

Moved Cr McPhail, seconded Cr Donovan

That the Works Committee receive and note the building maintenance and improvement report.

(CARRIED UNANIMOUSLY)

10.2 CAPITAL WORKS PROGRESS REPORT

Report Reference Number	ACR-323
Prepared by	Nicholas King
Supervised by	Gary Tuffin
Meeting date	Tuesday, 27 September 2022
Voting requirements	Simple Majority
Documents tabled	Nil.

Attachments

1. Capital Works Progress Report

PURPOSE

The Works Committee is requested to receive this report regarding the Town's Capital works program progress until August 2022.

EXECUTIVE SUMMARY

The Council's adopted 2022/23 budget consists of over \$2 million of capital renewal and upgrade projects. Consisting of four categories; Plant and Equipment, Furniture and Equipment, Buildings, and Infrastructure. Progress costing and comments are provided monthly to Council through the Council Concept forum and as part of the monthly Council reporting.

BACKGROUND

Following the adoption of the budget, the Officers have planned out the 2022/23 capital works program for the financial year ahead. Particular works required early procurement due to seasonal conditions, such as the Wauhop Oval resurfacing project which needs to be commenced in September/October 2022. All other major capital projects are planned to be completed by December 2022, with procurement under way and planned to be completed by October 2022.

CONSULTATION

Internal consultation with impacted Officers, including the Executive Management Team.

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996 – (11)

Require that tenders be publicly invited for such contracts where the estimated cost of providing the total service is expected to be, more or worth more, than \$250,000.

POLICY IMPLICATIONS

Purchasing Policy 2.1.3

FINANCIAL IMPLICATIONS

As per the attached Capital works report, the Capital works renewal and upgrade program is worth over \$2 million.

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states:



Strategic Priority 3 – Built Environment – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Individual quotes will need to be sought for minor works, delaying works and compromising capital works completion within financial year.	Unlikely (2)	Minor (2)	Low (1-4)	FINANCIAL IMPACT \$250,001 - \$1,000,000	Manage by undertaking procurement early in the financial year to ensure works can be completed.

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	6
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Nil

COMMENT

Major Capital works projects timing and information is provided below:

MINUTES FOR WORKS COMMITTEE MEETING Tuesday, 27 September 2022



Job	Description	Original Budget	Comments
	Plant & Equipment	\$425,450	Fleet being procured at the moment, with one vehicle locked in, waiting prices for other vehicles
E04634	Furniture & Equipment - IT Equipment - Capex - New - Administration	\$25,000	General allocation, used on an as required basis
E14605	Buildings - Specialised - Capex - Renewal - Unclassified Property	\$80,000	Works being investigated and priced: Dovenby internal/external painting, Roof repairs at Town hall, Rowing club and scouts
E11739	Buildings - Specialised - Capex - Fremantle Women's Football Club	\$900,000	Final design ready to be provided to Council October 2022
E11743	Infrastructure - Parks & Ovals - Playground - Various Upgrades	\$30,000	Several playgrounds noted for minor equipment upgrades. Equipment being ordered Sept 2022
E11744	Infrastructure - Parks & Ovals - Playgrounds - Nature Playground	\$120,000	Nature playground opened Aug 2022, pump track commencing Sept 2022
E11741	Infrastructure - Parks & Ovals - Retic Upgrades	\$50,000	Bore pump and cabinet replacement at Gourley Park being undertaken Aug 2022
E11742	Infrastructure - Parks & Ovals - Retic Controllers	\$32,000	Prices being sought for controllers
E11740	Infrastructure - Parks & Ovals - Turf - Wauhop Oval	\$150,000	Quotes sought, minor change of scope to fit within budget. Works to commence late Sept 2022
E11735	Capex - Bench Seats - Various Locations	\$15,000	General bench seat upgrades where required
E11745	Infrastructure - Parks & Ovals - Ancillary - Drink Fountains	\$10,000	Two Drink fountains to be purchased to upgrade old fountains
E12827	Infrastructure - Car Parks - Surface/Pavement - Capex - Renewal - Maintenance Streets, Roads & Bridges	\$15,000	General allocation for maintenance. Some works to commence Sept 2022
E12833	Capex - Drainage Rationalisation - Foreshore	\$100,000	Works to commence in dryer months, Nov-Feb
E12840	Infrastructure - Roads - Renewal - Marmion St - East St	\$361,127	Tender approved by Council Aug 2022, works to commence Sept 2022
E12841	Infrastructure - Footpaths - Renewal - Canning Hwy (Fortescue - Irwin)	\$66,000	Term contract being put to Council Sept 2022
E12842	Infrastructure - Footpaths - Renewal - Canning Hwy (Irwin - Oakover)	\$80,000	Term contract being put to Council Sept 2022
E12843	Infrastructure - Footpaths - Renewal - Petra St (View Tce - Preston Point Rd)	\$68,000	Quotes being sought Sept 2022, works to commence October 2022
E12844	Infrastructure - Footpaths - Renewal - George St (East St - Glyde St)	\$36,000	Quotes being sought Sept 2022, works to commence October 2022
		\$2,563,577	

CONCLUSION

With the early adoption of the 2022/23 budget this allows Officers to begin procurement for major projects, which will see most of the major projects completed before December 2022. Further explanation of the major project as below:

- Marmion Street resurfacing initial onsite meeting occurred in early September 2022, with works proposed to commence in mid-October 2022.
- Two Canning Highway footpath upgrades are awaiting the September Council meeting to approve the relevant contractor to lock in the works, planned to begin in late October 2022.
- Two asphalt footpath upgrade projects sent to market mid-September 2022, contractor to be approved October 2022, with works planned to commence late October 2022.

MINUTES FOR WORKS COMMITTEE MEETING Tuesday, 27 September 2022



- Wauhop Oval resurfacing, quotes were received by three companies in August 2022, with all being well above the budget. Re-scope of works being put together and re-quoted to commence October 2022.

10.2 OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Committee Resolution 022709

OFFICER RECOMMENDATION

Moved Cr White, seconded Cr McPhail

That the Works Committee receive and note the Capital Works Program for August 2022.

(CARRIED UNANIMOUSLY)

REPORT ATTACHMENTS

Attachments start on the next page

Attachment 1

Attachment 1

TOWN OF EAST FREEMANTLE - CAPITAL WORKS REPORT - 31 August 2022												
CSW	Description	Original Budget	Budget Amendments	Current Budget	YTD Actual	Order Value	Total Actual	Variance (1)	Variance (2)	Indicator	Completion %	Comments
08429	Parks & Equipment - Lights - Cases - Renewal - Administration	\$8,200	\$0	\$8,200	\$0	\$0	\$0			PS	0%	CR3 and FVCC3 Vehicle
08429	Cases - New - for Charging Station - Town Hall	\$0	\$0	\$0	\$0	\$0	\$0			PS	0%	Works completed since 2022
09039	Parks & Equipment - Light Cases - Cases - New - Health Inspection & Admin	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	CR3 VCC3
13324	Parks & Equipment - Light Cases - Cases - Renewal - Town Planning & Regional Development	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	CR3 VCC3
13716	Parks & Equipment - Light Cases - Cases - Renewal - Other Recreation & Sport	\$54,300	\$0	\$54,300	\$0	\$0	\$0			PS	0%	Parks Supervisor Use - Doug & Waigee Ltd
14489	Parks & Equipment - Light Cases - Cases - Renewal - Industrial Property	\$62,300	\$0	\$62,300	\$0	\$0	\$0			PS	0%	CR3 VCC3 - New VCC3
18189	Parks & Equipment - Public Art - Cases - New - Other Culture	\$85,300	\$0	\$85,300	\$0	\$12,389	\$12,389			PS	0%	
18129	Parks & Equipment - Mobile Art - Cases - Renewal - Other Recreation & Sport	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Town/Moort investigation being undertaken for new moort
19124	Parks & Equipment - Public Art - Cases - New - Other Culture - Off-Deal Commission on Artwork	\$16,250	\$0	\$16,250	\$0	\$16,510	\$16,510			PS	0%	
	Parks & Equipment	\$425,400	\$0	\$425,400	\$0	\$75,548	\$75,548	-\$449,852	-\$449,852			
08126	Furniture & Equipment - IT Equipment - Cases - New - Administration	\$25,300	\$0	\$25,300	\$0	\$12,772	\$12,772			PS	0%	
	Furniture & Equipment	\$25,300	\$0	\$25,300	\$0	\$12,772	\$12,772	-\$12,528	-\$12,528			
13189	Buildings - Specialised - Cases - Renewal - Unleased Property	\$80,300	\$0	\$80,300	\$0	\$0	\$0			PS	0%	Building condition assessments being sent to tenant for input by Sept 2022
13178	Buildings - Case Framework Unit Project Redevelopment	\$1,000,000	\$0	\$1,000,000	\$144,914	\$510,563	\$1,155,477			PS	0%	
13179	Buildings - Specialised - Cases - Promoting Warramundi Football Club	\$480,000	\$0	\$480,000	\$4,218	\$0	\$4,218			PS	0%	Final design ready to be provided to Council October 2022
	Buildings	\$1,560,300	\$0	\$1,560,300	\$149,132	\$514,781	\$1,670,476	-\$111,476	-\$111,476			
18123	Infrastructure - Parks & Open Space - Parks - Various Upgrades	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Service playgrounds notes for minor statement upgrade, 02 items to be ordered Sept 2022
18124	Infrastructure - Parks & Open Space - Playgrounds - Multi-Playgrounds	\$1,200,000	\$0	\$1,200,000	\$48,000	\$0	\$48,000			PS	0%	Minor upgrade to children Aug 2022, pump track completed Sept 2022
18127	Infrastructure - Parks & Open Space - Cases - New - Other Recreation & Sport	\$0	\$0	\$0	\$0	\$0	\$0			PS	0%	Work items and cabinet submission to Council Parks in September, Aug 2022
18141	Infrastructure - Parks & Open Space - Parks	\$18,300	\$0	\$18,300	\$0	\$8,736	\$8,736			PS	0%	Work items and cabinet submission to Council Parks in September, Aug 2022
18142	Infrastructure - Parks & Open Space - Parks	\$12,000	\$0	\$12,000	\$0	\$0	\$0			PS	0%	Work items and cabinet submission to Council Parks in September, Aug 2022
18128	Infrastructure - Parks & Open Space - Turf - Turf	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Work items and cabinet submission to Council Parks in September, Aug 2022
18125	Cases - Hoop - Side Installation	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Goods ordered, waiting delivery
18179	Cases - Bench Seats - Various Locations	\$18,300	\$0	\$18,300	\$4,769	\$0	\$4,769			PS	0%	Goods ordered, waiting delivery
18158	Infrastructure - Parks & Open Space - Ancillary - Other Recreation	\$19,300	\$0	\$19,300	\$0	\$1,462	\$1,462			PS	0%	Goods ordered, waiting delivery
18187	Infrastructure - Case Parks - Service Department - Cases - Renewal - Miscellaneous Streets, Roads & Bridges	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	
18181	Cases - Designation Reallocation - Footpaths	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Works to commence in 2022 financial year Feb
18288	Infrastructure - Roads - Renewal - Stormwater - Built In	\$141,227	\$0	\$141,227	\$1,843	\$0	\$1,843			PS	0%	Contract approved by Council Aug 2022, works to commence Sept 2022
18284	Infrastructure - Footpaths - Renewal - Carving (Footpaths - New)	\$48,300	\$0	\$48,300	\$0	\$0	\$0			PS	0%	Work to commence being put to Council Sept 2022
18283	Infrastructure - Footpaths - Renewal - Carving (Footpaths - Old)	\$80,300	\$0	\$80,300	\$0	\$0	\$0			PS	0%	Work to commence being put to Council Sept 2022
18287	Infrastructure - Footpaths - Renewal - Carving (Footpaths - Old)	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Cases being sought for 2022, works to commence October 2022
18285	Infrastructure - Footpaths - Renewal - Carving (Footpaths - Old)	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Cases being sought for 2022, works to commence October 2022
18286	Infrastructure - Footpaths - Renewal - Carving (Footpaths - Old)	\$19,300	\$0	\$19,300	\$0	\$0	\$0			PS	0%	Cases being sought for 2022, works to commence October 2022
18289	Cases - Path Street Carving	\$0	\$0	\$0	\$0	\$0	\$0			PS	0%	
18279	Infrastructure - Streets - Carpark Upgrades - Paid Parking Management Solution	\$0	\$0	\$0	\$0	\$0	\$0			PS	0%	
	Infrastructure	\$1,461,227	\$0	\$1,461,227	\$50,843	\$1,466,284	\$1,466,284	-\$1,466,284	-\$1,466,284			
	TOTAL	\$1,560,300	\$0	\$1,560,300	\$149,132	\$1,670,476	\$1,670,476	-\$111,476	-\$111,476			



10.3 ENGINEERING MAINTENANCE ITEMS

Report Reference Number	ACR-331
Prepared by	Nicholas King
Supervised by	Gary Tuffin
Meeting date	Tuesday, 27 September 2022
Voting requirements	Simple Majority
Documents tabled	Nil.

Attachments

1. Footpath Condition Map

PURPOSE

The Works Committee is requested to receive this report regarding Engineering Maintenance items.

EXECUTIVE SUMMARY

Engineering maintenance items within the Town are generally reactive and dealt with by the Towns engineering field officers or contractors. With the highest risk asset the Town has footpaths, the Town have implemented an annual footpath inspection program which a consultant investigates and rates all of the Towns footpath network. The inspection will be undertaken in January and February every year, with the condition of the footpaths the basis for the following years budget.

BACKGROUND

The Towns Engineering maintenance budget is approximately \$300,000 annually, and accounts for two of the Towns external work force. Although the workforce is small the importance on the department is high, with footpaths and roads some of the Towns high risk assets. One of the highest cost materials and contracts item within the engineering maintenance budget is street sweeping (E12215) \$89,917, which the contractor sweeps all of the streets and car parks once per month.

The Towns also have several bus shelters under its care and control, which the Public Transport Authority (PTA) are looking to upgrade all stops to be to the relevant standard.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Purchasing Policy 2.1.3

FINANCIAL IMPLICATIONS

The Towns Engineering maintenance budget is approximately \$300,000 for the 2022/23 financial year

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states:

Strategic Priority 3 – Built Environment – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected

RISK IMPLICATIONS
Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
High risk items like footpath repairs are left and public liability claims increase	Possible (3)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, low impact, low news item	Manage by making sure assets are maintained and repaired in a timely manner

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	6
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Nil

COMMENT

The footpath condition assessment was undertaken in early 2022, with the results informing the 2022/23 budget. Outside of the capital budget, minor footpath maintenance works that were isolated to very small sections are planned to be ground down, rather than replace whole footpath sections. An example of the condition assessment pickup is attached.

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Street sweeping is one of the larger materials and contractors budget items, with the Town receiving complaints regarding the issue of vehicles being parked on the street while sweeping occurs in the Plympton ward. It was proposed to undertake sweeping on a specific side of the road on one week and then the opposite side of the road the following week, with letters sent to affected residents, encouraging residents to have vehicles moves for the street sweeper. The trial seemed somewhat unsuccessful with only some residents moving vehicles, and the street sweeper too large to be able to fit between vehicles, meaning that there were still leaves and debris on the street once the sweeper was done within each street.

A minor maintenance item under the Towns control is bus shelters on PTA bus stops, of which the Town have 26 shelters noted from the last asset valuation in 2021. In mid 2022 the PTA informed the Town that it planned to upgrade specific bus stops within the Town, meaning some existing shelters may be removed as the new concrete pad cannot be poured with the shelter in place.

CONCLUSION

With Engineering assets being highly visible and high risk to the Town it is important that these assets are maintained to a high standard. The external work crew for engineering maintenance are proactive when queries or complaints are received, this includes assisting in the mitigation of trip hazards within the Towns footpath network which we are progressing with each month.

10.3 OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Committee Resolution 032709

OFFICER RECOMMENDATION

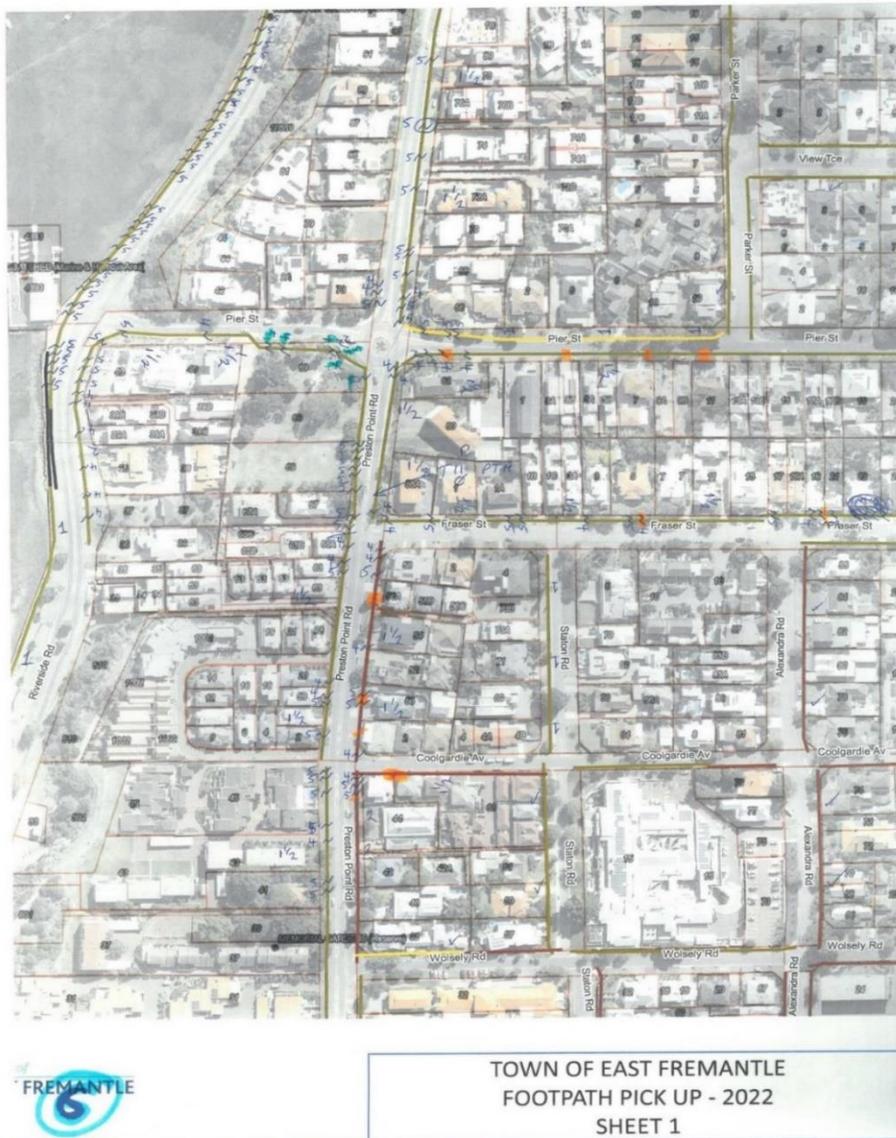
Moved Mayor O'Neill, seconded Cr Nardi

That the Works Committee receive and note the Engineering Maintenance report.

(CARRIED UNANIMOUSLY)

REPORT ATTACHMENTS

Attachments start on the next page



10.4 PARKS & GARDENS

Report Reference Number	ACR-333
Prepared by	Nicholas King
Supervised by	Gary Tuffin
Meeting date	Tuesday, 27 September 2022
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

PURPOSE

The Works Committee is requested to receive this report regarding the Town's Parks and Gardens.

EXECUTIVE SUMMARY

The Town's Parks, Ovals and reserves asset portfolio has an estimated value of approximately \$8 million, excluding non-depreciable assets (passive parks, sports fields and natural areas). The majority of its external work force are based within the parks and gardens team, maintaining the Town's parks and gardens on a schedule program which runs fortnightly. In addition to the maintenance, capital projects within parks account for approximately \$400,000 for the financial year 2022/23.

BACKGROUND

The Town's parks and gardens are the most visible asset to its residents and stakeholders, meaning that the maintenance of these areas is important in keeping the Town looking proactive and mindful of its stakeholders values in relation to the environment.

In the 2022/23 financial year the Town have four major parks and gardens related projects as below:

- Wauhop Park resurfacing.
- Urban Canopy tree planting.
- Niergarup track.
- Street tree planting.
- Sports Ovals maintenance.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995
Environment Protection and Biodiversity Conservation Act 1999
Australian Standards

POLICY IMPLICATIONS

Purchasing Policy 2.1.3

FINANCIAL IMPLICATIONS

Capital projects of approximately \$400,000 for the 2022/23 financial year

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Operating costs of approximately \$600,000 for the 2022/23 financial year

STRATEGIC IMPLICATIONS

Strategic Priority 1 – Social - A socially connected, inclusive and safe community.

1.2 Inviting open spaces, meeting places and recreational facilities

Strategic Priority 3 – Built Environment – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces

3.2 Maintaining and enhancing the Town’s character

Strategic Priority 4 – Natural Environment - Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity

4.1 Conserve, maintain and enhance the Town’s open spaces

4.2 Enhance environmental values and sustainable natural resource use

4.3 Acknowledge the change in our climate and understand the impact of those changes.

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Parks become degraded and look poor	Possible (3)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, moderate impact, moderate news profile	Manage by making sure out maintenance standards are high and checked by senior staff.

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Matrix

Risk Rating	6
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No



SITE INSPECTION

Nil

COMMENT

The maintenance and upgrade of the Towns parks is very important as it is an amenity that is seen and used daily by residents and stakeholders. The Towns major maintenance works and projects are listed below with relevant timeframes:

- Wauhop Park resurfacing – Quotes were sent to market in Aug 2022, with three submissions, all of which were well above the existing budget. Decided to re-scope the works to get within budget. New scope being evaluated and sent to contractors, to begin works in October 2022.
- Urban Canopy tree planting underway, planted up to 200 of the urban canopy trees. All planting completed, with no watering needed at this stage. Watering to commence when rain stops.
- Niergarup track zone 1 planting complete, part of zone 2 planted, and weed control being undertaken in zone 2 in early September 2022. Areas to be assessed in September 2022, to determine next course of action.
- Street tree planting to begin Sept 2022, works to begin late Sept 2022.
- Turf renovations, fertilizer to be carried out on Sports fields, commencing Sept 2022. Quotes need to be sent to contractors due to cost. Works will only take one week on ground, however the ovals will be un-used by the clubs for approximately 3-4 weeks to allow the ovals to recover.
- Retic Controllers – Prices being sought Sept 2022, if materials are available all should be in before December 2022.

CONCLUSION

As works in parks and gardens is generally seasonal in terms of tree planting and recovery, most of the capital works relating to parks and gardens is undertaken in the winter months between July and September. In addition to the capital projects the Towns external work force work on a fortnightly maintenance schedule to maintain the Towns parks and gardens.

10.4 OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Committee Resolution 042709

OFFICER RECOMMENDATION

Moved Cr Nardi, seconded Cr Mascaro

That the Works Committee receive and note the Parks and Gardens report.

(CARRIED UNANIMOUSLY)



10.5 RISK & HAZARDS

Report Reference Number	ACR-335
Prepared by	Nicholas King
Supervised by	Gary Tuffin
Meeting date	Tuesday, 27 September 2022
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

PURPOSE

The Works Committee is requested to receive this report regarding Risk & Hazards and OHS/WHS matters.

EXECUTIVE SUMMARY

As there are no items to report on these matters for this month, items may be raised during the meeting.

BACKGROUND

Risk & Hazards and OHS/WHS matters are important for the Town, as reporting and mitigating risk is a key component on reducing the Town's public liability. If done correctly the Town, residents and other stakeholders will benefit from a safe Town of limited risks and hazards.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Work Health and Safety Act 2020

POLICY IMPLICATIONS

Policy 2.2 Risk Management

FINANCIAL IMPLICATIONS

No direct costs associated with this item, however the Town's insurance policies may be impacted indirectly.

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states:

Strategic Priority 5 – A proactive, approachable Council which values community consultation, transparency and accountability

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance



RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
If risks are not identified then hazards can become worse, and the impact can sometimes be fatal	Unlikely (2)	Major (4)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, high impact, high news profile, third party actions	Manage by identifying risks and mitigating them early

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	8
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Nil

COMMENT

As no items for this month, this section will be filled as required in coming meetings.

CONCLUSION

Risk & Hazards and OHS/WHS are items that are important to the Town as its reputation can be damaged and the financial implications can be high if the severity of incidents is serious. It is the Towns responsibility to mitigate these risks and identify hazards, in trying to prevent serious incidents.



10.5 OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Committee Resolution 052709

OFFICER RECOMMENDATION

Moved Cr McPhail, seconded Cr Nardi

That the Works Committee receive and note the Risk & Hazards and OHS/WHS report.

(CARRIED UNANIMOUSLY)

10.6 STRATEGIC PROJECTS

Report Reference Number	ACR-327
Prepared by	Nicholas King
Supervised by	Gary Tuffin
Meeting date	Tuesday, 27 September 2022
Voting requirements	Simple Majority
Documents tabled	Nil

Attachments

1. MP Rogers & Associates Report
2. Operations Review Update

PURPOSE

The Works Committee is requested to receive this report regarding the Town's Strategic Projects.

EXECUTIVE SUMMARY

The Town has several strategic projects which align with its Strategic Community Plan, Corporate Business Plan and Strategic Resource Plan. Four key projects have been identified and will be updated within this report, being:

- Implementation of Works Review
- Implementation of Integrated Traffic Management Plan
- Implementation of Foreshore Management Plan
- Implementation of Asset Management Plan

BACKGROUND

The four key strategic projects have varied background information, with relevant information as below.

Implementation of Works Review

Works review undertaken by GFG Consulting in early 2020, with the report finalised in March 2020. 66 individual recommendations were put forward within the report to increase efficiencies in the Operations Department, and create greater transparency.

Implementation of Integrated Traffic Management Plan

The Integrated Traffic Management Plan was undertaken by Cardno in 2020, with the final report finalised in April 2021. With over 100 individual recommendations put forward, the Officers have broken the recommendations into three categories: Parking, Traffic and Active Transport. Which an implementation plan has been created to target recommendations in the next five years.

Implementation of Foreshore Management Plan

The Town commissioned Ecoscape in 2015 to undertake a foreshore management plan, which put forward a 10 year asset maintenance priority plan. This plan has been used as the basis for subsequent foreshore management documents, including the River wall 10 year priority plan which was undertaken by MP Rogers in early 2022, with a first draft presented at the works committee in August 2022.

Implementation of Asset Management Plan

The Town has many asset categories, with asset management plans in place for Buildings, Drainage, Footpaths, Parks, Plant and Equipment, and Roads. Best practice is to review these plans annually if not bi-

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annually, with the most recent review undertaken in late 2021. Asset conditions are not reviewed annually for all categories, however for high risk assets such as footpaths an annual inspection has been put in place to identify and mitigate and hazards.

CONSULTATION

All strategic projects have had varied levels of consultation, including.

Implementation of Works Review

Finalised report went to Council informally upon completion, with updates provided to Council in late 2021 at the Council Concept Forum.

Implementation of Integrated Traffic Management Plan

The finalised report was presented to Council at the Council Concept Forum in mid-2021.

Implementation of Foreshore Management Plan

Different iterations have been presented to Council both formally and informally since the 2015 plan, however the updated condition assessment and plan has not been presented to Council as of yet.

Implementation of Asset Management Plan

The asset management plans have not been presented to Council as of yet. With updated documents to be presented to an upcoming Council Concept Forum.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The four strategic projects have an impact on the Towns long term financial plan and the current 2022/23 financial year budget.

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states:

Strategic Priority 3 – Built Environment – Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected



RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
If strategic plans are not updated or maintained the long term financial plan may be adversely impacted	Possible (3)	Minor (2)	Low (1-4)	FINANCIAL IMPACT \$50,000 - \$250,000	Manage by annually reviewing strategic projects to make sure we are aligning with the plans and long term financial planning

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	5
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Nil

COMMENT

Updates on the individual projects are as below:

Implementation of Works Review

The Operations review is reviewed monthly by the CEO and EMTS, with the recommendations commented on and updated if completed. To date of the 66 recommendations the status is below for each:

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Status	66	%
Ongoing	40	61%
Completed	15	23%
No Action	11	17%

Implementation of Integrated Traffic Management Plan

Following the plan being presented to Council in mid 2021, the Officers setout an implementation plan with the relevant implementation year and comments from relevant managers. With some recommendations needing further investigation, it is proposed that within the 2022/23 budget, minor projects are concentrated on, with a budget allocation of \$60,000 for this financial year.

Implementation of Foreshore Management Plan

The updated condition assessment and five year plan outlines the Towns capital upgrade program moving forward. Within the 2022/23 financial year the Council has allocated approximately \$250,000 towards river wall upgrades, including a contribution of \$75,000 from the DBCA.

The Towns officers met with the DBCA in September 2022 to agree on river wall works starting date. Works planned to begin the week of 3 October, with project signage to be placed near the two sites before the works commence. Traffic and pedestrian management will be in place, detouring pedestrians around the site.

Implementation of Asset Management Plan

All Asset management plans were reviewed in late 2021, however condition assessments were only undertaken for Footpaths and Roads being too high risk assets. In the existing financial year a building condition assessment will be undertaken for all buildings the Town owns or maintains, in addition to the annual playground inspections undertaken near December every year.

CONCLUSION

The Towns strategic projects are vital in capturing and updating the Towns assets and priorities in aligning with its long term financial plan. It is important that the Town review these projects regularly to make sure our annual capital program and maintenance budgets are aligning with the long term plans.

10.6 OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Committee Resolution 062709
OFFICER RECOMMENDATION
Moved Cr McPhail, seconded Cr Mascaro
That the Works Committee receive and note the strategic projects update.
(CARRIED UNANIMOUSLY)

REPORT ATTACHMENTS

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R1692 Rev 0
August 2022

Town of East Fremantle

**East Fremantle Riverwalls
10 Year Priority Plan**

- marinas
- boat harbours
- canals
- breakwaters
- jetties
- seawalls
- dredging
- reclamation
- climate change
- waves
- currents
- tides
- flood levels
- water quality
- siltation
- erosion
- rivers
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Attachment -1

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1. Introduction

The Town of East Fremantle (Town) has engaged specialist coastal and port engineers, M P Rogers & Associates Pty Ltd (MRA) to prepare a 10-year riverwall maintenance priority plan. The Town manages approximately 3.5 km of foreshore which is comprised of mixed built, natural and private foreshore assets. The riverwalls and other built foreshore assets managed by the Town are the focus of this maintenance priority plan. It should be noted that while most of the Town's foreshore built assets can be classified as vertical block walls, some other built assets such as mortared rock revetments and groynes also exist and have been included the development of this riverwall maintenance priority plan. The foreshore managed by the Town extends from East Street in the west to Petra Street in the east as shown Figure 1.1.



Figure 1.1 East Fremantle Foreshore Extent

2. Site Background

2.1 Previous Studies

The Town's foreshore has been the subject of many previous studies. Notably, MRA's work with Ecoscape in 2015 in developing a Foreshore Master Plan (Ecoscape, 2015). An earlier Foreshore Landscape Plan prepared by Ecoscape in 1993 was also an important document in the management of the Town's foreshore. These master plan documents provide a holistic view of the Town's previous foreshore management strategies and discuss the background and context of the site.

As part of the 2015 Foreshore Master Plan, MRA completed a Foreshore Condition Inspection which included a 10 year maintenance priority plan (MRA, 2014). It is not entirely clear exactly how many of, or to what extent these recommendations were acted on. The planning timeframe of this previous priority plan is now nearing completion, and is therefore due for an update. It is noted that the context and background information included within the 2015 master plan is still generally relevant. As such, this report will focus explicitly on the Town's current riverwall condition and future maintenance requirements.

MRA has also completed a number of inspections and condition assessments along the Town's foreshore. In late 2020 and early 2021, MRA provided updated condition assessments for the Town's riverwalls. Later In 2021, MRA completed an updated condition assessment of Swan Canning River built assets for the DBCA, which included reassessment of the Town's riverwalls and other built assets. The condition ratings developed from the most recent works for the DBCA have been utilised in this priority plan.

The previous maintenance priority plan along with the more recent condition inspections have been considered in the development of this 10 year maintenance priority plan (MRA, 2015, 2020 & 2021). Additionally, MRA completed a condition assessment for riverwall assets adjacent to and fronting the East Fremantle Yacht Club. This assessment has been included later in this report.

2.2 Survey

The Town has recently completed a feature survey for the entire extent of its accessible foreshore. The survey aim was to provide information to allow review and design of maintenance or replacement requirements for the Town's foreshore assets. The survey brief specified an extent of approximately 10 metres into the water and back a distance approximately to the road kerb, picking up notable features.

This survey was completed in June 2022 and recently provided to MRA.

2.3 Acid Sulfate Soils

Acid Sulfate Soils (ASS) are known to exist in wetland areas of the Swan Coastal Plain. ASS are harmless when left undisturbed, however when exposed to air, the iron sulfides in the soil oxidise to produce iron compounds and sulfuric acid. This acid can react with other compounds and release harmful substances, including the acids and heavy metals themselves, into the environment and waterway (DER 2015).

When actual ASS is identified or disturbed it must be managed by an approved Acid Sulfate Soil Management Plan (ASSMP). Management of ASS can be an expensive exercise and encountering unexpected/unidentified ASS can cause major cost blowouts to a project.

The Department of Water & Environmental Regulation (DWER) ASS risk dataset of the Swan Coastal Plain (DWER-055) was used to identify the risk of potential ASS occurring at the site. The map is available at <http://www.der.wa.gov.au/your-environment/acid-sulfatesoils/65-ass-risk-maps/>. The ASS map of the site is as shown in Figure 2.1.



Figure 2.1 Acid Sulphate Soil Risk Map of Site (DWER-055)

The ASS map shows a High to Moderate risk (Class 1 – Red) of ASS occurring along the foreshore edge throughout the extent of the Town. Therefore, should more than 100 m³ of material be planned to be excavated during any foreshore works, an ASS investigation will be required and, depending on the outcomes, an ASS Management Plan (ASSMP) may be needed. This may have significant cost implications on any works which include excavation of the foreshore. It may also influence dewatering works, which may be required for riverwall maintenance or replacement.

2.4 Aboriginal Heritage

The Swan River is an integral part of the Aboriginal culture as a site of significance to the Whadjuk Noongar people and all impacts to the river are to be carefully considered. Any works on registered aboriginal heritage sites (such as Site S3536, the Swan River) require approval from the Department of Planning, Lands and Heritage. MRA understands that the Town has Section 18 approval for works on its riverwalls and foreshore which should be reviewed prior to undertaking any works arising from this maintenance priority plan.

3. Riverwall Condition Assessment

3.1 Site Inspection

Recent site inspections of the East Fremantle riverwalls were completed by MRA engineers Trent Hunt & Todd Irvine on 11 October 2021, 25 May 2022 and additionally on 19 July 2022. Assets were inspected visually above water for condition and defects. Drainage outlets and structural items such as jetties, boardwalks and boat ramps were not included in the assessments.

The inspections were carefully timed to coincide with low water levels so that the majority of the assets, including typically below water components, could be inspected. Despite timing the inspections at low water levels, some assets extend below the water level. In addition, the inspections were visual only and no intrusive investigations were undertaken. For these reasons, additional defects may exist that were not visible during the inspection.

3.2 Asset Rating System

As part of the inspection, MRA assigned each asset a condition and consequence rating. The condition and consequence ratings for use have been previously confirmed by the Department of Biodiversity, Conservation & Attraction (DBCA), and are consistent with previous rating systems developed by MRA and DBCA. The condition and consequence ratings are presented in Tables 3.1, 3.2 and 3.3.

A matrix of Condition and Consequence Rating was then used to provide an Overall Condition Index (OCI), presented in Table 3.4. The relevant OCI for each asset can be used to determine maintenance priorities, which are related to the recommended works timings in Table 3.5.

Table 3.1 Condition Rating

Rating	Condition Description	Performance	Action Plan	Maintenance Classification
1	Asset that has been recently installed or re-conditioned back to as new	Good Condition	Predictive Maintenance	Planned Maintenance
	Asset should not show any wear or fatigue characteristics			
	Asset is expected to function fully as designed and deliver service level fully as intended			
2	An asset shows early stages of deterioration and wear	Minor Deterioration	Preventative Maintenance	Planned Maintenance
	There is no reduction in service level delivery of the asset			
3	Asset shows very obvious signs of deterioration	Fair Condition	Cyclic Maintenance	Planned Maintenance
	There will be some service delivery loss			
	Planned maintenance action required to restore asset service level delivery			
4	An asset showing severe signs of deterioration	Poor Condition	Reactive Maintenance	Unplanned Maintenance
	Prompt actions have to be taken to avoid major service delivery failure			
5	Asset has failed and is no longer capable of delivering services as intended	Failed Asset	Breakdown Maintenance / Asset Renewal	Unplanned Maintenance
	In some cases, it will be a risk in leaving the asset in service			
	Urgent action will be required to replace or rehabilitate the asset			
0	Unable to Inspect / Missed Inspection		Investigate	
NA	Not Applicable			
CYNA	Condition Not Yet Assessed		Inspection Plan	

Table 3.2 Condition Rating Examples for Vertical Block Wall

Rating	Description	Typical Photo
1 Good	Sound physical condition No Work Required No voids, cracks or erosion present	
2 Moderate (Minor Deterioration)	Acceptable physical condition; Minimal short term failure risk but potential for further deterioration. Minor Work Required Minor erosion to blocks or joints	
3 Fair	Significant deterioration evident; failure unlikely in near future but further deterioration likely. Work required but asset is still serviceable Joints have voids or blocks eroding, or voids present behind wall	
4 Poor	Failure likely in the short term Substantial work required in short term, asset barely serviceable Large voids or crack in wall, blocks eroded	
5 Very Poor / Failed	Failed or failure imminent / safety risk Major work or replacement required urgently Footing undermined or blocks/joints heavily eroded	

Table 3.3 Consequences Rating Matrix

Rating	Consequence Name	Consequence Description
NA	Not Assessed	Not Assessed
1	Insignificant	No injuries. Loss of \$0 - \$1,000 Impact resolved; can be repaired within 1 month. Unlikely to be raised in public; Complaints unlikely to be received.
2	Minor	First aid treatment required. Loss \$1,000 - \$10,000. Impact repairable; can be repaired within 1 - 6 months. Local adverse media coverage; some complaints received.
3	Moderate	Medical treatment required. Loss \$10,000 - \$100,000. Environmental damage; can be repaired within 6 - 12 months. Adverse media coverage; coordinated representation demand additional resource.
4	Major	Serious injury. Loss \$100,000 - \$1.0M. Long term environmental damage; will require at least 12 months to repair.
5	Catastrophic	Death. Loss of more than \$1.0M. Irreversible impact; cannot be repaired or restored. Inquiry, dismissal or prosecution. Long term reputation damage at state level.

Table 3.4 Overall Condition Index (OCI)

		Condition Rating				
		1	2	3	4	5
Consequence Rating	5	5	10	15	23	25
	4	4	9	14	20	24
	3	3	8	13	19	22
	2	2	7	12	18	21
	1	1	6	11	16	17

Table 3.5 Recommended Works Timing

Combined Rating	Works Timing
1-3	10 Yrs +
4-6	5- 10 Yrs
7-11	2 – 5 Yrs
12-17	1 – 2 Yrs
18-21	6 Mth – 1 Yr
22-25	Urgent < 6 Mths

The recommended timings presented in Table 3.5 are commonly used by DBCA and local governments around the Swan Canning Estuary. However, these can be tailored to suit the Town's budget and overall works priorities.

3.3 Asset Condition Assessment

As part of the works, MRA produced a chainage system for the East Fremantle riverwalls which can be viewed in the Condition Rating Plan in Appendix A. It is recommended that this section of the report be read in conjunction with the Condition Rating Plan. This condition assessment refers to the built assets by their approximate chainage as well as their respective DBCA asset identifier (MRA, 2022). The assets were broken up into segments where a clear change in the riverwall condition or construction material/methodology was evident. The Town's riverwall assets have been assessed as follows in order of chainage starting from the west.

It should be noted that some of the Town's assets may have slightly changed DBCA asset identifiers when compared to previous inspections. This is due to the 2021 DBCA built asset inspection which consolidated or removed redundant assets and listed previously unidentified assets. Generally, only the number forming the last part of the asset identifier is all that has been changed. This is particularly notable for the Norm Mackenzie Reserve and John Tonkin Park & Preston Point asset identifiers.

SLFr01 Fremantle Bridge. B01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLFr01 Fremantle Bridge.B01	0-20	Rock Revetment	4	3	19



Figure 3.1 Path Behind Revetment (L) & Overtopping Damage (R)

This asset straddles the boundary of the City of Fremantle and the Town of East Fremantle. It appears that most of the asset is within the City of Fremantle's jurisdiction, however approximately 20 metres appear to lie within the Town's boundary. The asset is a limestone rock revetment in poor condition. It features undersize rock with steep sections, insufficient width and damage from uncontrolled surface runoff. There is evidence of voids and overtopping damage behind the crest.

SLEFr06 Stirling Bridge J Dolan Park. B03

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr06 Stirling Bridge J Dolan Park B03	20-80	Wall	3	3	13



Figure 3.2 J Dolan Park Wall Looking East (L) & Looking West (R)

The asset is a vertical wall made from mortared natural limestone rock backed by a concrete pedestrian path which serves as a capping. Some mortar decay around the toe is evident, causing voids and loose rock. The path is cracked in places, possibly due to a loss of fines through voids. Repointing and void repair maintenance works are recommended to prevent further damage to the path.

SLEFr06 Stirling Bridge J Dolan Park. B02

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr06 Stirling Bridge J Dolan Park. B02	80-240	Wall	3	3	13



Figure 3.3 Limestone Block Wall (L) & Access Stairs (R)

The asset is a low vertical limestone block wall backed with a concrete pedestrian path which serves as capping. Panel/post toe protection is present at the upstream and downstream extents. The wall is generally in fair condition, with the face and crest showing signs of recent regrouting. The limestone block steps are in poor condition and require rebuild. The concrete path on crest appears to be relatively new and is in good condition. Scheduled maintenance is recommended to maintain the asset to its current condition.

SLEFr06 Stirling Bridge J Dolan Park. B01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr06 Stirling Bridge J Dolan Park. B01	240-370	Wall	3	3	13



Figure 3.4 Sandy Beach (L) & Downstream Void (R)

The asset is a low vertical limestone block wall backed with a concrete pedestrian path which serves as a capping. The concrete path is generally in good condition and the wall exhibits signs of recent repointing works. A sandy beach is protecting the lower portion of the wall, with panel and post toe protection visible in parts. Some of the panels were displaced or damaged. One notable void was present at the downstream end which required maintenance. Scheduled maintenance is recommended to maintain the asset to its current condition.

SLEFr05 Merv Cowan Park. B06

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr05 Merv Cowan Park. B06	370-500	Wall	3	3	13



Figure 3.5 Limestone Blockwall with Jetty Abutments

The asset is a vertical limestone blockwall with intermittent panel and post toe protection and some scattered rock rip rap. The wall features multiple jetty abutments and a public concrete path at the rear of crest. The condition of the wall was generally fair, with signs of recent repointing works, however, there was some grout loss in the lower courses. Scheduled maintenance is recommended to maintain the asset to its current condition.

SLEFr05 Merv Cowan Park. B05

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr05 Merv Cowan Park. B04	500-580	Revetment	3	3	13



Figure 3.6 Pitched Revetment Looking North (L) & South (R)

The asset is a pitched (grouted) limestone revetment supporting a concrete path and protecting a high use carpark. The top sections were in good condition, with the overall structure in fair condition. Some loss of mortar and rock was evident at the toe. The asset requires toe protection to prevent further undermining. Lack of action could lead to further material loss and development of voids beneath path/carpark.

SLEFr05 Merv Cowan Park. B04

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr05 Merv Cowan Park. B04	600-630	Wall	4	4	20



Figure 3.7 Weathered Blockwall (L) & Cracking of Concrete Wall (R)

The section of walling on the northern side of the Dome is in poor condition. There is a short limestone blockwall extending from the Dome about 5-10 metres. The blockwall is heavily deteriorated with little mortar still visible, heavily weathered blocks and signs of settlement. There has been significant loss of material behind the wall, settlement, and movement of pavers.

Adjacent to the blockwall is a concrete panel wall which is also in poor condition. The concrete panels are heavily cracked and settled and are nearing end of service life. The wall through this section supports a public path and a carpark which services the dome and foreshore.

The section of wall from the Dome to the nearest jetty is considered a high priority for replacement or significant upgrade.

SLEFr05 Merv Cowan Park. B03

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr05 Merv Cowan Park. B03	630-940	Wall	4	3	19



Figure 3.8 Low Limestone Blockwall (L) & Voids Beneath Path (R)

The limestone blockwall exhibited signs of recent repointing maintenance. The lower courses of the wall display loss of mortar, and there was evidence of voids behind the wall / below the path. Recent maintenance efforts have helped slow the deterioration, however further works will be required with attention to the lower courses and filling voids behind the wall.

SLEFr05 Merv Cowan Park. B02

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr05 Merv Cowan Park. B02	940-1050	Wall	4	3	19



Figure 3.9a Limestone Armour in Front of Vertical Wall



Figure 3.9b Tie In (L) & Sheet Pile Wall (R)

The asset is a terraced blockwall with a bituminous pavement present on the lower-level landing (now closed off to pedestrians). A concrete path is present behind the top wall, and is in fair condition. Rock armour is present fronting the wall and provides some protection from wave energy. However, the wall is deteriorated with loss of fines and voids opening up behind the crest, resulting in a poor visual aesthetic. Recommended remediation options for this stretch could include adaption measures such as removal of the bitumen, blockwall maintenance and vegetation of the lower level.

A short section of heavily corroded sheet pile wall connects the block wall to the Department of Transport Boatshed Facility. It appears that geotextile and concrete has been used to repair voids behind sheet pile wall. This entire section requires significant upgrade.

SLEFr05 Merv Cowan Park. B01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr05 Merv Cowan Park. B01	940-1050	Wall	3	3	13



Figure 3.10 Block Wall Section (L) & Settled Path (R)

The asset is a limestone blockwall featuring a concrete path capping and toe scour protection. The wall is generally in a fair condition with signs of recent repointing maintenance. The lower courses require further repointing.

A short section of path is rotated and settled, which appears to be due to uncontrolled surface runoff from the road increasing the loss of fines under/through the wall. Minor maintenance works are required to the wall and path, along with addressing the underlying surface drainage issue.

SLEFr04 John Tonkin Park & Preston Point. B11

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr04 John Tonkin Park & Preston Point. B11	1330-1380	Wall	2	2	7



Figure 3.11 Limestone Block Wall & Sandy Beach

The asset is in moderate condition, showing signs of minor deterioration. A sandy beach in front of the wall is protecting the lower courses. Scheduled repointing maintenance is recommended to maintain the asset to its current condition.

SLEFr04 John Tonkin Park & Preston Point. B10

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr04 John Tonkin Park & Preston Point. B10	1420-1520	Revetment	4	3	19



Figure 3.12 Grouted Revetment (L) & Voids Under Path (R)

The asset is a pitched (mortared) limestone rock revetment in poor condition. The grout has cracked as a result of toe undermining, allowing the lower rocks to settle. Extensive voids were present throughout revetment structure. The path exhibits cracks which is indicative of voids underneath.

It is unclear how far the voids extend under the path and potentially the car park and this are therefore provides some risk. This section is considered to be a high priority item for a recommended rebuild.

SLEFr04 John Tonkin Park & Preston Point. B09

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr04 John Tonkin Park & Preston Point. B9	1540-1570	Revetment	3	3	13



Figure 3.13 Revetment Around Boat Ramp

The limestone rock revetment around the Leeuwin boat ramp was observed to be in fair condition. Minor maintenance involving repacking of armour and loose material is required.

SLEFr04 John Tonkin Park & Preston Point. B08-B03

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr04 John Tonkin Park & Preston Point. B08	1600-1620	Wall	1	3	3
SLEFr04 John Tonkin Park & Preston Point. B07	1600-1620	Groyne	1	2	2
SLEFr04 John Tonkin Park & Preston Point. B06	1640-1660	Groyne	1	2	2
SLEFr04 John Tonkin Park & Preston Point. B05	1700-1720	Groyne	1	2	2
SLEFr04 John Tonkin Park & Preston Point. B04	1740-1760	Groyne	1	2	2
SLEFr04 John Tonkin Park & Preston Point. B03	1800-1820	Groyne	1	2	2



Figure 3.14 Block Wall (L) & Groyne Example (R)

The above assets were all observed to be in good condition. The maintenance requirements include ongoing monitoring.

SLEFr04 John Tonkin Park & Preston Point. B02

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr04 John Tonkin Park & Preston Point. B02	1760-1840	Gabion	2	2	7



Figure 3.15 Buried Gabion/Reno Mattresses

The asset is a mostly buried gabion basket/reno mattress, with visible portions in moderate condition. No works required.

SLEFr04 John Tonkin Park & Preston Point. B01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr04 John Tonkin Park & Preston Point. B01	1900-1940	Groyne	2	2	7



Figure 3.16 Preston Point Groyne

The asset is a low limestone rock groyne and was observed to be in moderate condition. Minor repacking of loose rock is required. However, this is not considered to be a high priority maintenance item.

SLEFr03 Norm McKenzie Reserve. B10-B06

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr03 Norm McKenzie Reserve. B10-B06	1940-2040	Wall	Varies	Varies	Varies

The condition of the structures within the Swan Yacht Club was documented in an inspection previously completed by MRA (2021) for the Town and is outside of the scope of this plan.

SLEFr03 Norm McKenzie Reserve. B05

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr03 Norm McKenzie Reserve. B05	2055-2065	Wall	3	3	13



Figure 3.17 Limestone Block Wall

The asset is a short (approx. 5-10m long) limestone block wall. The wall supports a high use public path and protects the foreshore immediately in front of a building. Some weathering of the face evident and wall is slightly rotated, but overall the asset is in reasonable condition. The wall should be upgraded with improved tie-ins to the neighbouring structures in the long term.

SLEFr03 Norm McKenzie Reserve. B04

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr03 Norm McKenzie Reserve. B04	2060-2090	Gabion	4	2	18



Figure 3.18 Limestone Gabions Rotated (L) & Lost Material (R)

The gabion baskets forming the wall appear to have rotated forward and are beginning to deteriorate. Holes in the baskets have allowed the loss of some of the limestone material. The wall supports high use path and protects a navy cadets building. The asset requires maintenance in the short term to maintain serviceability. Long term planning should include upgrading this entire stretch of foreshore.

SLEFr03 Norm McKenzie Reserve. B03

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr03 Norm McKenzie Reserve. B03	2090-2100	Gabion	3	2	12



Figure 3.19 Limestone Gabions

The gabion baskets protect the beach area and kayak ramp. Some deformation and damage of the baskets was evident, and the baskets appeared to have been previously repaired. Asset requires additional maintenance in the short term to maintain serviceability. Long term planning should include upgrading this entire stretch of foreshore.

SLEFr03 Norm McKenzie Reserve. B02

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr03 Norm McKenzie Reserve. B02	2100-2155	Revetment	3	3	13



Figure 3.20 Steps (L) & Pitched Revetment (R)

The asset here includes a pitched limestone revetment, steps and a ramp that service the Fremantle Rowing Club. The steps appear to be in good condition, and are partially buried by the beach. The crest of the revetment also appears to be in good condition, however the toe is severely undercut. Overall, the pitched revetment is in average condition. The mortar here has cracked and limestone material has settled and/or been lost offshore.

The extent of the voids is unclear and there is a potential they extend to the car park, providing a high risk. Maintenance action to improve the toe protection is therefore required urgently.

SLEFr03 Norm McKenzie Reserve. B01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr03 Norm McKenzie Reserve. B01	2240-2260	Wall	4	2	18



Figure 3.21 Undermined Limestone Block Wall

The asset is a short limestone block wall that retains the public path above. The wall appears to be undermined with signs of flow coming from under the wall and path. This could indicate a potential drainage/pipe outflow issue. There are evidence of voids under the path with cracks and signs of movement present. The condition has significantly deteriorated since previous inspections. Remediation of the wall is required for public safety.

SLEFr02 Wayman Reserve – Jerrat Drive. B02

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr02 Wayman Reserve – Jerrat Drive. B02	2425-2550	Revetment	3	2	12



Figure 3.22 Pitched Limestone Revetment

The asset is a pitched limestone revetment protecting a grassy foreshore reserve and public path in places. The wall is generally in fair condition, with some loss of mortar observed through the lower sections. The toe is undercut throughout the western extent and requires maintenance.

SLEFr02 Wayman Reserve – Jerrat Drive. B01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr02 Wayman Reserve – Jerrat Drive. B01	2820-2895	Wall	4	3	19



Figure 3.23 Deteriorated Limestone Block Wall

The foreshore features a deteriorated limestone block wall fronting Camp Waller Sea Scouts Hall. The blocks are weathered and exhibit a total loss of mortar through the lower courses. There is evidence of material loss through the wall leading to voids opening up behind wall crest. The voids behind wall are a safety hazard with uneven surfaces and potential for unstable ground to give way. Although outside the scope of this assessment, the jetty was also noted to be in poor condition and requires further investigation and monitoring.



Figure 3.24 Deteriorated Crib Wall

The foreshore upstream of the building features a deteriorated crib wall which supports the concrete path behind. Many cracked and dislodged units were observed. It is recommended that the entire foreshore at this site is investigated for future significant upgrade.



Figure 3.25 Limestone Block Wall & Concrete Apron

The asset consists of a recently constructed limestone retaining wall and a recently repaired concrete apron and path. The condition of the asset is as new. The concrete path is supported by deteriorated crib wall (aforementioned) which requires rebuild.

SLEFr02 Wayman Reserve – Jerrat Drive. B03

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
SLEFr02 Wayman Reserve – Jerrat Drive. B03	2970	Abutment	3	2	12



Figure 3.26 Concrete Stair Abutment

The asset is the concrete stair abutment at the base of the accessway. It is noted that the assessment does not directly include the stairs further up the slope.

The lower section of the stairs have settled to one side and there is a large drop off from the last stair to the sand. Further erosion would accelerate the undermining of the stairs above the base. It is recommended as a minimum to backfill under the eroded section of stairs, provide scour protection to the sides and add an additional lower step.

Alternatively, the lower stair abutment could be adapted to incorporate a FRP/steel viewing area or an accessway similar to that investigated by MRA (2018). Minimal changes were evident from the previous inspections in 2015.

East Fremantle Yacht Club – 01

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 01	3100-3120	Wall	3	3	13



Figure 3.27 Grout Filled Bags

The asset is a low-lying wall comprised of a concrete footing and weathered grout bags. The wall protects the downstream end of the East Fremantle Yacht Club (EFYC) carpark and is utilised by members only.

East Fremantle Yacht Club – 02

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 02	3120-3200	Wall	4	4	20



Figure 3.28 Limestone Blockwall



Figure 3.29 Carpark Pot Holes & Repairs

The asset is a low-lying wall comprised of cut natural limestone blocks. The blocks are heavily weathered and some are displaced below the water line, with a total loss of mortar throughout. The below water sections could not be properly assessed however appeared to be deteriorated and undermined. The wall supports a section of carpark used by EFYC members only.

Pot holes and evidence of several bituminous repairs were present in the car park behind the wall, which are indicative of voids behind the wall. This can be caused by loss of fines through the joints or holes in the wall. Cars were observed to be parked immediately behind the wall, which may have a reduced structural capacity and significant voids throughout. It is strongly recommended that urgent maintenance and underwater investigations are completed to determine the condition of the footing/base of the wall and confirm the suitability of continuing to use this area by vehicles.

East Fremantle Yacht Club – 03

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 03	3200-3260	Wall	3	4	14



Figure 3.30 Concrete Panel & Steel Pile Wall



Figure 3.31 Carpark Bitumen Repairs & Settlement

The wall is generally in reasonable condition, and is comprised of concrete panels and driven H-section steel bearers. The steel piles are beginning to show signs of corrosion, however not yet of structural significance. Maintenance could include repair to the protective paint coating on the steel section. The above water portion of the concrete panels generally appeared to be in reasonable condition.

The water through this section is quite deep and therefore the base of the wall was not able to be assessed during the inspection. However, based on the condition of the carpark with multiple potholes and repairs, it is possible that some material is being lost through the wall. Underwater inspections will be required to further investigate the cause of any material loss (ie potential damaged or displaced panels).

East Fremantle Yacht Club – 04

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 04	3260-3280	Wall	3	4	14



Figure 3.32 Limestone Blockwall with Dinghy Rack

The asset is a limestone blockwall in reasonable condition. The faces are weathered and most of the mortar is no longer evident. Repointing and refacing in the short term will prolong the lifetime of this structure considerably. The wall supports a dinghy rack and retains the road immediately behind the wall which services the carpark. Short-term maintenance will provide value in prolonging service life and reducing the risk of damage to the road.

East Fremantle Yacht Club – 05

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 05	3300-3340	Wall	4	4	20

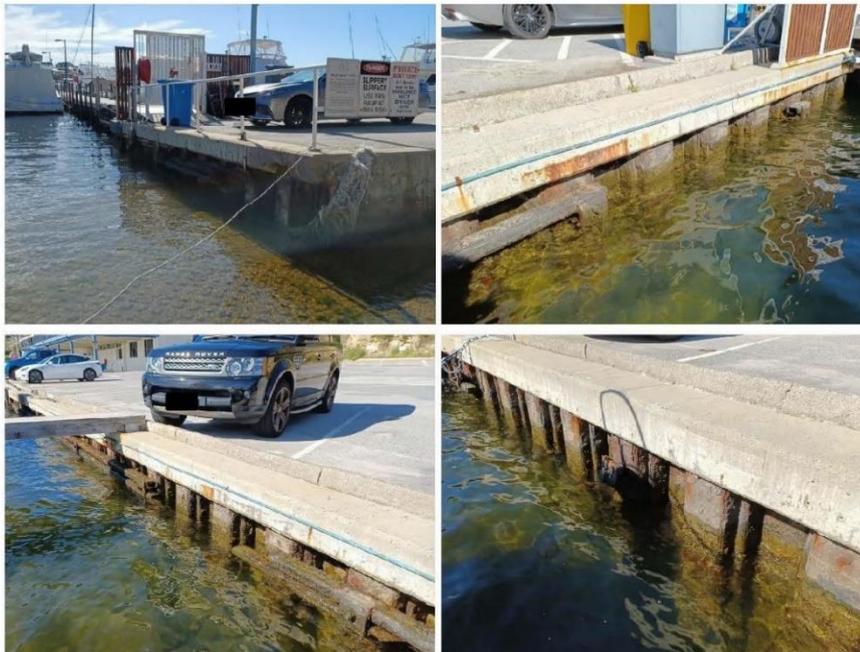


Figure 3.33 Sheet Pile Wall with Concrete Pile Cap

The asset features a heavily corroded steel sheet pile wall with a concrete pile cap, immediately backed by bituminous carpark. The steel RHS walers are heavily corroded and entirely missing in places. The concrete capping beam supports multiple finger jetties. Bituminous repairs to the carpark at the rear or the wall are indicative of material loss through the wall. The carpark allows vehicles to park almost directly above the sheet pile wall which likely has a reduced structural capacity. Assets which are fronted by deep water and allow vehicular access to the rear of the crest are considered to have a particularly high consequence of failure. This section of wall should be planned for upgrade in the near future along with a monitoring plan and additional underwater inspections in the interim.

East Fremantle Yacht Club – 06

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 06	3340-3400	Wall	2	4	9



Figure 3.34 Concrete Panel & Steel H-Pile Wall

The wall asset is generally in good condition, and is comprised of concrete panels and driven H-section steel columns similar to EFYC 03 albeit in a slightly better condition. The steel piles are beginning to show signs of corrosion with blistering of the paint, however do not appear to yet be of structural significance. The above water portion of the concrete panels generally appeared to be in good condition. Maintenance could include repairs to the protective paint coating on the steel section.

East Fremantle Yacht Club – 07

Asset ID	Approximate Chainage (m)	Asset Type	Condition Rating	Consequence Rating	OCI
EFYC 07	3400-3420	Wall	2	2	7



Figure 3.35 Limestone Blockwall

The asset is a low-lying limestone blockwall, and was generally in good condition. A sandy beach was present which was covering the lower courses of wall at the time of the inspection. Maintenance requirements include ongoing monitoring and future repointing.

4. Maintenance Regime

MRA has developed a maintenance priority regime for the Town's marine assets based on the most recent condition assessments. The maintenance regime recommended by MRA (2015) has been reviewed and considered in this 10 year priority plan.

The Town has advised MRA that an annual allocation of at least \$150,000 per year for construction works should be considered for budgetary purposes. It is noted that \$150,000 may only be enough to complete minor maintenance items each year, and some assets require larger scale maintenance such as full replacement. MRA has developed this priority plan based on the approximate \$150,000 per year budget constraint. It is noted that where additional funding is secured, efforts should be made to expedite this maintenance program.

The Town should also actively seek contributions from the DBCA Riverbank Grants Funding for undertaking the works, as well as any other state or federal funding opportunities that may arise. This priority plan may be used as supporting documentation when applying for funding. Indicative repair/replacement costs have been provided for budgetary/scheduling purposes. Please note these indicative costs are based on the following assumptions:

- Costs are based on either repair or replacement of a similar asset, and do not include consideration for significant alternatives.
- Does not include environmental investigations, approvals or landscaping costs.
- Does not include design and management costs.
- The cost estimate is based on recent tendered rates for similar works in the Perth Metropolitan Region. However, it is noted that there is currently a high demand for construction resources (eg steel, FRP, rocks and other construction materials along with labour) and prices are rapidly increasing. Availability of material is also limited, with long lead times.
- Future escalation has not been included. As the marine construction industry in WA has limited resources and is currently in high demand, prices can vary significantly from one project to another. It is noted that prices may increase significantly over the coming years and within the timeframe of this priority plan.
- The effects of delays and costs due to COVID-19 have not been included and should be taken into consideration by the Town.
- The accuracy of the costs can range significantly depending on the market conditions at the time, the availability of Contractors and materials, and the methodology accepted for the works.

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It is noted that costs for marine works are highly variable, with Tendered prices varying up to 100% of the lowest Tendered price. Contractor prices are subject to a number of factors including availability and location of resources, perceived competitiveness, perceived risk and the experience of the Contractor. With marine works, it is highly desirable to heavily favour experience over cost in terms of assessing Tenders for works. This generally is the most cost effective longer term option for the Town as there are generally less variations required throughout a project and management requirement of the Contractor by the Town/Superintendent are significantly less.

Additionally, undertaking more moderate scale projects as opposed to small items allows a Contractor to setup some efficiency with the project which will provide the Town with a cheaper overall rate for the works and some opportunity for value adding.

Onsite inspections from an engineer experienced in the coastal and marine masonry works are recommended to ensure that the repair works are of suitable standard to extend the structural service life of the walling. Poor quality works become only minor aesthetic improvements to the walling which degrade quickly and do not improve the structural performance of the walling. MRA would be able to provide the Town with technical advice and site inspections during the construction works.

A summary of the priority works and expected order of magnitude budgetary costs for the works is provided in Table 4.1. The works have then been scheduled over a 10 year regime based on MRA's opinion of probable cost and priority in the subsequent section.

In addition to the maintenance regime, Town operations, parks and garden staff should routinely monitor the pathways and adjacent areas next to the riverwalls for any signs of voids or significant cracking. The presence of any voids should be reported and then investigated and backfilled. Early identification of voids and issues can result in minor insignificant repairs to the walling only and prevent the formation of a large void which causes the collapse of a pathway or wall section.

The Swan Yacht Club and East Fremantle Yacht Club assets have not been included in the following priority plan. The recommended maintenance measures and further investigations for SYC and EFYC assets should be negotiated with the respective Yacht Club.

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Table 4.1 Riverwall Maintenance Priorities by OCI

Asset ID	Approximate Chainage (m)	OCI	Typical Defect Photo	Maintenance Requirement	Cost Estimate ¹ (per metre length)
SLEFr05 Merv Cowan Park.B04	600-630	20		Mixed Concrete panel and limestone block wall. Walls require replacement/rebuild.	\$5,000
SLEFr04 Jon Tonkin Park and Preston Point.B10	1420-1520	19		Pitched limestone revetment. Requires replacement/rebuild.	\$4,000
SLEFr05 Merv Cowan Park.B03	630-940	19		Limestone block wall weathered and needs repointing. Some voids under path require backfill.	\$1,000-\$2,000
SLEFr05 Merv Cowan Park.B02	940-1050	19		Terraced limestone blockwall. Requires repointing maintenance to top wall. Develop adaption option for lower level such as planter boxes and repack revetment with additional armour.	\$4,000
SLEFr02 Wayman Reserve-Jerratt Drive.B01	2820-2895	19		Sea Scouts natural limestone block wall; Mortar missing from lower courses. Appears to be founded on rock. Voids opening behind wall, loss of blocks.	\$5,000
SLFre01 Fremantle Bridge.B01	0-20	19		Revetment requires repacking. May be an opportunity to collaborate at the appropriate time with the City of Fremantle and cost save.	\$3,000
SLEFr03 Norm McKenzie Reserve.B01	2240-2260	18		Block wall retaining path behind. Wall undermined, likely voids under path, cracking & signs of movement. Wall requires further investigation, probable rebuild of undermined section.	\$5,000

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SLEFr03 Norm McKenzie Reserve B04	2060-2090	18		Gabion Basket wall, appears to have rotated forward, eastern end basket failed, some material missing. Baskets require patching in the short-term. Long-term involves larger upgrade of foreshore.	\$2,000
SLEFr06 Stirling Bridge J Dolan Park B03	20-80	13		Near vertical mortared limestone rock with concrete coping. Between block wall and rock revetment. Voids under path likely due to loss through gaps in mortar. Path cracked. Loss of mortar and rocks at toe providing scour protection. Requires further remortaring of lower levels and monitoring of path.	\$1,500
SLEFr06 Stirling Bridge J Dolan Park B02	80-240	13		Further repointing required with attention to lower courses. Steps to be removed or redesigned.	\$1,000-\$2,000
SLEFr06 Stirling Bridge J Dolan Park B01	240-370	13		Low limestone blockwall, panel and post at toe in parts. Requires further repointing works with attention to DS void.	\$1,000-\$2,000
SLEFr05 Merv Cowan Park B06	370-500	13		Limestone block wall condition reasonable. Further repointing focussing on the lower courses.	\$1,000-\$2,000
SLEFr05 Merv Cowan Park B05	500-580	13		Pitched Limestone rock revetment. Reasonable condition, minor toe scour and damage. Requires toe protection to prevent further undermining.	\$1,000
SLEFr05 Merv Cowan Park B01	1070-1340	13		Limestone block wall to North of Boatshed. Wall reasonable condition. Repointing of lower courses and addition of toe scour protection. Western end appears to have voids under path from unmanaged drainage/runoff. Recommend remove path and fill over 20m.	\$2,000-\$3,000

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SLEFr04 John Tonkin Park & Preston Point. B9	1540-1570	13		Rock revetment around boat ramp, reasonable condition. Requires repacking of loose armour rock and undersize material.	\$1,000
SLEFr03 Norm McKenzie Reserve. B05	2055-2065	13		Short limestone blockwall to the east of slipway, some weathering of the face and rotation evident. Repointing in the short-term, whole stretch should be upgraded in long-term.	\$1,000
SLEFr03 Norm McKenzie Reserve. B03	2090-2100	13		Gabion groyne, protects adjacent ramp and holds beach to north. Some Baskets failed or have sections missing. Patch wire baskets and re-pack rock. Long-term upgrade this stretch.	\$1,000
SLEFr03 Norm McKenzie Reserve. B02	2100-2155	13		Stone pitching toe undercut, generally in moderate condition. Steps in reasonable condition. Re-pack rock and mortar toe.	\$1,500
SLEFr02 Wayman Reserve – Jerratt Drive. B02	2425-2550	13		Limestone pitching. Condition reasonable, toe undercut at western end, requires toe protection, loss of mortar in lower sections.	\$1,500
SLEFr02 Wayman Reserve – Jerratt Drive. B03	2970	12		Lower section of concrete stairs has settled to one side. Large drop off from the last stair to the sand. Undermining of sections of stairs above the base with further erosion. Backfill under the eroded section of stairs, provide scour protection to the sides and additional bottom steps or reconstruct lower section.	Dependant on outcome of concept maintenance treatment. Lower section could be replaced with a FRP structure or similar.
SLEFr04 John Tonkin Park & Preston Point. B02	1760-1840	7		Gabion baskets completely covered by beach and vegetation. Wire fence protecting vegetation and preventing pedestrian access. No works necessary, ongoing monitoring.	N/A

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SLEFr04 John Tonkin Park & Preston Point. B01	1900-1940	7		Limestone rock groyne, reasonable condition. Ongoing monitoring.	N/A
SLEFr04 John Tonkin Park & Preston Point. B11	1340-1380	7		Block wall covered by beach appears to be in reasonable condition. Future repointing. Ongoing monitoring.	N/A
SLEFr04 John Tonkin Park & Preston Point. B08	1600-1620	3	N/A	Ongoing Monitoring	N/A
SLEFr04 John Tonkin Park & Preston Point. B07	1600-1620	2	N/A	Ongoing Monitoring	N/A
SLEFr04 John Tonkin Park & Preston Point. B06	1640-1660	2	N/A	Ongoing Monitoring	N/A
SLEFr04 John Tonkin Park & Preston Point. B05	1700-1720	2	N/A	Ongoing Monitoring	N/A
SLEFr04 John Tonkin Park & Preston Point. B04	1740-1760	2	N/A	Ongoing Monitoring	N/A
SLEFr04 John Tonkin Park & Preston Point. B03	1800-1820	2	N/A	Ongoing Monitoring	N/A

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Does not include SYC or EFYC assets.

4.1 10 Year Maintenance Priority Planning

As a guideline for budgeting and programming maintenance activities along the foreshore infrastructure, the following plan could be adopted. It is recommended that the actual priority of works is reviewed annually depending on the rate of deterioration of different segments and activities could be moved around as seen fit by the Town. Some sections may fail quickly and be required to be attended to immediately, while others may degrade slowly and be deferred to later years. This would require annual or biennial inspection of the items of infrastructure.

This approach has been adopted by other government agencies for their foreshore assets and has assisted with the identification and quick repair of minor issues. This has allowed them to reduce the instances of large failures and concentrate on rehabilitation and capital upgrades rather than reactive replacements. It is noted that proactive maintenance actions will typically prolong the service life of the asset, so delaying proactive maintenance to reactively deal with deteriorated assets is not the ideal approach.

Based on advice received from the Town, yearly totals for repair works have aimed to be in the order of \$150,000 per year to fit it within the Town's budget. However, some of the more major remediation works will easily exceed this amount and are urgent in nature therefore exceeding this budget figure. Should other funding sources be made available, such as contribution funding from the DBCA Riverbanks Grant, then the Town may be able to progress some sections quicker. As mentioned earlier, the Town should where possible look to complete works in larger sections to allow the contractor to setup some efficiency and in return increase value.

It is reiterated that the approximate cost is indicative only and that during any detailed design documentation phase of work a more accurate Construction Cost Estimate may be produced to assist with funding applications for the following year. It is also noted that due to rising construction costs and inflation these estimates may become outdated within the duration of this priority plan, it is therefore recommended that the Town's budget and these cost estimations be indexed as appropriate with respect to rising cost of construction and inflation over the coming decade.

Each year it is recommended the Town prepare the design documentation, funding applications and approvals for the following year of construction (ie during Year 1 the Town shall be preparing for Year 2 construction works).

Typically, each year the construction works should be aimed to completed in the warmer months (spring to autumn) during the period where low tide coincides with daylight hours for ease of construction and to reduce the likelihood of dewatering being required. Experienced marine contractors will be aware of this and consider this in their programming and tender submissions. As a rule of thumb, targeting construction activities for the spring to autumn seasons is good practice, however, some works may be of sufficient elevation above the water that the seasonal timing is of less significance.

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Table 4.2 Year 1 Items

Activity	
Undertake internal investigation into management of surface runoff and drainage issues at footpath North of Pier Street (SLEFr05 Merv Cowan Park. B01) for upgrade in year 1.	
Complete detailed design for a replacement riverwall for the approximately 30 m long deteriorated section of wall north of the Dome (SLEFr05 Merv Cowan Park. B04) for construction in year 1.	
Install fencing and/or signage at SLEFr02 Wayman Reserve-Jerrat Drive.B01 wall fronting the Camp Waller Scouts Hall to manage risk to public safety (chainage 2820-2895m).	
Organisation of drawings, technical specifications, approvals and funding applications for year 2 construction projects.	
Construction Project	Approximate Cost
SLEFr05 Merv Cowan Park. B01 Removal of short section of settled path (approx. 20m), complete maintenance to rear of wall, place geotextile, backfill and replace path. Address surface runoff/drainage issues.	\$60,000
SLEFr05 Merv Cowan Park. B04 Removal of short section (approx. 30 m) of deteriorated wall north of Dome and replace with engineered riverwall as per detailed design.	\$150,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
2. Figures does include cost for detailed design work or management fees.

Table 4.3 Year 2 Items

Activity	
Organisation of drawings, technical specifications, approvals and funding applications for year 3 construction projects.	
Construction Project	Approximate Cost
SLEFr04 Jon Tonkin Park and Preston Point.B10 Reconstruction of pitched limestone revetment and path over approx. 100 m.	\$400,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
2. Figures does include cost for detailed design work or management fees
3. Construction project recommended as a whole, but can be staged to suit budget if required.

Table 4.4 Year 3 Items

Activity	
Complete concept & detailed design for adaptation options of the terraced riverwall and sheet pile wall south of the DoT boatshed facility (SLEFr05 Merv Cowan Park. B02) for construction in year 4.	
Organisation of drawings, technical specifications, approvals and funding applications for year 4 construction projects.	
Construction Project	Approximate Cost
SLEFr03 Norm McKenzie Reserve.B01 Replacement of the small undermined block wall and path (approx. 20 m long).	\$60,000
SLEFr03 Norm McKenzie Reserve.B02 Re-pack toe rock, including additional toe rocks and re-mortar (approx. 15 m).	\$30,000
SLEFr03 Norm McKenzie Reserve.B03 Maintenance to gabion baskets including repacking lost material and patching baskets.	\$10,000
SLEFr03 Norm McKenzie Reserve.B04 Maintenance to gabion baskets including repacking lost material and patching baskets.	\$30,000
SLEFr03 Norm McKenzie Reserve.B05 Repointing to short limestone block wall (approx. 5 m).	\$5,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
2. Figures does include cost for detailed design work or management fees.

Table 4.5 Year 4 Items

Activity	
Organisation of drawings, technical specifications, approvals and funding applications for year 5 construction projects.	
Construction Project	Approximate Cost
SLEFr05 Merv Cowan Park. B04 Adaptation of the terraced walling to the south of the DoT boatshed facility (approx. 120 m long) pending outcome of concept and detailed design.	\$240,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
2. Figures does include cost for detailed design work or management fees
3. Construction project recommended as a whole, but can be staged to suit budget if required.

Table 4.6 Year 5 Items

Activity	
Organisation of drawings, technical specifications, approvals and funding applications for year 6 construction projects.	
Construction Project	Approximate Cost
SLEFr05 Merv Cowan Park. B03 Repointing of the long (approx. 310 m) stretch of limestone block wall and filling voids behind.	\$310,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees
 3. Construction project recommended as a whole, but can be staged to suit budget if required.

Table 4.7 Year 6 Items

Activity	
Organisation of drawings, technical specifications, approvals and funding applications for year 7 construction projects.	
Construction Project	Approximate Cost
SLEFr02 Wayman Reserve – Jerrat Drive. B02 Addition of toe scour protection and repointing/regrouting of limestone pitching over approx. 125 m.	\$180,000
SLEFr05 Merv Cowan Park. B05 Addition of toe scour protection to stone pitched revetment south of Dome (approx. 80 m).	\$80,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees

Table 4.8 Year 7 Items

Activity	
Organisation of drawings, technical specifications, approvals and funding applications for year 8 construction projects.	
Construction Project	Approximate Cost
SLEFr06 Stirling Bridge J Dolan Park. B02 Repointing of limestone blockwall with attention to lower courses and steps removal or replacement over approx. 160 m.	\$160,000
SLEFr06 Stirling Bridge J Dolan Park. B01 Repointing of limestone blockwall and void repair over approx. 130 m.	\$130,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees
 3. Construction project recommended as a whole, but can be staged to suit budget if required.

Table 4.9 Year 8 Items

Activity	
Concept and detailed design for Jerrat Drive riverwall assets (near Scout Hall). Complete cost benefit analysis of maintenance vs replacement based on updated condition assessment at the time. Include landscape architect input.	
Organisation of drawings, technical specifications, approvals and funding applications for year 9 construction projects.	
Construction Project	Approximate Cost
SLEFr05 Merv Cowan Park. B06 Repointing of limestone blockwall with attention to lower courses over approx. 130 m.	\$130,000
SLEFr02 Wayman Reserve – Jerrat Drive. B01 Upgrade of bottom section of concrete stairs with code compliant solution.	\$40,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees

Table 4.10 Year 9 Items

Activity	
Organisation of drawings, technical specifications, approvals and funding applications for year 10 construction projects.	
Construction Project	Approximate Cost
SLEFr02 Wayman Reserve – Jerrat Drive. B01 Replacement of riverwall pending outcome of previous concept and detailed design work over approx. 80 m.	\$400,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees
 3. Construction project recommended as a whole, but can be staged to suit budget if required.

Table 4.11 Year 10 Items

Activity	
Update to the East Fremantle Riverwalls 10 Year Priority Plan.	
Construction Project	Approximate Cost
SLEFr04 Jon Tonkin Park and Preston Point.B9 Repacking of loose armour rock and undersize material over approx. 30 m.	\$30,000
SLEFr04 John Tonkin Park & Preston Point. B01 Repacking of loose armour rock and undersize material over approx. 80 m.	\$80,000
SLEFr06 Stirling Bridge J Dolan Park.B03 Remortaring and addition of toe scour protection over approx. 60 m.	\$60,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees

Table 4.12 Other Items

Construction Project	Approximate Cost
SLFre01 Fremantle Bridge.B01 Upgrade revetment in conjunction with City of Fremantle at an appropriate time.	\$60,000

Note: 1. Budgetary figures only based on typical unit rates from similar works.
 2. Figures does include cost for detailed design work or management fees

It is noted that this 10 year maintenance priority plan had been developed on the basis of approximate funding allocations advised by the Town. The plan includes all Town assets with an OCI of 12 or above.

The general recommended works timing, presented earlier in Table 3.5, recommends that assets with an OCI of 12 or higher be upgraded within a 2 year time-frame. Further to this, it is recommended that any asset with an OCI of 18-21 should be upgraded within a year of being

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assessed as such. The 10 year priority plan above does not achieve this due to the funding availability and as a result it is strongly recommended the Town takes every opportunity to secure additional funding. Where possible the maintenance priority plan should be expedited to approach the recommended works timings in Table 3.5.

5. Summary & Recommendations

The Town of East Fremantle has engaged M P Rogers & Associates Pty Ltd to provide an updated 10 year maintenance priority plan for the Town's riverwall built assets. The priority plan has been developed on the basis of multiple built asset condition assessments completed by MRA in recent years and on budget constraints as advised by the Town.

The review and updated condition assessment revealed that most of the Town's existing foreshore built assets are in moderate condition, with signs of heavy weathering and deterioration of primarily the mortar joints and toe protection. Without a maintenance program put in place in the next few years, it is likely that the Town will begin to experience larger failures of these structures and associated damage to adjacent structures such as paths, carparks and roads.

The deterioration of assets is likely a symptom of assets coming into the backend of their design service life along with a lack of maintenance efforts over the last 10-15 years. Aging assets require more frequent and larger scale maintenance to maintain a serviceable condition.

5.1 Recommendations

MRA has provided several recommendations to ensure the successful facilitation of this priority plan as well as public safety and upkeep of the Town's built foreshore assets to a serviceable condition.

- The Town actively follow this maintenance priority plan, and where possible, complete the works in larger size chunks to set up contractor efficiency and associated value adding.
- The Town negotiate maintenance works with the respective Yacht Clubs (particularly EFYC) and urgently organise a diver inspection to assess the underwater components of all EFYC riverwalls. The riverwalls with vehicle parking immediately behind the crest are considered to have a high consequence of failure, hence an ongoing monitoring plan should be established for these Yacht Club assets.
- The Town actively seeks additional government funding (ie riverbank grants) for the annual maintenance works outlined in this plan.
- Town operations, parks and garden staff should routinely monitor the pathways and adjacent areas next to the riverwalls for any signs of voids or significant cracking and ensure any changes are properly documented and brought to the attention of technical staff.

MRA would be able to assist the Town with detailed design and documentation of the forthcoming maintenance works, tender and construction phase assistance and future updates to this plan.

6. References

- M P Rogers & Associates Pty Ltd (MRA), 2015. *East Fremantle Foreshore Structures Condition Inspection, R623 Rev 0*. Prepared for Ecoscape.
- M P Rogers & Associates Pty Ltd (MRA), 2018. *Foreshore Access Way – Specifications for Design, R1053 Rev 1*. Prepared for Town of East Fremantle.
- M P Rogers & Associates Pty Ltd (MRA), 2021. *Riverwalls near Swan Yacht Club Condition Assessment, R1497 Rev 0*. Prepared for Cockburn Cement Ltd.
- M P Rogers & Associates Pty Ltd (MRA), 2021. *Riverwalls Condition Assessment: 2021 Update, R1530 Rev 0*. Prepared for Town of East Fremantle.
- M P Rogers & Associates Pty Ltd (MRA), 2022. *Swan River Built Assets Inspection 2021. R1623 Rev 1*. Prepared for Department of Biodiversity, Conservation and Attractions.

Attachment -1

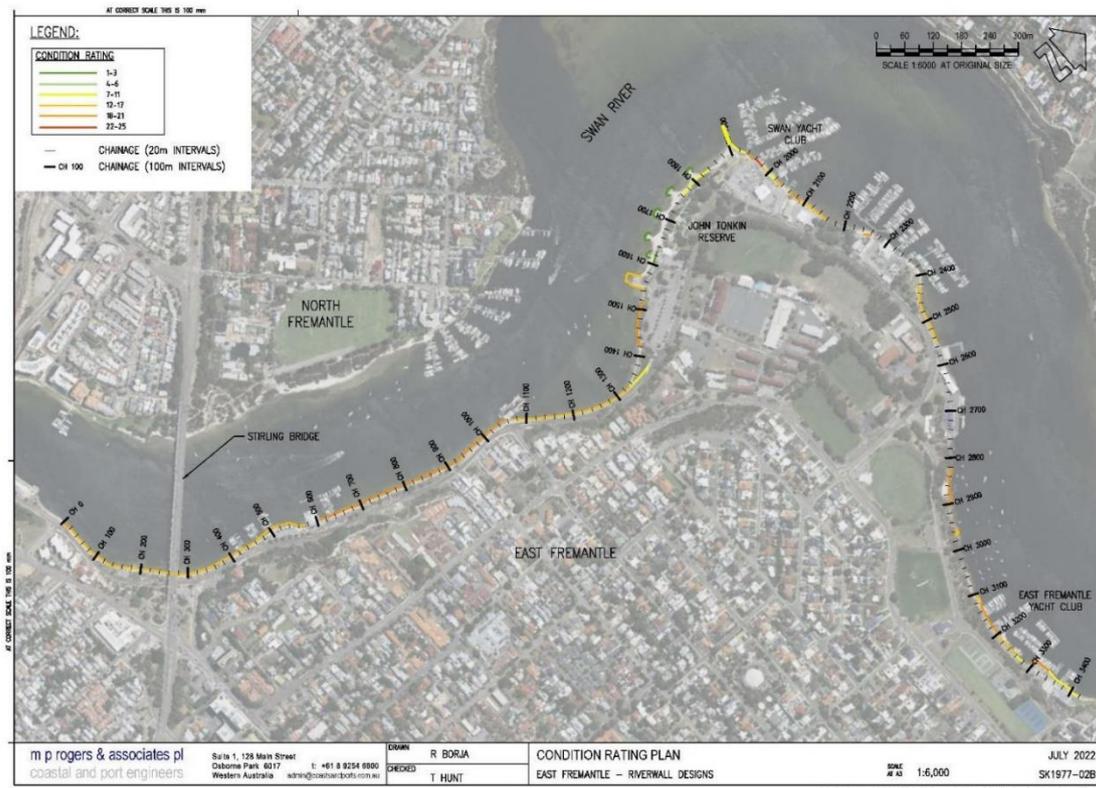
7. Appendices

Appendix A Condition Rating Plan

Attachment -1

Appendix A Condition Rating Plan

Attachment -1



Attachment -1



Operations Review 2021-22 - Update			Jan-22	Jan-22		
High Priority	Medium Priority	Low Priority		Status	%	
				Ongoing	40	
				Completed	15	
				No Action	11	
					53%	
					23%	
					17%	
Focus Area	No	Priority	Recommendations	Timeline (year to be completed)	Action taken as of 21/10/21	Status
Culture	1	M	Investigate why the Operations Department has such a high level of absenteeism, and what measures could possibly be introduced to lower this rate.	2022-23	Levels have decreased in 2021, but ongoing discussions with outside staff on reasons why.	Ongoing
Culture	2	L	Schedule regular field visits by Senior Management, including the Chief Executive Officer and Executive Managers.	2021-22	Ongoing, CEO attends regular toolbox meetings to inform of Council decisions, and events.	Ongoing
Culture	3	M	The MOS and OS be provided with training in effective performance management including how to have "hard conversations" and deal with conflict.	2022-23	Ongoing, with more training to be looked at in future.	Ongoing
Culture	4		Develop and implement specific, measurable performance goals and targets to drive greater efficiency and effectiveness of operations.	2021-23	Parks schedules in draft form as of October 2021, needs final review.	Ongoing
Culture	5	M	That the MOS & OS proactively monitor performance against individual goals and targets throughout the year.	2021-22	Individual goals to be created for each staff member, annual performance based, does HR have a template?	No action
Management	6		Develop Active Management tools and techniques for implementation.	2022-23	Ongoing.	Ongoing
Management	7		Provide training on Active Management for Operations staff.	2021-23	Training requirements to be incorporated into performance reviews annually. All outside staff are also spending 2 hours a fortnight undertaking computer training.	Ongoing
Management	8	M	Develop Active Management KPIs and integrate into Monthly Performance Reviews for the MOS and OS.	2021-22	Similar to no 5 & 7.	Ongoing
OSH	9	M	Raise the Safety Culture in Operations by regularly reviewing the OSH practices and the use of the OSH Policy and other OSH documents within Operations.	2021-22	Started in Feb 2021, with SWM looked at, with all reviewed and updated by September 2021.	Ongoing
OSH	10	L	Provide additional appropriate OSH training for the MOS & OS.	2022-23	EMTS attends OHS meetings and is aware of requirements.	Completed
OSH	11	L	Implement Safety Action Plans for the MOS and OS.	2022-23	OHS Action plan completed and being implemented.	Completed
OSH	12	L	Investigate the feasibility of contracting a qualified OSH Coordinator on a part time basis to provide support to the development of OSH processes and practices and staff training.	2021-22	Employed SA to run with this process.	Completed
Customer Request Management	13	M	That the Customer Service Group further review and map the workflow process for CSR's that require action by the Operations Department.	2021-22	Coordinator Operations created matrix for customer service, May 2021.	Completed
Customer Request Management	14	M	A process be put in place to ensure the MOS & OS take greater responsibility and accountability for CSR response performance.	2021-22	Weekly meetings between EMTS and all individual direct reports to keep on top of CSR responses. OHS vastly improved in 2021.	Ongoing
Customer Request Management	15	M	Implement a process to ensure a monthly review is undertaken of Operations' CSR performance and identify areas where maintenance improvement is required.	2022-23	Maintenance schedules created, to align with staff performances.	Ongoing
Customer Request Management	16	L	Introduce a Maintenance/Works Management System that generates and manages work using work orders.	2022-23	Long term, if required.	No action
Asset Management	17		Develop Technical Levels of Service and Maintenance Standards for all work carried out by Operations Crews.	2021-23	Asset management plans being created and drafted by December 2021.	Ongoing
Asset Management	18		Develop and implement a parks & reserves hierarchy and maintenance standards as soon as possible to ensure appropriate standards are maintained all year round.	2021-23	To be created, with public open spaces strategy.	No action
Asset Management	19		Establish a regular testing and maintenance program for all reticulation systems, and that during the summer months the maintenance levels be increased to ensure any faults are identified as early as possible.	2021-23	Discussing with Supervisor of Parks, with a possible town wide retic pick up, to capture the data.	No action
Asset Management	20		Develop a Verge Maintenance Policy / Statement with community input that can then be used to develop a work program and work standards to drive and guide Operations in the carrying out of Verge maintenance.	2022-23	Verge policy updated by Sustainability officer in conjunction with Operations.	Completed
Work Planning	21		Development of a spreadsheet for Infrastructure assets that contains service level information and relevant asset information to assist in programming maintenance.	2022-23	Asset management plans to include spreadsheet and levels of information needed.	Ongoing
Work Planning	22		That as a priority the Operations Department review the loss of productive time, and implement measures to ensure more efficient work practices.	2021-23	Reduced works staff coming into depot at morning tea as of May 2021.	Ongoing

Work Planning	23		Operations to develop and implement an Annual Works Plan covering all the work to be done for the year, including resource capability.	2021-22	Started in Feb 2021, which includes all scheduled works for parks & Eng. Buildings also being worked on by Coordinator Operations	Ongoing
Work Planning	24	M	Develop and implement four/ six weekly maintenance plans for each crew based on the Master Schedule	2021-22	Scheduler created, aligning service delivery expectations and staff numbers	Completed
Work Planning	25	L	Review and monitor maintenance plans on a fortnightly basis to adjust for seasonal variation and unplanned activity	2021-22	Schedules being created, aligning service delivery expectations and staff numbers	Ongoing
Work Planning	26	M	Supervisor and team leaders are to be made accountable for the delivery of work on the plans	2020-21	Majority of capital works to be completed before December 2021	Ongoing
Work Planning	27	M	Manager and supervisor to actively manage employees in the delivery of maintenance plans	2021-22	Something to include in annual performance reviews	Ongoing
Work Planning	28	L	Develop an internal effectiveness checklist for quality of work that can be used by Manager, Supervisor and Team Leaders when undertaking site visits	2022-23	Long term, if required	No action
Work Planning	29	L	The Manager, Supervisor and Team Leaders to meet regularly to discuss the checklists and identify remedial actions	2020-21	EMTS meet weekly with staff	Ongoing
Oral Mowing and Gardening Service Areas	30		Develop a detailed scope of works and maintenance standards for the oral mowing, horticultural gardening and tree maintenance work required. Improve the work planning, scheduling and management of this work to determine if this work can be performed more effectively and efficiently in-house.	2020-22	Public open spaces strategy to include all of this information	No action
Oral Mowing and Gardening Service Areas	31	M	Implement a process to collect data to enable the calculation of robust garden maintenance work	2022-23	Long Term, if required	No action
Parks and Reserves - Service Area	32	M	Develop a detailed scope of works and maintenance standard for the maintenance of Parks and Reserves	2021-22	Schedules being created, aligning service delivery expectations and staff numbers	Ongoing
Parks and Reserves - Service Area	33	M	Improve in-house work planning, scheduling and management of Parks and Reserves work to improve efficiencies or to explore contracting this work out.	2021-22	Schedules being created, aligning service delivery expectations and staff numbers	Ongoing
Verge Management Service Area	34		Develop a policy or statement that sets out why the Town is mowing certain verges and when, and to what standard the mowing will be carried out.	2021-22	Mowing of town wide verges being reviewed, to go to a Council forum in November 2021	Ongoing
Verge Management Service Area	35	M	Develop a process for identifying and documenting which verges the Town will be mowing	2021-22	Mowing of town wide verges being reviewed, to go to a Council forum in November 2021	Ongoing
Verge Management Service Area	36	M	Develop a detailed scope of works and maintenance standards for the maintenance of verges.	2022-23	Mowing of town wide verges being reviewed, to go to a Council forum in November 2021	Ongoing
Street Maintenance Service Area	37		Develop a detailed scope of works and maintenance standards for Street Maintenance work	2021-22	Asset management plans to include relevant information.	Ongoing
Street Maintenance Service Area	38	M	The Street Maintenance Crew be reduced to one FTE.	2022-23	Technical Services review being undertaken with staff numbers being looked at	Ongoing
Street Maintenance Service Area	39		Assess fitness for work for both incumbents in the Street Maintenance crew.	2021-22	Reg on extended leave. To be reviewed before end of 2021.	Ongoing
Works Maintenance Service Area	40	M	Review the requirements of the AMP's for Roads, Footpaths and Drainage and develop a preventative maintenance program for these assets.	2021-22	AMPs being reviewed and updated, to be completed by August 2021	Ongoing
Works Maintenance Service Area	41	M	Develop a detailed scope of works and maintenance standards for work that is to be done on Roads, Footpaths and Drainage assets	2022-23	Asset management plans to include this information	Ongoing
Works Maintenance Service Area	42	L	Improve the collection of data that will enable the calculation of robust unit rates for this work	2021-22	Long Term, if required	Ongoing
Road Sweeping	43		Undertake a review of the current contract for road sweeping of Local Roads with a view to reducing service level, excluding business areas and other priority areas.	2021-22	Street sweeping tender being approved by Council in November 2021. Completed	Completed
Capital Works Program	44	M	The Town employ a Technical Officer (or equivalent) to provide assistance to the MOS (New created EMTS) in the delivery of the annual works program and operations services departments.	2021-22	Hired ISA	Completed
Capital Works Program	45	M	If a TO is not employed, a Project Management Consultant specialising in the delivery of capital works be engaged to provide project assistance as and when required.	2021-22	Hired ISA	Completed
Outsourcing v Outsourcing	46	L	No further services in this area be considered for outsourcing until adequate data is collected and available, upon which a thorough cost benefit comparative analysis can be undertaken.	2022-23	All possibilities being looked at	Ongoing
Vehicle, Plant & Equipment Review	47		The current Plant List and 30 Year Plant Replacement Programme be updated as a priority	2021-22	Updated and current	Completed
Vehicle, Plant & Equipment Review	48	M	Work with Finance to explore Fleet Data Capture and Management opportunities within the Town's existing "Synergy" Financial System. Also, connectivity with Fuel and GPS systems.	2021-22	EMTS to discuss with finance	Ongoing
Vehicle, Plant & Equipment Review	49	M	Re-establish formal VPE maintenance and servicing process in electronic format	2022-23	Use of tablets being rolled out with outside staff	Ongoing
Vehicle, Plant & Equipment Review	50	M	Ensure ALL VPE is registered on Asset Register and managed accordingly	2022-23	Asset management plans to include	Ongoing
Vehicle, Plant & Equipment Review	51	L	Review and consider alternate approach(es) to light fleet replacement cycle and ownership	2021-22	Reviewed and fleet management guidelines created as of May 2021	Ongoing

Attachment 1

Attachment 2

Vehicle, Plant & Equipment Review	52	M	Reintroduce appropriate cost-benefit rigour into proposed VPE replacement, disposal and improvement decisions	2022-23	Asset management plans to include	Ongoing
Vehicle, Plant & Equipment Review	53	L	Explore additional resource either internal or external to assist in managing the VPE assets	2022-23	Databases to be managed internally. Data pickup may be outsourced for assets such as footpaths	Ongoing
Vehicle, Plant & Equipment Review	54	L	Develop and implement a policy, practice or guideline in terms of obligations for Officers allocated vehicles	2022-23	Vehicle policy created and implemented in early 2021	Completed
Staffing and Organizational Structure	55	S	As a first stage implement the following changes to the Operations structure: 'The Operations Manager position to be made obsolete, and a new Executive position (Executive Manager Technical Services) be created to better reflect the expectations for this position,' The creation of a new position of a Technical Officer and The removal of the currently vacant General Hand position	2021-22	Completed	Completed
Staffing and Organizational Structure	56	L	As a second stage implement a 4 crew structure within the Operations Structure with the removal of 2 General Hand Positions	2022-23	Technical Services review being undertaken with staff numbers being looked at	Ongoing
Data Collection & Performance Reporting	57	M	Identify relevant efficiency measures and commence data collection	2022-23	Long term, if required	No action
Data Collection & Performance Reporting	58	M	Implement a regime of the regular review of efficiency and effectiveness data	2022-23	Long term, if required	No action
Data Collection & Performance Reporting	59	M	Improve time recording methods to separate out non-work activities	2022-23	New payroll system implemented	Completed
Data Collection & Performance Reporting	60	M	Develop appropriate measures of performance and a reporting process for Operations	2022-23	Long term, if required	No action
Data Collection & Performance Reporting	61	M	Implement a Weekly Reporting Sheet for each team in Operations	2022-23	Maintenance schedules created, to align with staff performances	Ongoing
Data Collection & Performance Reporting	62	M	Develop a monthly reporting format for the information of the CEO	2022-23	Monthly cap works updated created, and individual worksheet for EMTS & CEO created to keep up to date	Completed
Data Collection & Performance Reporting	63	M	Institute monthly performance review meeting for the Manager, Supervisor and Team leaders	2022-23	Weekly meetings between EMTS and all individual direct reports to, monthly reporting required?	Ongoing
Information Technology Review	64	M	Implement the use of iPads by Team Leaders for managing timesheets, work check sheets and CSRs	2021-22	Completed	Completed
Information Technology Review	65	L	Investigate the option of implementing a tree management system	2021-22	Discussed with EMRS to get a tree pickup	Ongoing
Information Technology Review	66	L	Investigate the introduction of a Works Management System	2022-23	Long term, if required	No action



11 MATTERS BEHIND CLOSED DOORS

Nil

12 CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 7.24pm.

*I hereby certify that the Minutes of the ordinary meeting of the **Works Committee** of the Town of East Fremantle, held on **27 September 2022**, Minute Book reference **1. to 11.** were confirmed at the meeting of the Committee on*

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Presiding Member

13 REPORTS - PLANNING

Reports start on the next page

13.1 SPECIAL MEETING OF ELECTORS – 15 SEPTEMBER 2022 – JOINT DEVELOPMENT ASSESSMENT PANEL APPLICATION FOR AN AGED CARE FACILITY AT THE FORMER WOODSIDE HOSPITAL SITE

Report Reference Number	OCR-1364
Prepared by	Christine Catchpole, Senior Planner
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple Majority
Documents tabled	Nil

Attachments

1. Schedule 1 Form – Request for a Special Meeting of Electors – 9 August 2022
2. Minutes of Special Meeting of Electors – 15 September 2022

PURPOSE

To provide Council with recommendations in regard to the Motions raised at the Special Meeting of Electors held on 15 September 2022 concerning the Joint Development Assessment Panel (JDAP) development application for the former Woodside Hospital site and two adjoining dwellings at 18 and 26 Dalgety Street and 29 Fortescue Street, East Fremantle.

EXECUTIVE SUMMARY

In July 2022 the Town received a JDAP application proposing a residential aged care facility with incidental uses and restoration and reuse of the State registered heritage place, Woodside House, on the former Woodside Hospital site. The proposal also included the adaptation of two dwellings to the immediate south of the site for supported independent living accommodation.

The JDAP application is currently being assessed by the Town's Administration and was advertised for public comment from 16 July to 15 August 2022. Sixty nine (69) submissions objecting to and/or expressing significant concerns about the proposed redevelopment were received by the Town. The application will be the subject of a Responsible Authority Report (RAR) to the Metro Inner-South JDAP at a future meeting date to be determined.

In August 2022 the Mayor received a *Schedule 1 Form - Request for a Special Meeting of Electors* dated 9 August 2022 with the matters listed for discussion relating to the JDAP application, land uses and redevelopment of the heritage listed buildings. A Special Meeting of Electors was subsequently arranged for 15 September 2022. At the meeting a number of Electors raised Motions in respect to the JDAP application, the site's heritage, architecture and design, the planning framework, construction management and the potential amenity impact of the proposal on the surrounding area.

A response and recommendation to each Motion has been provided for the Council's consideration. Except for Motion 3 and 8 (in part) it is not recommended the Council support the Motions for the reasons outlined in this Administration report.

BACKGROUND

In July 2022 a JDAP application was lodged for the proposed development of the following:

- 158 aged care beds and associated facilities and amenities in a 3 to 4 storey complex with undercroft Wellness Centre and basement vehicle parking;

- Wellness centre for residents and clients of the aged care provider, comprising of reception, 5 consulting rooms, exercise, strength and conditioning facilities, massage/therapy room and hydrotherapy pool;
- Two supported independent living homes, comprising 3 bedrooms, shared amenities and 1 live-in carer's accommodation in each of the dwellings at 26 Dalgety and 29 Fortescue Street;
- Restoration of Woodside House, a building on the State Register of Heritage Places for 4 aged care accommodation suites, aged care facilities/amenities and an ancillary café to cater for the residents, staff and visitors of the facility; and
- 94 on-site vehicle parking bays in above and below ground parking accessed via Dalgety and Fortescue Street.

Following the public advertising period of 31 days (16 July – 15 August 2022), 69 submissions objecting and/or expressing significant concerns with the development application were received.

In August 2022 the Mayor received a *Schedule 1 Form - Request for a Special Meeting of Electors* dated 9 August 2022 in relation to the JDAP application which proposed redevelopment of the Woodside Hospital site, adaptation of two single dwellings immediately to the south of the site and the conservation and re-use of the heritage listed Woodside House. The specific details of the matters listed to be discussed at the meeting are outlined in Attachment 1.

A Special Meeting of Electors was subsequently arranged for 15 September 2022 to be held at the Town Hall. The meeting was advertised according to the Local Government Regulations and through extra media and communication platforms (refer to details in the Consultation section below). Official attendance at the meeting was recorded as 94 Electors. Representatives from the aged care provider, Hall and Prior and the applicant (Planning Solutions) also attended the meeting to respond to questions from Electors. At the meeting, the Electors expressed their objection and significant concerns in relation to numerous aspects of the development proposal.

The JDAP application is currently being assessed by the Town's Administration and will be the subject of a Responsible Authority Report (RAR) to the Metro Inner-South JDAP. The due date for the RAR is no longer the 4 October 2022 due to an extension of time request being approved by the DAP Office. The time extension was in response to a request for further information to be provided by the applicant. A new due date for the RAR is yet to be determined and is a matter for discussion between the applicant and the Town and ultimately approval by the Presiding Member of the Metro Inner-South JDAP.

Resulting from this Special Meeting of Electors a number of Motions were raised. Attachment 2 outlines the Minutes of the meeting and a summary of the background to the Motions.

CONSULTATION

The following consultation was undertaken to advertise the Special Meeting of Electors to the community:

- A notice in the Fremantle Herald, 27 August 2022;
- Town's Website – Home Page;
- Town Hall Noticeboard;
- Town of East Fremantle – eNewsletters;
- Numerous Facebook / social media platforms; and
- Town Hall Reception – TV screen.

STATUTORY ENVIRONMENT

Local Government Act, 1995 s5.32 & 5.33

5.32. Minutes of electors’ meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors’ meeting to be kept and preserved; and*
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors’ meeting are first considered.*

5.33. Decisions made at electors’ meetings

(1) All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

- (a) at the first ordinary council meeting after that meeting;*
- or*

(b) at a special meeting called for that purpose, whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Local Government (Administration) Regulations, 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council endorse some, or all the Motions raised at the Special Meeting of Electors, which may impact on Council’s quasi-judicial role therefore compromising the assessment and/or determination of the development application.	Unlikely (2)	Major (4)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, high impact, high news profile, third party actions	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	8
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Various site inspections in relation to the JDAP development application.

COMMENT

It should be noted that discussions relating to the concerns with the proposed development application are ongoing between the Town’s Administration and the applicant. Therefore, the circumstances in relation to the assessment and reporting on the application may change. These changes will be communicated to the community where appropriate.

The following responses to the Motions raised are based on the Administration’s understanding of the Motions. Each Motion is written below verbatim and the Administration response follows in bold italic text. The Motions have been numbered for ease of reference in the Officer Recommendation section of the report.

Motion 1 - Moved Todd Andersen, seconded Joanne Taggart

That Council:

1. NOTES the extent of variations sought to the current planning framework as part of the Application for Development Approval dated 1 July 2022 relating to the redevelopment of the Woodside Hospital development site at Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street, East Fremantle.

The variations requested by the applicant were noted by the Mayor during the Special Meeting of Electors. It is also noted that the proposal may be subject to change and this may result in modifications to the current variations. At this point, the Council has not formally considered the application. The Council will consider the variations when the Responsible Authority Report is presented to Council.

2. NOTES the inconsistency with the land use classification applied for under the Application for Development Approval dated 1 July 2022 relating to the redevelopment of the Woodside Hospital development site at Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street, East Fremantle.

Council notes the zoning of the land and the proposed uses. The Application has not been formally considered by Council and it should be noted that the proposed uses on the site may be subject to change.

The Town's Administration is of the view that the land use classification of 'residential aged care facility' (nursing home) as part of the application is not considered inconsistent with the Residential R15 zone. A residential aged care facility is a land use which may be considered for approval by a decision maker in relation to a development application for the subject site under the provisions of Local Planning Scheme No. 3. Furthermore, the Western Australian Planning Commission Position Statement - Residential Accommodation for Ageing Persons (December 2020), states that this use is encouraged within residential zones (p.4).

The Administration is of the opinion that the Wellness Centre, as currently proposed to operate, may not be considered an 'incidental' use as defined under Schedule 2 - Deemed Provisions of the Planning and Development (LPS) Regulations, 2015. However, further clarification of the Wellness Centre as an 'incidental' use has been requested from the applicant.

3. SUPPORTS amendments to the current planning framework relating to Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street, East Fremantle to provide for an orderly and proper approach to the redevelopment of the land.

The JDAP development application is required to be assessed and determined under the current planning legislation and framework which in any case requires the decision maker to consider all matters relevant to the orderly and proper planning of the site and the surrounding locality. Under cl. 67 (1) and (2) of the Deemed Provisions (Planning and Development (LPS) Regulations, 2015), the Council and the JDAP, in considering an application for development approval, is to have due regard to those matters relevant to the development, the aims and objectives of the Scheme and the requirements of orderly and proper planning which includes a comprehensive list of planning and related matters under cl. 67 (2).

The Local Planning Strategy, which sets out a framework for the Town to prepare a new local planning scheme to replace the existing Local Planning Scheme No. 3, has recently been endorsed by the Western Australian Planning Commission. In due course, the Strategy will guide the review of the Town's local planning framework.

4. REQUESTS the landowner to investigate an amendment to the Town of East Fremantle Local Planning Scheme No. 3 as it relates to Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street, East Fremantle to introduce an Additional Use zone to establish appropriate land use, built form and density controls and the requirement for a Local Development Plan prior to any development taking place on the land, in consultation with the Town of East Fremantle.

It is not the Council's intention to request the landowner investigate an Amendment to Local Planning Scheme No. 3, prior to any development taking place on the land. An Amendment (Additional Use) to Local Planning Scheme No. 3 at this point will not prevent the development application, as submitted, being considered under the statutory framework which currently exists. The application must be processed within the statutory timeframes or risk the matter being determined by the JDAP without Council input.

A Scheme Amendment is a lengthy process which requires final approval by the Minister for Planning who has the authority to modify a Council endorsed Amendment. This process could not be completed before the development application is required to be determined by the JDAP unless the applicant agreed to withdraw the application. Furthermore, a Local Development Plan cannot impose mandatory development standards and a decision maker is only required to have due regard for the Local Development Plan.

5. SUPPORTS the deferral of any Application for Development Approval relating to the redevelopment of the Woodside Hospital development site at Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29)

Fortescue Street East Fremantle until such a time that the current planning framework is amended to facilitate the orderly and proper redevelopment of the site.

Only the JDAP has the authority to defer the application. The Council does not have the authority to do so and it is not the Council's intention to request the landowner to defer the application. A request for a deferral will not prevent the development application as submitted being considered under the statutory framework which currently exists. The application must be processed within the statutory timeframes or risk the matter being determined by the JDAP without Council input.

The Council considers the current planning framework appropriate to address the orderly and proper planning of the site. As mentioned above, the JDAP must consider the orderly and proper planning of the site in determining the application under the provisions of the current statutory framework (i.e., Local Planning Scheme No. 3 and the Planning and Development (LPS) Regulations, 2015 cl. 67 [2]).

Motion - 2 Moved Jenny Foley, seconded Melissa Pillay 15 Fortescue Street

That the Council negotiate with the developer to reduce the height, bulk, scale and siteworks and to increase the setback to be more compliant with the Local Planning Scheme and significantly reduce the impact of the north wing on the amenity at 17 Fortescue Street.

The Council cannot negotiate with the developer because of Council's quasi-judicial function. The Administration has requested additional information in relation to a number of planning, parking, traffic and waste matters and has commenced discussions with the applicant regarding the matters concerning height, bulk, scale, site works and lot boundary setbacks. The applicant is under no obligation to amend the proposal and therefore the application may be required to be assessed as currently proposed. It is the Administration's understanding that if the applicant decides to amend the proposal, the amended plans would be required to be advertised for public comment.

If the current development application is approved, it must be conditional on the following:

That the developer provide cone of vision assessment for both southern and northern boundaries of 18 Dalgety Street, undertaken at each level of the building, to inform the design and placement of visual privacy screening.

The proposal has had a preliminary assessment. In response to Ms Taggart's questions at the Special Electors Meeting and formally responded to at the meeting by the Mayor, the following was stated:

The Council has been advised that from assessment of the development application to this point, the following matters are considered non-compliant with the Local Planning Scheme, the Local Planning Strategy and the Residential R15 and R12.5 codes.

- ***Building height;***
- ***Lot boundary setbacks for the northern elevation of the building (2nd and 3rd levels);***
- ***Site works – changes to natural ground level in respect to proposed excavation and fill;***
- ***Car parking bay requirement;***
- ***All incidental uses proposed that do not comply with the definition of incidental use under the provisions of the Local Planning Scheme Regulations – Schedule 2 Deemed Provisions;***
- ***Wellness Centre uses where the provision and use of the activities and facilities is not solely for, or by the residents of the facility, however, this statement is pending further investigation;***
- ***Number of crossovers per lot permitted and width of crossovers;***
- ***Removal of verge tree; and***
- ***Percent for Public Art Policy.***

The overlooking from the development has been preliminary assessed and whilst the northern and southern balconies comply with the 'Deemed to Comply' provisions of the Residential Design Codes, the Town has raised with the applicant that the privacy of the adjoining properties should be reviewed. The matter is being considered by the applicant.

That the design and location of the screening be to the satisfaction of the relevant property owners.

Whilst a condition relating to visual privacy screening may be required pending the final assessment of the proposal, a condition cannot be required to the satisfaction of the relevant property owners.

Motion 3 - Moved Michael Connor, seconded Meagan Cox

That the proponent be required to provide realistic street elevations along Dalgety and Fortescue Streets to include at least five homes either side of the proposed development which should clearly depict the existing slope of the land. These images are to be provided prior to completion, by Town of East Fremantle, of the Responsible Authority Report and are to be referred to in the development of that report.

The Town's Administration has requested the applicant provide the streetscape montages as detailed above. Should these be provided it is intended that the streetscape montage will be included in the Responsible Authority Report.

Motion 4 - Moved Sandy Hubbard, seconded Robert Cox

That the Council do not support the approval of the development application unless the built form and scale is reduced to the deemed-to-comply height specified in the Residential Code for the site's R15 zoning.

Council cannot support the motion. Council is not the decision maker in respect to the development application. Council cannot resolve to not support a development application prior to its formal consideration of the matter at a Council meeting. Council will consider the Responsible Authority Report and must consider the application on its merits. The Council's quasi-judicial role requires it to remain unbiased and not to have formed an opinion prior to the application being formally considered. The Administration's recommendation will be outlined in the Responsible Authority Report and made available to the public prior to the Council meeting. In due course, Council will determine to resolve to either support (with or without modification) or refuse the Administration's recommendation in respect to the application and the Responsible Authority Report.

Motion 5 - Moved Geraldine Connor, seconded Tom Puddy

That the Town of East Fremantle Council commissions an independent traffic impact assessment to address the anticipated increase in car and truck traffic that will be generated by the former Woodside Hospital Redevelopment to:

- a) identify and articulate community concerns about increased traffic, and
- b) address the impacts that will arise for the community from this increase in traffic.

The Town's Administration has requested an independent evaluation of the Transport Impact Assessment (TIA) through its referral of the application to Main Roads WA (MRWA). MRWA has subsequently requested additional information to complete its review of the TIA and its referral advice to the Town. In light of the MRWA evaluation of the TIA, another independent review is not considered necessary. The outcome of the referral to MRWA will be reported to Council in the Responsible Authority Report. Considering the above, the Council will not request the Chief Executive Officer to commission an independent traffic impact assessment.

Motion 6 - Moved Meagan Cox, seconded Kate Vigilante

That the Town of East Fremantle engage a suitably qualified professional, or professionals, to prepare two reports:
A Construction Management Plan addressing but not limited to:

- The control of the associated vibration, asbestos dust, noise, waste, dewatering, sand and sediment;
- The proposed development will clash with the amenities of the surrounding area for at least two years.
- Site access/egress; deliveries of construction materials; heavy construction machinery, parking for contractors and tradespersons; and traffic control and that:
- The approved plan be implemented and adhered to at all times during the construction phase, unless otherwise approved by the Town of East Fremantle.

The Town does not consider it appropriate to engage a suitably qualified professional to prepare the subject report. The matters raised are considered the subject of a Construction Management Plan (CMP). It is common practice with development applications of this type that a CMP is not requested and prepared until a development approval for final design is granted. The proposed development is still subject to assessment. A CMP is also specific to the appointed builder and takes into consideration construction methods, materials, site management, amenity management etc. None of these construction or management methods have been finalised. Therefore, the request is considered premature, as the application has not been determined. Also, it is commonplace for a condition to be imposed on a development approval which requires a CMP to be approved by the Town prior to the submission of a Building Permit application. The applicant is expected to prepare and to bear the cost of preparing the CMP once a builder is appointed.

Motion 7 - Moved Meagan Cox, seconded Kate Vigilante

That a professional be engaged to advise and detail the current condition of all homes including the status of all buildings, surrounding paved areas and ancillary structures. A distance to be advised by an independent structural engineer. Hall and Prior, as a condition of their contract, be responsible to meet the cost of restoring any affected properties to their former condition where any damage arises.

The matter raised is considered the subject of dilapidation reports. It is common practice with development applications of this type that dilapidation reports (usually prepared at the expense of the applicant) are not undertaken until a development approval is granted and construction methods determined. Also, it is commonplace for the Council to request a condition be imposed on a development approval which requires dilapidation reports to be prepared prior to the submission of a Building Permit application. The applicant would then be required to arrange for the dilapidation reports to be prepared before the issue of a Building Permit. Any damage done to adjoining/ nearby structures because of construction of the development is the responsibility and liability of the nominated builder. As such, the Town will not engage a professional to undertake the preparation of dilapidation reports. However, this does not preclude individual owners from engaging a professional to undertake a dilapidation report of their property at any time.

Motion 8 - Moved Bron Sibree, seconded Katie Mutzke

That the Council obtain an opinion from the National Trust about the proposed demolition of the mid-century maternity buildings and an Independent Heritage Impact Assessment of the proposed development.

The Council has no objection to requesting the Chief Executive Officer obtain an opinion from the National Trust (WA) regarding the above matter. However, it should be noted that a response cannot delay the completion of the Responsible Authority Report within the timeframe set by the DAP Office. Non-compliance with this statutory timeframe may result in the application being determined without Council input.

The Council is not supportive of obtaining an independent heritage impact assessment because such advice is very unlikely to take precedence over the advice and recommendations of the Heritage Council of WA (HCWA). Given

the application was referred to the HCWA as required under relevant legislation (for a State Registered Heritage Place) the Council will not seek an independent heritage impact assessment. The HCWA has issued its advice in support of the proposal and recommended conditions of development approval. The full details of the advice and conditions of approval will be included in the Responsible Authority Report.

Motion 9 - Moved Ian Scott, seconded Kate Vigilante

That this meeting expresses its gratitude and thanks to Joanne Taggart and her team for their detailed and professional presentations tonight.

Noted.

CONCLUSION

Given the reasons outlined above, it is recommended that Council resolve as follows in respect to each of the Motions raised at the Special Meeting of Electors held on 15 September 2022.

- (i) Receive the Motions raised at the Special Meeting of Electors held on 15 September 2022 in relation to the JDAP development application for a residential aged care facility and incidental uses at No. 18 and No. 26 Dalgety Street and No. 29 Fortescue Street, East Fremantle (former Woodside Hospital, Woodside House and adjoining dwellings);
- (ii) Support Motion 3 and 8 (in part) in respect to requesting streetscape montages and seeking an opinion of the National Trust (WA) in relation to the proposed demolition of the mid-century maternity wing;
- (iii) Not support Motions 1, 2, 4, 5, 6, 7 and 8 (in part) for the reasons outlined in the Administration report; and
- (iv) Advise the server of the Request for the Special Meeting of Electors (Ms J Taggart) of the Council's determination in relation to the Motions raised.

13.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That Council resolve to:

- 1. receive the Motions raised at the Special Meeting of Electors held on 15 September 2022 in relation to the JDAP development application for a residential aged care facility and incidental uses at No. 18 and No. 26 Dalgety Street and No. 29 Fortescue Street, East Fremantle (former Woodside Hospital, Woodside House and adjoining dwellings);**
- 2. support the following Motions 3 and 8 (in part), in respect to requesting streetscape montages and seeking an opinion of the National Trust (WA) in relation to the proposed demolition of the mid-century maternity wing;**
 - (3) That the proponent be required to provide realistic street elevations along Dalgety and Fortescue Streets to include at least five homes either side of the proposed development which should clearly depict the existing slope of the land. These images are to be provided prior to completion, by Town of East Fremantle, of the Responsible Authority Report and are to be referred to in the development of that report.***
 - (8) That the Council obtain an opinion from the National Trust about the proposed demolition of the mid-century maternity buildings.***
- 3. advise the server of the Request for the Special Meeting of Electors (Ms J Taggart) of the Council's determination in relation to the Motions raised.**

REPORT ATTACHMENTS

Attachments start on the next page

Schedule 1 — Forms

Form 1

[reg. 16]

Local Government Act 1995

Local Government (Administration) Regulations 1996

REQUEST FOR A SPECIAL MEETING OF ELECTORS

TO: The ⁽¹⁾ Mayor/~~President~~ of ⁽²⁾ *The Town of East Fremantle*

1. Under section 5.28 of the *Local Government Act 1995*, the electors of ⁽³⁾ *East Fremantle* whose names, addresses and signatures are set out in the attached list and who comprise ⁽¹⁾ 100 electors/5% of the number of electors request that a special meeting of the electors of the district be held.

2. The details of the matter to be discussed at the special meeting are —

i) for the Council to identify clearly all aspects of the Development Application for the proposed Woodside Care Precinct Lot 250 (#18) and Lot 114 (#26) Dalgety Street and Lot 116 (#29) Fortescue Street, East Fremantle which are not compliant with the local planning scheme, local planning strategy and residential 12.5/15.0 code, such as zoning, land uses, scale, height, traffic, crossover design, access points, setbacks, requirement for on site parking, tree retention and removal, overshadowing, changes to natural ground level, proposed medical centre, proposed wellness centre and proposed training/research facility and any other matters, and the consequent impact of those matters on the amenity of all property owners and occupiers in East Fremantle.

ii) for the Council to identify clearly the actual changes proposed (to the site of the former heritage-listed home of William Dalgety Moore, one of The Merchant Princes of Fremantle and latterly the former Woodside Maternity Hospital site, and the two adjoining heritage homes to the south.

iv) for the Council to identify clearly any commercial functions which have scope and uses beyond the provision of services for the residents, their visitors and staff of the site in question, and which are likely to detract from the amenity of affected local residents and ratepayers.

v) to ensure the Electors' Meeting is held before the East Fremantle Town Council submits its own formal recommendations to the WA Planning Commission's Joint Development Assessment Panel.

Footnote: All signatories are in general support of residential accommodation for ageing persons within the Town, built to a proportionate scale and amenity, and not adverse to the surrounding built environment and amenity.

3. This request is served on behalf of the listed signatories by —

Name *Joanne Taggart*
Signature *[Handwritten Signature]*
Contact details *taggart@dalgety@bigpond.com*
Date *9 August 2022*

- (1) delete the one that does not apply
- (2) insert name of local government
- (3) insert name of district



MINUTES

MINUTES OF THE SPECIAL ELECTORS' MEETING HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON THURSDAY, 15 SEPTEMBER 2022

1 DECLARATION OF OPENING OF MEETING

The Mayor opened the meeting at 6.00pm.

Present

Mayor J O'Neill Presiding Member

Cr C Collinson

Cr K Donovan

Cr L Mascaro

Cr A McPhail

Cr D Nardi

Cr A Natale

Cr A White

Cr M Wilson

Mr G Tuffin Chief Executive Officer (CEO)

Ms C Catchpole Senior Planner (SP)

Mr P Kocian Executive Manager Corporate Services (EMCS)

Mr N King Executive Manager Technical Services (EMTS)

Ms L Motton Marketing and Communications Officer (MCO)

Ms J May Executive Assistant/Governance Coordinator (EA/GC)

There were 94 electors recorded in the attendance register.

2 ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging."

3 WELCOME TO GALLERY

Mayor O'Neill welcomed and thanked all attendees for coming along to the Special Electors' Meeting.

4 INTRODUCTION OF ELECTED MEMBERS AND STAFF

Mayor O'Neill introduced elected members and staff present to the gallery.

5 APOLOGIES

Mr and Mrs Saunders of 39 Dalgety Street.

6 MAYOR TO PROVIDE OVERVIEW OF PROCEEDINGS

Mayor O'Neill drew attention to Regulation 18 of the *Local Government (Administration) Regulations 1996* which states as follows:



Procedure at meeting (Act s. 5.31)

Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

7 STATEMENT REGARDING ELECTED MEMBERS' POSITION

Mayor O'Neill read the following statement regarding the development process and elected members' role in the assessment of this development application.

• **Council's Quasi-judicial role**

Council must exercise a 'quasi-judicial' function when making a decision in the exercise of a statutory discretionary power which may affect the rights and interests of an individual or a corporation, including when deciding to approve or not to approve an application for planning or development approval.

Elected members must act in a 'judge like' manner when performing quasi-judicial functions. This means that elected members must show no bias, and make a decision on the merits of the case based on the facts, the law, Legislation and Regulations applying at the time.

Elected members when determining an application must act with judicial fairness and without bias and should:

- (a) consider only the relevant facts and principles which have been presented including any site meeting/s;
- (b) consider any other relevant facts and principles;
- (c) not consider any matter that is irrelevant;
- (d) act reasonably; and
- (e) in the case of a planning decision, act in accordance with the delegation to local government for the delivery of Planning decisions on behalf of the Western Australian Planning Commission based on sound planning principles.

If elected members, while being sensitive to the expectation of residents' interests being protected, are to perform their quasi-judicial functions properly, they must not put the residents' expectations any higher than one of the issues to be considered. The application must be considered on its merits.

Elected members and staff WILL NOT be able to provide personal opinion on this application.

• **Development Assessment Questions**

Whilst every effort will be made to answer the questions put tonight, some questions may be taken on notice to be answered at a later time.

Where an answer is considered not acceptable by residents, the matter will not be debated.

Matters in relation to the assessment of planning and the traffic impact assessment of the application have not been completed by the Administration and are subject to the provision of further information by the applicant and State government agencies and may not be able to be commented on at the meeting. These matters will be discussed in detail in the finalised Responsible Authority Report and will be made available to the public on the Town's website prior to the Council meeting at which the RAR will be considered.

• **Development Assessment Panel (DAP) - process and Council's involvement**

A development application with a value of \$10M or more is a mandatory DAP application and cannot be determined by the Council of the Local Government. The application will be determined by the DAP. The DAP is bound by the same legislation as the local government. The DAP comprises of 3 specialist members appointed by the State Government and two elected members nominated by the Council. The presiding member is a State government appointed panel member.



The Town's Administration becomes the Responsible Authority. The Responsible Authority assesses, advertises and refers the application in accordance with the local scheme. The Responsible Authority prepares a report on the application (RAR – Responsible Authority Report). The development application is advertised for a minimum period of 28 days. The application was advertised via letter to residents within a 200-250 metre radius of the subject site and was communicated to residents on the Town's website, local newspaper advertisement, signs on site, Town Hall reception TV screen, E Newsletters, Facebook page and other social media sites.

The DAP meets and considers the local planning scheme and policy provisions, the RAR and any other information within 90 days from lodgement of the application. If the Responsible Authority is unable to provide the RAR by the due date (ie within 78 days of receipt of the application), they can seek approval from the Presiding Member, with the consent of the applicant to extend the statutory timeframe.

Responsible Authority provides the RAR to the DAP, including:

- officer's recommendation
- stamped plans
- any advice received from referral bodies
- submissions received during advertising
- any additional information for the DAP to take into consideration when determining the application.

Administration refer the application to Council where it is considered at a Council Meeting. The RAR cannot be amended by Council. However, if the Council does not agree with the RAR and wishes to provide advice, conditions or an alternative recommendation this is written as a separate section within the RAR to the DAP.

The DAP Secretariat must publish the Agenda on the Department of Planning, Lands and Heritage website at least 7 days prior to the meeting. Should further information be required by the DAP, the DAP Secretariat will advise the Responsible Authority.

The DAP can:

- approve the application with conditions
- refuse the application with reasons
- defer the application with reasons and timeframe.

If the DAP refuses the application, the applicant can appeal to the State Administrative Tribunal (SAT) to have the refusal overturned. Also, the applicant can appeal to have conditions of approval overturned. Members of the public and the local government cannot appeal the DAP decision.

Ms Taggart requested the deadline dates for the deemed refusal and submission of the RAR.

The Senior Planner advised that the RAR was required to be submitted by the 4/10/22. The Deemed Refusal date is 16/10/22 (unless extension granted).

8 PRESENTATION

Mayor O'Neill advised that Mr Graeme Prior (CEO) of Hall & Prior accompanied by the Lead Architect and Town Planners for this project was in attendance and had advised him that rather than provide a presentation on the development he was prepared to answer questions from the residents present.



8.1 BRON SIBREE, 41 DALGETY STREET

Ms Sibree asked whether there had been planning considerations in the proposed development in response to the likelihood of future pandemics and questioned whether the proposed development was in conflict with the Royal Commission into Aged Care Quality and Safety's findings which indicated a preference for smaller aged care facilities.

Mr Prior outlined how his organisation had successfully cared for residents at all their care facilities during the COVID pandemic. He considered that the best place to care for an elderly resident with severe morbidities was in a well run nursing home with nurses and doctors on site.

Ms Sibree asked whether they had revised the plan in view of the recent Royal Commission. Mr Prior answered yes.

8.2 JOANNE TAGGART, 30 DALGETY STREET

Ms Taggart advised that residents were not happy with the height and scale of the proposed development and asked whether Mr Prior was happy to consult with residents over these issues.

Mr Prior advised he would be happy to set up a community working group to discuss all the issues raised.

Ms Taggart asked whether Mr Prior was prepared to stop the clock on the deemed refusal.

Mr Prior answered "absolutely yes".

8.3 KATE VIGILANTE, 22 IRWIN STREET

Ms Vigilante asked whether any studies had been completed on the impact of loss of sunlight to properties on Fortescue Street.

The Architect advised that overshadowing from the development was in compliance with the R-Codes.

8.4 TODD ANDERSEN, 28 DALGETY STREET

Mr Andersen asked why, as an adjoining neighbour, he had not been contacted by the applicants since February 2021.

Mr Prior advised he had no knowledge of this and couldn't comment on why there had been no contact.

8.5 LAURIE FOLEY, 17 FORTESCUE STREET

Mr Foley asked whether meal preparation and laundry services from the premises would be offered to other external establishments.

Mr Prior responded no.

8.6 ANTONY BROCKMANN, 37 DALGETY STREET

Mr Brockmann commented that the size of the proposed building is extraordinary and not in keeping with the look and feel of the surroundings.

8.7 BRAD KELLY, 21 DALGETY STREET

Mr Kelly thanked Mr Prior for his offer to establish a community working group and asked what format the consultation with local residents was going to take.



Mr Prior suggested that meetings take place at Council with 8-10 members of the community and some Council staff and perhaps elected members. Mr Prior hoped that there would be some common ground although he understood that height and scale was a problem for residents.

8.8 SANDY HUBBARD, 27 DALGETY STREET

Mr Hubbard thanked Mr Prior for his offer to meet with residents but queried that if he was prepared to revise the proposal, why propose such a large development initially.

Mr Prior advised of his willingness to meet with community representatives to explain the requirements of the development.

Mr Hubbard remarked "so you are not going to reduce the scale of the proposal"?

Mr Prior responded "not at this point".

8.9 IAN SCOTT, 34 DALGETY STREET

Mr Scott queried the previous and current zoning of the site and why it had been rezoned.

The Senior Planner advised that in 2016 the site had been rezoned from a Local Reserve for Hospital to a Residential R15 zone. There had been no change since that time.

8.10 LYDIA WARBURTON, 32 FORTESCUE STREET

Ms Warburton asked what consultation had taken place regarding the heritage features of the original building from Fortescue Street and noted the heritage inventory work carried out by Phil Griffiths, Griffiths Architects on behalf of the Town .

The Hall & Prior Planner advised that they were working with Phil Griffiths regarding opening up the original building for the community.

Ms Warburton remarked "what about the four storey wall blocking the view of Woodside House"?

8.11 MEAGAN COX 31 DALGETY STREET

Ms Cox queried how a commercial building could be permitted within a R15 zoning.

The Hall & Prior Planner advised that the Residential zoning allows for the consideration of an aged care facility.

8.12 MR BOYD 26 DALGETY STREET

Mr Boyd queried the Heritage Impact Statement, prepared by the applicant's consultants, for the property at 26 Dalgety Street where it states that the removal of the extension is a positive. Mr Boyd also commented that the extensive garden would be replaced with a carpark.

9 BUSINESS OF MEETING – FORMER WOODSIDE HOSPITAL DEVELOPMENT SITE, 18-26 DALGETY STREET/29 FORTESCUE STREET

Mayor O'Neill advised that this Special Meeting of Electors has been called in accordance with section 5.28 of the *Local Government Act 1995* in respect to the following questions. Responses had been prepared by the Administration which were read to the meeting attendees by the Mayor.



- i) The Council to identify clearly all aspects of the Development Application for the proposed Woodside Care Precinct Lot 250 (#18) and Lot 114 (#26) Dalgety Street and Lot 116 (#29) Fortescue Street East Fremantle which are not compliant with the local planning scheme, local planning strategy and residential 12.5/15.0 code, such as zoning, land uses, scale, height, traffic, crossover design, access points, setbacks, requirement for on site parking, tree retention and removal, overshadowing, changes to natural ground level, proposed medical centre, proposed wellness centre and proposed training/research facility and any other matters, and the consequent impact of those matters on the amenity of all property owners and occupiers in East Fremantle.

ANSWER

The Council has been advised that from assessment of the development application to this point, the following matters are considered non-compliant with the Local Planning Scheme, the Local Planning Strategy and the Residential R15 and R12.5 codes.

- *Building height;*
- *Lot boundary setbacks for the northern elevation of the building (2nd and 3rd levels);*
- *Site works – changes to natural ground level in respect to proposed excavation and fill;*
- *Car parking bay requirement;*
- *All incidental uses proposed that do not comply with the definition of incidental use under the provisions of the Local Planning Scheme Regulations – Schedule 2 Deemed Provisions;*
- *Wellness Centre uses where the provision and use of the activities and facilities is not solely for, or by the residents of the facility, however, this statement is pending further investigation;*
- *Number of crossovers per lot permitted and width of crossovers;*
- *Removal of verge tree; and*
- *Percent for Public Art Policy.*

In general, the waste management plan is satisfactory and meets the Town's requirements. However, there is a number of matters that require clarification. The applicant will be requested to provide this information for further assessment. These matters will be discussed in the RAR.

The Transport Impact Assessment has been assessed by the Town and MRWA and further information, clarification and modification of the document has been requested by MRWA and the Town, so the review of the document can be completed. These matters will be discussed in the RAR.

The consequent impact of the above matters on the amenity of property owners and occupiers is assessed in accordance with the Design Principles of the R-Codes and the provisions of the Local Planning Scheme and will be discussed in the Responsible Authority Report to the DAP.

- ii) The Council to identify clearly the actual changes proposed to the site of the former heritage listed home of William Dalgety Moore, one of The Merchant Princes of Fremantle and latterly the former Woodside Maternity Hospital site, and the two adjoining heritage homes to the south.

ANSWER

The Council understands the changes proposed to Woodside House, include:

- *Internal changes to Woodside House to facilitate the provision of a multi-purpose room (former ballroom), dining/board room, lounge room, café, office sitting room and kitchen on the ground floor and 4 aged care accommodation suites on the upper floor;*
- *Walkway and landscaping connections to the proposed new buildings;*
- *Restoration of the building in general and of specific building elements which underwent changes during the time the building was used as a maternity hospital and/or are required to be renovated due to the age and deterioration of the building; and*



- *Reinstatement and restoration of building elements as approved by the Heritage Council of WA.*

The changes proposed to the dwellings at 26 Dalgety and 29 Fortescue Street include:

- *Removal of the additions to the original dwellings and new extensions to facilitate Supported Independent Living residents, this includes changes to facilitate an ensuite for each bedroom;*
 - *Internal changes to the original dwellings to provide appropriate and suitable accommodation for Supported Independent Living residents, including suitable communal facilities and amenities; and*
 - *Removal of pools, other rear garden structures and trees and other vegetation to facilitate the construction of parking bays for the aged care facility to the rear of the dwellings.*
- iii) The Council to identify clearly any commercial functions which have scope and uses beyond the provision of services for the residents, their visitors and staff of the site in question, and which are likely to detract from the amenity of affected local residents and ratepayers.

ANSWER

It is the Council's understanding that there are some commercial functions (for example, a training or educational establishment or external catering service) which have the scope to be approved by the DAP under Local Planning Scheme No. 3. However, in the Town's view these uses would not be considered incidental to the aged care facility use and would be required to be the subject of a separate development application and advertised for community comment before a decision maker could determine the application.

Moved Joanne Taggart, seconded Jesse Searls

That the Electors' Meeting follow the order of the following aspects of development:

- **Orderly and proper planning/consultation**
- **R-Code variations impact**
- **Design**
 - **Context and character**
 - **Built form and scale**
 - **Remaining principles**
- **Density**
- **Land use including commercial functions**
- **Traffic**
- **Construction**
- **Heritage matters**
- **Other**

(CARRIED)

9.1 ORDERLY AND PROPER PLANNING/CONSULTATION

Mr Andersen presented his proposed motion and outlined his rationale for seeking a local development plan for the redevelopment.

Moved Todd Andersen, seconded Joanne Taggart**That Council:**

1. **NOTES** the extent of variations sought to the current planning framework as part of the Application for Development Approval dated 1 July 2022 relating to the redevelopment of the Woodside Hospital development site at Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street East Fremantle.
2. **NOTES** the inconsistency with the land use classification applied for under the Application for Development Approval dated 1 July 2022 relating to the redevelopment of the Woodside Hospital development site at Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street East Fremantle
3. **SUPPORTS** amendments to the current planning framework relating to Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street East Fremantle to provide for an orderly and proper approach to the redevelopment of the land.
4. **REQUESTS** the landowner to investigate an amendment to the *Town of East Fremantle Local Planning Scheme No. 3* as it relates to Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street East Fremantle to introduce an Additional Use zone to establish appropriate land use, built form and density controls and the requirement for a Local Development Plan prior to any development taking place on the land, in consultation with the Town of East Fremantle.
5. **SUPPORTS** the deferral of any Application for Development Approval relating to the redevelopment of the Woodside Hospital development site at Lot 250 (18) Dalgety Street, Lot 114 (26) Dalgety Street and Lot 116 (29) Fortescue Street East Fremantle until such a time that the current planning framework is amended to facilitate the orderly and proper redevelopment of the site.

(CARRIED UNANIMOUSLY)**9.2 R-CODE VARIATIONS IMPACT**

Mr Robert Cox read excerpts from the Communication Engagement Program prepared for the development application and disputed the comments of “significant community support” and feedback was “overwhelmingly supportive”. He advised that the majority of the community were totally against the height and scale of the development.

Ms Foley presented her proposed motion and provided information on how the proposal didn't meet the R-Code provisions

- 5.1.3
- 5.1.6
- 5.1
- 5.5.2

Ms Foley also highlighted the proposal to provide additional parking bays in front of the development in Fortescue Street which would entail parking on the crest of the hill. With traffic generated by delivery trucks using the service entrance, traffic to the Stepping Stones Early Learning Centre and Baptist Church as well as local traffic this will create a danger to road users.

Mr Andersen commented on the removal of vegetation from 26 Dalgety Street for a carpark and the 5m height difference between his property and the development. He also considered there had been no consideration of the extra traffic generated at the Dalgety Street/Canning Highway crossing.

Moved Jenny Foley, seconded Melissa Pillay

That the Council negotiate with the developer to reduce the height, bulk, scale and siteworks and to increase the setback to be more compliant with the Local Planning Scheme and significantly reduce the impact of the north wing on the amenity at 17 Fortescue Street.

If the current development application is approved, it must be conditional on the following:

That the developer provide cone of vision assessment for both southern and northern boundaries at 18 Dalgety Street, undertaken at each level of the building, to inform the design and placement of visual privacy screening.

That the design and location of the screening be to the satisfaction of the relevant property owners.

(CARRIED UNANIMOUSLY)

9.3 DESIGN – CONTEXT AND CHARACTER

Mr Connor presented his proposed motion whilst disputing the applicant's claim of compliance with the Context and Character principle contained within the State Planning Policy 7.0 Design of the Built Environment. Mr Connor considered the proposal a massive structure and completely out of character with the surrounding low rise character homes.

Moved Michael Connor, seconded Meagan Cox

That the proponent be required to provide realistic street elevations along Dalgety and Fortescue Streets to include at least five homes either side of the proposed development which should clearly depict the existing slope of the land. These images are to be provided prior to completion by Town of East Fremantle of the Responsible Authority Report and are to be referred to in the development of that report.

(CARRIED UNANIMOUSLY)

9.4 DESIGN – BUILT FORM AND SCALE

Mr Hubbard presented his proposed motion and expressed concern with:

- the height, bulk and scale
- disregard for the natural topography.

Moved Sandy Hubbard, seconded Robert Cox

That the Council do not support the approval of the development application unless the built form and scale is reduced to the deemed-to-comply height specified in the Residential Code for the site's R15 zoning.

(CARRIED UNANIMOUSLY)

9.5 DESIGN – REMAINING PRINCIPLES

Mr Searls provided a presentation of what he believed were the shortcomings of the proposal in relation to the State Planning Policy 7.0 Design of the Built Environment. He considered the proposed development out of context with local culture, community and environs, its scale is industrial, its recognition of heritage and landscaping is tokenistic. The proposal is completely silent on the Aboriginal culture and history of the site.

9.6 TRAFFIC

Mrs Connor presented her proposed motion and expanded on the shortcomings of the Transport Impact Assessment report prepared by the applicant's consultants.



Moved Geraldine Connor, seconded Tom Puddy

That the Town of East Fremantle Council commissions an independent traffic impact assessment to address the anticipated increase in car and truck traffic that will be generated by the former Woodside Hospital Redevelopment to:

- a) identify and articulate community concerns about increased traffic, and
- b) address the impacts that will arise for the community from this increase in traffic.

(CARRIED UNANIMOUSLY)

9.7 CONSTRUCTION

Ms Cox presented two proposed motions relating to potential amenity disturbance and damage to residences in the vicinity of the proposed development.

Moved Meagan Cox, seconded Kate Vigilante

That the Town of East Fremantle engage a suitably qualified professional, or professionals, to prepare two reports:

A Construction Management Plan addressing but not limited to:

- The control of the associated vibration asbestos dust, noise, waste, dewatering, sand and sediment;
- The proposed development will clash with the amenities of the surrounding area for at least two years.
- site access/egress; deliveries of construction materials; heavy construction machinery, parking for contractors and tradespersons; and traffic control and that:
- the approved plan be implemented and adhered to at all times during the construction phase, unless otherwise approved by the Town of East Fremantle.

(CARRIED UNANIMOUSLY)

Moved Meagan Cox, seconded Kate Vigilante

That a professional be engaged to advise and detail the current condition of all homes including the status of all buildings, surrounding paved areas and ancillary structures. A distance to be advised by an independent structural engineer. Hall and Prior, as a condition of their contract, be responsible to meet the cost of restoring any affected properties to their former condition where any damage arises.

(CARRIED UNANIMOUSLY)

9.8 HERITAGE MATTERS

Ms Sibree presented her motion and highlighted concerns regarding:

- comments from the Heritage Council in 2020 stating that the proposal would have a substantial impact on the values of the building associated with its period of use as a maternity hospital;
- restoration works to the original building; and
- the impact of the height, setbacks and scale of the new buildings on the streetscape character and amenity.

Moved Bron Sibree, seconded Katie Mutzke

That the Council obtain an opinion from the National Trust about the proposed demolition of the mid-century maternity buildings and an Independent Heritage Impact Assessment of the proposed development.

(CARRIED UNANIMOUSLY)



9.9 OTHER

- Katie Mutzke commented that this development proposes to put R80 density in an R15 zoned site.
- Joanne Taggart explained the political context of this development. She believed the applicants were attempting to use the Business Model for their Karingal Green facility in High Wycombe and shoehorn a similar development into a smaller completely different site.

Moved Ian Scott, seconded Kate Vigilante

That the meeting attendees express their gratitude and thanks to Joanne Taggart and her team for their detailed and professional presentations tonight.

(CARRIED UNANIMOUSLY)

- Rebecca Davy asked what progress had staff made on the RAR and the timeline for the application report to the DAP.

The Senior Planner advised staff had commenced the RAR but would need to discuss the timeframes needed to complete the report and to receive additional information. Officers were currently waiting for this additional information from government agencies and would be requesting additional information from the applicant. She advised that those residents who had registered their email address on tonight's attendance register would be provided with an updated timeframe when available.

- Ms Vigilante commented that she looked forward to Council setting up the community working group mentioned earlier tonight.
- Following a question from a resident as to why the high level of community consultation for the EF Oval redevelopment had not been carried out for the Woodside Hospital site, Mayor O'Neill responded that the EF Oval redevelopment was the Town's project.
- Joanne Taggart asked what advice/arrangements would be made regarding the Council's consideration of the motions in concurrence with the progress of the development application.

Mayor O'Neill advised all motions (minutes) will be considered by Council at the next practicable Ordinary meeting of Council, which will be the October Ordinary Council meeting (18/10/22).

10 CLOSURE OF MEETING

There being no further business, Mayor O'Neill closed the meeting at 9.20pm.

13.2 36 HAMILTON STREET - ALTERATIONS AND ADDITIONS

Owner	Daisy & Thomas Burbidge-King
Applicant	Daisy & Thomas Burbidge-King
Report Reference Number	TPR-1062
Planning Reference Code	P62/22
Prepared by	James Bannerman
Supervised by	Andrew Malone
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple majority
Documents tabled	Nil

Attachments

1. Location and advertising plan
2. Photos
3. Plans submitted 28 June, 8 September & 9 September 2022
4. Heritage impact statement
5. Place record form
6. Community consultation checklist

PURPOSE

The purpose of this report is for Council to consider a development application for proposed alterations and additions at 36 (Lot 32) Hamilton Street, East Fremantle.

EXECUTIVE SUMMARY

This development application proposes alterations and additions to an existing heritage dwelling at 36 (Lot 32) Hamilton Street, East Fremantle. The dwelling is a Category A heritage building. A heritage impact assessment was submitted which was supportive of the proposed development.

The proposed development involves the demolition of internal sections of a previous addition that was constructed in 1995 and considerable alterations to this part of the dwelling. The original section of the heritage dwelling is not being changed other than the addition of a new bathroom in the approximate position of the existing bathroom. The rear additions on the ground floor are being modified such that a new laundry, bathroom, toilet, bedroom, kitchen, pantry, and dining room are being added within the shell of the existing building and a new veranda and patio is proposed for the rear of the whole development. The upper storey is being modified with the addition of new dormer windows and a new bathroom. The roof is not being extensively modified. A swimming pool is also proposed in the rear yard along with changes being undertaken to the existing shed near the pool and a new shed to be located at the south eastern corner of the lot. The proposed pool does not have an impact on the heritage property. The large shed on the northern boundary of the property is being modified to become a shed housing the pool equipment. A new carport is being added on the northern side of the dwelling but setback a considerable distance from both the front building line and the front boundary.

There are multiple variations to the Residential Design Codes and the Residential Design Guidelines that are proposed including;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Northern Wall - Carport – 1m required, 0m provided,

- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Southern Wall – 5m required, 2m provided,
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided
- (iv) Clause 5.3.5 – Residential Design Codes – Vehicular Access – driveway less than 15m from street boundary required, driveway more than 15m from street boundary provided
- (v) Clause 5.3.7 – Residential Design Codes – Excavation – 0.5m maximum, greater than 0.5m excavation
- (vi) Clause 5.4.1 - Residential Design Codes - Visual Privacy Setback - Bedroom 6 – 4.5m required, less than 4.5m provided
- (vii) Clause 5.4.3 - Residential Design Codes - Lot Boundary Setback - Southern Outbuilding (Shed) – 1m required, 0m provided
- (viii) Clause 5.4.3 - Residential Design Codes - Wall Height – Southern Outbuilding (Shed) – 2.4m required, 2.6m provided.

The proposed development application is recommended for approval subject to the conditions included in the final recommendation.

BACKGROUND

Zoning	Residential R12.5
Site Area	1126m ²
Heritage	Category A
Fremantle Port Buffer	Area 3
Previous Decisions of Council and/or History of Issue Onsite	Nil

CONSULTATION

Advertising

The proposed development was advertised from 29 June to 15 July 2022. No submissions were received from advertising.

Community Design Advisory Committee

This application was not provided to the Community Design Advisory Committee (CDAC) as administration has determined at this time it is not appropriate to undertake the CDAC meeting because of restrictions and risks associated with the Covid virus.

External Consultation

The development application was referred to the Water Corporation. The following advice was received from the Water Corporation.

Thank you for email dated 29/06/2022 regarding the above development application. The Corporation offers the following comments.

Water and Wastewater Services

Reticulated water and sewerage are currently available to the subject land.

Protection of Services

It should be noted that existing sewerage mains are located in close proximity to the development. Due consideration will be required when developing in this area. The developer is required to fund the full cost of protecting or modifying any of the existing infrastructure which may be affected by the proposed development (plan attached).

General

The developer is required to fund the full cost of protecting, modifying or upgrading any of the existing infrastructure which may be affected by the proposed development.

The applicant should be advised that this proposal will require approval by our Building Services section prior to commencement of works. Fees may be required to be paid prior to approval being issued.

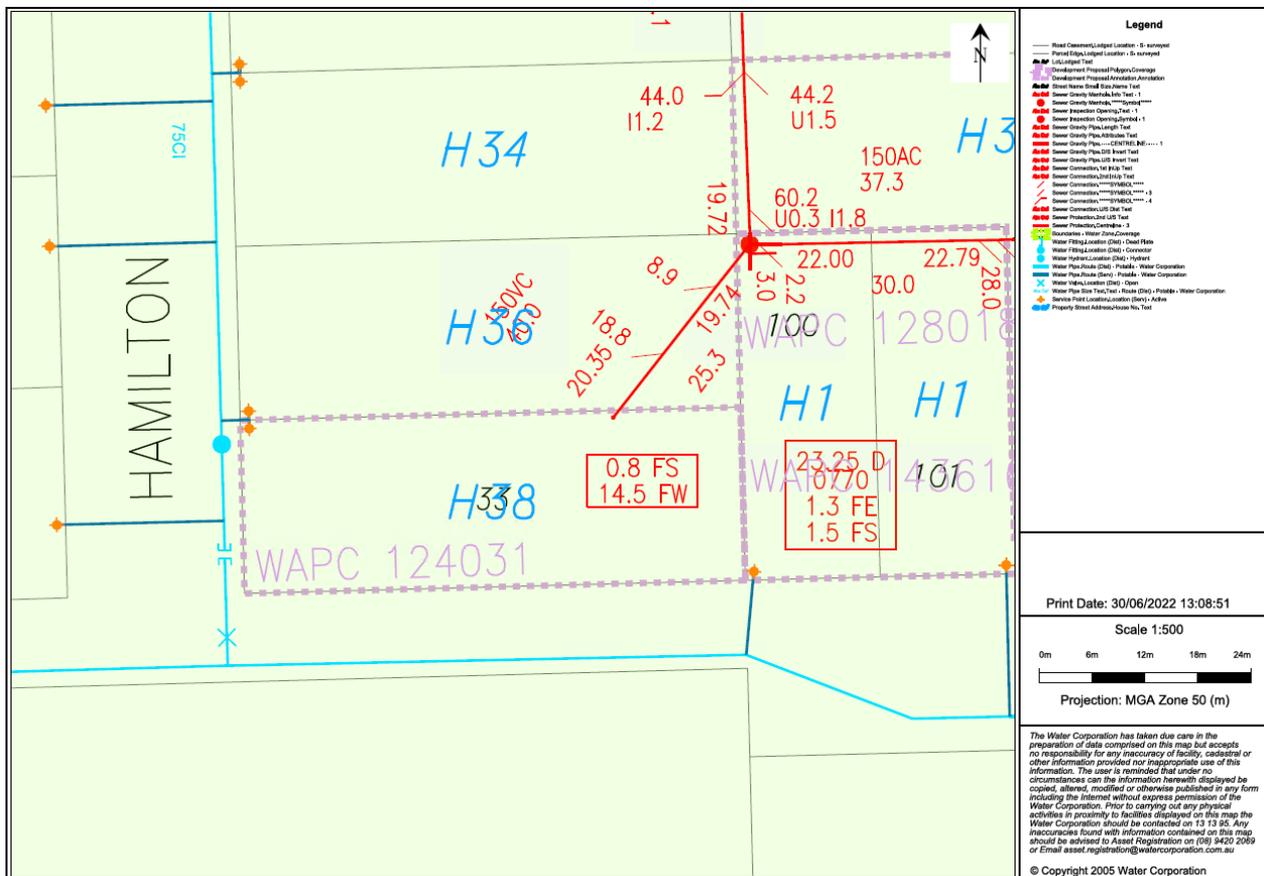
For further information about building applications, the developer should follow this link:

<https://www.watercorporation.com.au/home/builders-and-developers/building/lodging-a-building-application>

If the application is retrospective, approval by our Building Services section is still required.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

Please provide the above comments to the landowner, developer and/or their representative.



Internal Consultation

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
 Residential Design Codes (Volume 1)
 Local Planning Scheme No 3

POLICY IMPLICATIONS

Town of East Fremantle Residential Design Guidelines 2016

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states as follows;

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

3.1 Facilitates sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town’s character.

3.2.1 Ensure appropriate planning policies to protect the Town’s existing built form.

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

SITE INSPECTION

A site inspection was undertaken.

COMMENT

Statutory Assessment

This development application was assessed against the Town’s Local Planning Scheme No 3, the Residential Design Codes and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

Residential Design Codes

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Minor incursions			N/A
Lot Boundary Setbacks			
Northern wall - carport	1m	0m	D
Northern wall - kitchen and dining	1.5m	4m	A
Southern wall – laundry	1m	1.5m	A
Eastern wall – rear of dwelling	6m	>6m	A
Southern wall – bed 1, bath 2, bed 3, laundry, ensuite, bed 4, patio	5m	2m	D
Southern wall – (outbuilding) shed	1m	0m	D

Eastern wall – (outbuilding) shed	1m	1m	A
Northern wall – (outbuilding) shed	1m	>1m	A
Northern wall – upper storey – bathroom, bed 5	4m	5.7m	A
Southern wall – upper storey - staircase	1.2m	2.1m	A
Southern wall – bed 6, dormer window	3.8m	3.8m	A
Open Space	55%	>55%	A
Car Parking	2 car bays	2 car bays	A
Maximum roof height	10m	<10m	A
Maximum wall height	7m	<7m	A
Vehicular Access (carport location)	15m	>15m	D
Site Works	Maximum of 0.5m excavation	>0.5m (0.89m)	D
Visual Privacy			
Bed 5 – upper storey	4.5m	>4.5m	A
Bed 6 – upper storey	4.5m	<4.5m	D
Overshadowing	25%	<25%	A
Outbuilding – wall height	2.4m	2.6m	D
Drainage	To be conditioned		

Residential Design Guidelines

Design Element	Required	Proposed	Status
Roof form and pitch	28 to 36 degrees	Less than 28 degrees	D
Materials and colours	Colours and materials shown	Shown	A
Landscaping	2m x 2m planting zone and tree	Numerous trees shown on plans	A
Front fence – fence is existing			N/A
Pergolas			N/A
Footpaths and crossovers – no change	N/A		
Garages and carport	30% maximum lot width	20%	A

This development application proposes alterations and additions to an existing heritage dwelling at 36 (Lot 32) Hamilton Street, East Fremantle. The dwelling is a Category A heritage building. A heritage impact assessment was submitted which was supportive of the proposed development.

The proposed development involves the demolition of internal sections of a previous addition that was constructed in 1995 and considerable alterations to the dwelling. The original section of the heritage dwelling is not being changed other than the addition of a new bathroom in the approximate position of the existing bathroom and walk-in robe. The rear additions on the ground floor are being modified such that a new laundry, bathroom, toilet, bedroom, kitchen, pantry, and dining room are being added within the shell of the existing building. A new veranda and patio are being added to the rear of the whole development. The upper storey is being modified with the addition of new dormer windows and a new bathroom. A swimming pool is also proposed in the rear yard along with changes being undertaken to the existing garage on the northern side. The existing garage is being modified such that only a small portion on the eastern end is being retained. A new shed is to be located at the south eastern corner of the lot. The proposed pool does not have an impact on the heritage property. The large shed on the northern boundary of the property is being modified to become a shed housing the pool equipment. A new carport is being added on the northern side of the dwelling, but setback a considerable distance from the front building line and front boundary (10.9m and 17.6m respectively). It is noted that the existing chimneys which are highly visible from the street front are not being modified or removed, and a recommended condition of development approval will require that this continues to be the case.

Multiple variations were requested to the requirements of the Residential Design Codes and the Residential Design Guidelines in relation to lot boundary setback (4 locations), roof pitch, vehicular access, excavation in excess of 0.5m, visual privacy setbacks, and outbuildings.

Lot Boundary Setback - Northern Wall - Carport

The proposed carport is located up to the boundary wall. It is 8m long and 2.4m high without major openings. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the required setback is a minimum of 1m. Within a residential zone with a density code of R12.5 typically dwellings have sufficient area to not have to build up to the boundary, however, it is not unusual for proponents to propose building a side wall of a carport up to the boundary. In this case the reduced lot boundary setback can be supported in accordance with design principles clause 5.1.3 P3.2 for the following reasons;

- It makes more effective use of the space for the applicant, in an existing area utilised for car parking. A bike storage area is also included. The narrow setback from the northern boundary to the dwelling is only sufficient for a single bay therefore requires the carport to be located on the northern boundary,
- There is minimal impact of building bulk on adjoining properties,
- Adequate sunlight and ventilation is provided to the wall and the open spaces on the site and adjoining properties,
- There will be no overlooking and loss of privacy on adjoining properties because of the carport,
- It does not have an adverse impact on the amenity of the adjoining property,
- Direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

The carport uses space that might normally be underutilised. The structure is not overly high at 2.4m from ground level. As it is located to the south of the neighbouring property it does not overshadow the neighbouring property and by being open walled sufficient ventilation is possible. The carport is not elevated so does not present a visual privacy issue, or overlook the neighbouring property. The area is designated as a parking area for vehicles so will not create significant noise issues other than when vehicles are moving in and out of the area. The addition of the carport makes a positive contribution to the dwelling and the streetscape.

Lot Boundary Setback - Southern Wall

The proposed southern wall is located a minimum of 2m from the boundary. It is 26.4m long and 3.7m high with major openings. In excess of half of the wall is existing and forms part of the heritage listed dwelling. It is proposed to continue with the existing line of the building. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the required setback is a minimum of 5m because of the overall length of the wall. In this case the reduced lot boundary setback can be supported in accordance with design principles clause 5.1.3 P3.1 for the following reasons;

- There is minimal impact of building bulk on adjoining properties as the proposal continues the existing structure and setbacks,
- Adequate sunlight and ventilation is provided to the wall and the open spaces on the site and adjoining properties,
- There will be minimal overlooking and loss of privacy on adjoining properties,

The proposed addition makes a positive contribution to the dwelling with the streetscape being maintained as there additions are to the rear and upper level of the dwelling. The continuation of the existing building line is a sensible solution to the built form with the old and new are delineated by a new laundry which is set 0.5m forward. The proposed setback can be supported.

Roof Pitch

In accordance with the Residential Design Guidelines acceptable development provision 3.7.8.3 A4.2 the roof pitch of dwellings is required to be between 28 and 36 degrees. In this case the roof pitch is less than 28 degrees, however, in accordance with performance criteria 3.7.8.3 P4 roof forms of new buildings that complement the traditional form of surrounding development in the immediate locality can be supported. In this case the pitch of the roof structures on the proposed alterations and additions to this dwelling complement the existing roof pitch and attempts have been made to ensure that the proposed roof fits in with the existing dwelling despite being at lower pitch. As such the reduced roof pitch can be supported.

Vehicular Access

In accordance with the Residential Design Codes deemed to comply clause 5.3.5 C5.4 the distance from the on-site carparking space to the street should be no more than 15m. Beyond this there should be turning space to allow vehicles to exit the property in forward gear. In this case the carport is 17.6m from the front boundary and there is no turning circle incorporated into the design. The increased setback of the carport beyond 15m can be supported in accordance with design principles 5.3.5 P5.1 for the following reasons;

- The vehicle access driveway is not compromised,
- There is only one access point from the street to the property,
- The access point is highly legible,
- Pedestrian safety is maintained,
- There is only one crossover to the property, and
- There is no change in the existing landscaping in the front yard.

The Residential Design Guidelines requires that a carport is a minimum of 1.2m behind the front building line. This is intended to reduce the impact of the carport on heritage properties by ensuring the carport does not become the dominant feature of the dwelling. In addition, the carport is setback a significant distance to ensure that an awning and window on the northern side of the property is not obscured by the proposed structure. The desire to minimise the impact of development on heritage properties does contradict some criteria in the Residential Design Codes, however, as stated previously the location of the carport does not compromise safety or accessibility for vehicles entering or departing from the lot.

Excavation

A retaining wall and steps that are approximately 0.89m above ground level is proposed to be constructed in the rear yard. There is retaining for 9m along the southern boundary, steps for 11m running in a north-south direction, then more retaining for another 10m in an east-west direction, with another set of steps and retaining for the remaining 8m along a north-south axis closer to the eastern fence. This retaining achieves the required setbacks given the wall height and length in accordance with the Residential Design Codes but does not achieve deemed to comply clause 5.3.7 C7.3 in relation to the excavation for a relatively small area exceeding the maximum of 0.5m (up to 0.89m). The excavation respects the natural ground level at the lot boundary of the site and as viewed from the street. Retaining ensures that the natural ground level along the southern boundary is not undermined despite the excavation. This area also cannot be seen from the front of the property as it is located in the rear yard behind the dwelling. For these reasons, the excavation is supported.

Visual Privacy Setback – Bedroom 6

Bedroom 6 of the dwelling is existing and located on the upper storey. A new dormer window is being added to the southern wall. This window does not achieve the minimum 4.5m visual privacy setback in accordance with the Residential Design Codes deemed to comply clause 5.4.1 C1.1. However, the window does achieve design principles 5.4.1 P1.1 in that the location of the window is such that it overlooks the roof of the neighbouring property and does not look into any outdoor living areas or active habitable spaces. Photos were included with the development application that clearly show there is no reduction in privacy for the southern neighbouring property. As such the proposed reduction in visual privacy setback can be supported.

Lot Boundary Setback - Southern Outbuilding (Shed)

The southern wall of the shed is 6m long and 2.6m wide without major openings and located along the boundary. In accordance with the Residential Design Guidelines deemed to comply clause 5.4.3 C3 B (ii) Table 2a should be referred to regarding setbacks. In this case the shed wall should be located 1m from the boundary. However, the reduced lot boundary setback can be supported in accordance with design principles 5.4.3 P3 because the shed does not detract from the streetscape as it is located at the rear of the property behind the existing dwelling on site. At the same time, it does not impact on the visual amenity and neighbouring properties as the shed is hidden by an existing shed that is much larger and located at the southern property. The reduction in the lot boundary setback can be supported.

Wall Height – Southern Outbuilding (Shed)

The maximum wall height of a shed that achieves the Residential Design Codes deemed to comply clause 5.4.3 C3 B (ii) is 2.4m. In this case the shed wall height is 2.6m. However, the increased wall height can be supported in accordance with the design principles 5.4.3 P3 because the shed does not detract from the streetscape as it is located at the rear of the property behind the existing dwelling on site. It does not impact on the visual amenity and neighbouring properties as the shed is hidden by an existing shed that is much larger and located at the southern boundary. The increased wall height of the shed can be supported.

Heritage Impact Assessment

A heritage impact assessment was requested and submitted by the applicant. The assessment concluded that the proposed works designed by the architect will not detrimentally impact the heritage significance of the subject place. The proposed additions are being constructed within the footprint of the existing additions completed in 1995 and the proposed bathroom between bedroom 1 and bedroom 2 is utilising the existing space that is currently a walk-in robe and ensuite that has evidence of previous works that is not original. As a result there is minimal detrimental impact on the Category A heritage dwelling.

Conclusion

The proposed development is concentrated to the rear of the existing Category A heritage dwelling and has minimal impact on the streetscape and little impact on the existing heritage dwelling. The alterations and additions will contribute positively to the dwelling, rather than detract from the building. Based on the preceding assessment the proposed development at 36 Hamilton Street can be supported, subject to the conditions included in the final recommendation.

13.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Northern Wall - Carport – 1m required, 0m provided,**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Southern Wall – 5m required, 2m provided,**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided**
- (iv) Clause 5.3.5 – Residential Design Codes – Vehicular Access – driveway less than 15m from street boundary required, driveway more than 15m from street boundary provided**
- (v) Clause 5.3.7 – Residential Design Codes – Excavation – 0.5m maximum, greater than 0.5m excavation**

- (vi) **Clause 5.4.1 - Residential Design Codes - Visual Privacy Setback - Bedroom 6 – 4.5m required, less than 4.5m provided**
- (vii) **Clause 5.4.3 - Residential Design Codes - Lot Boundary Setback - Southern Outbuilding (Shed) – 1m required, 0m provided**
- (viii) **Clause 5.4.3 - Residential Design Codes - Wall Height – Southern Outbuilding (Shed) – 2.4m required, 2.6m provided**

for alterations and additions at No. 36 (Lot 32) Hamilton Street, East Fremantle, in accordance with the plans submitted 28 June, 8 September & 9 September 2022, subject to the following conditions:

- (1) **Written approval for all works is to be sought from the Water Corporation. Written evidence of the approval from the Water Corporation is to be submitted to the Town of East Fremantle prior to the submission of a building permit application.**
- (2) **The existing chimneys in the original heritage dwelling are to be retained and are not to be demolished, or modified without the submission of a development application for the consideration of the Town.**
- (3) **The crossover widths are not to exceed the width of the crossovers indicated on the plans and to be in accordance with Council’s crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide.**
- (4) **All fencing within the street setback area is to comply with the front fence provisions of the Residential Design Guidelines. Any proposed new fencing or walls in the front setback area will require the submission of a development application for the consideration of the Town.**
- (5) **The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council’s further approval.**
- (6) **The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.**
- (7) **Regarding the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council’s attention.**
- (8) **All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.**
- (9) **If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment is to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.**
- (10) **All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.**
- (11) **Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or**

services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

- (12) This development approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

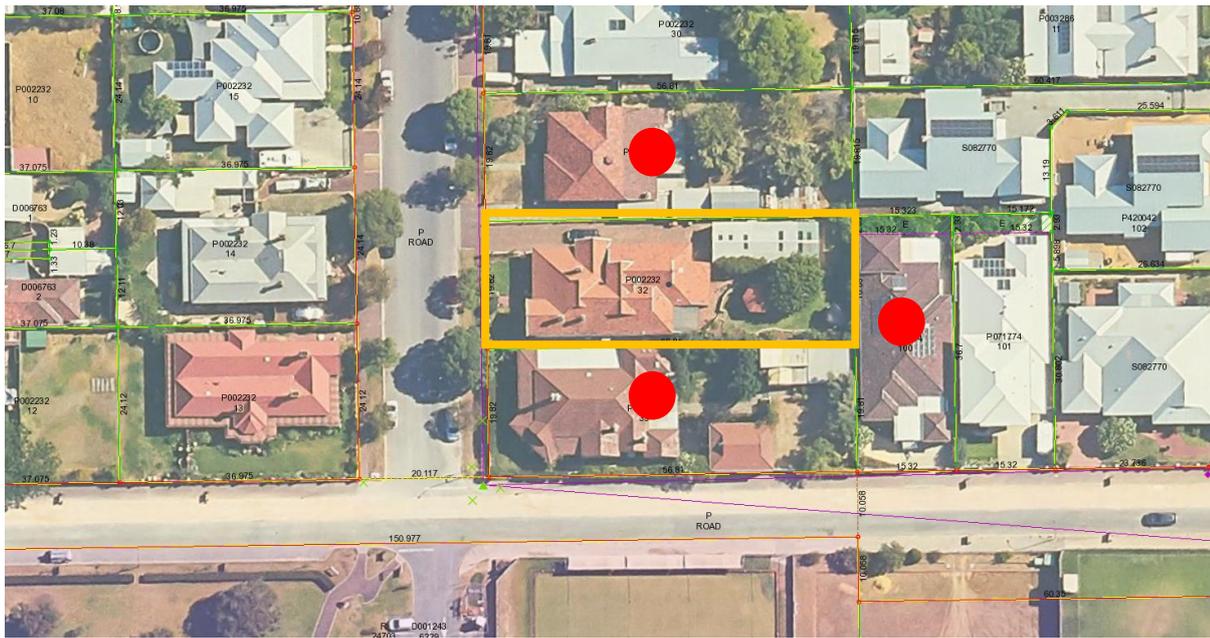
The following are not conditions but notes of advice to the applicant/owner.

- a) *This decision does not include acknowledgement or approval of any unauthorised development which may be on site.*
- b) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- c) *An application for a new crossover is to be submitted to the Operations Department of the Town and plans are to be included with the application that meets the requirements of the Council's crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide. This application and relevant information are available at the following links;*
- *Crossover Specifications
[crossover_specification_2017.pdf \(eastfremantle.wa.gov.au\)](#)*
 - *Residential Design Guidelines
[3.1.1 LPP Residential Design Guidelines Amended 17 May 2016.pdf \(eastfremantle.wa.gov.au\)](#)*
 - *Urban Streetscape and Public Realm Style Guide
[EFUSPR Style Guide FINAL 210108.indd \(eastfremantle.wa.gov.au\)](#)*
 - *Application to Conduct Crossover Works
[Application to conduct crossover works.pdf \(eastfremantle.wa.gov.au\)](#)*
- d) *It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- e) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- f) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

REPORT ATTACHMENTS

Attachments start on the next page

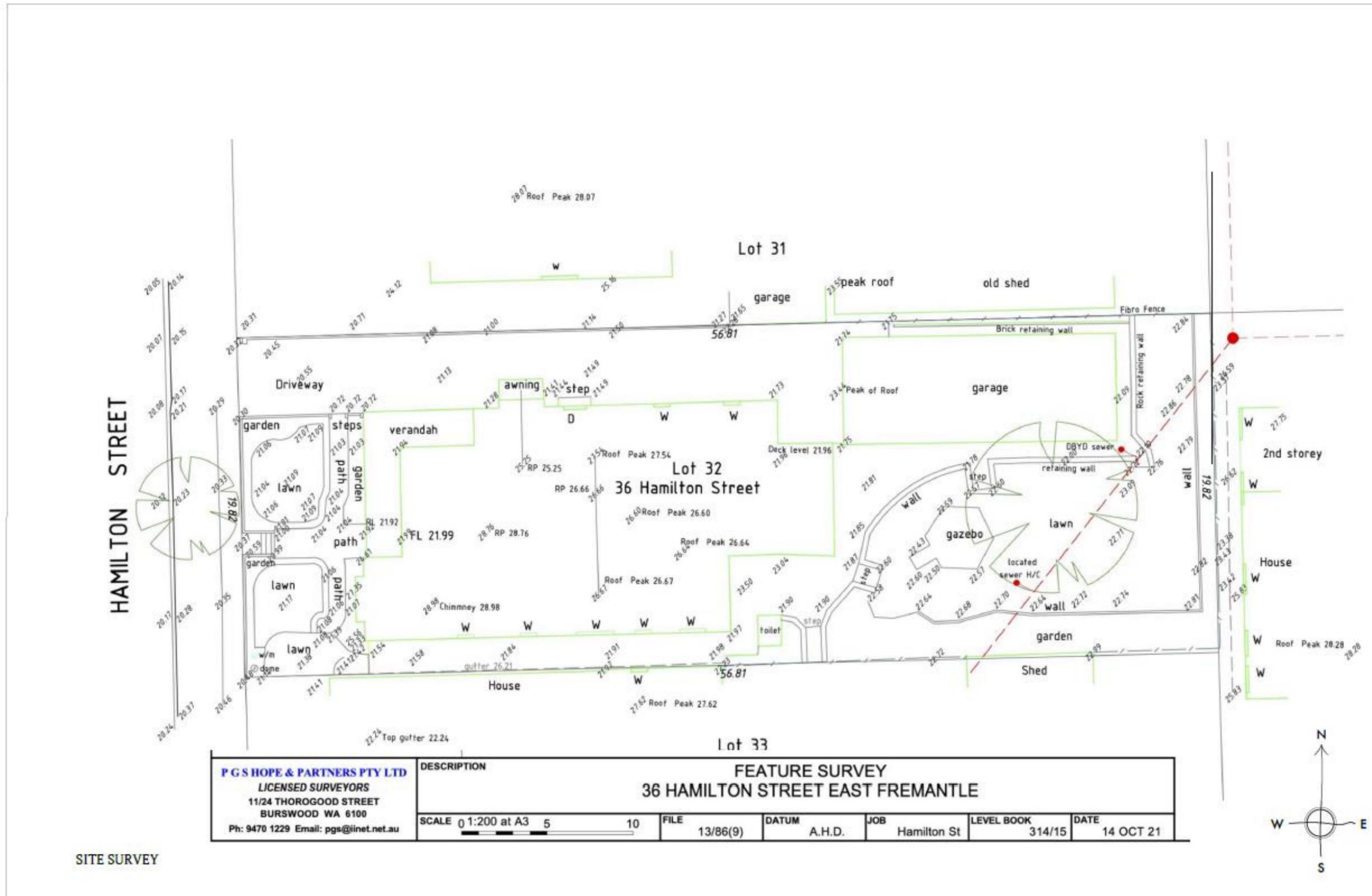
36 Hamilton Street – Location and Advertising Plan



36 Hamilton Street – Photos

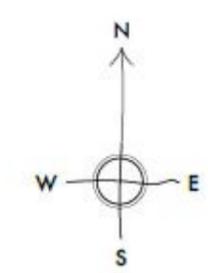






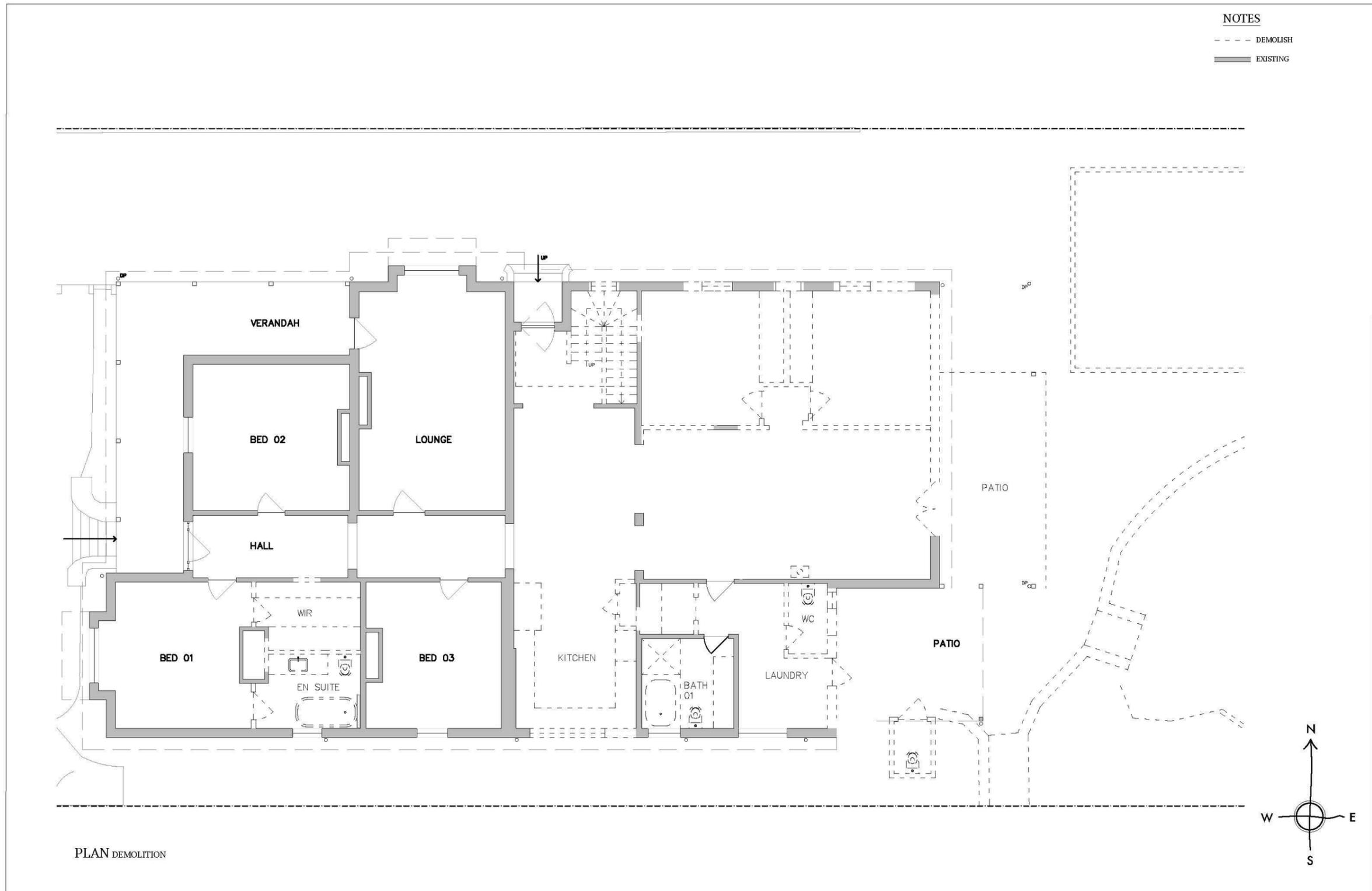
P G S HOPE & PARTNERS PTY LTD LICENSED SURVEYORS 11/24 THOROGOOD STREET BURSWOOD WA 6100 Ph: 9470 1229 Email: pgs@inet.net.au	DESCRIPTION					
	FEATURE SURVEY 36 HAMILTON STREET EAST FREMANTLE					
SCALE 0 1:200 at A3 5 10	FILE 13/86(9)	DATUM A.H.D.	JOB Hamilton St	LEVEL BOOK 314/15	DATE 14 OCT 21	

SITE SURVEY



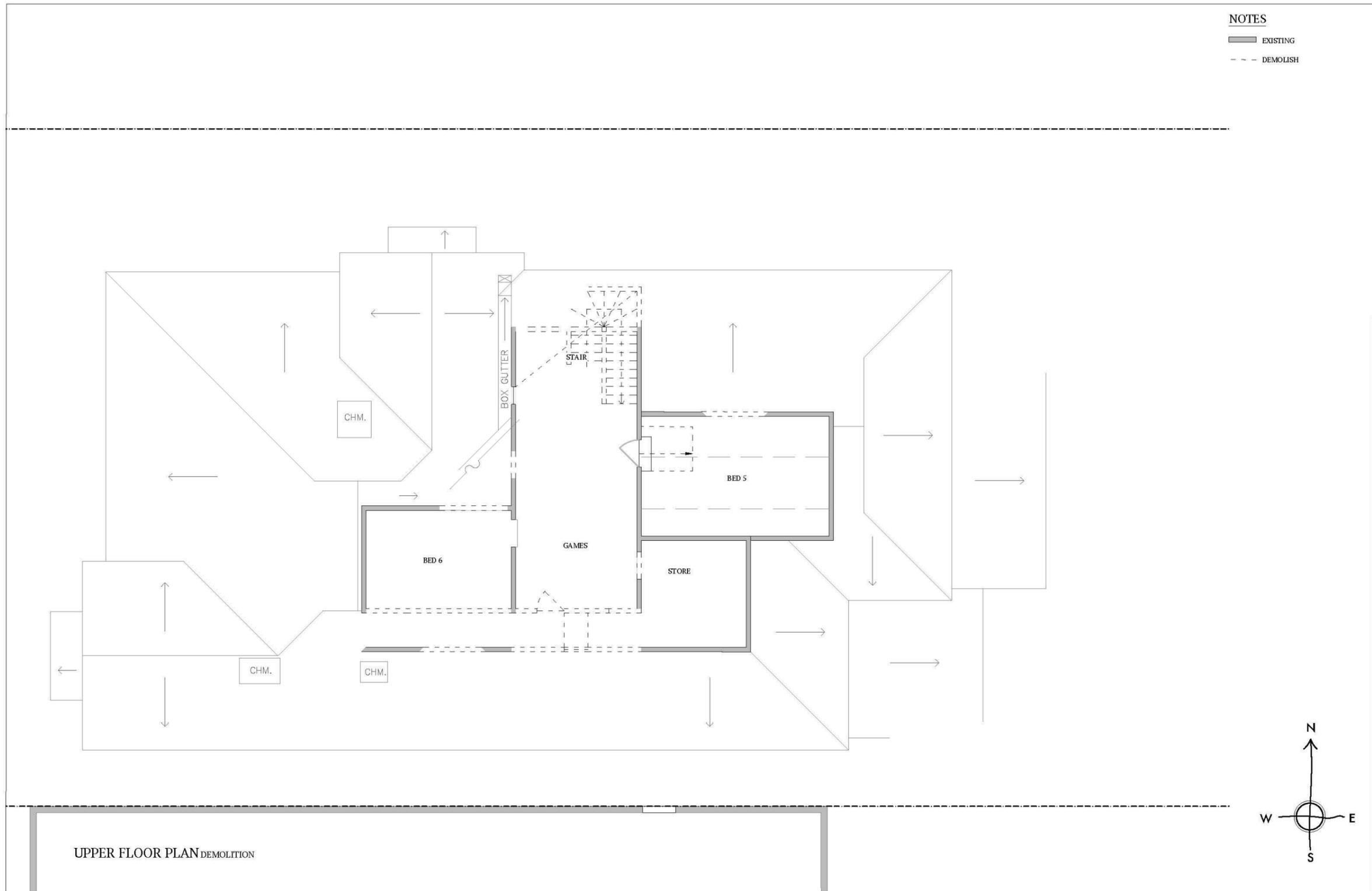
planning permission design for
ALTERATIONS & ADDITIONS
 at 36 Hamilton St, East Fremantle
 1:200 at A3 S.001 24 June 2022

J Seymour Clifford SAA
W O B U R N
 6 tydeman rd
 north fremantle, 6159
 www.woburn.co



planning permission design for
ALTERATIONS & ADDITIONS
 at 36 Hamilton St, East Fremantle
 1:100 at A3 **A.101** 2 September 2022

J Seymour Clifford RAA
WO BURN
 6 tydeman rd
 north fremantle, 6159
 www.woburn.co



UPPER FLOOR PLAN DEMOLITION

planning permission design for

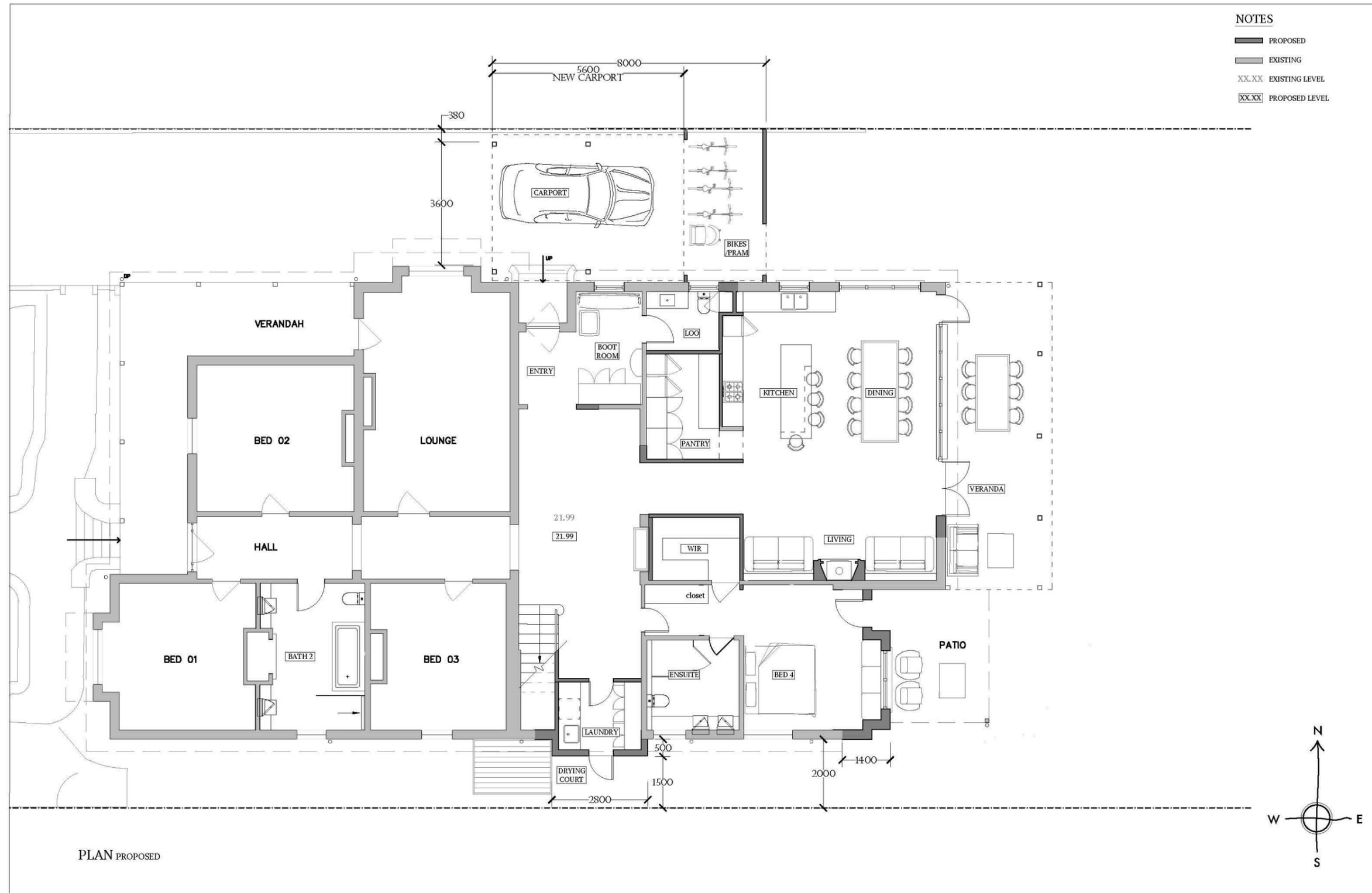
ALTERATIONS & ADDITIONS
at 36 Hamilton St, East Fremantle

1:100 at A3 **A.102** 2 September 2022

J Seymour Clifford RAA

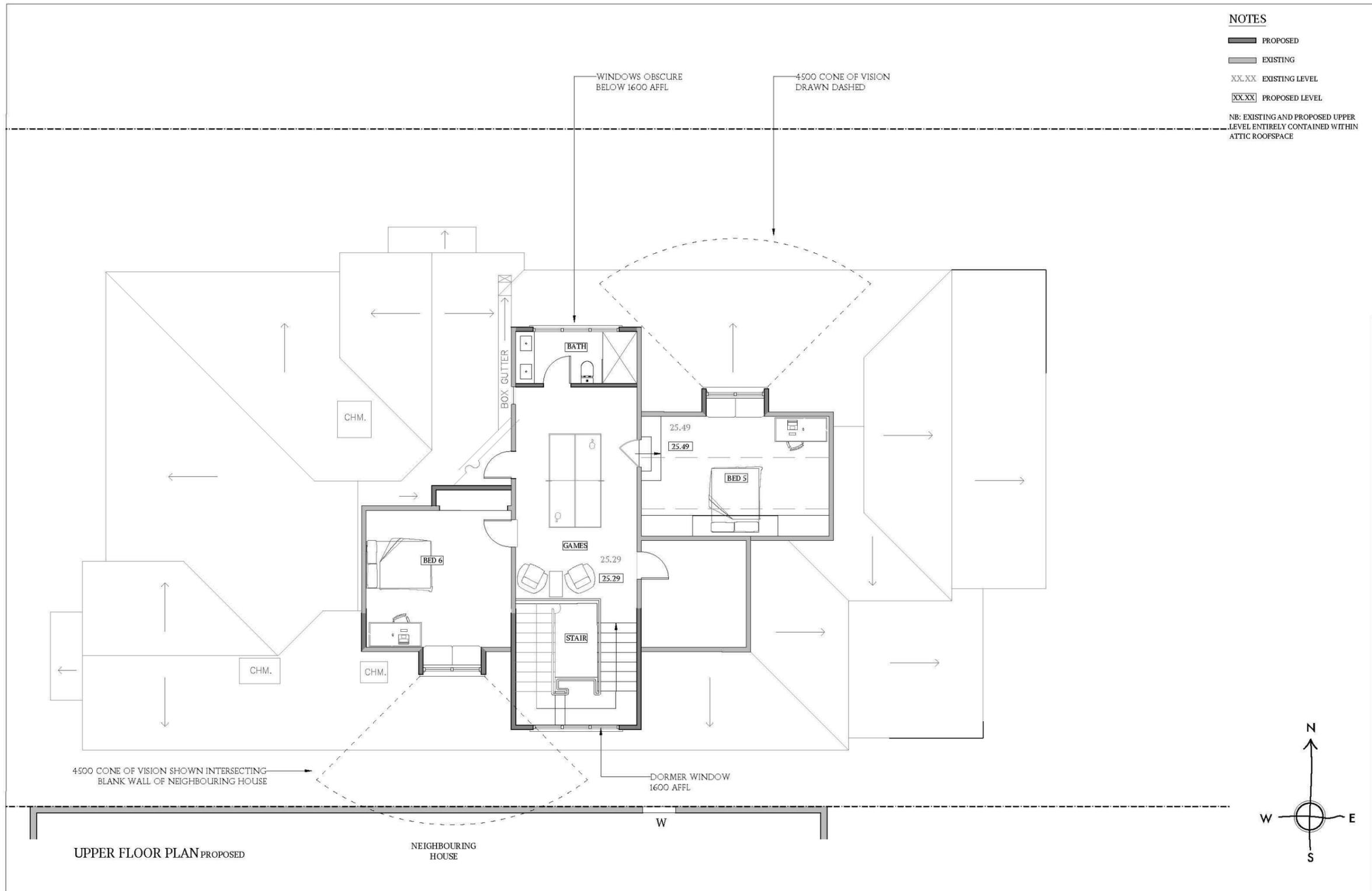
WO BURN
6 tydeman rd
north fremantle, 6159
www.woburn.co





planning permission design for
ALTERATIONS & ADDITIONS
 at 36 Hamilton St, East Fremantle
 1:100 at A3 **A.103** 31 August 2022

J Seymour Clifford RATA
WOBURN
 6 tydeman rd
 north fremantle, 6159
 www.woburn.co



planning permission design for

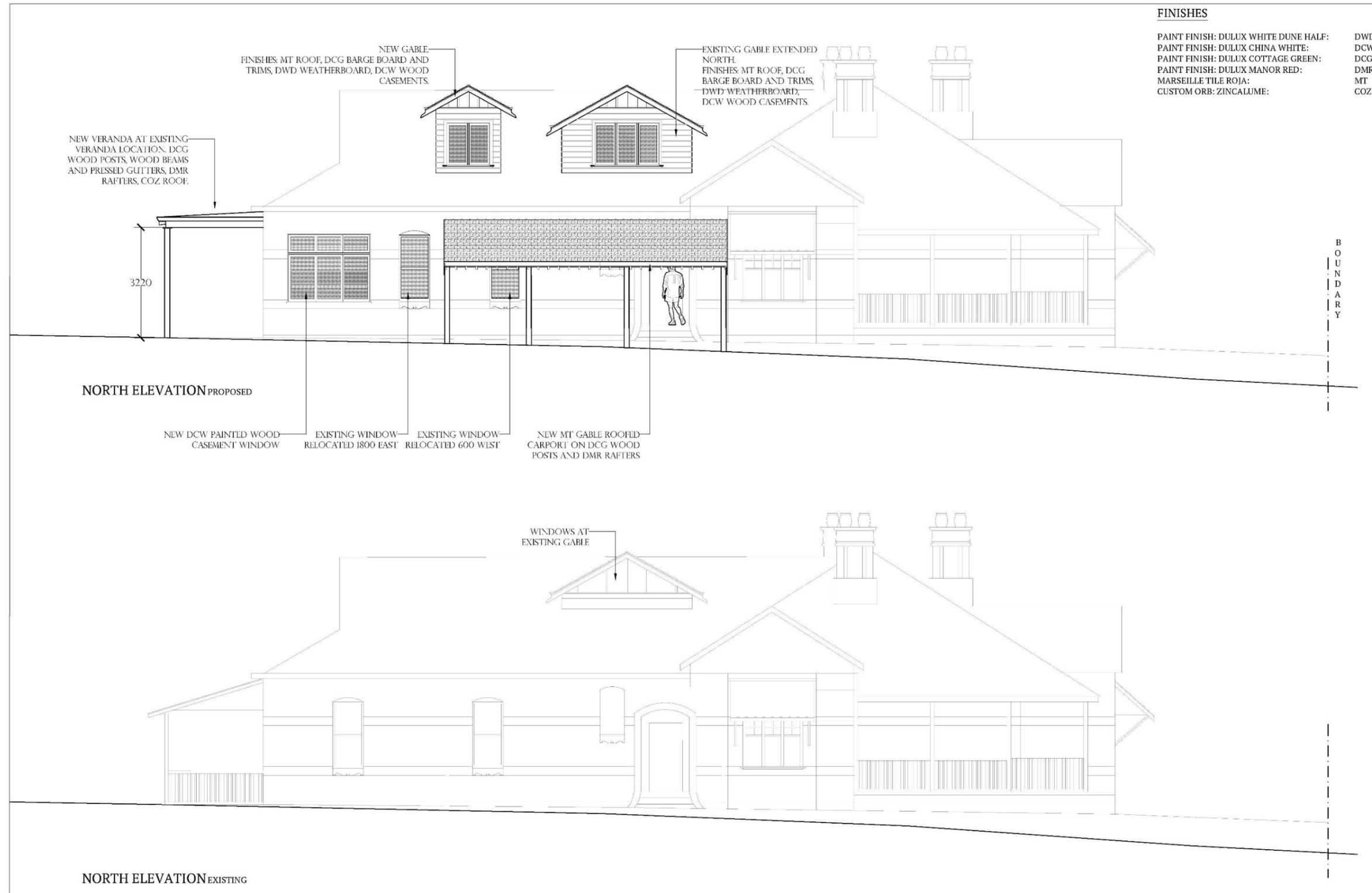
ALTERATIONS & ADDITIONS
at 36 Hamilton St, East Fremantle

1:100 at A3 **A.104** 31 August 2022

J Seymour Clifford RAA

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north fremantle, 6159
www.woburn.co





planning permission design for
ALTERATIONS & ADDITIONS
 at 36 Hamilton St, East Fremantle
 1:100 at A3 **A.201** 2 September 2022

J Seymour Clifford RAIA
W O B U R N
 6 tydeman rd
 north fremantle, 6159
 www.woburn.co



planning permission design for

ALTERATIONS & ADDITIONS
at 36 Hamilton St, East Fremantle

1:100 at A3 A.202 9 September 2022

J Seymour Clifford RALIA

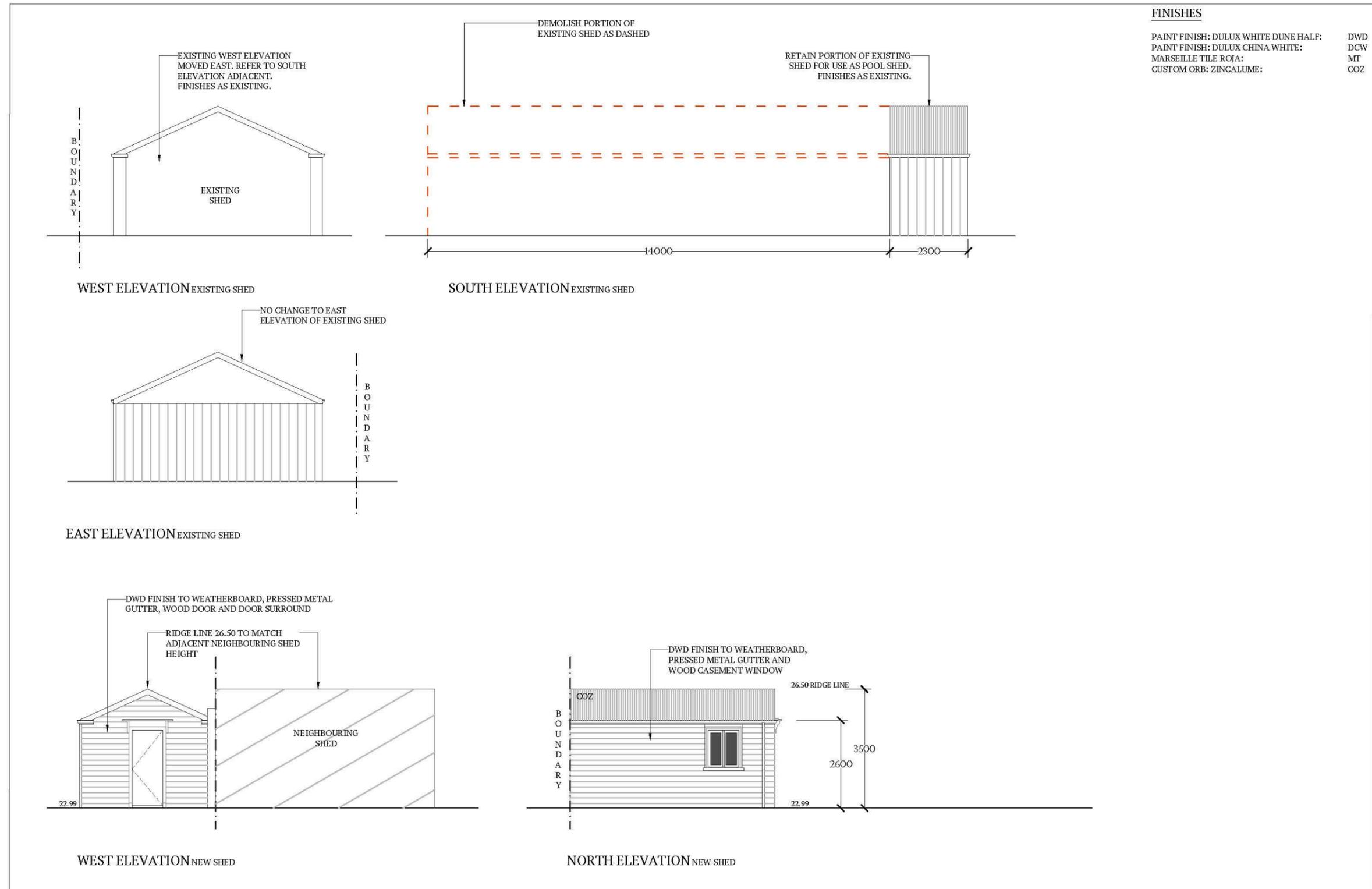
W O B U R N
6 tydeman rd
north fremantle, 6159
www.woburn.co





planning permission design for
ALTERATIONS & ADDITIONS
 at 36 Hamilton St, East Fremantle
 1:100 at A3 **A.203** 2 September 2022

J Seymour Clifford RALA
W O B U R N
 6 tydemans rd
 north fremantle, 6159
 www.woburn.co



planning permission design for

J Seymour Clifford RAA

ALTERATIONS & ADDITIONS
at 36 Hamilton St, East Fremantle

WO BURN
6 tydeman rd
north fremantle, 6159
www.woburn.co

1:100 at A3 A.204 2 September 2022





project ref: A2202.041

5 September 2022

**Heritage Assessment
36 Hamilton Street
Town of East Fremantle**

Introduction:

Woburn was engaged by Mr & Mrs Thomas and Daisy Burbidge-King, of 36 Hamilton Street, East Fremantle (*subject place*) to prepare an Heritage Assessment (*assessment*) for the proposed works to the *subject place*. The aim of this *assessment* is to examine the impact that the proposed works will have upon the heritage significance of the *subject place* and to provide recommendations for the minimisation of detrimental impacts.

This *assessment* is prepared with reference to the Australian ICOMOS Burra Charter, 2013 (the Burra Charter)¹, the Municipal Heritage Inventory Data Sheet (*data sheet*)², inspection of the documentary and physical evidence, and the Woburn Development Approval Application³.

This *assessment* was prepared by Seymour Clifford RAIA INTBAU ICOMOS (assoc.) (the *architect*) for and on behalf of Woburn.

Conclusion:

This *assessment* finds that the *subject place* was constructed from 1913 on the former Woodside Estate in the Federation Queen Anne style⁴ with later additions at the rear of the house dating from 1995. This *assessment* concludes that the proposed works designed by the *architect* will not detrimentally impact the heritage significance of the subject place.

We therefore recommend the proposed works for development approval.

Heritage Considerations:

Management Category

The *subject place* is listed on the Town of East Fremantle *Heritage List* and *Municipal Inventory of Heritage Places* under Category A. Development of places belonging to this category must conform to the following guidelines,

Conservation Plans may be required depending on the relative significance and apparent impact of development on the place; detailed Heritage Assessments otherwise required as corollary to any development application. Strong encouragement to the owner under the Town of East Fremantle Planning Scheme to conserve the significance of the place. Incentives to promote heritage conservation should be considered where necessary to achieve desirable conservation outcomes in the context of permissible development.

Statement of Significance

The cultural heritage significance of the *subject place* is identified in the *data sheet* as follows,

No 36 Hamilton Street is a single storey house constructed in brick with a tiled roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominately Federation period houses and associated buildings. The place contributes to the local community's sense of place.

The place has exceptional heritage value for its intrinsic aesthetic value as a Federation Queen Anne style house. The place retains a high degree of authenticity and integrity.

The additions have no significance.

Aesthetic Significance

The aesthetic significance of the *subject place* is identified in the *data sheet* as follows,

No 36 Hamilton Street has exceptional aesthetic value as a Federation Queen Anne style house. It retains most of the features of a dwelling of the type and period.

Historic Significance

The historic significance of the *subject place* is identified in the *data sheet* as follows,

No 36 Hamilton Street has considerable historic value. It was part of the residential development associated with the expansion of East Fremantle and the subdivision of W.D. Moore's Woodside Estate from 1912.

Social Significance

The social significance of the *subject place* is identified in the *data sheet* as follows,

No 36 Hamilton Street has considerable social value. It is associated with a significant area of the middle class Federation and Inter-War period development, which contributes to the community's sense of place.

Physical Description

The physical description of the subject place is given in the *data sheet* as follows,

Federation Bungalow w Queen Anne Influences.

No 36 Hamilton is a single storey house constructed in brick and rendered brick with a hipped and gable tiled roof. It is a very fine expression of the the Federation Queen Anne style.

The front elevation is asymmetrically planned with a thrust gable bay and a full width return hip roofed verandah. The verandah is supported on timber posts with fretwork friezes. A vertical timber balustrade spans between the posts. The thrust bay features casement windows, sunhood, and a jettied gable with timber fretwork. There is a central door and hopper light flanked by sidelights and casement windows. The roofscape features rendered chimneys and dragon finials and cresting. The walls are brick with render string courses and there are dressings under windows.

The place retains its form and details. It has been successfully restored to an approximation of its original form.

Additions are to the rear.

The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.

History

The history of the subject place is given in the *data sheet* as follows,

Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the smaller worker's cottages of Plympton. The Inter-War Bungalow style residence is also represented at Woodside.

The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.

Documentary and Physical Evidence:

Documentary Evidence

Inspection of DRG No 1-4 and DRG No 2 of 5/A⁵ shows the residence to include an addition to the rear dating from 1995. This addition comprises the entire portion of the residence to the east of the gable located on the north elevation including the roof over the Kitchen, Bathroom, WC and Laundry.

Physical Evidence

A site inspection of the physical evidence on 26/04/2022 found further alterations since those proposed in 1995. These include reconfiguration of the kitchen, bath, laundry and W/C and the expansion of the attic to the east as well as the conversion of a room (located between Bed 01 & 02) into a WIR and En suite⁶.

Woburn Development Approval Application:

Demolition of Existing Fabric

'PLAN DEMOLITION A.101'⁷ shows elements to be demolished as follows,

1. The WIR and En suite front additions.
2. The stairs, bedrooms, kitchen, bath, laundry and WC rear additions.
3. The landscape retaining and ancillary structures to the rear.

'UPPER FLOOR PLAN DEMOLITION A.102'⁸ shows elements to be demolished as follows,

4. The stair and internal walls in the attic addition.

Introduction of New Fabric

'PLAN PROPOSED A.103'⁹ shows new elements to be introduced as follows,

1. Loo, kitchen, dining, pantry, living veranda.
2. Laundry, ensuite, bed 4, WIR,.
3. Bath 2.
4. Carport.

'UPPER FLOOR PLAN PROPOSED A.104'¹⁰ shows new elements to be introduced as follows,

5. Stair, bath.

'SITE PLAN PROPOSED A.002'¹¹ shows new elements to be introduced as follows,

6. Landscape paving, steps and swimming pool.
7. Shed

Heritage Impact Statement:

Response to Heritage Significance

Woburn have taken care in their design approach to respect and enhance the heritage significance of the *subject place*.

This is evidenced in the following,

1. A.101 and A.102 show demolition of fabric to be entirely confined to additions.
2. A.103 and A1.04 show introduced fabric to be entirely confined to non-original zones within the existing building envelope.
3. A.002 shows the new carport located entirely behind the line of the original 1913 fabric and adjacent to the non-original zones.

This response is consistent with information contained in the *data sheet* Statement of Significance that 'The additions have no significance.'

Minimisation of Impact

The proposed works involve the introduction of fabric that may be visible from the street, thereby giving rise to the potential for detrimental impact on heritage significance.

A.002 shows fabric which may be visible from the street is set at least 17.6m from the street boundary setback, thus reducing its visual prominence. A.002 also shows the introduced fabric located behind the north elevation thrust gable and the north-south ridge line of the original 1913 roof, thereby further obscuring it from the street and minimising any detrimental impact on heritage significance.

Per the statement of significance, the cultural significance of the *subject place* derives (in short) from its historic associations and aesthetic value as an exemplar of the Federation Queen Anne style.

Introduced fabric is designed to harmonise with the forms and material finishes associated with the Federation Queen Anne style.

1. New dormers are constructed of marseille tile (roja) roofs with wood bargeboards, weatherboards, trim and casements to be painted in heritage federation colours: Dulux Manor Red, Cottage Green and White Dune.
2. New gabled carport is constructed of marseille tile (roja) roof to match pitch of existing roof with wood posts, rafters and pressed metal gutters in heritage federation colours: Dulux Manor Red, Cottage Green and White Dune.

Recommendations

It is recommended that an heritage architect be consulted on the detail resolution of the proposed dormer windows and carport.

It is further recommended that any original features such as ceiling heights, door and window mouldings or crown mouldings be retained and conserved when the Walk-in-robe and En suite additions are removed.

End of Assessment

¹ The Australian ICOMOS Charter for Places of Cultural Significance, 2013.

² Town of East Fremantle, MUNICIPAL HERITAGE INVENTORY, PLACE RECORD FORMS PLACE NUMBER 19986.

³ Woburn, PLANNING PERMISSION DESIGN FOR ALTERATIONS & ADDITIONS AT 36 HAMILTON ST, EAST FREMANTLE

⁴ Apperly R, Irving R, and Reynolds P, *A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the Present*, Sydney: Angus & Robertson, 1989. p.184-187.

⁵ Appendix 1: PROPOSED ADDITION ON LOT 32 HAMILTON ST. EAST FREMANTLE. DRG 1-4 and 2 of 5/A: 03.02.1995 and 03.03.1995, respectively.

⁶ Ibid. Woburn, A.101 and A.102 show existing layout.

⁷ Ibid.

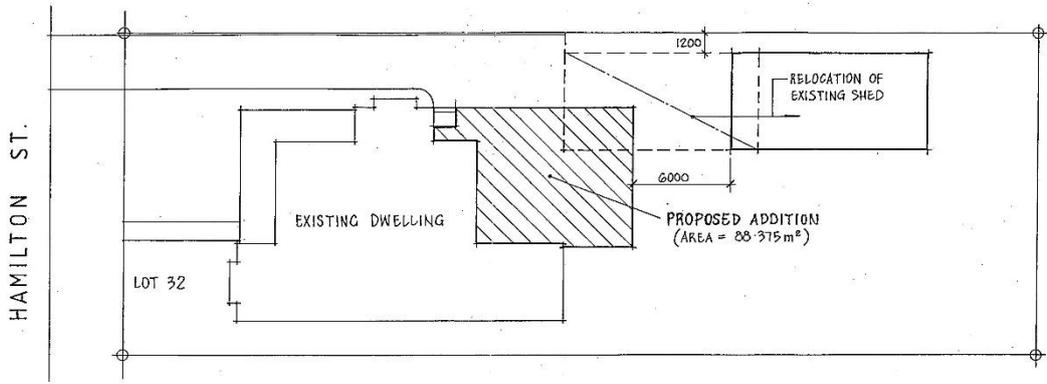
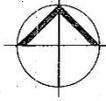
⁸ Ibid.

⁹ Ibid. *supra*

¹⁰ Ibid. *supra*

¹¹ Ibid. *supra*

Appendix 1: PROPOSED ADDITION ON
LOT 32 HAMILTON ST. EAST FREMANTLE

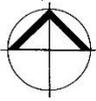
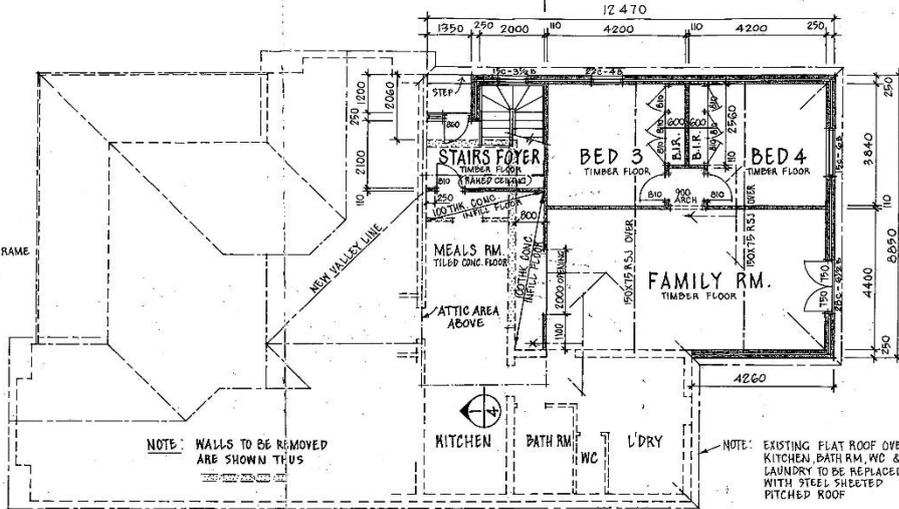
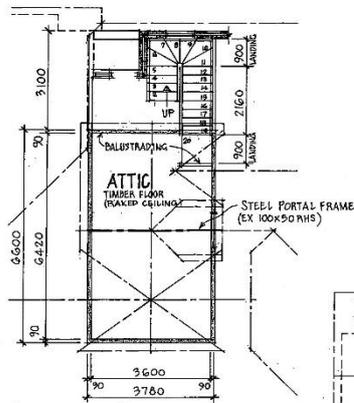


SITE PLAN 1:200

Town of East Fremantle	
FILE No	
RECEIVED	
- 3 FEB 1995	
OFFICER	25
ACTION	

PROPOSED ADDITION ON LOT 32
HAMILTON ST. EAST FREMANTLE

DATE FEB 1995
DRG N° 1-4



TD/DRG	West Fremantle
FILE	Plan
DATE	3 MAR 1995
OFFICER	LPG CSA
ACTION	

Amended

PROPOSED ADDITION ON LOT 32
HAMILTON ST. EAST FREMANTLE

AMENDED DRG.
DATE MAR. 1995
DRG NO. 2nd5/A

PLACE RECORD FORM

PRECINCT	Woodside
ADDRESS	36 Hamilton Street
PROPERTY NAME	N/A
LOT NO	Lot 32
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1913
ARCHITECTURAL STYLE	Federation Queen Anne
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category A
PHYSICAL DESCRIPTION	No 36 Hamilton Street is a single storey house constructed in brick and rendered brick with a hipped and gable tiled roof. It is a very fine expression of the Federation Queen Anne style. The front elevation is asymmetrically planned with a thrust gable bay and a full width return hip roofed verandah. The verandah is supported on timber posts with fretwork friezes. A vertical timber balustrade spans between the posts. The thrust bay features casement windows, sunhood and a jetted gable with timber fretwork. There is a central door and hopper light flanked by sidelights and casement windows. The roofscape features rendered

chimneys and dragon finials and cresting. The walls are brick with render string courses and there are dressings under windows.

The place retains its form and details. It has been successfully restored to an approximation of its original form. Additions are to the rear.

The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.

HISTORICAL NOTES

Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Bungalow style residence is also represented in Woodside.

The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.

OWNERS

Unknown

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Brick and rendered brick

Roof – Tiles

PHYSICAL SETTING

The residence is situated on a gently sloping site with a rendered brick wall and steel palisade fence at the lot boundary.

STATEMENT OF SIGNIFICANCE

No 36 Hamilton Street is a single storey house constructed in brick and rendered brick with a tiled roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.

The place has exceptional heritage value for its intrinsic aesthetic value as a Federation Queen Anne style house. The place retains a high degree of authenticity and a high degree of integrity.

The additions have no significance.

AESTHETIC SIGNIFICANCE

No 36 Hamilton Street has exceptional aesthetic value as a Federation Queen Anne style house. It retains most of the characteristic features of a dwelling of the type and period.

HISTORIC SIGNIFICANCE

No 36 Hamilton Street has considerable historic value. It was part of the residential development associated with the expansion of East Fremantle and the subdivision of W. D. Moore's Woodside Estate from 1912.

SCIENTIFIC SIGNIFICANCE

N/A

SOCIAL SIGNIFICANCE

No 36 Hamilton Street has considerable social value. It is associated with a significant area of middle class Federation and Inter-War period development, which contributes to the community's sense of place.

RARITY

No 36 Hamilton Street is not rare in the immediate context but Woodside has rarity value as a cohesive middle class suburb.

CONDITION

No 36 Hamilton Street is in good condition.

INTEGRITY

No 36 Hamilton Street retains a high degree of integrity.

AUTHENTICITY

No 36 Hamilton Street retains a high degree of authenticity.

MAIN SOURCES

Community Engagement Checklist

Development Application P62/22 – 36 Hamilton Street

Objective of Engagement	Neighbour Consultation			
Lead Officer:	Regulatory Services			
Stakeholders				
Stakeholders to be Considered <i>Please highlight those to be targeted during engagement</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted)	<input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted)	<input checked="" type="checkbox"/>
	Children (<i>School / Playground</i>)	<input type="checkbox"/>	Service Providers	<input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed	<input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors	<input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers	<input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers	<input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth	<input type="checkbox"/>
	Indigenous	<input type="checkbox"/>		<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>		<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors	<input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultants	<input type="checkbox"/>
	Development Services	<input type="checkbox"/>		<input type="checkbox"/>
	Operational (Parks/Works)	<input type="checkbox"/>		<input type="checkbox"/>
Community Engagement Plan				
Methods	Responsible	Date Due	Reference / Notes	
1.1 E News	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.2 Email Notification	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.3 Website	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.4 Facebook	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.5 Advert – Newspaper	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.6 Fact Sheet	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.7 Media Rel/Interview	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
3.1 Focus Groups	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
3.3 Workshop	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
4.1 Council Committee	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
4.2 Working Group	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
*Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	15/07/2022	<input checked="" type="checkbox"/> Advertised to 3 surrounding properties	
#Heritage Consultation	<input type="checkbox"/> Regulatory Services	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
^Mail Out (note: timelines)	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
	<input type="checkbox"/>	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
	<input type="checkbox"/>	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Evaluation				
Summary of...		Date Due	Completed / Attached	
Feedback / Results/ Outcomes / Recommendations		15/07/2022		
Outcomes Shared				
Methods	Responsible	Date Due	Reference / Notes	
E-Newsletter	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Email Notification	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Website	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Facebook	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Media Release	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Advert – Newspaper	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Notes				

13.3 30 HAMILTON STREET - ALTERATIONS AND ADDITIONS

Owner	Fanita Ercegovic
Applicant	Kensington Design WA Pty Ltd
Report Reference Number	TPR-1097
Planning Reference Code	P67/22
Prepared by	James Bannerman
Supervised by	Andrew Malone
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple majority
Documents tabled	Nil

Attachments

1. Location and advertising plan
2. Photos
3. Plans submitted 5 August 2022
4. Heritage impact assessment
5. Place record form
6. Community consultation checklist

PURPOSE

The purpose of this report is for Council to consider a development application for proposed alterations and additions at 30 (Lot 29) Hamilton Street, East Fremantle.

EXECUTIVE SUMMARY

This development application proposes alterations and additions to an existing heritage dwelling at 30 (lot 29) Hamilton Street, East Fremantle. The property is Category B heritage listed. It is currently comprised of a Federation bungalow with the original heritage dwelling and later additions at the rear. The rear additions including a rear standalone laundry, studio and small shed which are not considered to have any heritage significance are proposed to be demolished. The front verandah, 3 bedrooms and lounge room of the original dwelling will be retained and then open onto a new extended living area with hobby area, dining room, laundry and bathroom, storage areas, kitchen, family room and patio. A second storey master bedroom with a large ensuite and walk-in robe is also proposed to be added. Five variations are requested to the requirements of the Residential Design Codes and the Residential Design Guidelines including;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Southern Wall - Carport – 1m required, less than 1m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Bike Store, shed – 1m required, 0m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Shed, Studio 6m required, 0m provided
- (iv) Clause 3.7.15.3.3 – Residential Design Guidelines – Carport Setback – 1.2m behind building line required, 0m behind building line provided
- (v) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees – less than 28 degrees

The proposed development application is recommended for support subject to the conditions included in the final recommendation.

BACKGROUND

Zoning	Residential R12.5
Site Area	1126m ²
Heritage	Category B
Fremantle Port Buffer	Area 3
Previous Decisions of Council and/or History of Issue Onsite	Nil

CONSULTATION

The proposed development was advertised from 10 to 26 August 2022. No submissions were received.

Community Design Advisory Committee

This application was not provided to the Community Design Advisory Committee (CDAC) as administration has determined at this time it is not appropriate to undertake the CDAC meeting because of restrictions and risks associated with the Covid virus.

External Consultation

Nil

Internal Consultation

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Residential Design Codes (Volume 1)
Local Planning Scheme No 3

POLICY IMPLICATIONS

Town of East Fremantle Residential Design Guidelines 2016

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states as follows;

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitates sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

SITE INSPECTION

A site inspection was undertaken.

COMMENT

Statutory Assessment

This development application was assessed against the Town’s Local Planning Scheme No 3, the Residential Design Codes and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

Residential Design Codes

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Minor incursions			N/A
Lot Boundary Setbacks			
Southern wall – carport	1m	0m	D
Southern wall – porch, office, mudroom, Walk in pantry, family room, patio	1.5m	1.98m	A
Southern wall – bikes, shed	1m	0m	D
Eastern wall – shed, studio	6m	0m	D
Northern wall - studio	1.5m	>1.5m	A
Northern wall – bathroom, laundry	1m	1.944m	A
Northern wall – kitchen, family, patio	1.5m	>1.5m	A
Open Space	55%	>55%	A
Car Parking	2 car bays	2 car bays	A
Maximum roof height	10m	<10m	A
Maximum wall height	7m	<7m	A
Site Works			N/A
Visual Privacy			
Master bedroom	4.5m	4.5m	A
Overshadowing	25% maximum	14.6%	A
Drainage	To be conditioned		

Residential Design Guidelines

Design Element	Required	Proposed	Status
Primary Street Setback – Carport	1.2m from front building line	0m from front building line	D
Roof form and pitch	28 to 36 degrees	<28 degrees	D
Materials and colours	Colours and materials shown		A
Landscaping	2m x 2m planting zone and tree		N/A
Front fence			N/A
Pergolas			N/A
Footpaths and crossovers – no change	N/A		

Garages and carport	30% maximum lot width	18.1%	A
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This development application proposes alterations and additions to an existing heritage dwelling at 30 (Lot 29) Hamilton Street, East Fremantle. The property is Category B heritage listed. It is currently comprised of a Federation bungalow with the original heritage dwelling and later additions at the rear. The rear additions including a rear standalone laundry and standalone studio and small shed which are not considered to have any heritage significance are proposed to be demolished. The front verandah, 3 bedrooms and lounge room of the original dwelling will be retained and then open onto a new extended living area with hobby area, dining room, laundry and bathroom, storage areas kitchen, family room and patio. A second storey master bedroom with a large ensuite and walk in robe is also proposed to be added. This will be constructed behind the existing heritage dwelling so will not impact on the existing roof form. It is designed to be almost hidden from passers-by viewing the building from the street. The development is well below the maximum heights that the dwelling could have potentially been built to. Beyond the main extension a new studio and bike and general storage shed are proposed to be constructed. The development is rounded off with a new swimming pool in the north-western corner of the back yard.

Five variations are requested to the requirements of the Residential Design Codes and the Residential Design Guidelines relating to lot boundary setbacks (3 locations), carport primary street setback and roof pitch. The variations are supportable. It is noted that no submissions were received during the advertising period.

Lot Boundary Setback - Southern Wall – Carport

The southern wall of the proposed carport is 6.5m long and 2.8m high. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i such a wall is required to be 1m from the boundary. In this case the carport wall is built up to the boundary. The reduced lot boundary setback can be supported according to design principles 5.1.3 P3.2 for the following reasons;

- It makes more effective use of the space,
- It reduces impacts of building bulk on adjoining properties,
- The carport is on the southern boundary, therefore adequate direct sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- There is overlooking and loss of privacy on adjoining properties from the carport,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

The carport is open walled so there is minimal building bulk close to the boundary. As it is on the southern side of the dwelling it does not restrict access to sunlight and ventilation to the property. There is some impact from overshadowing on the neighbouring property but overshadowing to the neighbouring property is still less than the maximum permitted under the Residential Design Codes. The carport is in a part of the lot that is already utilised for car parking. The carport is located well behind 7.5m from the front boundary and as such does not interfere with the streetscape. By having an open sided structure with a shallow roof pitch, the structure is relatively subtle, does not distract from the original heritage dwelling and can be seen through if the car bay remains empty. For these reasons, the reduced lot boundary setback can be supported.

Lot Boundary Setback - Southern Wall – Bikes, Shed

The southern wall of the proposed bike and storage shed is 11m long and 3m high. Normally a storage shed would be assessed independently as a standalone outbuilding in accordance with the Residential Design Codes, however as a studio is attached to the shed and bike storage area it has been treated as a habitable building. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i such a wall is required to be 1m from the boundary. In this case the wall is built up to the boundary for a total length of 7.69m with the bike storage area

being setback from the boundary. The reduced lot boundary setback can be supported according to design principles 5.1.3 P3.2 for the following reasons;

- It makes more effective use of the space,
- There is minimal impact of building bulk on adjoining properties,
- Adequate direct sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimises the extent of overlooking and loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties, is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

The shed is 7.6m long on the southern boundary with the bike storage area setback from the southern boundary, therefore the overall bulk on the boundary is considered minimal and replaces a previously constructed structure. As it is on the southern side of the dwelling it does not restrict access to sunlight and ventilation to the property. There is some impact from overshadowing on the neighbouring property but overshadowing to the neighbouring property is still less than the maximum permitted under the Residential Design Codes. The structure is replacing an existing shed and studio in the same area. The reduced setback increases privacy between the adjoining properties and ensures that the lot is used efficiently as possible. For these reasons, the reduced lot boundary setback can be supported. It is also noted that there is a structure on the neighbouring property to the south that is built up to the boundary and encroaches across the boundary in parts. As a result, the amenity impacts on the neighbouring property to the south are minimised.

Lot Boundary Setback - Eastern Wall – Shed, Studio

The eastern wall of the proposed storage shed and studio is 7.6m long and 3m high. The shed is 3.15m on the eastern boundary, comprising a small area of the overall boundary, with the studio setback 2 metres from the east boundary. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i such a wall is required to be 6m from the boundary. In this case the wall is built up to the boundary. The reduced lot boundary setback can be supported according to design principles 5.1.3 P3.2 for the following reasons;

- It makes more effective use of the space,
- It reduces impacts of building bulk on adjoining properties,
- Adequate direct sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimises the extent of overlooking and loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties, is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

Again, the proposed shed replaces a previously constructed building on the eastern boundary, replacing the existing bulk and minimising additional structures and bulk on the boundary. As it is on the eastern side of the dwelling it does not restrict access to sunlight and ventilation to the property. The reduced setback increases privacy between the properties and ensures that the lot is used efficiently as possible. Note that there are no major openings in this wall. For these reasons, the reduced lot boundary setback can be supported.

Primary Street Setback – Carport

The Residential Design Guidelines acceptable development clause 3.7.15.3.3 requires that carports are setback 1.2m behind the building line. In this case the open sided carport is in line with the existing building line. Performance criteria clause 3.7.15.3.3 P3 states that where there are no alternatives carports located forward of the building line may be considered where the carport does not visually dominate the streetscape or the buildings to which they belong, and the carport does not detract from the heritage character of the subject building. In this case the ability

to position the carport behind the building line is constrained by the heritage dwelling itself. The carport can be supported as it is not forward of the building line and does not impact on the character of the heritage dwelling or the surrounding properties or streetscape.

Roof Pitch

The Residential Design Guidelines acceptable development provision 3.7.8.3 A4.1 requires that roof pitch is between 28 and 36 degrees. In this case the roof pitch of the carport is significantly less than this. This can be supported in accordance with performance criteria clause 3.7.8.3 P4 as the carport roof complements the traditional form of surrounding development in the immediate locality.

Heritage Impact Assessment

A heritage impact assessment was requested to be prepared for the proposed development and a report was subsequently completed by Hocking Heritage and Architecture. The assessment which is included in full as an attachment to this report concluded that;

The proposed additions to the rear of no. 30 Hamilton Street do not harm the heritage significance of the place and are in keeping with the policy objectives adopted by the Town of East Fremantle. The original Federation Bungalow is being retained without alteration to the façade and its heritage values will not be affected by the proposed development. The new work is located to the rear of the existing house and whilst glimpses of the two-storey element will be seen from street views, it will not over dominate the subject house or its immediate neighbours. Based on the information provided, the proposed development is considered to be appropriate.

CONCLUSION

Based on the preceding report the proposed development is supported subject to the conditions included in the final recommendation. The Category B Federation dwelling is retained, and the additions are hidden behind the property apart from the second storey which rises marginally above the roof of the existing dwelling. The proposed development can be distinguished from the existing dwelling. The proposed alterations and additions will not have a detrimental impact on the streetscape and will make a positive contribution to the housing stock within the Town.

13.3 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) **Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Southern Wall - Carport – 1m required, less than 1m provided**
- (ii) **Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Bike Store, Shed – 1m required, 0m provided**
- (iii) **Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Shed, Studio 6m required, 0m provided**
- (iv) **Clause 3.7.15.3.3 – Residential Design Guidelines – Carport Setback – 1.2m behind building line required, 0m behind building line provided**
- (v) **Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees – less than 28 degrees**

for alterations and additions at No. 30 (Lot 29) Hamilton Street, East Fremantle, in accordance with the plans submitted 5 August 2022, subject to the following conditions:

- (1) The existing chimney and fireplace are to be retained and protected during works and is not to be removed.
- (2) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
- (3) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.
- (4) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
- (5) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (6) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (7) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (9) This development approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner.

- g) *This decision does not include acknowledgement or approval of any unauthorised development which may be on site.*
- h) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- i) *An application for a new crossover is to be submitted to the Operations Department of the Town and plans are to be included with the application that meets the requirements of the Council's crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide. This application and relevant information are available at the following links;*
 - *Crossover Specifications*
[*crossover_specification_2017.pdf \(eastfremantle.wa.gov.au\)*](#)
 - *Residential Design Guidelines*
[*3.1.1 LPP Residential Design Guidelines Amended 17 May 2016.pdf \(eastfremantle.wa.gov.au\)*](#)

- ***Urban Streetscape and Public Realm Style Guide***
EFUSPR Style Guide FINAL 210108.indd (eastfremantle.wa.gov.au)
- ***Application to Conduct Crossover Works***
Application to conduct crossover works.pdf (eastfremantle.wa.gov.au)

j) It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.

k) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).

l) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.

m) Trees on verges are the property of the Town of East Fremantle. They are not to be damaged, pruned or removed. Any actions which harm verge trees will result in the Town taking action against the owners/builders/contractors responsible for such actions. If there are concerns regarding trees owners/builders/contractors are asked to contact the Town to seek further advice.

REPORT ATTACHMENTS

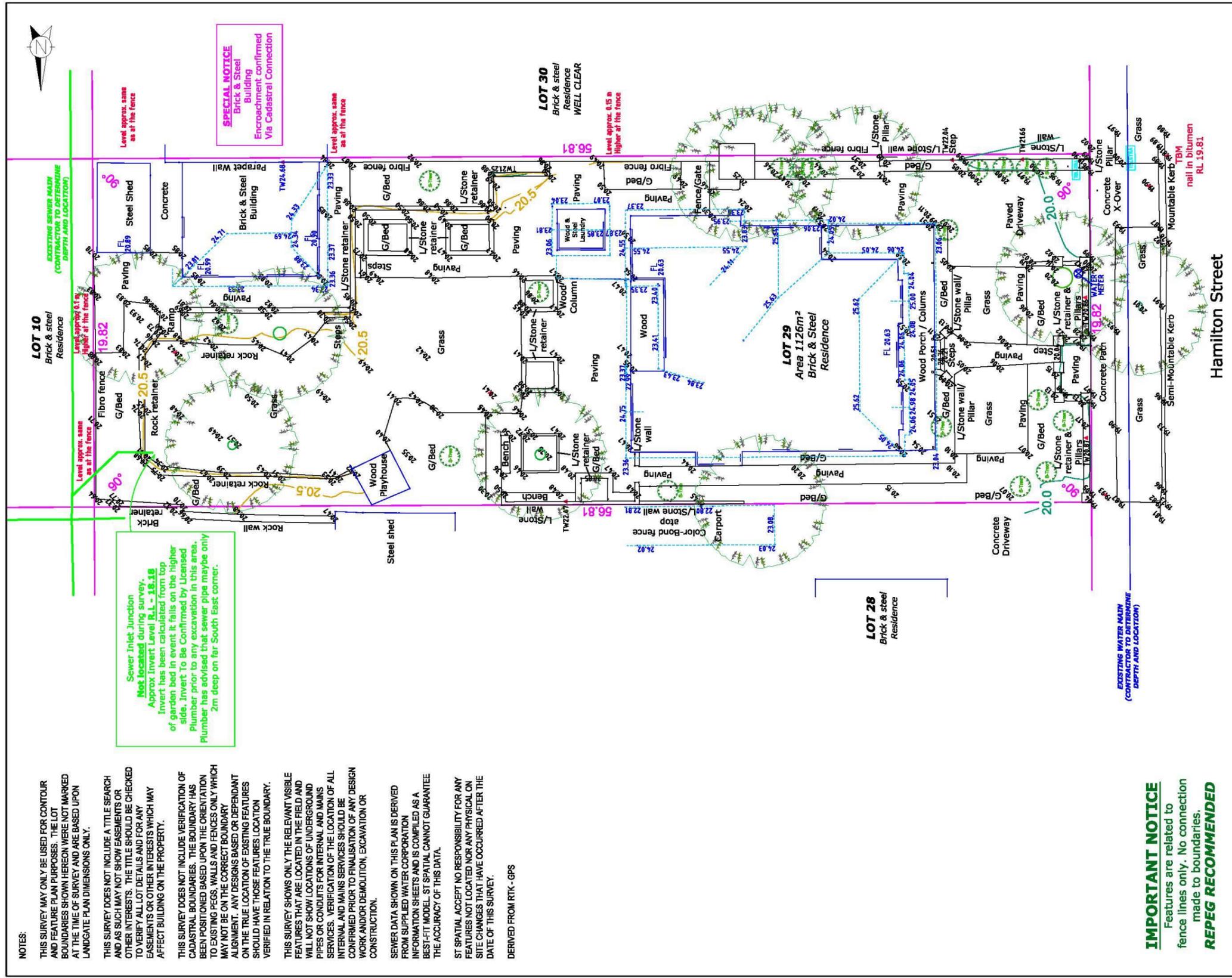
Attachments start on the next page

30 Hamilton Street – Location and Advertising Plan



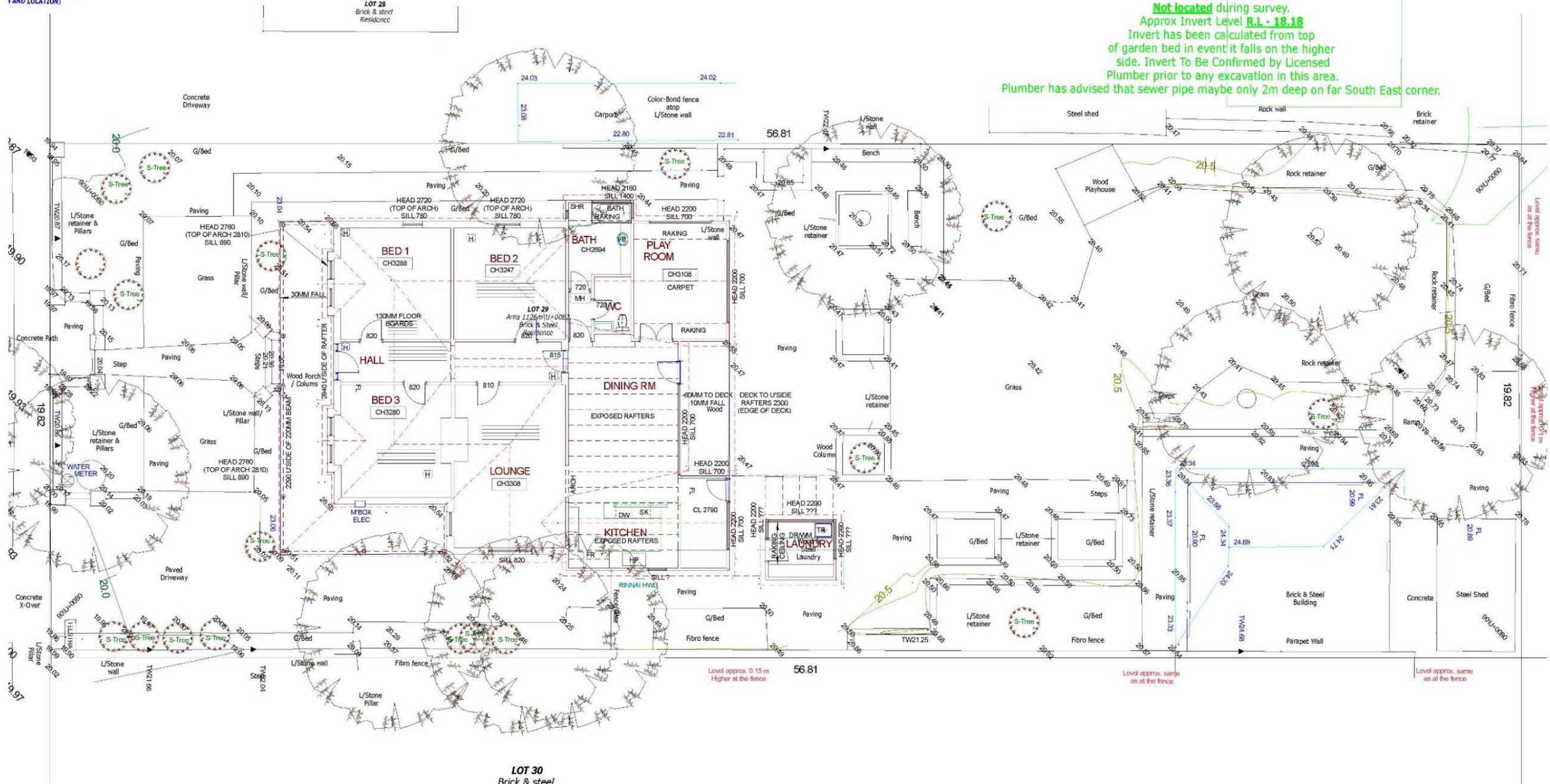
30 Hamilton Street – Site Photographs





FEATURE / BOUNDARY SURVEY		30 HAMILTON STREET EAST FREMANTLE WA 6158 LOT 29 ON PLAN 2232	
Ph 08 9349 2082 PO Box 556 Balcatia WA 6914 info@stspatial.com.au		D. ERGEGOVIC CLIENT	
APPROVED AND ISSUED TO CLIENT		REVISION	
0	25/02/2020	DRAWING NUMBER	20023-01
No.	DATE	REV	0
		SIZE	A3

ING WATER MAIN
TRACTOR TO DETERMINE
1 AND LOCATION)



Sewer Inlet Junction
Not located during survey.
Approx Invert Level **R.L - 18.18**
Invert has been calculated from top
of garden bed in event it falls on the higher
side. Invert To Be Confirmed by Licensed
Plumber prior to any excavation in this area.
Plumber has advised that sewer pipe maybe only 2m deep on far South East corner.

LOT 28
Brick & steel
Residence

LOT 30
Brick & steel
Residence
WELL CLEAR

 NORTH
GROUND FLOOR PLAN
SCALE 1:100

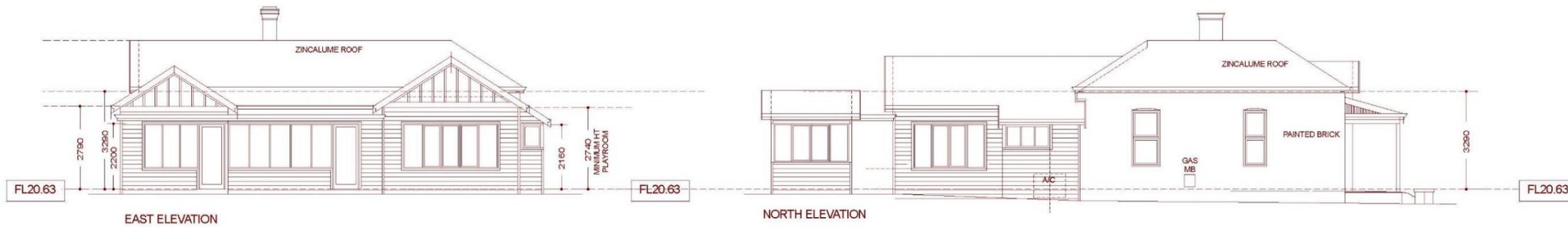
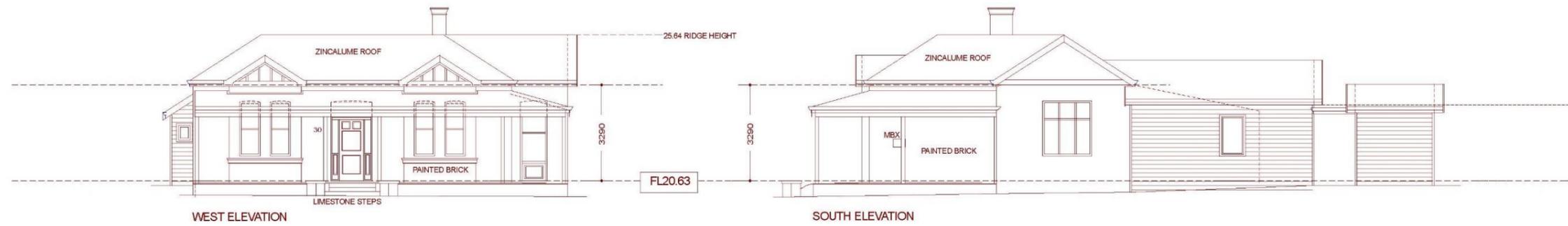
SPECIAL NOTICE
Brick & Steel
Building
Encroachment confirmed
Via Cadastral Connection

AS CONSTRUCTED
 KENSINGTON
DESIGN

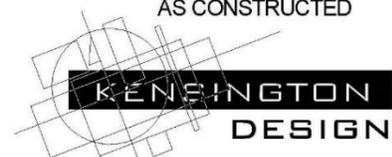
EX1 OF 2

ERCEGOVIC HOUSE

24 May Street, East Fremantle WA 6158
Phone: 9438 3288 Fax: 9438 3299
E-mail: kd@kensingtondesign.com.au
Date: 7 DECEMBER 2021 Job: #30 (LOT 29) HAMILTON ST EAST PERTH



AS CONSTRUCTED

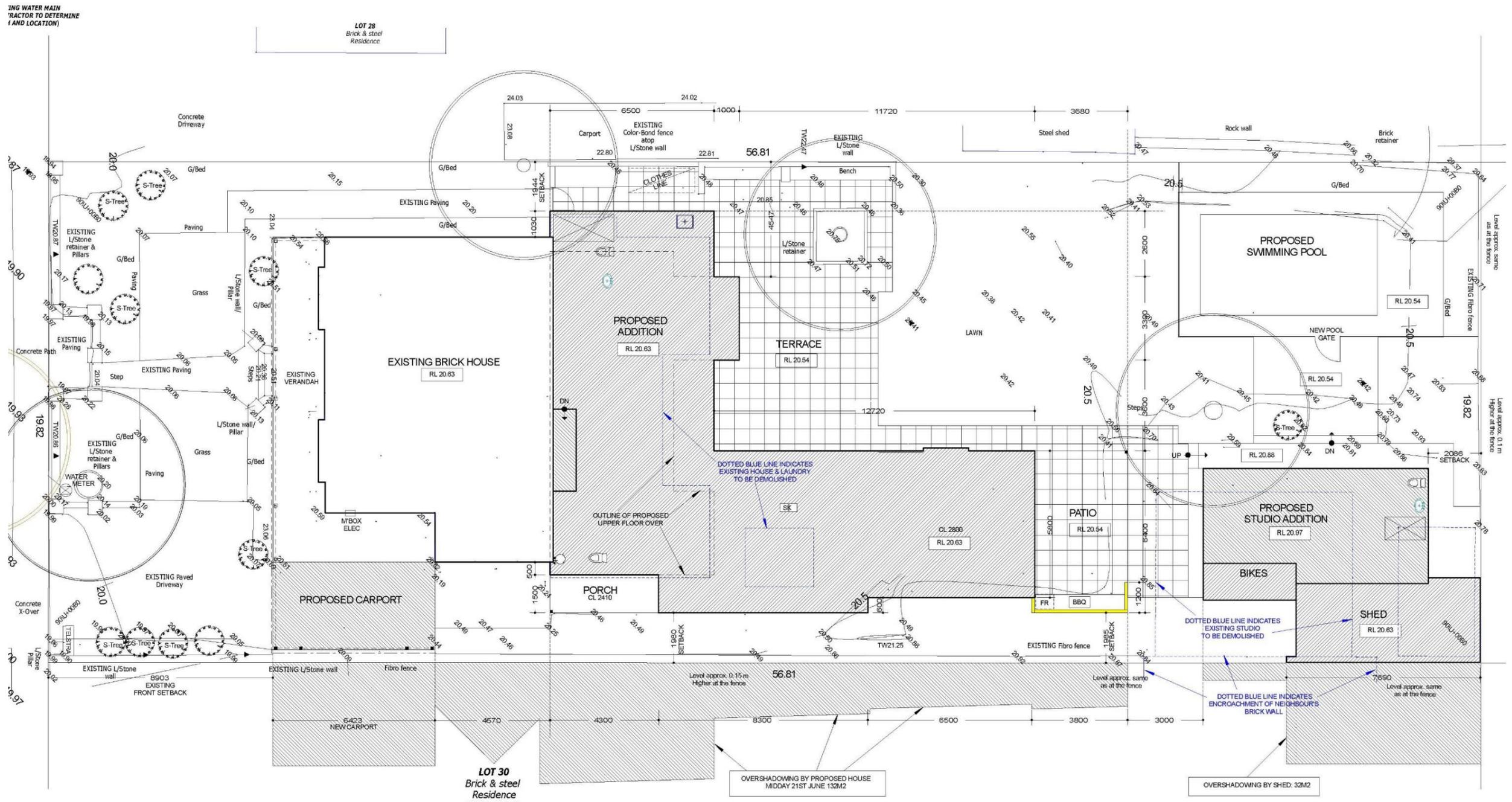


EX2 OF 2

ERCEGOVIC HOUSE

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 Phone: 9438 3288 Fax: 9438 3299
 E-mail: kd@kensingtondesign.com.au

Date: 7 DECEMBER 2021 Job: #30 (LOT29) HAMILTON ST EAST PERTH



↑
NORTH
SCALE 1:100
SITE PLAN & OVERSHADOWING DIAGRAM

AREA OF EXISTING HOUSE (RETAINED)-106.34M²
 AREA OF EXISTING FRONT VERANDAH -33.68M²
 PROPOSED CARPORT ADDITION-22.28M²
 PROPOSED GF ADDITION-176.31M²
 PROPOSED PORCH-6.45M²
 PROPOSED PATIO-23.62M²
 PROPOSED STUDIO-37.65M²
 PROPOSED BIKE STORE-5.01M²
 PROPOSED SHED-23.02M²
 PROPOSED UPPER FLOOR-76.58M²

LOT 30
Brick & steel
Residence
WELL CLEAR

OVERSHADOWING BY PROPOSED HOUSE
MIDDAY 21ST JUNE 132M²

OVERSHADOWING BY SHED: 32M²

DA1 OF 4

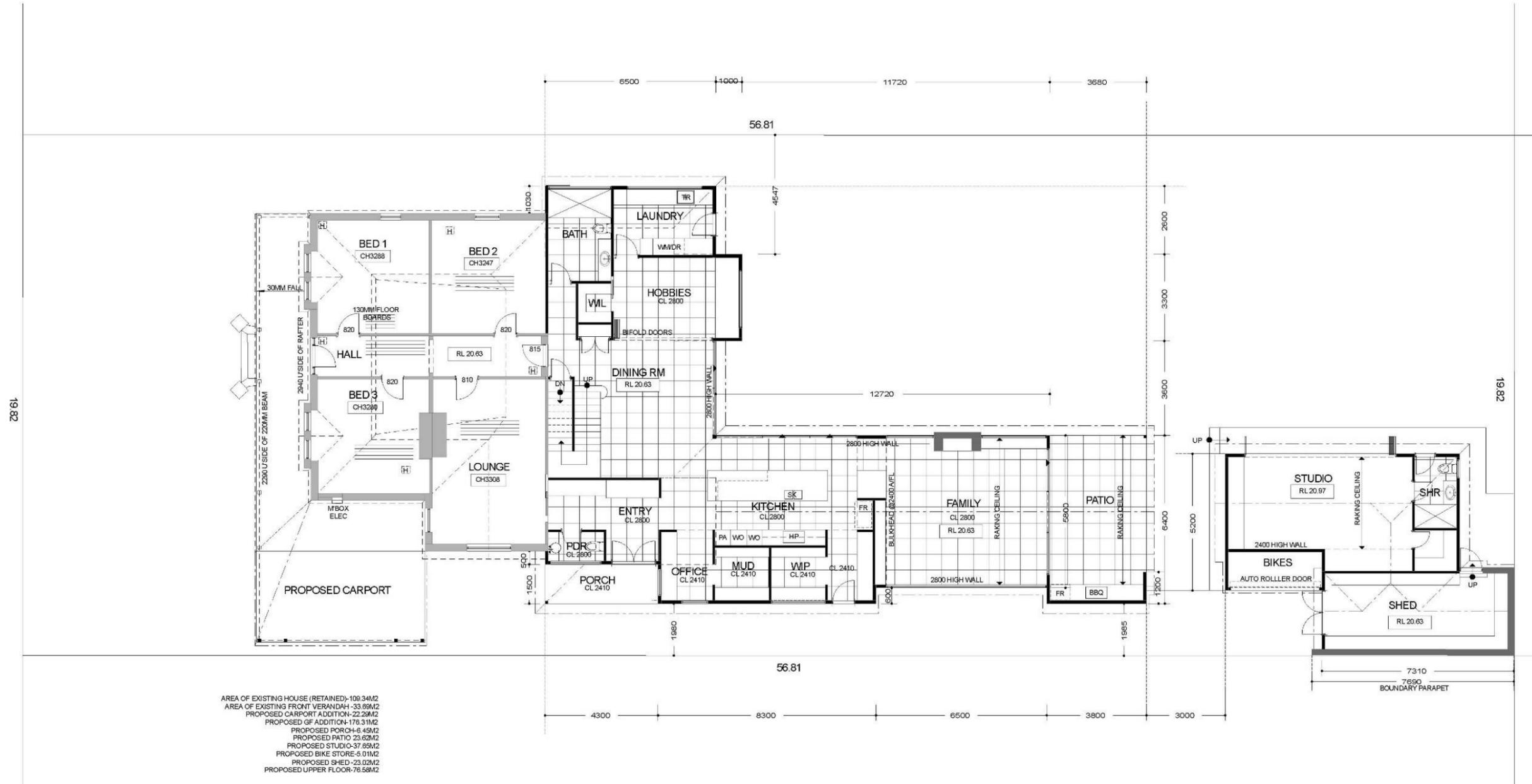
DEVELOPMENT
APPLICATION
DRAWING

**KENSINGTON
DESIGN**

ERCEGOVIC HOUSE

24 May Street, East Fremantle WA 6158
 Phone: 9438 3288 Fax: 9438 3299
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Date: 5 AUGUST 2022 Job: #30 (LOT 29) HAMILTON ST EAST PERTH



↑
 NORTH
GROUND FLOOR PLAN
 SCALE 1:100

DEVELOPMENT
 APPLICATION
 DRAWING

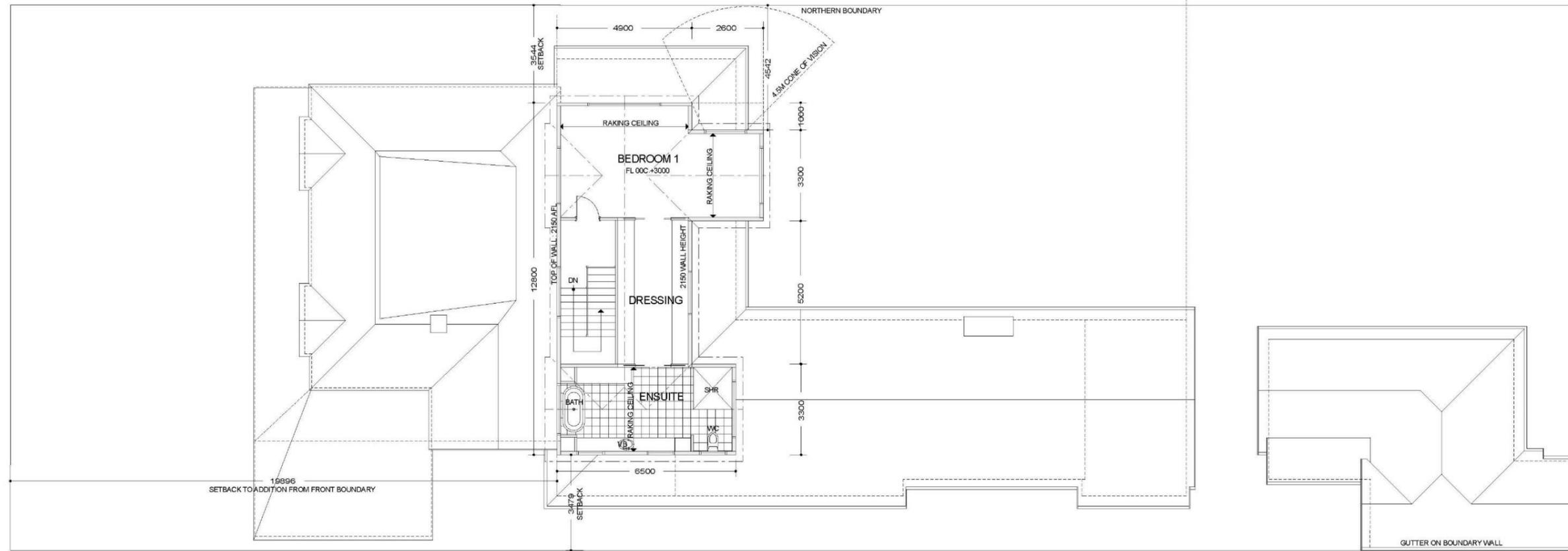
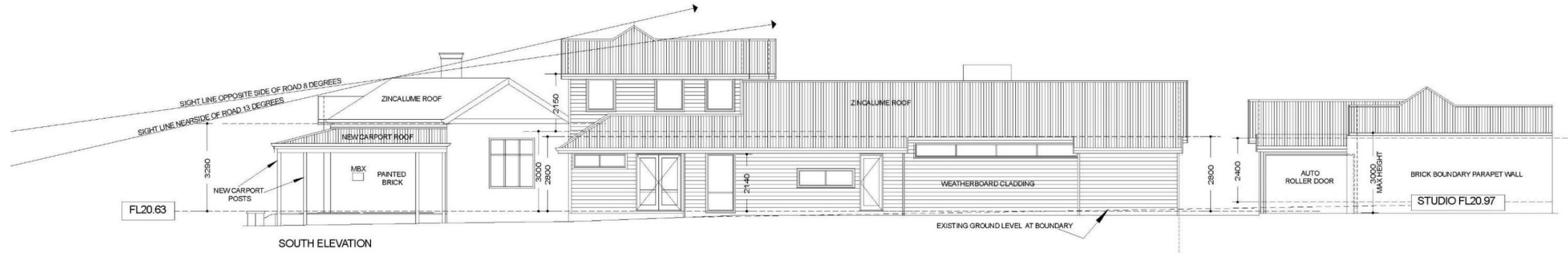
DA2 OF 4



ERCEGOVIC HOUSE

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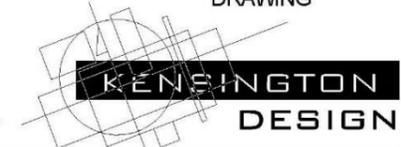
Date: 5 AUGUST 2022 Job: #30 (LOT29) HAMILTON ST EAST PERTH



UPPER FLOOR PLAN
1:100 SCALE

DEVELOPMENT
APPLICATION
DRAWING

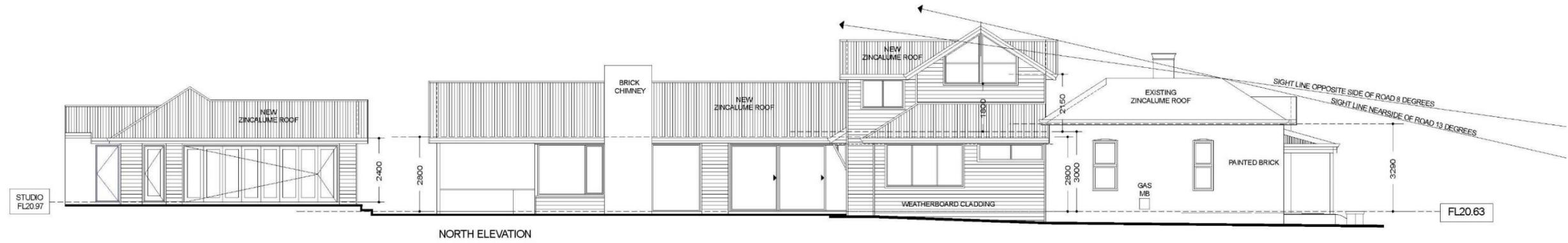
DA3 OF 4



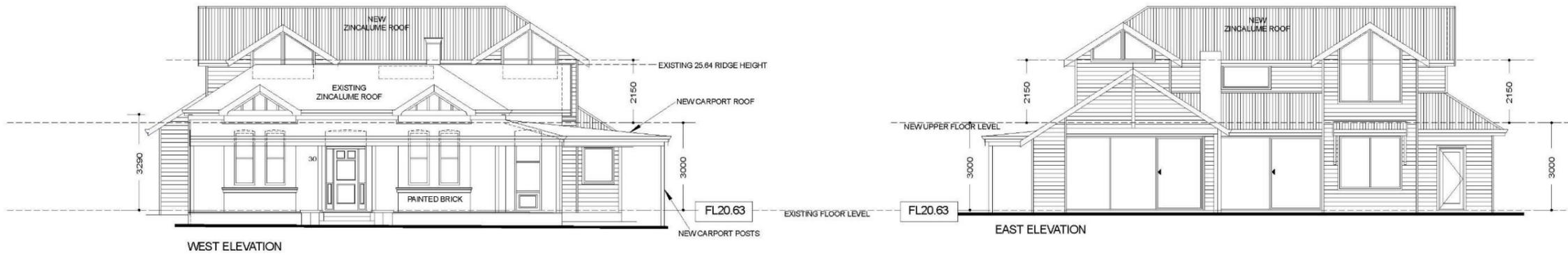
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Date: 5 AUGUST 2022 Job: #30 (LOT29) HAMILTON ST EAST PERTH

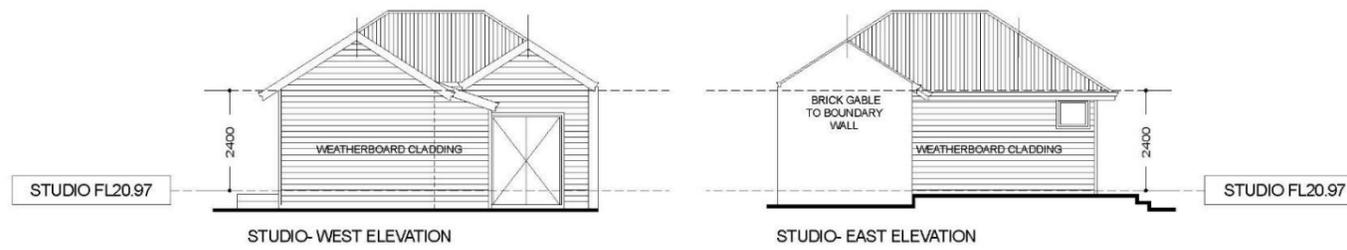


NORTH ELEVATION



WEST ELEVATION

EAST ELEVATION



STUDIO- WEST ELEVATION

STUDIO- EAST ELEVATION

DEVELOPMENT
APPLICATION
DRAWING

DA4 OF 4



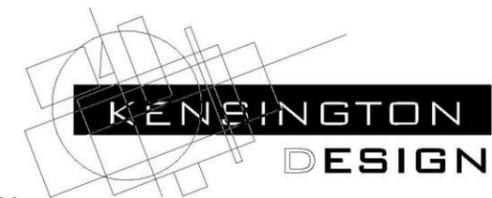
ERCEGOVIC HOUSE

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Phone: 9438 3288 Fax: 9438 3299
E-mail: kd@kensingtondesign.com.au

Date: 5 AUGUST 2022 Job: #30 (LOT29) HAMILTON ST EAST PERTH



STREET VIEW



ISSUE: PLANNING APPROVAL

PROJECT NAME :
ERCEGOVIC HOUSE

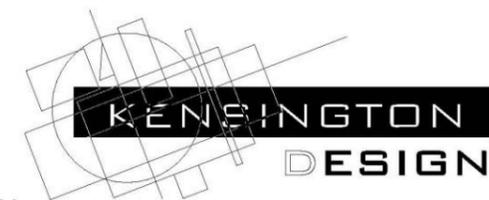
DRAWING NO.
1

CLIENT: DEAN & FANITA ERCEGOVIC
SITE: #30 (LOT 29)
HAMILTON STREET
EAST PERTH

24 May Street
East Fremantle
WA, 6158
Phone: 9438 3299
E-mail: kd@kensingtondesign.com.au
Date: 5/08/2022



REAR VIEW



ISSUE: PLANNING APPROVAL

PROJECT NAME : ERCEGOVIC HOUSE	DRAWING NO. 1	CLIENT: DEAN & FANITA ERCEGOVIC SITE: #30 (LOT 29) HAMILTON STREET EAST PERTH	Date: 5/08/2022 24 May Street East Fremantle WA, 6158 Phone: 9438 3299 E-mail: kd@kensingtondesign.com.au
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PROPOSED ADDITIONS 30 HAMILTON ST, EAST FREMANTLE

EXTERNAL FINISHES SCHEDULE

Wall cladding	Weatherboards Paint finish - Light grey tones
External trim	Timber mouldings Paint finish – white tones
Window frames	Aluminium Powdercoat finish - White Lustre
Roof sheeting	Custom orb profile Zincalume
Gutters	Ovolo profile Zincalume
Fascia	Metal Fascia Colorbond - Surfmist



30 Hamilton Street, East Fremantle
Heritage Impact Statement
by
HOCKING HERITAGE + ARCHITECTURE
August 2022

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1. Introduction

The owners of no. 30 Hamilton Street, East Fremantle are seeking to construct a two storey addition to the rear of the existing house. The house is an example of an early-1900s Federation Bungalow that has experienced some alteration but the original design intent of the house remains clearly discernible. The place is on the Town of East Fremantle's Heritage Survey and Heritage List and is also located within the Woodside Heritage Area.

It is proposed to retain the original section of the house with no alteration to the internal planning and will be used predominantly as bedrooms. The proposed rear addition will contain the activity areas including kitchen, dining, family rooms etc. The proposed new upper floor will contain a master suite.

In addition, a new pool, landscaping and studio building will be constructed in the rear garden space.



Figure 1: Cadastral Plan
Courtesy Landgate July 2022

2. Location and Site Description

30 Hamilton Street, East Fremantle is located at Lot 29 on Plan 2232. The house is located on the eastern side of the road in a residential area.

Hamilton Street is a straight road running on a N-S axis, from Canning Highway in the north to Fletcher Street in the south. The road is characterised by regular lot size, a predominance of traditional housing and a green and leafy aesthetic.



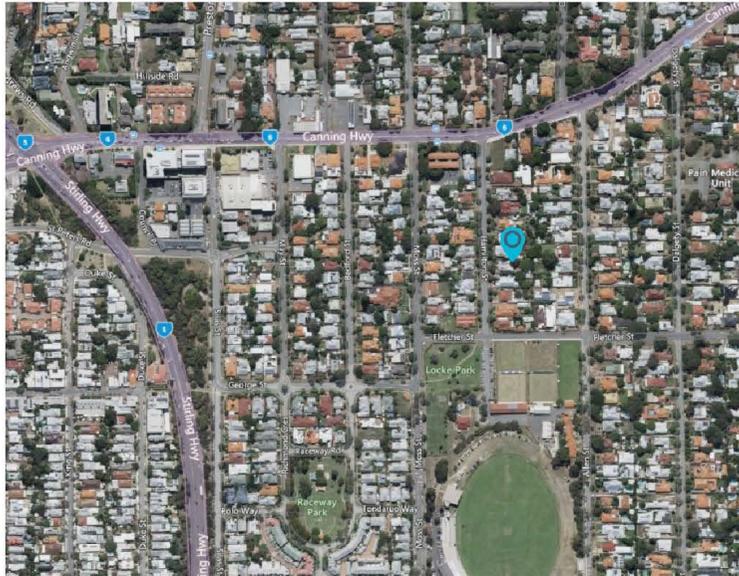


Figure 2: Location of 30 Hamilton Street in a local context
Courtesy Neamap, 2022



Figure 3: Aerial View
Courtesy Neamap, 2022

3. Heritage Listing

30 Hamilton Street, East Fremantle benefits from the following heritage listings:

Type	Status	Date
State Register	-----	-----
Heritage List – City of Fremantle	Adopted	17/11/2015
Local Heritage Survey – Town of East Fremantle – Cat B	Adopted	2015
Classified by the National Trust	-----	-----
Aboriginal Heritage Sites Register	-----	-----



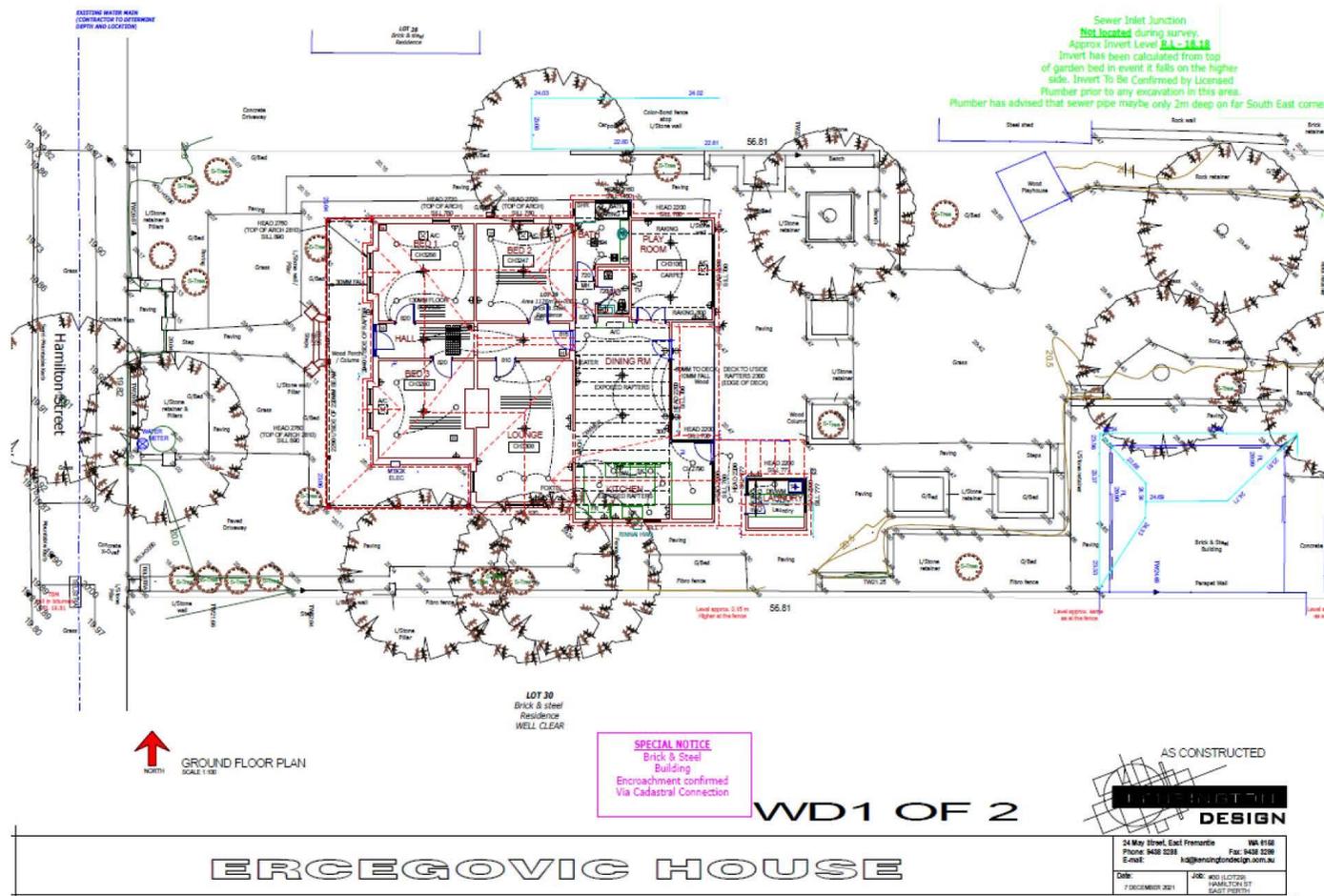


Figure 4: Existing site survey. Courtesy Kensington Design



4. Statement of Significance

The following statement of significance was prepared in 2015 during the review of the Town of East Fremantle Local Heritage Survey.

No 30 Hamilton Street is a single storey house constructed in painted brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.

The place has considerable heritage value for its intrinsic aesthetic value as a Federation Bungalow. The place retains a moderate degree of authenticity and a high degree of integrity.

The additions have no significance.

5. Proposed Development

The new development consists of a two storey addition to the rear of the original house together with new landscaping, pool and studio building.

The existing additions to the rear of the house will be demolished.

No internal re-planning of the original section of the house will be undertaken.

No alterations to the front of the house will be undertaken.

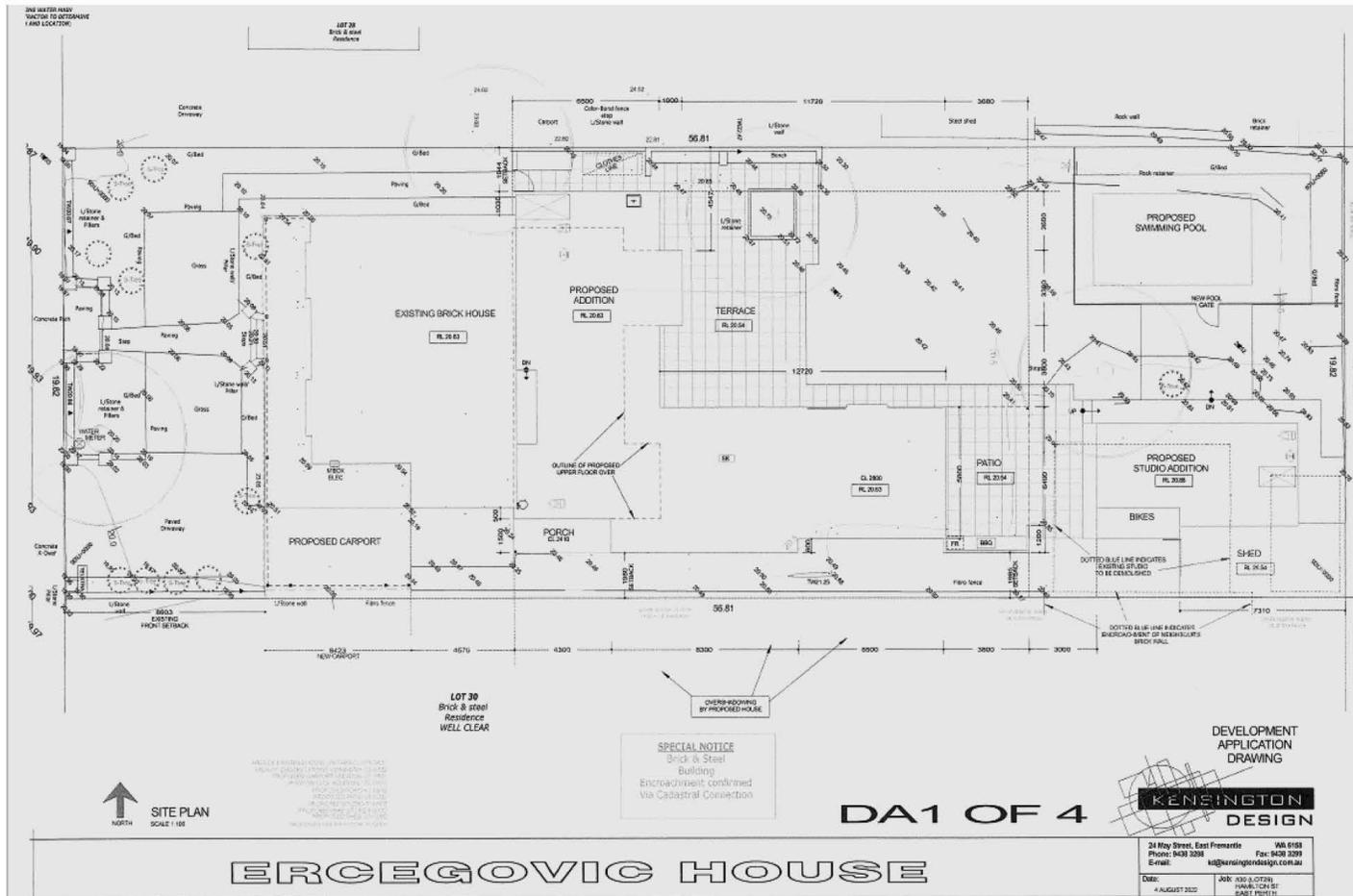


Figure 6: Site plan showing location of new additions. Courtesy Kensington Design



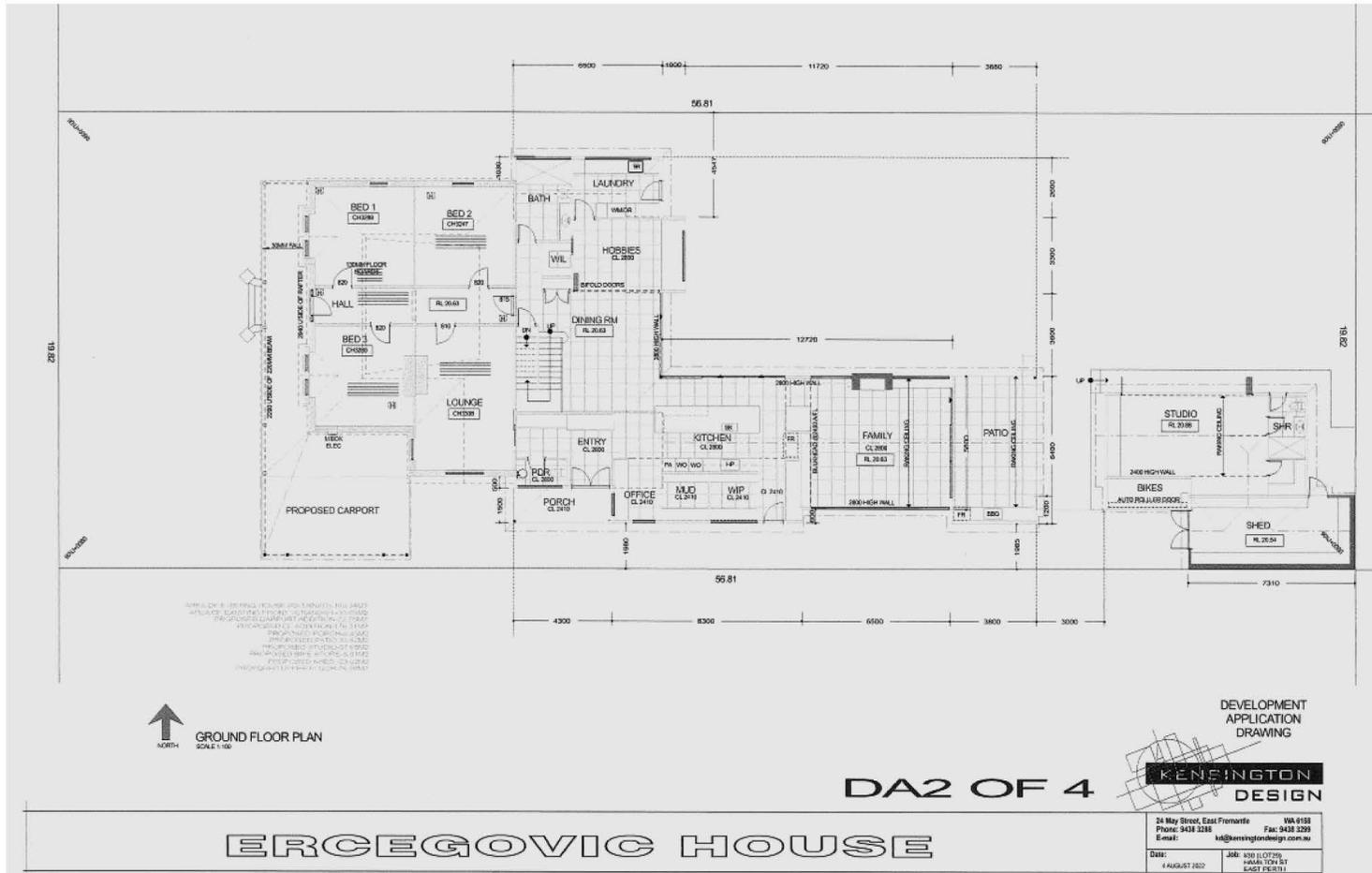


Figure 7: Site plan showing location of new additions. Courtesy Kensington Design



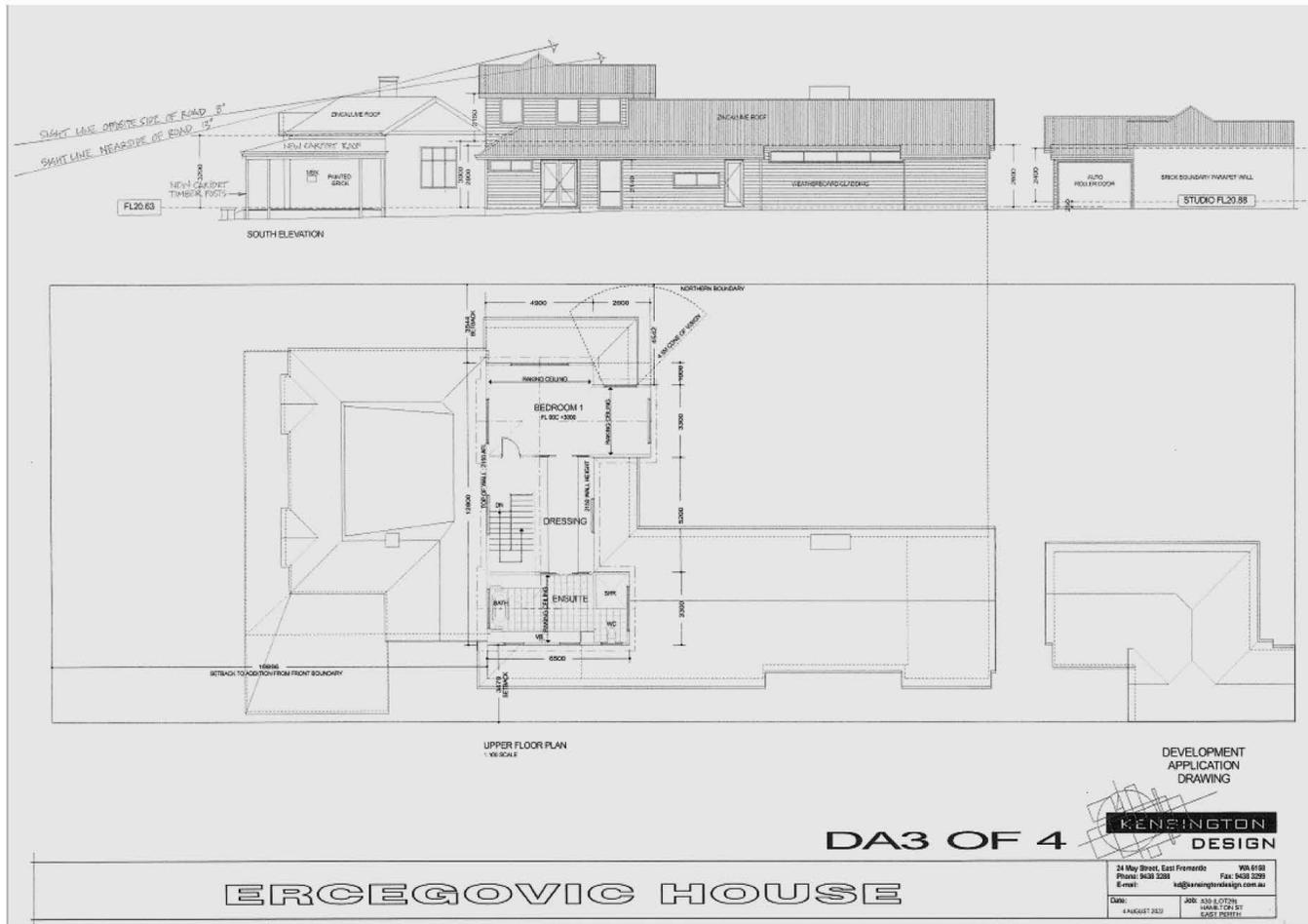


Figure 8: Second storey addition and Line of Sight Diagram. Courtesy Kensington Design



6. Site Photographs



Figure 10 No. 30 Hamilton Street taken from the street boundary



Figure 11 No. 30 Hamilton Street – close up of the façade



Figure 12 No. 30 Hamilton Street viewed along the driveway



Figure 13 Dense planting along the northern side of the house



Figure 14 View along northern side of the house towards rear of property



Figure 15 Adjacent property at no. 32 Hamilton Street

7. Assessment of Impact

a. Local Heritage Survey

The subject property is assessed as being a Category B place on the Town of East Fremantle's Local Heritage Survey. This means the place is of considerable significance to the Town and conservation of the place is required.

As a Category B place, no. 30 Hamilton Street is also entered on the Town's Heritage List adopted under the Local Planning Scheme. This means that the place is afforded some level of statutory protection under the planning scheme to ensure that a) the place is retained and b) that changes through additional development does not harm the significance of the place.

The place record form for no. 30 Hamilton Street states:

Aesthetic Significance	No. 30 Hamilton Street has considerable aesthetic value as a Federation Bungalow. It retains some of the characteristic features of a dwelling of this type and period.
Historic Significance	No. 30 Hamilton Street has some historic value. It was part of the suburban residential development associated with Fremantle in the 1890s.
Rarity	No. 30 Hamilton Street is not rare in the immediate context but Woodside has rarity value as a cohesive middle class suburb.

Comment

The proposed development to construct a rear addition to the property does not adversely impact on any of these value statements. As the original house is being retained without alteration to the façade the above statements remain valid.



b. Statement of Significance

In lieu of a conservation management plan, the Statement of Significance that is prepared as part of the place record form for entry into the Local Heritage Survey and Heritage List is used as a benchmark for assessing impact of development on the heritage significance of a place. The Statement of Significance for no. 30 Hamilton Street states:

No 30 Hamilton Street is a single storey house constructed in painted brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.

The place has considerable heritage value for its intrinsic aesthetic value as a Federation Bungalow. The place retains a moderate degree of authenticity and a high degree of integrity.

The additions have no significance.

Comment

The proposed development does not impact on these value statements either. Although changes have occurred to the façade of no. 30 Hamilton Street which obscures its original detailing, the original design intent of the place remains clearly visible. The proposed development does not impact on the aesthetic qualities of the house. The proposed development will not diminish the contribution of the place to Woodside or the local community's sense of place.

c. Planning Policy

At present, the Town of East Fremantle does not have a specific heritage policy for heritage places however there are development objectives set out in the Town's Planning Policy 3.1.1: Residential Design Guidelines that were adopted in September 2012 with subsequent reviews.

The objectives set out in the policy are:

- i. To conserve and protect individual residences considered to have significant heritage value.
- ii. To provide development and design guidance to landowners wanting to extend or refurbish existing dwellings of heritage significance.
- iii. To guide additions to existing dwellings, which do not adversely affect the significance of dwellings, or of neighbouring heritage places.
- iv. To guide new dwellings and additions/alterations to existing dwellings (particularly second storey), which are compatible with the character, form and scale of existing residential development in the locality and harmonise with the existing streetscape.
- v. To encourage creative design solutions of quality that meet the standards of this Policy and which enhances the character of the residential precincts and Policy area.

Comment

In terms of the objectives, the proposed development is compliant. It retains a place of heritage significance, the proposed development does not adversely affect the significance of the place or neighbouring heritage places and the is compatible with the character, form and scale of existing residential development in Hamilton Street.

- Section 3.7.15.1 Statement of Desired Future Character.

No. 30 Hamilton Street is located within the Woodside precinct. The desired future character of Woodside is the maintenance of its predominately single storey Federation and Interwar building, cohabiting with more recent infill buildings and additions in a leafy streetscape.

Comment



The original single storey Federation Bungalow is being retained as part of this development proposal. The proposed development does not impact on the leafy streetscape character.

- Section 3.7.15.2 Access, Parking and Rights-of-Way

Residences in Woodside generally have access via a single cross over.

Comment

Parking already occurs to the front and side of no. 30 Hamilton Street via a single cross over. The proposed development does not seek to alter this arrangement.

- Section 3.7.15.3 Garages, Carports and Outbuildings

Garages, carports and outbuildings in the Woodside precinct are generally located at the rear or side of the original dwelling and are not dominant features in the landscape.

- i. Where garages and carports are part of a development they must be incorporated into, and be compatible with the design of the dwelling.
- ii. Garages and carports shall not visually dominate the dwellings as viewed from the street.
- iii. Materials should not detract visually from the streetscape.
- iv. Carport associated with existing residences are not required to mimic or match the materials of the house.

Comment

A new carport to the side of the house is being proposed in addition to existing driveway parking.

However, due to its location to the side of the house and being the façade and is only large enough for a single vehicle, it is considered that the proposal meets the objective of not being a dominant aspect when viewed from the street and will not harm the heritage significance of the place or its contribution to the streetscape.

- Section 3.7.15.4 Building Design requirements

Dwellings that contribute positively to the character and significance of Woodside precinct are generally of similar form, bulk and scale. The prevailing building typology is modest single storey residences facing the street.

The bulk of two storey developments and additions should be located towards the rear of the lot and not be visually dominant when viewed from the primary street.

The second storey is to be set back so that the roof line is below the line of sight of a person standing on the opposite side of the primary street.

Comment

A line of sight diagram has been provided at Figure 8 above which shows that the roof line of the second storey is below the line of sight when viewed from the nearside kerb. From the opposite kerb the top of the roof line of the addition can be glimpsed. Because the second storey addition can only just be glimpsed above the original roof line it is considered to be consistent with the intention of this requirement.

**Building Proposal**

The sketches of the proposed development illustrate that the two storey rear addition has been informed by the architectural style of the original dwelling.

The roofline to the new addition is hipped and gabled which reflects the original roof. Two small gablets with windows have been incorporated into the west elevation (front elevation) of the addition which respond to the gablet of the original house. The detail does not appear to be mimicking the original detail dating from the federation era but has certainly been informed by this detail.

The predominant scale of the new addition is single storey with only the two storey section being located directly behind the original house. The remainder of the development is single storey and extends along the southern half of the site. The south elevation of the new addition contains a mix of openings that are both vertically emphasised and horizontally emphasised. The openings are presented in a contemporary manner and do not mimic the openings on the original section of the house. The north elevation of the new addition looks into the garden and presents with large openings to maximise light and visual access across the garden.

The rear of the addition has again been informed by the design of the original section of the house but does not mimic the detailing. It presents as a contemporary house with large openings.

The scale of the two storey section of the property does not over dominate or diminish the heritage significance of no. 30 Hamilton Street or diminish its contribution to the streetscape.

The direct neighbours are both included in the Town's Local Heritage Survey and their significance must be considered in the assessment of the current development proposal. No. 28 Hamilton Street is a Category B place and is a single storey limestone, brick and iron Federation single storey house with a single storey addition to the rear. No. 32 is a Category C Inter-War California Bungalow that is largely obscured from view due to later garage additions to the front. The proposed two storey addition to the rear of no. 30 Hamilton Street does not adversely impact on the heritage significance of the neighbouring properties or the valued streetscape as a whole.

8. Conclusion

The proposed additions to the rear of no. 30 Hamilton Street do not harm the heritage significance of the place and are in keeping with the policy objectives adopted by the Town of East Fremantle.

The original Federation Bungalow is being retained without alteration to the façade and its heritage values will not be affected by the proposed development.

The new work is located to the rear of the existing house and whilst glimpses of the two storey element will be seen from street views, it will not over dominate the subject house or its immediate neighbours.

Based on the information provided, the proposed development is considered to be appropriate.



PLACE RECORD FORM

PRECINCT	Woodside
ADDRESS	30 Hamilton Street
PROPERTY NAME	N/A
LOT NO	Lot 29
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1915
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 30 Hamilton Street is a single storey house constructed in painted brick with a 'M' format and gable corrugated iron roof. It is an expression of the Federation Bungalow style. The house was built in two stages. The front two rooms were initially constructed followed by two rooms to the rear. The front elevation is asymmetrically planned with a pair of thrust gable bays and a full width return hip roofed verandah. The verandah extends over the gable bays and is supported on timber posts. The verandah is a replacement. The half-timbered gable bays feature pairs of double hung sash windows. There is a central door and hopper light flanked by sidelights. The roofscape features a rendered chimney.</p> <p>The place retains its form and some of its details. There are additions to the rear. The original tuck pointing has been painted over. The original tiled roof has been replaced with the existing corrugated iron.</p> <p>The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle-class suburb.</p>

HISTORICAL NOTES

Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Californian Bungalow style residence is also represented in Woodside.

Hamilton Street was the last street in the original Fremantle subdivision and was the easternmost street of the Plympton town site. The rear fence of No 30 Hamilton Street shows on the early maps as the western boundary of W.D. Moore's Orchard and Vineyard. Hamilton Street has a body of houses which date from around 1895. Whilst Hamilton Street is now in the Woodside Precinct, its heritage provenance dates from the 1890's before the Town of East Fremantle was created in 1897.

The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.

OWNERS

Unknown

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls - Painted brick

Roof - Corrugated iron sheeting

PHYSICAL SETTING

The residence is situated on a flat site with a low limestone wall on the lot boundary.

STATEMENT OF SIGNIFICANCE

No 30 Hamilton Street is a single storey house constructed in painted brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.

The place has considerable heritage value for its intrinsic aesthetic value as a Federation Bungalow. The place retains a moderate degree of authenticity and a high degree of integrity.

The additions have no significance.

AESTHETIC SIGNIFICANCE

No 30 Hamilton Street has considerable aesthetic value as a Federation Bungalow. It retains some of the characteristic features of a dwelling of the type and period.

HISTORIC SIGNIFICANCE

No 30 Hamilton Street has some historic value. It was part of the suburban residential development associated with Fremantle in the 1890s.

SCIENTIFIC SIGNIFICANCE

N/A

SOCIAL SIGNIFICANCE

No 30 Hamilton Street has some social value. It is associated with a significant area of middle-class Federation and Inter-War period development which contributes to the community's sense of place.

RARITY

No 30 Hamilton Street is not rare in the immediate context, but Woodside has rarity value as a cohesive middle class suburb.

CONDITION

No 30 Hamilton Street is in good condition.

INTEGRITY

No 30 Hamilton Street retains a high degree of integrity.

AUTHENTICITY

No 30 Hamilton Street retains an OK degree of authenticity.

MAIN SOURCES

Community Engagement Checklist

Development Application P67/22 – 30 Hamilton Street

Objective of Engagement	Neighbour Consultation			
Lead Officer:	Regulatory Services			
Stakeholders				
Stakeholders to be Considered <i>Please highlight those to be targeted during engagement</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted)	<input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted)	<input checked="" type="checkbox"/>
	Children (School / Playground)	<input type="checkbox"/>	Service Providers	<input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed	<input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors	<input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers	<input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers	<input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth	<input type="checkbox"/>
	Indigenous	<input type="checkbox"/>		<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>		<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors	<input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultants	<input type="checkbox"/>
	Development Services	<input type="checkbox"/>		<input type="checkbox"/>
	Operational (Parks/Works)	<input type="checkbox"/>		<input type="checkbox"/>
Community Engagement Plan				
Methods	Responsible	Date Due	Reference / Notes	
1.1 E News	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.2 Email Notification	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.3 Website	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.4 Facebook	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.5 Advert – Newspaper	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.6 Fact Sheet	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
1.7 Media Rel/Interview	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
3.1 Focus Groups	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
3.3 Workshop	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
4.1 Council Committee	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
4.2 Working Group	<input type="checkbox"/> Executive Direction	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
*Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	26/08/2022	<input checked="" type="checkbox"/> Advertised to 5 surrounding properties	
#Heritage Consultation	<input type="checkbox"/> Regulatory Services	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
^Mail Out (note: timelines)	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
	<input type="checkbox"/>	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
	<input type="checkbox"/>	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Evaluation				
Summary of...		Date Due	Completed / Attached	
Feedback / Results/ Outcomes / Recommendations		26/08/2022		
Outcomes Shared				
Methods	Responsible	Date Due	Reference / Notes	
E-Newsletter	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Email Notification	<input type="checkbox"/> Relevant Officer	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Website	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Facebook	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Media Release	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
Advert – Newspaper	<input type="checkbox"/> Communications	Click or tap to enter a date.	<input type="checkbox"/> Click or tap here to enter text.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Notes				

14 REPORTS – FINANCE

Reports start on the next page

14.1 MONTHLY FINANCIAL REPORT - SEPTEMBER 2022

Report Reference Number	OCR-1368
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	Tuesday, 18 October 2022
Voting requirements	Part 3 of the Officers Recommendation requires an Absolute Majority
Documents tabled	Nil
Attachments	
	1. Monthly Financial Report – September 2022

PURPOSE

The purpose of this report is to present to Council the Monthly Financial Report (containing the Statement of Financial Activity by Nature and Type) for the month ended 30 September 2022. The Capital Works report has been incorporated into the workbook.

EXECUTIVE SUMMARY

A Monthly Financial Report workbook has been prepared to provide an overview of key financial activity.

The State Government has recently amended regulation 34 of the *Local Government (Financial Management) Regulations* to require the Statement of Financial Activity to be presented according to nature or type classification.

A Capital Works Report is presented detailing committed expenditure against budgets. This report is used to assess the clearance rate of capital projects.

BACKGROUND

Presentation of a monthly financial report to Council is both a statutory obligation and good financial management practice that:

- Demonstrates the Town's commitment to managing its operations in a financially responsible and sustainable manner.
- Provides timely identification of variances from budget expectations for revenues and expenditures and identification of emerging opportunities or changes in economic conditions.
- Ensures proper accountability to the ratepayers for the use of financial resources.

Financial information that is required to be reported to Council monthly includes:

- Operational financial performance against budget expectations.
- Explanations for identified variances from expectations.
- Financial position of the Town at the end of each month.

Understanding the Financials

When reading the financial information/statements, variances (deviations from budget expectations) are classified as either:

- a. Favourable variance (F)
- b. Unfavourable variance (U)
- c. Timing variance (T)

A timing variance relates to a budgeted revenue or expense that has not occurred at the time it was expected, but which is still expected to occur with the budget year. That is, the financial transaction will still occur, but just in a different month. This timing difference may require for the year-to-date budget to be amended for future periods.

A realised favourable or unfavourable variance is different to a timing variance. It represents a genuine difference between the actual and budgeted revenue or expenditure item.

A realised favourable variance on a revenue item is a positive outcome as it increases the projected budget surplus. An unfavourable variance on a revenue item has the opposite effect, resulting in a decrease to the projected budget result.

A realised favourable variance on an expenditure item may have either of two causes – one being a saving because the outcome was achieved for lesser cost, which has the effect of increasing the projected budget result. The other cause may be that the proposed expenditure may not have been undertaken and is not expected to be incurred in that financial year. Whilst this may seem positive from the financial position perspective, it may not be a positive outcome for the community if the service or project is not delivered.

If a realised favourable or unfavourable variance is material in value, a recommendation will be provided to Council to amend the budget.

CONSULTATION

Budget Managers are provided with a monthly Responsible Officer report for review.

STATUTORY ENVIRONMENT

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare its Statement of Financial Activity.

Expenditure from the municipal fund not included in the annual budget must be authorised in advance by an absolute majority decision of Council pursuant to section 6.8 of the *Local Government Act 1995*.

Fees and charges are imposed in accordance with section 6.16 of the *Local Government Act 1995*. Fees and charge imposed outside of the Annual Budget require an absolute majority decision of Council and must give local public notice of the new fees pursuant to section 6.19 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

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.

FINANCIAL IMPLICATIONS

Material variances are disclosed in the Statement of Financial Activity.

As part of the adopted 2022/23 Budget, Council adopted the following thresholds as levels of material variances for financial reporting.

In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2022/23 for reporting material variances shall be:

- (a) 10% of the amended budget; or
- (b) \$10,000 of the amended budget.

Whichever is greater. In addition, that the material variance limit be applied to total revenue and expenditure for each Nature and Type classification and capital income and expenditure in the Statement of Financial Activity.

STRATEGIC IMPLICATIONS

The monthly financial report is the key financial reporting mechanism to Council, to provide oversight of the financial management of the local government. This ties into the Strategic Community Plan as follows:

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

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Inadequate oversight of the financial position of the Town may result in adverse financial trends	Rare (1)	Major (4)	Low (1-4)	FINANCIAL IMPACT \$50,000 - \$250,000	Manage by monthly review of financial statements and key financial information
Grant funding received for specific purpose is not spent in current financial year and funds cannot be acquitted in a timely matter	Possible (3)	Moderate (3)	Moderate (5-9)	FINANCIAL IMPACT \$250,000 - \$1,000,000	Manage by reviewing unspent grant funding each month and responsible department to ensure timely delivery of projects against funding.

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	9
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

N/A

COMMENT

This report presents the Statement of Financial Activity by Nature and Type for the month ended 30 September 2022.

The following is a summary of headline numbers from the attached financial report, and explanations for variances is provided in Note 1 of the workbook:

	Original Budget	YTD Budget	YTD Actuals	Variance	F/U/T
Opening Surplus	517,692	517,692	514,270	(3,422)	U
Operating Revenue	11,622,370	9,491,172	9,564,214	73,042	T
Operating Expenditure	(12,148,015)	(3,158,980)	(2,633,721)	525,259	T
Capital Expenditure	(15,363,577)	(1,563,587)	(900,238)	663,349	T
Capital Income	15,766,681	3,426,622	2,648,606	(778,016)	T
Financing Activities	(1,996,976)	(1,886,749)	(1,894,703)	(7,954)	T
Non-Cash Items	1,601,825	511,942	527,535	15,593	T
Forecast Surplus/(Deficit)	0	7,338,113	7,825,964	487,852	T

The Net Current Asset Position (Forecast Surplus above) indicates a YTD net current position of \$7,825,964 versus the YTD budget of \$7,338,113. The favorable surplus is mainly attributable to a stronger operating result (as a result of cash flow timings).

The Executive Summary in the workbook provides an overview of key indicators for the month. Further comments are provided below:

- Rate Notices were issued on the 19 July. The Town has receipted \$6.925m in rates and charges revenue (including rates, ESL, service charges) by the end of September, equating to 66% of total rates and charges paid. This is a great early result for revenue collection.

2nd instalments were issued on the 28th of September with a due date of 25 October 2022. The following table provides a breakdown of instalments:

Instalment Number	Due Date	No. Assessments	Total
2 nd Instalment	25/10/22	853	\$660,351
3 rd Instalment	03/01/23	1180	\$1,102,700
4 th Instalment	07/03/23	853	\$701,544

- Capital works has yet to substantially commence. 85% of the total capital expenditure budget relates to the East Fremantle Oval project. As previously advised, planned expenditure based on the project cash flow

budget, will be accrued at the end of each month as there will be a lag in receiving/processing invoices, and this expenditure will be reflected in the capital works report. The accrual amount for September was \$351k.

- The Town invoiced the Department of Local Government, Sport and Cultural Industries \$8m + GST for the 2nd milestone payment of the \$25 million grant. Payment was received in September, with surplus funds invested according to project cash flow requirements.
- Grant revenue is only recognized as income as it is expended. The unspent portion is classified as a contract liability on the balance sheet. The Town has recognized \$798k in non-operating income for the East Fremantle Oval Project, which is equivalent to the capital expenditure amount (including the accrued expense).
- Settlement of the sale of 128 George Street occurred on the 29 September 2022. Proceeds from sale were transferred to the respective Reserves as per Council resolution. The forecast balance of the East Fremantle Oval Redevelopment Reserve is \$2.726m.
- End of year accounting process are nearly finalised for 2021/22. The carried forward surplus of \$514,720 in the Statement of Financial Activity is nearly exact to budgeted opening funds of \$517,692. Therefore, there will not be any unallocated surplus available.
- The Town is holding \$21.26m in cash at the end of September. \$16.344m is invested in term deposits with terms varying from 60 days to 210 days, depending on cash flow requirements. The weighted average interest rate on these deposits is 3.27%. Interest earnings on the current investment portfolio will be upwards of \$190k, compared to budget interest earnings of \$40k. This is a favourable budget result that will be further improved from the placement of additional term deposits throughout the course of the year. The budget will be amended during the mid-year review, at which time Council can determine how it wishes to allocate the surplus. When adopting the 2022/23 Annual Budget, Council did resolve to transfer 100% of interest earnings from the investment of Reserves into the East Fremantle Oval Redevelopment Reserve. If this was to occur, then the forecast closing balance of the EF Oval Redevelopment Reserve would be in excess of \$2.9m.

Fees and Charges

The Town has installed an EV Charging Station in the Town Hall Car Park. The current approximate cost of power consumption for the Town Hall meter is 27 cents kwh, inclusive of the natural energy tariff. It is recommended that a charge of 40 cents (plus GST) kwh be applied, as this will cover actual power costs as well as merchant fees.

CONCLUSION

That Council receives this report and consider the recommendations below.

14.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That Council:

1. receives the **Monthly Financial Report for the month ended 30 September 2022**, as presented as attachment 1 to this report, inclusive of:
 - (i) **Statement of Financial Activity by Nature and Type**
 - (ii) **Capital Expenditure Report**
2. notes the unrestricted municipal surplus of **\$7,825,964** for the month ended 30 September 2022.
3. pursuant to sections 6.16 and 6.19 of the *Local Government Act 1995*, impose the following fee with an effective date of 1 January 2023, and give local public notice.

Description	GST	Fee
Charging fee at the Town's Electric Vehicle Charging Station located in the Town Hall Car Park (per kWh)	0.04 cents	0.44 cents

REPORT ATTACHMENTS

Attachments start on the next page

TOWN OF EAST FREMANTLE
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 September 2022

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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MONTHLY FINANCIAL REPORT
For the Period Ended 30 September 2022

EXECUTIVE SUMMARY

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$0.52 M	\$0.52 M	\$0.51 M	(\$0.00 M)
Closing	\$0.00 M	\$7.34 M	\$7.83 M	\$0.49 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$7.90 M	37.1%
Restricted Cash	\$13.40 M	62.9%

Refer to Note 3 - Cash and Investments

Payables		
	\$	% Outstanding
Trade Payables	\$3,144.1 K	
0 to 30 Days	\$3,144.1 K	100.0%
30 to 60 Days	\$0.0 K	0.0%
Over 60 Days	\$0.0 K	0.0%

Receivables		
	\$	% Collected
Rates Receivable	\$3.53 M	66.38%
Trade Receivable	\$142.5 K	
Current	\$86.5 K	60.67%
30 to 90 Days	\$56.1 K	39.33%
Over 90 Days	\$0.0 K	0.00%
Infringements	\$53.2 K	

Refer to Note 4 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$1.10 M	\$6.84 M	\$7.46 M	\$0.61 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$8.64 M	
YTD Budget	\$8.65 M	(0.0%)

Refer to Statement of Financial Activity

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$268.8 K	
YTD Budget	\$194.7 K	38.1%

Refer to Statement of Financial Activity

Fees and Charges		
	\$	% Variance
YTD Actual	\$597.3 K	
YTD Budget	\$620.0 K	(3.7%)

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.75 M	\$1.86 M	\$1.75 M	(\$0.11 M)

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$1,850.0 K	
Amended Budget	\$2,017.6 K	91.7%

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.90 M	
Amended Budget	\$15.36 M	5.9%

Refer to Statement of Financial Activity

Capital Grants		
	\$	% Received
YTD Actual	\$0.80 M	
Amended Budget	\$14.10 M	5.7%

Refer to Note 8 - Grants and Contributions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$2.35 M)	(\$1.89 M)	(\$1.89 M)	(\$0.01 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$26.4 K
Interest expense	\$0.8 K

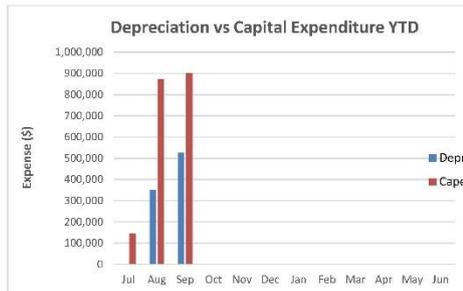
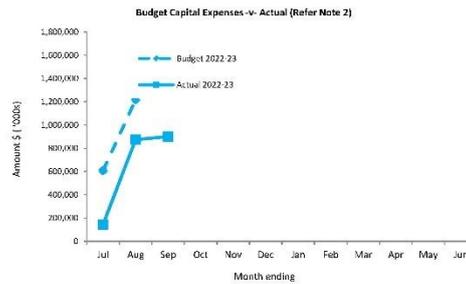
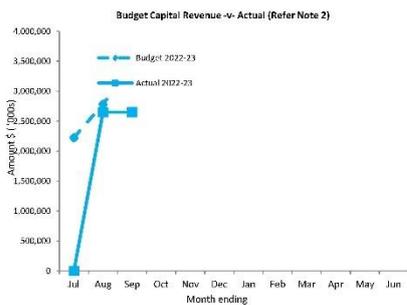
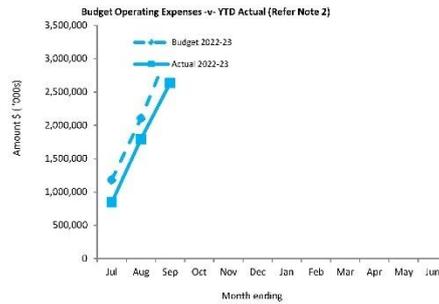
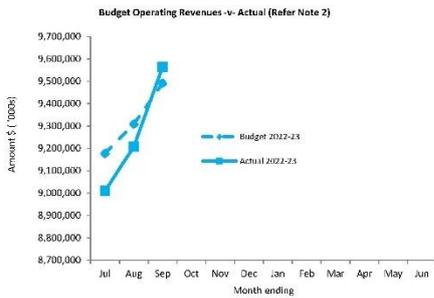
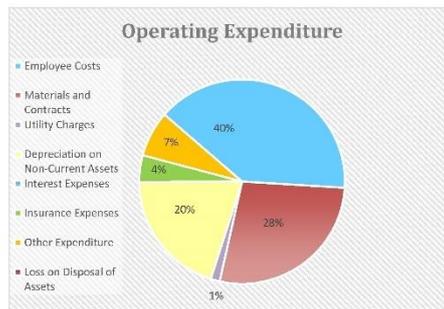
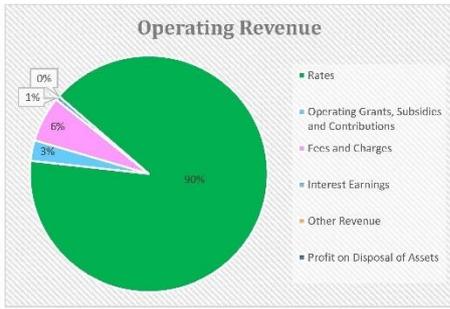
Reserves	
Reserves balance	\$4.33 M
Interest earned	\$0.0 K

Refer to Note 5 - Cash Backed Reserves

Preparation	
Prepared by:	
Reviewed by:	Peter Kocian
Date Prepared:	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

**Town of East Fremantle
Information Summary
For the Period Ended 30 September 2022**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 September 2022**

	Note	Annual Budget - Synergy	Current Budget	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
				\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	517,692	517,692	517,692	514,270	(3,422)	(1%)	
Revenue from operating activities								
Rates	9	8,660,135	8,660,135	8,645,136	8,642,996	(2,140)	(0%)	
Operating grants, subsidies and contributions		907,014	970,110	194,702	268,840	74,138	38%	▲
Fees and Charges		1,442,358	1,442,358	620,044	597,304	(22,740)	(4%)	
Interest Earnings		98,000	98,000	24,498	54,425	29,927	122%	▲
Other Revenue		27,170	27,170	6,792	649	(6,143)	(90%)	
Profit on asset disposals	8	487,693	487,693	0	0	0		
		11,622,370	11,685,466	9,491,172	9,564,214			
Expenditure from operating activities								
Employee Costs		(4,736,197)	(4,736,197)	(1,147,277)	(1,042,578)	104,698	9%	
Materials and Contracts		(4,028,396)	(4,063,219)	(977,343)	(724,799)	252,544	26%	▲
Utility Charges		(259,034)	(259,034)	(64,779)	(37,711)	27,069	42%	▲
Depreciation on Non-Current Assets		(2,103,440)	(2,103,440)	(525,864)	(525,860)	4	0%	
Interest Expenses		(16,250)	(16,250)	(4,065)	(838)	3,227	79%	
Insurance Expenses		(228,901)	(228,901)	(228,901)	(111,177)	117,724	51%	▲
Other Expenditure		(775,797)	(775,797)	(210,751)	(190,758)	19,993	9%	
Loss on asset disposals	8	0	0	0	0	0		
		(12,148,015)	(12,182,838)	(3,158,980)	(2,633,721)			
Operating activities excluded from budget								
Add back Depreciation		2,103,440	2,103,440	525,864	525,860	(4)	(0%)	
Adjust (Profit)/Loss on Asset Disposal	8	(487,693)	(487,693)	0	0	0		
Movement in Deferred Rates		0	0	0	1,675	1,675		
Movement in accrued income (non-current)		(13,922)	(13,922)	(13,922)	0			
		1,601,825	1,601,825	511,942	527,535	1,671	3%	
Amount attributable to operating activities		1,076,180	1,104,453	6,844,135	7,458,028			
Investing activities								
Non-operating Grants, Subsidies and Contributions	11	14,099,113	14,099,113	1,409,054	798,606	(610,448)	(43%)	▼
Proceeds from Disposal of Assets	8	1,667,568	2,017,568	2,017,568	1,850,000	(167,568)	(8%)	
Purchase of Property, Plant and Equipment		(14,220,450)	(14,220,450)	(1,277,804)	(812,918)	464,886	36%	▲
Purchase and Construction of Infrastructure		(1,143,127)	(1,143,127)	(285,783)	(87,320)	198,463	69%	▲
Amount attributable to investing activities		403,104	753,104	1,863,035	1,748,368			
Financing Activities								
Transfers from Reserves	7	494,250	494,250	0	0	0		
Payments for principal portion of lease liabilities		(45,000)	(45,000)	(11,250)	(18,312)	(7,062)	(63%)	
Repayment of borrowings	10	(102,000)	(102,000)	(25,500)	(26,391)	(891)	(3%)	
Transfers to Reserves	7	(2,344,226)	(2,694,226)	(1,849,999)	(1,850,000)	(1)	(0%)	
Amount attributable to financing activities		(1,996,976)	(2,346,976)	(1,886,749)	(1,894,703)			
Closing Funding Surplus (Deficit)	3	0	28,273	7,338,113	7,825,964	487,852	7%	

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022

Note 1: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2022/23 year is \$10,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Depreciation	(4)	(0%)		Timing	Depreciation cannot be processed in the asset register until end of financial year processes have been completed. YTD budgets have been applied.
Capital Revenues					
Grants, Subsidies and Contributions	(610,448)	(43%)		Timing	\$8m (2nd instalment) EF Oval Grant received in September, although revenue will only be recognised as expenditure is incurred
Proceeds from Disposal of Assets	(167,568)	(8%)		Timing	Settlement of 128 Geotge St finalised. Proceeds transferred to Reserve
Capital Expenses					
Purchase Property, Plant and Equipment	464,886	36%		Timing	See Capital Works Report
Purchase and Construction of Infrastructure	198,463	69%		Timing	See Capital Works Report
Financing					
Transfers from Reserves	-				Reserve transfers generally processed in May
Payments for principal portion of lease liabilities	-				
Repayment of borrowings	(7,062)	(63%)		Timing	Settlement of 128 Geotge St finalised. Proceeds transferred to Reserve
Transfers to Reserves	(891)	(3%)			
Nature and Type Classifications:					
Rates	(2,140)	(0%)			Rates Raised in July, in accordance with Budget.
Operating Grants, Subsidies and Contributions	74,138	38%		Timing	CHSP Operating Grant now accrued on a monthly basis
Fees and Charges	(22,740)	(4%)		Timing	Not Material
Interest Earnings	29,927	122%		Permanent	A significant favourable variation is forecast upwards of \$200k
Other Revenue	(6,143)	(90%)		Timing	Not Material
Profit on asset disposals	-				
Employee Costs	104,698	9%		Timing	Favourable
Materials and Contracts	252,544	26%		Timing	Favourable
Utility Charges	27,069	42%		Timing	Favourable
Depreciation on Non Current Assets	4	0%		Timing	Non-Cash
Interest Expenses	3,227	79%		Timing	Favourable
Insurance Expenses	117,724	51%		Timing	YTD Budget to be rephased from Sep to October.
Other Expenditure	19,993	9%		Timing	Favourable

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

	Last Years Closing	Current
Note	30 June 2022	30 Sep 2022
	\$	\$
Current Assets		
Cash Unrestricted	2,773,809	7,899,666
Cash Restricted - Reserves	2,484,208	4,334,208
Cash Restricted - Unspent Grants	1,809,648	9,062,494
Receivables - Rates	76,390	3,493,111
Receivables - Other	96,754	246,205
Interest/ATO Receivable/Trust	131,356	42,847
Inventories	0	0
	7,372,165	25,078,532
Less: Current Liabilities		
Payables	(1,854,814)	(3,144,085)
Contract Liabilities - Unspent grants	(1,809,648)	(9,062,494)
Loan/Lease Liability	(136,821)	(136,821)
Provisions	(709,224)	(711,779)
	(4,510,507)	(13,055,180)
Less: Restricted Cash - Reserves	(2,484,208)	(4,334,208)
Less: Restricted Cash - Unspent Grants	(1,809,648)	(9,062,494)
Add: Current Loan/Lease Liability	136,821	136,821
Add: Contract Liabilities held in restricted cash	1,809,648	9,062,494
	(2,347,388)	(4,197,388)
Net Current Funding Position	514,270	7,825,964



TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022

Note 3: Cash and Investments

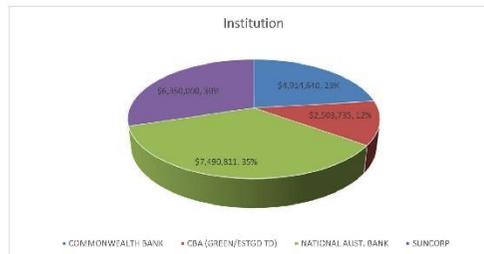
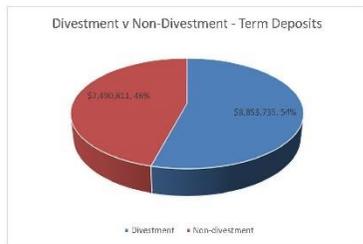
	Unrestricted	Restricted	Trust	Total Amount	Term Deposit Reference	Institution	Risk Rating (LT)	Interest Rate	Maturity Date
	\$	\$	\$	\$					
(a) Cash Deposits									
Municipal Bank Account - On-Call	3,000,000			3,000,000		CBA	AA-	2.25%	At Call
Municipal Bank Account	1,346,320			1,346,320		CBA	AA-		At Call
Municipal Bonds & Deposits Account	568,320			568,320		CBA	AA-		At Call
Reserve Bank Account (Reserves)		0		0		CBA	AA-		At Call
Reserve Bank Account (Unspent Grants)		0		0		CBA	AA-		At Call
Cash On Hand	1,100			1,100		Petty Cash/Till Float		Nil	On-Hand
(b) Term Deposits									
Poollet (Muni, Bonds and Grants)	1,002,272			1,002,272	220803062931	CBA (ESGTD)	AA-	2.77%	03-Dec-22
Poollet (Muni, Bonds and Grants)	501,463			501,463	220816053314	CBA (ESGTD)	AA-	2.60%	15-Nov-22
Poollet (Muni, Bonds and Grants)	1,000,000			1,000,000	220819078541	CBA (Green)	AA-	2.63%	17-Nov-22
Poollet (Muni, Bonds and Grants)	2,000,000			2,000,000	Deal No. 4204238	SJNCORP	AA	2.84%	14-Nov-22
Poollet (Muni, Bonds and Grants)	4,350,000			4,350,000	Deal No. 4204557	SJNCORP	AA-	3.70%	27-Jan-23
Poollet (Muni, Bonds and Grants)	1,500,000			1,500,000	GMI-DEAL-10803877	NAB	AA-	2.90%	23-Nov-22
Poollet (Muni, Bonds and Grants)	1,650,000			1,650,000	GMI-DEAL-10808963	NAB	AA-	2.90%	28-Nov-22
Reserves		1,850,000		1,850,000	GMI-DEAL-10809253	NAB	AA	3.91%	08-Mar-23
Reserves		1,128,901		1,128,901	GMI-DEAL-10800911	NAB	AA-	3.45%	08-Mar-23
Reserves		1,361,910		1,361,910	GMI-DEAL-10800927	NAB	AA-	3.45%	08-Mar-23
Total	16,919,475	4,340,811	0	21,260,286				3.27%	
Less: Cash on hand				(1,100)					
Total Investments and Cash Deposits				21,259,186					

Comments/Notes - Investments and Cash Deposits

(LT) RISK RATING	PORTFOLIO	\$	%
AAA	MAX 100%	\$0	0.00%
AA	MAX 100%	\$12,405,451	58.35%
AA (GREEN TERM DEPOSITS)	MAX 100%	\$2,503,735	11.78%
AA (DIVESTMENT)	MAX 100%	\$6,350,000	29.87%
BBB+ (DIVESTMENT)	MAX 80%	\$0	0.00%
		\$21,259,186	100.00%

INSTITUTION	\$	(LT) RISK	%
COMMONWEALTH BANK	\$4,914,640	AA-	23.12%
CBA (GREEN/ESTGD TD)	\$2,503,735	AA-	11.78%
NATIONAL AUST. BANK	\$7,490,811	AA-	35.24%
SJNCORP	\$6,350,000	AA	29.87%
WESTPAC	\$0	AA-	0.00%
	\$21,259,186		100.00%

The Town obtains quotes from three (3) financial institutions prior to placing investments. This ensures the Town is receiving the best return on investment possible. The amount the Town invests is dependent on cash flow requirements for business operations and capital works for upcoming months. As the financial year progresses, the Town's cash holdings decreases which means less investment of Municipal funds. The current monetary policy imposed by the Reserve Bank of Australia (RBA) is driving the interest rate environment. The Town's investment policy precludes investing in term deposits for more than 12 months.



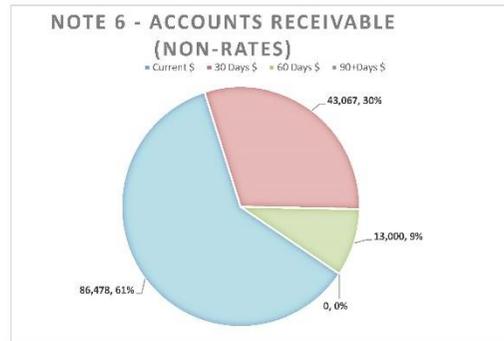
**TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022**

Note 4: Receivables

Receivables - Rates Receivable	30 June 2023	30 June 2022	Receivables - General	Current	30 Days	60 Days	90+Days	Total
	\$	\$		\$	\$	\$	\$	
Opening Arrears Previous Years	44,860		Receivables - General	86,478	43,067	13,000	0	142,545
Rates, ESL and Service Charges Levied this year	10,455,849	10,124,477	Receivables - Infringements					53,174
Less Collections to date	-6,925,859	-10,079,617	East Fremantle Lawn & Tennis Club					18,000
Net Rates Collectable	3,529,990	44,860	Total Receivables General Outstanding					213,719
% Outstanding	33.62%							

Amounts shown above include GST (where applicable)

Control Account	GL	Balance
Sundry Debtors	104	142,545
SSL - Current EFTC	114	3,000
SSL - Non-Current EFTC	1684	15,000
Infringement Debtors	180	53,174
		213,719

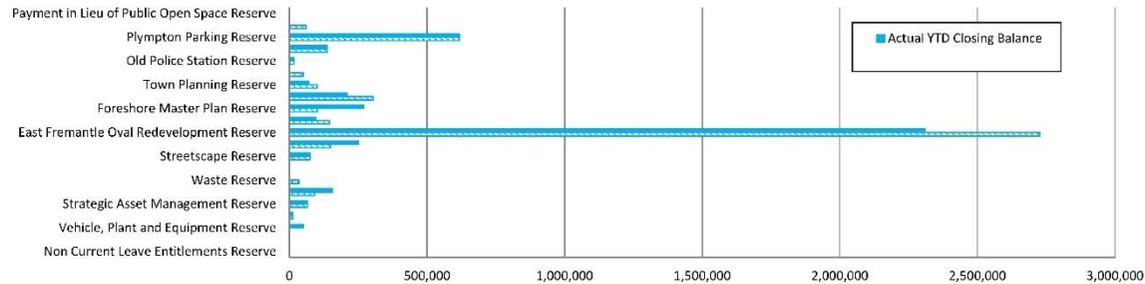


TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022

Note 5: Cash Backed Reserves

Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Non Current Leave Entitlements Reserve	0	0	0	0	0	0	0	0	0
Unspent Grants and Restricted Cash Reserve	0	0	0	0	0	0	0	0	0
Vehicle, Plant and Equipment Reserve	50,407	0	0	0	0	(50,000)	0	407	50,407
Aged Services Reserve	11,803	0	0	0	0	0	0	11,803	11,803
Strategic Asset Management Reserve	64,920	0	0	0	0	0	0	64,920	64,920
Arts and Sculpture Reserve	156,772	0	0	45,000	0	(111,250)	0	90,522	156,772
Waste Reserve	0	0	0	35,000	0	0	0	35,000	0
Committed Works Reserve	0	0	0	0	0	0	0	0	0
Streetscape Reserve	75,000	0	0	0	0	0	0	75,000	75,000
Drainage Reserve	250,000	0	0	0	0	(100,000)	0	150,000	250,000
East Fremantle Oval Redevelopment Reserve	1,076,170	30,000	0	1,650,272	1,233,333	0	0	2,726,442	2,309,503
Preston Point Facilities Reserve	95,290	0	0	50,000	0	0	0	145,290	95,290
Foreshore Master Plan Reserve	270,000	0	0	0	0	(170,000)	0	100,000	270,000
Sustainability and Environmental Reserve	210,337	0	0	129,288	0	(35,000)	0	304,625	210,337
Town Planning Reserve	70,000	0	0	30,000	0	0	0	100,000	70,000
Business Improvement Reserve	0	0	0	50,000	0	0	0	50,000	0
Old Police Station Reserve	16,500	0	0	28,000	0	(28,000)	0	16,500	16,500
Payment in Lieu of Parking Reserve	137,010	0	0	0	0	0	0	137,010	137,010
Plympton Parking Reserve	0	0	0	616,666	616,667	0	0	616,666	616,667
Strategic Waste Reserve	0	0	0	60,000	0	0	0	60,000	0
Payment in Lieu of Public Open Space Reserve	0	0	0	0	0	0	0	0	0
	2,484,208	30,000	0	2,694,226	1,850,000	(494,250)	0	4,684,184	4,334,208

Note 5 - Year To Date Reserve Balance to End of Year Estimate



TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the period ended 30 June 2023

Note 6: Rating Information

RATE TYPE	Rate in	YTD Actual				Adopted Budget				
		Number of Properties	Opening Rateable Value	Rate Revenue	Interim Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
Differential General Rate	\$		\$	\$	\$	\$	\$	\$	\$	
Residential GRV	0.079432	2,969	86,471,424	6,868,598		6,868,598	6,867,266	20,000	0	6,887,266
Commercial GRV	0.118300	114	11,541,770	1,365,391		1,365,391	1,363,277	0	0	1,363,277
Sub-Totals		3,083	98,013,194	8,233,990	-	8,233,990	8,230,543	20,000	0	8,250,543
Minimum Payment	\$									
Residential GRV	1,184.00	329	4,219,388	389,536		389,536	388,352	0	0	388,352
Commercial GRV	1,770.00	11	117,220	19,470		19,470	21,240	0	0	21,240
Sub-Totals		340	4,336,608	409,006	-	409,006	409,592	0	0	409,592
		3,423	102,349,802	8,642,996	-	8,642,996	8,640,135	20,000	0	8,660,135
Amount from General Rates						8,642,996				8,660,135
Less Concessions						0				0
Totals				8,642,996		8,642,996	8,640,135	20,000	0	8,660,135

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022

Note 7: Disposal of Assets

Asset Number	Plant Number	Asset Description	2022/23				Proceeds	Profit	(Loss)
			Net Book Value	Forecast Proceeds	Budget Profit	Budget Loss			
			\$				\$	\$	\$
		Plant and Equipment							
PEMV273	P5013	CEO Vehicle	13,418	36,700	23,282				
PEMV272	P5012	EMRS Vehicle	8,000	24,000	16,000				
PEMV268	P5003	EMCS Vehicle	5,250	21,082	15,832				
PEMV269	P5006	EMTS Vehicle	5,250	21,082	15,832				
PEMV264	P4093	PEHO Vehicle	0	11,962	11,962				
PEMV266	P4098	Works Supervisor Vehicle	0	21,142	21,142				
PEMV236		Toyota Hilux Dual Cab Ute	0	8,400	8,400				
PEMV262		Ford Ranger Single Cab Ute (Oval and Verges)	0	11,200	11,200				
PE268		Toro Z Master 7000	0	12,000	12,000				
VARIOUS		128 George Street Land and Buildings	1,497,957	1,850,000	352,043				
			<u>1,529,875</u>	<u>2,017,568</u>	<u>487,693</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2022

Note 8: Grants and Contributions

	Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Current Budget		YTD Budget	YTD Actual Revenue
						Operating	Capital		
						\$	\$	\$	\$
General Purpose Funding									
Grants Commission - General	WALGGC	Untied - General Purpose	NA	NA	Operating	61,545		15,386	15,386
Grants Commission - Roads	WALGGC	Untied - Road	NA	NA	Operating	18,998		4,750	4,750
Education and Welfare									
Commonwealth Home Support Programme	Commonwealth Dep. Health	Commonwealth Home Support Programme	31-Oct	Financial Declaration Acquittal	Operating - Tied	621,284		155,321	155,445
Community Amenities									
Bus Shelter - Maintenance Assistance Scheme	Public Transport Authority	Bus Shelter Maintenance	NA	NA	Operating	4,100		0	0
Recycling Grant	Dept. Regional Development	Better Bins Program	31 July annually	Audited financial statement	Operating - Tied	18,440		0	1,279
Recreation and Culture									
CHRMAP Funding	WAPC - Dept. Planning	Coastal Hazard Risk Management Plan	22/23	Financial statement	Operating - Tied	23,875		0	10,767
Foreshore Erosion	DBCA	Various seawall works	NA	NA	Operating - Tied	75,000		0	7,070
State Government Election Commitment	DLGSC	Nature Play - Gourley Park	NA	NA	Operating - Tied	52,000		0	52,000
East Fremantle Festival	Port Authority	East Fremantle Festival Funding	NA	NA	Operating - Tied	38,000		0	0
East Fremantle Oval Redevelopment	State Government	Election Commitment - EF Oval Redevelopment	NA	NA	Non-operating	0	13,000,000	1,236,554	798,606
Fremantle City Womens Football Club	State Government	Election Commitment		Financial statement/budget reconciliation	Non-operating		690,000	172,500	0
Urban Canopy Grant Program	WALGA/Water Corp	Implementation of urban canopy program	30/9/21 and 25/7/22	Financial statement/budget reconciliation	Operating - Tied	24,823		0	22,144
Transport									
Direct Grant	Main Roads	Direct Grant	July	Certificate of completion	Operating	19,245		19,245	0
Regional Road Group	Main Roads	Marion Street Upgrade	July	Certificate of completion	Non-operating	0	240,751	0	0
Federal Government Stimulus Payment	Department of Infrastructure	Local Roads and Community Infrastructure Program	31/10/21 and 31/12/21	Audited financial statement	Non-operating	0	168,362	0	0
Street Lighting Subsidy	Main Roads	Street Lighting Subsidy	NA		Operating	4,800		0	0
Stirling Bridge Verge Maintenance Agreement	Main Roads	Stirling Highway Verge Maint. Agreement	NA		Operating	8,000		0	0
TOTALS						970,110	14,099,113	1,603,756	1,067,447
SUMMARY									
Operating	Operating Grants, Subsidies and Contributions					116,688	0	39,381	20,136
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions					853,422	0	155,321	248,705
Non-operating	Non-operating Grants, Subsidies and Contributions					0	14,099,113	1,409,054	798,606
TOTALS						970,110	14,099,113	1,603,756	1,067,447

TOWN OF EAST FREMANTLE - CAPITAL WORKS REPORT - 30 September 2022											
COA/ Job	Description	Original Budget	Budget		YTD Actual	Order Value	Total Actual	Variance (\$)	Variance (%)	Indicator	Completion %
			Amendments	Current Budget							
E04629	Plant & Equipment - Light Fleet - Capex - Renewal - Administration	\$86,200	\$0	\$86,200	\$0	\$0	\$0				0%
E04635	Capex - New - Ev Charging Station - Town Hall	\$0	\$0	\$0	\$0	\$0	\$0				
E07405	Plant & Equipment - Light Fleet - Capex - New - Health Inspection & Admin	\$40,000	\$0	\$40,000	\$0	\$0	\$0				0%
E10648	Plant & Equipment - Light Fleet - Capex - Renewal - Town Planning & Regional Development	\$40,000	\$0	\$40,000	\$0	\$0	\$0				0%
E11716	Plant & Equipment - Light Fleet - Capex - Renewal - Other Recreation & Sport	\$56,000	\$0	\$56,000	\$0	\$0	\$0				0%
F14609	Plant & Equipment - Light Fleet - Capex - Renewal - Unclassified Property	\$62,000	\$0	\$62,000	\$0	\$33,993	\$33,993				0%
E11685	Plant and Equipment - Public Art - Capex - New - Other Culture	\$85,000	\$0	\$85,000	\$0	\$13,090	\$13,090				0%
E11720	Plant & Equipment - Mobile Plant - Capex - Renewal - Other Recreation & Sport	\$30,000	\$0	\$30,000	\$0	\$0	\$0				0%
E11741	Plant & Equipment - Public Art - Capex - New - Other Culture - EF Oval Commemoration Artwork	\$26,250	\$0	\$26,250	\$0	\$26,500	\$26,500				0%
Plant & Equipment		\$425,450	\$0	\$425,450	\$0	\$73,583	\$73,583	-\$425,450	-100.00%		0%
E04634	Furniture & Equipment - IT Equipment - Capex - New - Administration	\$25,000	\$0	\$25,000	\$10,077	\$2,700	\$12,777				40%
Furniture & Equipment		\$25,000	\$0	\$25,000	\$10,077	\$2,700	\$12,777	-\$14,923	-59.69%		40%
E14605	Buildings - Specialised - Capex - Renewal - Unclassified Property	\$80,000	\$0	\$80,000	\$0	\$0	\$0	-\$80,000	-100.00%		0%
E11738	Buildings - East Fremantle Oval Precinct Redevelopment	\$13,000,000	\$0	\$13,000,000	\$798,606	\$1,142,820	\$1,941,426				8%
F11739	Buildings - Specialised - Capex - Fremantle Women's Football Club	\$690,000	\$0	\$690,000	\$4,235	\$0	\$4,235				1%
Buildings		\$13,770,000	\$0	\$13,770,000	\$802,841	\$1,142,820	\$1,945,661	-\$12,967,159	-94.17%		8%
E11743	Infrastructure - Parks & Ovals - Playground - Various Upgrades	\$30,000	\$0	\$30,000	\$0.00	\$0	\$0				0%
E11744	Infrastructure - Parks & Ovals - Playgrounds - Nature Playground	\$120,000	\$0	\$120,000	\$65,000	\$59,960	\$124,960				84%
E11727	Infrastructure - Parks & Ovals - Turf - Capex - New - Other Recreation & Sport	\$0	\$0	\$0	\$0	\$0	\$0				
E11741	Infrastructure - Parks & Ovals - Retic Upgrades	\$50,000	\$0	\$50,000	\$0	\$8,736	\$8,736				0%
E11742	Infrastructure - Parks & Ovals - Retic Controllers	\$32,000	\$0	\$32,000	\$0	\$0	\$0				0%
E11740	Infrastructure - Parks & Ovals - Turf - Wauhop Oval	\$150,000	\$0	\$150,000	\$0	\$0	\$0				0%
F11734	Capex - Tricolore - Bbq Replacement	\$10,000	\$0	\$10,000	\$0	\$0	\$0				0%
E11735	Capex - Bench Seats - Various Locations	\$15,000	\$0	\$15,000	\$14,609	\$0	\$14,609				97%
E11745	Infrastructure - Parks & Ovals - Ancillary - Drink Fountains	\$10,000	\$0	\$10,000	\$3,452	\$0	\$3,452				35%
E12827	Infrastructure - Car Parks - Surface/Pavement - Capex - Renewal - Maintenance Streets, Roads & Bridges	\$15,000	\$0	\$15,000	\$0	\$0	\$0				0%
E12833	Capex - Drainage Rationalisation - Foreshore	\$100,000	\$0	\$100,000	\$0	\$0	\$0				0%
F12840	Infrastructure - Roads - Renewal - Marmion St - East St	\$361,127	\$0	\$361,127	\$1,940	\$450	\$2,390				1%
E12841	Infrastructure - Footpaths - Renewal - Canning Hwy (Fortescue - Irwin)	\$66,000	\$0	\$66,000	\$0	\$0	\$0				0%
E12842	Infrastructure - Footpaths - Renewal - Canning Hwy (Irwin - Oakover)	\$80,000	\$0	\$80,000	\$0	\$0	\$0				0%
E12843	Infrastructure - Footpaths - Renewal - Petra St (View Tce - Preston Point Rd)	\$68,000	\$0	\$68,000	\$0	\$0	\$0				0%
F12844	Infrastructure - Footpaths - Renewal - George St (East St - Glyde St)	\$36,000	\$0	\$36,000	\$0	\$0	\$0				0%
E12648	TRAFFIC MANAGEMENT - MOSS/FLETCHER & MAY/ST PETERS	\$0	\$0	\$0	\$0	\$0	\$0				
E12835	Capex - Irwin Street Kerbing	\$0	\$0	\$0	\$0	\$0	\$0				
E12739	Infrastructure - Leeuwin Carpark Upgrades - Paid Parking Management Solution	\$0	\$0	\$0	\$2,319	\$0	\$2,319				
Infrastructure		\$1,143,127	\$0	\$1,143,127	\$87,320	\$69,146	\$156,466	-\$1,055,807	-92.36%		8%
		\$15,363,577	\$0	\$15,363,577	\$900,238	\$1,288,249	\$2,188,487	-\$14,463,339	-94.14%		8%

Total Actual < Current Budget
 No Current Budget
 No YTD Actual
 Total Actual > Current Budget



14.2 ACCOUNTS FOR PAYMENT SEPTEMBER 2022

Report Reference Number	OCR-1500
Prepared by	Natalie McGill Senior Finance Officer
Supervised by	Peter Kocian Executive Manager Corporate Services
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple Majority
Documents tabled	Nil.
Attachments	

1. Monthly List of Payments – September 2022

PURPOSE

That Council, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996, receives the list of payments made under delegated authority for the month ending 30 September 2022.

EXECUTIVE SUMMARY

Council has an Executive role in receiving the list of payments pursuant to Regulation 13(1) of the Local Government (Financial Management) Regulations 1996. It is therefore recommended that Council receives the List of Accounts paid for the period 1 September to 30 September 2022, as per the summary table.

BACKGROUND

The 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 are itemised lists of all payments made under delegated authority during the said period.

The bulk of payments are processed by electronic funds transfer (EFT) with the exception of the occasional reimbursements and refunds.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Regulation 13: Local Government (Financial Management) Regulations 1996 (as amended) requires local governments to prepare a list of payments made under delegated authority to be prepared and presented to Council on a monthly basis.

POLICY IMPLICATIONS

Policy 2.1.3 Purchasing. All supplier payments are approved under delegated authority pursuant to the authorisation limits outlined in Council's Purchasing Policy.

FINANCIAL IMPLICATIONS

All expenditure is incurred by authorised officers and made in accordance with the adopted Annual Budget.

All amounts quoted in this report are inclusive of GST.

STRATEGIC IMPLICATIONS

A proactive, approachable Council which values community consultation, transparency and accountability

5.1 Strengthen organisational accountability and transparency

5.2 Strive for excellence in leadership and governance

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the list of payments	Rare (1)	Moderate (3)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	3
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

N/A

COMMENT

Payments for the period include the following significant items.

Payee	Particulars	Amount (GST Inc)
-------	-------------	------------------

RESOURCE RECOVERY GROUP	WASTE & RECYCLING FEES	65,773.70
VEOLIA RECYCLING & RECOVERY	WASTE & RECYCLING FEES	38,098.18
FORTH CONSULTING PTY LTD	RFQ16-2021/22 EAST FTLE OVAL REDEVELOPMENT CIVIL ENGINEERING - AUGUST 22 & RFQ19 STRUCTURAL ENGINEERING SERVICES - EAST FREMANTLE OVAL REDEVELOPMENT - AUGUST 22	35,750.00
JACKSON MCDONALD BARRISTERS & SOLICITORS	RFQ11-2021/22 LEGAL SERVICES EF OVAL REDEVELOPMENT - 01/06/22 - 29/07/22, 01/08 – 02/08 AND 11/08 -24/08	31,232.30
PROTEC ASPHALT	ASPHALT WORKS INC RIVERSIDE RD	32,856.00
RRG LOAN REPAYMENT ACCOUNT	RRG LOAN REPAYMENTS FOR 01/09/22 - 30/11/22	27,229.29
STATE WIDE TURF SERVICES	SUPPLY AND LAY 550SQM OF JUMBO ROLL TURF AT PRESTON POINT RESERVE	19,710.90
DONALD CANT WATTS CORKE	RFT05-2021/22 QUANTITY SURVEYING SERVICES EFOVAL PRECINCT REDEVELOPMENT PROJECT - FOR AUGUST 2022 &	17,366.80
	RFT01-2021/22 PROJECT MANAGER SERVICES EF OVAL PRECINCT REDEVELOPMENT - DESIGN STAGE	
FOCUS NETWORKS	CONTRACT FOR MANAGED ICT SERVICES	16,156.24
PAATSCH CONSULTING	RFT01-2020/21 EAST FREMANTLE OVAL REDEVELOPMENT CLIENT PROJECT LEAD - FOR AUGUST 22	13,603.91

CONCLUSION

Nil

14.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That Council in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, receives the list of payments made under delegated authority for the month ended 30 September 2022.

September 2022		
Voucher No.	Account	Amount
5362	Municipal (Cheques)	\$ 108.70
EFT 33929-34085	Municipal (EFT)	\$ 574,406.50
Payroll	Municipal (EFT)	\$ 211,672.11
	Municipal (Direct Debit August 2022)	\$ 56,181.86
	Credit Card (August 2022)	\$ 7,418.73
	Total Payments	\$ 786,187.31

REPORT ATTACHMENTS

Attachments start on the next page

TOWN OF EAST FREMANTLE					
List of Accounts paid by the Chief Executive for September 2022 & submitted for the information of the Council Meeting to be held on Tuesday, October, 2022					
Cheque	Payment Date	Supplier	Description	Inv Amount	Cheque
5362	14/09/2022	TOWN OF EAST FREMANTLE	ADMIN PETTY CASH RECOUP 01/09/22	108.70	108.70
			CHEQUE TOTAL	108.70	108.70
EFTS		Supplier	Description	Inv Amount	EFT
EFT33929	14/09/2022	J MCCARTHY	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT33930	14/09/2022	D BRYANT	MOORING PEN BOND REFUND	1,960.00	1,960.00
EFT33931	14/09/2022	L MONSON	INFRASTRUCTURE BOND REFUND	2,000.00	2,000.00
EFT33932	14/09/2022	T MORSE	INFRASTRUCTURE BOND REFUND	3,000.00	3,000.00
EFT33933	14/09/2022	K BROUX	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT33934	14/09/2022	SOFTWOOD TIMBERYARDS	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT33935	14/09/2022	D HUNT	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT33936	14/09/2022	C DUNCAN	INFRASTRUCTURE BOND REFUND	3,000.00	3,000.00
EFT33937	14/09/2022	AUSTRALIA POST	POSTAGE CHARGES FOR AUGUST 2022	631.04	631.04
EFT33938	14/09/2022	APACE AID (INC)	12 PLANTS - CITIZENSHIP CEREMONY 12/9/22	50.56	50.56
EFT33939	14/09/2022	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	391.46	391.46
EFT33940	14/09/2022	CONSTRUCTION TRAINING FUND	BCIF AUGUST 22	462.00	462.00
EFT33941	14/09/2022	BUNNINGS BLDG SUPPLIES LTD	VARIOUS HARDWARE	308.78	
			MATERIALS FOR ROAD REPAIRS	406.70	
			SUPPLIES FOR COMMUNITY TREE PLANTING URBAN CANOPY - EFLTC	95.12	
			MATERIALS FOR ROAD / VERGE REPAIR WORKS	343.87	
			MATERIALS FOR MAINTENANCE WORKS	82.13	
			MATERIALS FOR MAINTENANCE WORKS	127.40	
			PARTS FOR WORKS TRUCK	131.21	
			MATERIALS FOR ROAD / VERGE REPAIR WORKS	327.00	1,822.21
EFT33942	14/09/2022	BENARA NURSERIES	SUPPLY AND DELIVER 385 PLANTS	1,706.10	1,706.10
EFT33943	14/09/2022	BOC LIMITED	CONTAINER SERVICE - JULY 2022	23.94	23.94
EFT33944	14/09/2022	CITY OF COCKBURN	TIP FEES - AUGUST 2022 - 35 VOUCHERS USED	2,275.00	2,275.00
EFT33945	14/09/2022	IMPRINT PLASTIC	5 X STAFF NAME BADGES	78.10	
			12 x CARG NAME BADGES	234.85	312.95
EFT33946	14/09/2022	IT VISION	AMEND CRYSTAL REPORT VH -35492	275.00	
			UPDATING SUNDRY DEBTOR INVOICE AND STATEMENT TEMPLATES - INCLUDING RPAY ACTIVATION	1,100.00	1,375.00
EFT33947	14/09/2022	S LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 05/09/22	15.00	15.00
EFT33948	14/09/2022	MCLEODS	PROFESSIONAL FEES - DRAFTING OF LICENCE AND FUNDING AGREEMENT	3,271.66	3,271.66
EFT33949	14/09/2022	MELVILLE TOYOTA	SERVICE OF TOYOTA HILUX	278.58	278.58
EFT33950	14/09/2022	OPTUS ADMINISTRATION PTY LTD	MOBILE PHONE USE 21/07/22 - 21/08/22	199.98	199.98
EFT33951	14/09/2022	WA FIRE PROTECTION	FIRE EQUIPMENT INSPECTIONS JUNE 2022 - TOWN HALL	68.20	68.20
EFT33952	14/09/2022	WORK CLOBBER	OPS STAFF UNIFORM AND BOOTS	533.03	533.03
EFT33953	14/09/2022	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS SEPTEMBER 22	13,311.01	13,311.01
EFT33954	14/09/2022	YOUNGS PLUMBING SERVICE P/L	EFLTC - PLUMBING REPAIRS	648.00	648.00
EFT33955	14/09/2022	FASTA COURIERS	COURIER SERVICES FOR ENVIRONMENTAL SAMPLING PROGRAM- 31/08/22	37.35	37.35
EFT33956	14/09/2022	RRRG LOAN REPAYMENT ACCOUNT	RRRG LOAN REPAYMENTS FOR 01/09/22 - 30/11/22	27,229.29	27,229.29
EFT33957	14/09/2022	RESOURCE RECOVERY GROUP (SMRC)	CONTRIBUTIONS TOWARDS OPERATING EXPENSES 2022-23 - QUARTER 1 JULY - SEPTEMBER	8,168.60	
			RRRC OVERHEADS & WCF FIXED COSTS MONTHLY CONTRIBUTION FOR AUGUST 22	14,262.88	
			GREENWASTE TRAILER PASS AUGUST 22	60.00	
			RED BIN WASTE GATE FEE FOR AUGUST 22 - DIVERSIONS TO SUEZ	14,755.10	
			GREENWASTE TRAILER PASS, WCF GATE FEES GREEN FOGO - AUGUST 22	24,008.96	
			GREEN WASTE GATE FEES FOR AUGUST 22	459.94	
			MRF GATE FEES - AUGUST 22	4,058.22	65,773.70
EFT33958	14/09/2022	DEPT OF MINES, INDUSTRY REGULATION & SAFETY	BSL JUNE 2022	4,804.30	
			BSL AUGUST 2022	1,250.68	6,054.98
EFT33959	14/09/2022	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	2 x STAFF REGISTRATIONS - INTRODUCTION TO LOCAL GOVERNMENT WORKSHOP	720.00	
			CEO REGISTRATION - LG PRO ANNUAL STATE CONFERENCE 2/3 NOVEMBER	1,320.00	2,040.00
EFT33960	14/09/2022	THE TRUSTEE FOR THE MACRI PARTNERS UNIT TRUST (MACRI PARTNERS)	AUDIT CERTIFICATION - EAST FREMANTLE OVAL PROJECT	770.00	
			AUDIT CERTIFICATION - JOHN TONKIN FORESHORE GRANT & BETTER BINS	4,675.00	5,445.00
EFT33961	14/09/2022	WATERLOGIC AUSTRALIA PTY LTD	RENTAL & SERVICE - FREESTANDING WATER FILTER - SEPTEMBER OCTOBER NOVEMBER 2022	197.57	197.57
EFT33962	14/09/2022	SATELLITE SECURITY SERVICES	TOWN HALL, DEPOT, OLD POLICE STATION - SECURITY MONITORING - 01 SEPTEMBER - 31 DECEMBER 2022	777.33	777.33
EFT33963	14/09/2022	PETRA CLEAN	TOWN HALL, TRICOLORE, DEPOT, SUMPTON GREEN, GLASSON PARK & DOVENBY HOUSE CLEANING AUGUST 2022	8,379.70	8,379.70
EFT33964	14/09/2022	STRATA GREEN	URBAN CANOPY GRANT - 13 x TERRACOTTEM ARBOUR, 20kg	7,859.50	7,859.50
EFT33965	14/09/2022	BATTERY WORLD	MATERIALS FOR WORKS TRUCK	136.70	
			MATERIALS FOR WORKS TRUCK	23.85	160.55
EFT33966	14/09/2022	WOOLWORTHS GROUP LIMITED	WOOLWORTHS PURCHASES CHSP 31/08/22	92.00	
			WOOLWORTHS PURCHASES CHSP 01/09/22	47.21	
			WOOLWORTHS PURCHASES ADMINISTRATION 06/09/22	46.73	
			WOOLWORTHS PURCHASES CHSP 06/09/22	43.30	
			WOOLWORTHS PURCHASES ADMINISTRATION 07/09/22	197.26	
			WOOLWORTHS PURCHASES CHSP 09/09/22	13.70	440.20
EFT33967	14/09/2022	DAVID GRAY & CO. PTY LTD	8KG READI-RAC RODENTICIDE (80X100G)	136.40	136.40
EFT33968	14/09/2022	LANDSCAPE YARD O'CONNOR	SOIL FOR PLANTING ROUNDABOUTS	128.25	
			1 X LOAD OF FOGO SOIL AND 1 X LOAD OF KALAMUDA RED	273.61	401.86
EFT33969	14/09/2022	KONICA MINOLTA BUSINESS SOLUTIONS	PHOTOCOPY SERVICES - REGULATORY SERVICES - 13/06/22 - 12/07/22	486.93	
			CHSP PRINTING COSTS FOR AUGUST 2022	43.69	
			DEPOT PHOTOCOPIER - KONICA MINOLTA BIZHUB C224E - PRINTING COSTS - 13/08/22 - 12/09/22	64.42	
			STANDING ORDER FOR PHOTOCOPY SERVICES - REGULATORY SERVICES - 13/08/22 - 12/09/22	368.93	963.97
EFT33970	14/09/2022	MP ROGERS & ASSOCIATES P/L	PROFESSIONAL FEES - FORESHORE EROSION CONTROL	2,310.41	2,310.41
EFT33971	14/09/2022	FOODWORKS EAST FREMANTLE	ADMIN, OPERATIONS & MEETING CONSUMABLES AUGUST 22	513.60	513.60
EFT33972	14/09/2022	DEPARTMENT OF TRANSPORT	MONTHLY VEHICLE SEARCH FEES - AUGUST 22	151.70	151.70
EFT33973	14/09/2022	DRAINFLOW SERVICES	PIPE JETTING - 22/08/22	2,464.00	
			PIPE JETTING - 23/08/22	2,464.00	4,928.00
EFT33974	14/09/2022	FOCUS NETWORKS	RFT04-2021/22 CONTRACT FOR MANAGED ICT SERVICES, MANAGED PROACTIVE SERVICE (IT SUPPORT) - AUGUST 22	7,049.90	

			MANAGED ICT SERVICES - MANAGED INFRASTRUCTURE, MANAGED FIREWALL, MICROSOFT LICENSING, MANAGED BACKUP AND RECOVERY - SEPTEMBER 22	9,106.34	16,156.24
EFT33975	14/09/2022	KEVREK	SERVICING AND PARTS FOR REPAIR OF KEVREK CRANE ON WORKS TRUCK	1,718.75	1,718.75
EFT33976	14/09/2022	LANDGATE	LANDGATE - GROSS RENTAL VALUATIONS - SCHEDULES 22/23 - DATED 11/06/22 - 24/06/22 AND 25/06/22 - 08/07/22	124.65	
			LANDGATE - GROSS RENTAL VALUATIONS - SCHEDULES 22/23 - DATED 06/08/22 TO 19/08/22	71.80	196.45
EFT33977	14/09/2022	J MAY	REIMBURSEMENT OF COSTS FOR CATERING SUPPLIES PURCHASED 05/09/22	39.65	39.65
EFT33978	14/09/2022	MARKETFORCE	RFT03-2022/23 ROAD RESURFACING MARMION STREET - ADVERTISING 16/07/22	598.97	
			THE WEST -LOCAL GOVERNMENT TENDERS - RFT01-2022/23 FACILITY OPERATOR SERVICES EF OVAL PRECINCT - ADVERTISING - 20/07/22	480.84	
			WEST AUSTRALIAN NEWSPAPER - LG TENDERS RFT02-2022/23 EARTHWORKS & CONCRETING WORKS - ADVERTISING 27/07/22	357.23	
			RFT07-2021/22 WEST AUSTRALIAN (2/7/22) - LOCAL GOVERNMENT TENDERS - ADVERTISING 02/07/22	556.18	1,993.22
EFT33979	14/09/2022	REPCO	MAINTENANCE PARTS FOR WORKS TRUCK FOR ON-SITE / FIELD REPAIRS	264.78	
			MAINTENANCE PARTS FOR WORKS TRUCK FOR ON-SITE / FIELD REPAIRS	368.70	
			PARTS FOR WORKS TRUCK	85.80	
			PARTS FOR WORKS TRUCK	9.30	728.58
EFT33980	14/09/2022	SNAP PRINTING	CHRMAP - INFORMATION SESSION POSTERS A0 X 9	360.00	360.00
EFT33981	14/09/2022	SONIC HEALTH PLUS	GENERAL EMPLOYMENT MEDICAL - 1 x NEW STAFF	154.00	154.00
EFT33982	14/09/2022	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	2022-23 MONTHLY CHARGES FOR PARKING MACHINES INCLUDING LICENCE & COMMUNICATION COSTS, COMPREHENSIVE MAINTENANCE AND PARTS - AUGUST 22	165.00	
			2022-23 MONTHLY CHARGES FOR PARKING MACHINES - CREDIT CARD TRANSACTIONS AUGUST 22	178.99	343.99
EFT33983	14/09/2022	CELLARBRATIONS AT EAST FREMANTLE	REFRESHMENTS PURCHASED 07/09/22	672.00	672.00
EFT33984	14/09/2022	COASTLINE MOWERS	TRADE-IN OF QUICK CUT / PURCHASE OF NEW	1,186.75	1,186.75
EFT33985	14/09/2022	VEOLIA RECYCLING & RECOVERY	GENERAL WASTE PICKUP - EAST ST EAST FREMANTLE - JULY 22	811.67	
			GENERAL WASTE PICKUP - EAST ST EAST FREMANTLE - AUG 22	874.10	1,685.77
EFT33986	14/09/2022	WINC	6 x ELITEBOOK 840 G9 LAPTOPS	11,084.24	11,084.24
EFT33987	14/09/2022	H DICKSON	CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 07/09/22	14.00	14.00
EFT33988	14/09/2022	EASY ACCESS LIFTS	SERVICE CALL OUT TO REPAIR LIFT	717.20	717.20
EFT33989	14/09/2022	CONTRA-FLOW PTY LTD	TRAFFIC MANAGEMENT PLAN - GEORGE STREET FESTIVAL 22	330.00	
			TM SETUP FOR ROAD REPAIR WORKS - 31/08/22	690.04	
			TM FOR ASPHALT ROAD REPAIRS	1,501.28	2,521.32
EFT33990	14/09/2022	GRACE RECORDS MANAGEMENT (AUSTRALIA)	TRANSPORT & STORAGE OF RECORDS 01/09/22 - 30/09/22	327.55	327.55
EFT33991	14/09/2022	FRESH PROVISIONS BICTON	NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENTS LUNCHES - 29/07/22	185.75	
			NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENT LUNCHES - 02/08/22	134.87	
			NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENT LUNCHES - 09/08/22	85.47	
			MEETING CONSUMABLES - 09/08/22	135.20	
			NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENT LUNCHES - 12/08/22	114.38	
			NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENT LUNCHES - 23/08/22	181.38	
			NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENT LUNCHES - 26/08/22	118.28	
			NEIGHBOURHOOD LINK - CLIENT/VOLUNTEER/STUDENT LUNCHES - 30/08/22	155.80	1,111.13
EFT33992	14/09/2022	KYOCERA DOCUMENT SOLUTIONS	FINANCE COPY CHARGES AUGUST 22	50.29	50.29
EFT33993	14/09/2022	ZEDS MECHANICAL AND MAINTENANCE	REGULAR SERVICE - BUS - 181,000 KM	479.78	479.78
EFT33994	14/09/2022	PAATSCH CONSULTING PTY LTD	RFT01-2020/21 EAST FREMANTLE OVAL REDEVELOPMENT CLIENT PROJECT LEAD - FOR AUGUST 22	13,603.91	13,603.91
EFT33995	14/09/2022	M2M ONE PTY LTD	TOWN HALL LIFT EMERGENCY SIM CARD - SEPTEMBER 2022	18.70	18.70
EFT33996	14/09/2022	PAPERSCOUT	COUNCIL MAP - REDRAW IN CORP COLOURS AND SUPPLY AS VECTOR FILE	550.00	550.00
EFT33997	14/09/2022	TPG NETWORK PTY LTD	INTERNET SERVICES 01/08/22 - 31/08/22	1,920.60	1,920.60
EFT33998	14/09/2022	PROTEC ASPHALT	RIVERSIDE ROAD - PROFILING ADJACENT TO LEEUWIN CAR PARK - INC MOB & DEMOB, RIVERSIDE ROAD - ASPHALT REPAIRS 13 TONNES @ 40MM THICK	12,820.00	
			3 CAR PARK REPAIRS, UNDER STIRLING BRIDGE, TENNIS CLUB & EF YACHT CLUB - CUT & REMOVE ASPHALT 82M2, & SUPPLY & LAY ASPHALT 11 TONNES	7,216.00	
			RIVERSIDE ROAD - SOUTHBOUND LANE NEAR LEEUWIN CAR PARK - PROFILE AVG 40MM INC MOB/DEMOB, RIVERSIDE ROAD - SOUTHBOUND LANE NEAR LEEUWIN CAR PARK - ASPHALT LAYER AVG 40-50MM	12,820.00	32,856.00
EFT33999	14/09/2022	M LUMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 05/09/22	15.00	15.00
EFT34000	14/09/2022	SHE'S IN PARTIES CATERING	CATERING CITIZENSHIP 12/9/22	659.00	659.00
EFT34001	14/09/2022	J ENGLAND	CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 01/09/22	10.95	10.95
EFT34002	14/09/2022	K MCDONALD	CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 1/09/22	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 08/09/22	15.00	30.00
EFT34003	14/09/2022	DONALD CANT WATTS CORKE (WA) PTY LTD	RFT05-2021/22 QUANTITY SURVEYING SERVICES EFOVAL PRECINCT REDEVELOPMENT PROJECT - FOR AUGUST 2022	3,850.00	
			RFT01-2021/22 PROJECT MANAGER SERVICES EF OVAL PRECINCT REDEVELOPMENT - DESIGN STAGE	13,516.80	17,366.80
EFT34004	14/09/2022	K CULKIN	REIMBURSEMENT FOR CATERING ITEMS PURCHASED 06/09/22	130.16	130.16
EFT34005	14/09/2022	JACKSON MCDONALD BARRISTERS & SOLICITORS	RFQ11-2021/22 LEGAL SERVICES EF OVAL REDEVELOPMENT - 01/06/22 - 29/07/22	25,425.40	
			RFQ11-2021/22 LEGAL SERVICES EF OVAL REDEVELOPMENT - 01/08 - 02/08	1,372.80	
			RFQ11-2021/22 LEGAL SERVICES EF OVAL REDEVELOPMENT TENURE ARRANGEMENTS - 9/01/22 - 11/08 - 24/08	4,434.10	31,232.30
EFT34006	14/09/2022	LEMON LIGHT PRODUCTIONS	PROFESSIONAL PHOTO OF RAP EXTERNAL WORKING GROUP TAKEN AT RAP EXTERNAL WORKING GROUP MEETING 25/08/22	200.00	
			PROFESSIONAL PHOTOS COMMUNITY EVENT	250.00	450.00
EFT34007	14/09/2022	FORTH CONSULTING PTY LTD	RFQ16-2021/22 EAST FTLE OVAL REDEVELOPMENT CIVIL ENGINEERING -AUGUST 22	8,250.00	
			RFQ19 STRUCTURAL ENGINEERING SERVICES - EAST FREMANTLE OVAL REDEVELOPMENT - AUGUST 22	27,500.00	35,750.00
EFT34008	14/09/2022	AIM MEDICAL AUSTRALIA PTY LTD	RFQ23 EAST FREMANTLE OVAL REDEVELOPMENT FF&E CONSULTANCY SERVICES - REVIEW MASTER LIST	2,200.00	2,200.00
EFT34009	14/09/2022	LO-GO APPOINTMENTS	LABOUR HIRE - CASUAL RANGER W/E 23/07/22	3,023.50	
			LABOUR HIRE - CASUAL RANGER -W/E 30/07/22	2,198.94	
			LABOUR HIRE - CASUAL RANGER W/E 03/09/22	3,023.50	8,245.94
EFT34010	14/09/2022	SCOUTTA PTY LTD T/A BUSINESS BEANIES	ASSISTANCE WITH EOY 2022 - FOR 20/08/22 - 01/09/22	4,537.50	4,537.50
EFT34011	14/09/2022	P TSEN	CHSP VOLUNTEER MEAL REIMBURSEMENT FOR 28/08/22	15.00	15.00
EFT34012	14/09/2022	COCKBURN DRAGON BOAT CLUB INC	COMMUNITY ASSISTANCE GRANT 2022/2023	865.25	865.25
EFT34013	14/09/2022	EQUIFAX AUSTRALASIA CREDIT RATINGS PTY LTD	COMPREHENSIVE CREDIT RATING REPORT (CRITICAL)	13,145.00	13,145.00

EFT34014	14/09/2022	DIPLOMATIK PTY LTD	LABOUR HIRE OPERATIONS 29/08/22 - 04/09/22	2,266.44	2,266.44
EFT34015	14/09/2022	STORY DOGS	CHARITABLE DONATION - STAFF DONATION	500.00	500.00
EFT34016	14/09/2022	HERITAGE WAY P/L T/AS DOMUS NURSERY	SUPPLY AND DELIVER 80 X 140MM HERMEROCALLIS	602.80	602.80
EFT34017	14/09/2022	YARD PROPERTY	RATES REFUND	728.59	728.59
EFT34018	14/09/2022	L JOHNSTON	RATES REFUND	967.98	967.98
EFT34019	14/09/2022	L GODWIN	RATES REFUND	9,105.23	9,105.23
EFT34020	14/09/2022	D BRYANT	PARTIAL REFUND OF MOORING PEN FEES LEASE ENDED	4,219.18	4,219.18
EFT34021	14/09/2022	R THOMSON	PARTIAL REFUND OF LIFETIME DOG REGISTRATION - DOG NOW STERILISED	150.00	150.00
EFT34022	14/09/2022	ALINTA ENERGY	GAS USAGE RESPITE CENTRE 30/05/22 - 25/08/22	1,271.65	1,271.65
EFT34023	14/09/2022	AMPOL AUSTRALIA	FUEL USE 01/08/22 - 31/08/22	5,644.46	5,644.46
EFT34024	20/09/2022	JUST DECK IT	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT34025	29/09/2022	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	395.14	395.14
EFT34026	29/09/2022	BUNNINGS BLDG SUPPLIES LTD	POLY IRRIGATION FITTINGS AND PARTS, SEASOL	186.48	
			MATERIALS FOR WALKWAYS	319.12	505.60
EFT34027	29/09/2022	BOC LIMITED	CONTAINER SERVICE - SEPTEMBER 2022	23.17	23.17
EFT34028	29/09/2022	GRONBEK SECURITY	REPAIR TOWN HALL SAFE AND FIT DIGITAL LOCK	861.99	861.99
EFT34029	29/09/2022	S LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 19/09/22	15.00	15.00
EFT34030	29/09/2022	OPTUS ADMINISTRATION PTY LTD	MOBILE PHONE COSTS 22/08/22 - 21/09/22	199.98	199.98
EFT34031	29/09/2022	MAYOR O'NEILL	SITTING FEES, ICT ALLOWANCE & MAYORAL ALLOWANCE - SEPTEMBER 22	4,796.67	4,796.67
EFT34032	29/09/2022	TELSTRA CORPORATION LIMITED	DEPOT MOBILE BACKUP 04/09/22 - 03/10/22	19.00	
			MONTHLY DATA FEES FOR OPERATIONS, RANGERS TABLETS AND PHONES, RFTIC AND VMS TRAILER 22-23 - 04/09/22 - 03/10/22	934.09	
			SUMPTON GREEN PHONES TO 07/09/22	69.32	1,022.41
EFT34033	29/09/2022	WORK CLOBER	OPS UNIFORM VARIOUS	201.60	201.60
EFT34034	29/09/2022	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS AUGUST 22	1,521.05	1,521.05
EFT34035	29/09/2022	ELLENBY TREE FARM	SUPPLY 52 TREES FOR URBAN CANOPY PLANTING	8,140.80	8,140.80
EFT34036	29/09/2022	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION (WALGA)	4 X STAFF REGISTRATION - LOCAL GOVERNMENT PLANNING SHOWCASE	300.00	300.00
EFT34037	29/09/2022	SATELLITE SECURITY SERVICES	ALARM CODE UPDATE	55.00	55.00
EFT34038	29/09/2022	WOOLWORTHS GROUP LIMITED	WOOLWORTHS PURCHASES ADMIN 12/09/22	7.90	
			WOOLWORTHS PURCHASES CHSP 13/09/22	182.35	190.25
EFT34039	29/09/2022	CR. COLLINSON	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34040	29/09/2022	HAYS SPECIALIST RECRUITMENT	LABOUR HIRE CHSP W/E 11/09/22	468.51	468.51
EFT34041	29/09/2022	CR. NARDI	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34042	29/09/2022	HYDRO JET	GRAFFITI REMOVAL - KITSON PARK, RIVERSIDE ROAD FOOTPATH, EFFC TOILETS & GRANDSTAND	995.50	995.50
EFT34043	29/09/2022	LANDSCAPE YARD O'CONNOR	MATERIAL FOR PLANTING	110.00	110.00
EFT34044	29/09/2022	SUNNY SIGN COMPANY PTY LTD	STREET SIGNS AS PER QUOTE 452707	135.30	
			SIGN REQUEST AS PER QUOTE 452350	1,241.90	1,377.20
EFT34045	29/09/2022	FOCUS NETWORKS	PROVIDE STAFF CYBER AWARENESS TRAINING	907.50	
			MANAGED ICT SERVICES- MANAGED INFRASTRUCTURE SERVICES	3,620.10	
			RELOCATE ALL IT EQUIPMENT FROM TRICOLORE TO DOVENBY HOUSE	1,870.00	6,397.60
EFT34046	29/09/2022	THE TURBAN INDIAN RESTURANT	CATERING - WORKS MEETING 27/09/2022	245.90	245.90
EFT34047	29/09/2022	THE WORKWEAR GROUP	STAFF UNIFORM	303.86	303.86
EFT34048	29/09/2022	CR. MCPHAIL	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34049	29/09/2022	CR. WHITE	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34050	29/09/2022	STATE WIDE TURF SERVICES	SUPPLY AND LAY 550SQM OF JUMBO ROLL TURF AT PRESTON POINT RESERVE	19,710.90	19,710.90
EFT34051	29/09/2022	CR. NATALE	SITTING FEES, ICT ALLOWANCE & DEPUTY MAYORAL ALLOWANCE SEPTEMBER 22	2,204.17	2,204.17
EFT34052	29/09/2022	COASTLINE MOWERS	REPAIR CYLINDER MOWER	2,992.35	2,992.35
EFT34053	29/09/2022	VEOLIA RECYCLING & RECOVERY (FORMALLY SUEZ)	FOGO GREEN BINS - RESIDENTIAL & PRIORITY, GENERAL WASTE - RESIDENTIAL & PRIORITY, PARKS & RESERVES & STREET LITTER BINS, RECYCLING - YELLOW BINS - RESIDENTIAL & PRIORITY, STREET LITTER BINS , GENERAL, GREEN WASTE & RECYCLING - COMMERCIAL , ALEXANDRA ROAD RECYCLING & GENERAL WASTE SERVICE AUGUST 22	38,098.18	38,098.18
EFT34054	29/09/2022	WINC	1 x HP LASER JET 410A BLACK TONER CARTRIDGE	261.62	261.62
EFT34055	29/09/2022	AMBIUS	TOWN HALL PLANT HIRE - FOR PERIOD 27/10/2022 - 26/11/2022	295.85	295.85
EFT34056	29/09/2022	LINXIO	GPS VEHICLE TRACKING - SEPTEMBER 2022	145.20	145.20
EFT34057	29/09/2022	H DICKSON	CHSP VOLUNTEER MEAL REIMBURSEMENT 14/09/22	11.50	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 16/09/2022.	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 23/9/2022	15.00	41.50
EFT34058	29/09/2022	A ONAMADE	PERFORMANCE AT CITIZENSHIP CEREMONY - 12/9/22	350.00	350.00
EFT34059	29/09/2022	GRACE RECORDS MANAGEMENT	TRANSPORT & STORAGE OF RECORDS - AUGUST 22	465.65	465.65
EFT34060	29/09/2022	CR DONOVAN	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34061	29/09/2022	PAPERSCOUT	PRINT RE-RUN - 11 X CORFLUTE SIGNS WITH EYELETS FOR EF OVAL	781.00	
			EXTRA CHANGES REQUIRED TO DESIGN OF WORKFORCE PLAN	1,100.00	1,881.00
EFT34062	29/09/2022	GRILLEX PTY LTD	REVIVA DRINKING FOUNTAIN WITH DOG BOWL - BLAZE BLUE - GOURLEY PARK	3,797.20	3,797.20
EFT34063	29/09/2022	HUBB CONSULTANTS AUSTRALIA PTY LTD	1 x T - SYNCH CHAIR	511.50	511.50
EFT34064	29/09/2022	M LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 19/09/22	14.60	14.60
EFT34065	29/09/2022	J ENGLAND	CHSP VOLUNTEER MEAL REIMBURSEMENT 15/09/22	15.00	15.00
EFT34066	29/09/2022	SWAN LOCK SERVICE	10 x RESTRICTED ABLOY DISLOCK PRO KEYS CUT	378.50	378.50
EFT34067	29/09/2022	EFTSURE PTY LTD	12 MONTH EFTSURE SOFTWARE SERVICE SUBSCRIPTION SEPTEMBER 2022 - AUGUST 2023	5,266.80	5,266.80
EFT34068	29/09/2022	CR. WILSON	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34069	29/09/2022	CR. MASCARO	SITTING FEES & ICT ALLOWANCE SEPTEMBER 22	1,609.17	1,609.17
EFT34070	29/09/2022	LO-GO APPOINTMENTS	LABOUR HIRE - CASUAL RANGER WE 10/09/2022	3,641.95	
			LABOUR HIRE - CASUAL RANGER WE 17/09/2022	3,092.21	6,734.16
EFT34071	29/09/2022	SCOUTTA PTY LTD T/A BUSINESS BEANIES	ASSIST WITH EOY 2022 -02/09/2022 - 15/09/2022	3,836.25	3,836.25
EFT34072	29/09/2022	J & V EARTHMOVING CONTRACTORS	GOURLEY PARK PUMP TRACK - WATER TRUCK DELIVERY TO SITE 3 TANKS OF WATER	627.00	627.00
EFT34073	29/09/2022	WORK HEALTH PROFESSIONALS PTY LTD	STAFF AUDIOMETRIC TESTING VIA BUS CLINIC	2,365.00	2,365.00
EFT34074	29/09/2022	DIPLOMATIK PTY LTD	LABOUR HIRE OPS - W/E 09/09/22	2,120.58	
			LABOUR HIRE OPS W/E 09/09/22	1,786.49	
			LABOUR HIRE OPS W/E 18/09/22	2,107.96	
			LABOUR HIRE OPS W/E 16/09/22	2,266.44	8,281.47
EFT34075	29/09/2022	SWITCHED ON WA T/AS R D GILL ELECTRICAL PTY LTD	INSTALLATION OF POWER POINT FOR DISHWASHER & EV CHARGER SETUP	715.00	715.00
EFT34076	29/09/2022	PHOENIX CONTAINERS PTY LTD	20 FOOT SHIPPING CONTAINER	9,020.00	9,020.00
EFT34077	29/09/2022	WESTON ROAD SYSTEMS	EV CHARGER LINE MARKING 2 STENCILS	770.00	770.00
EFT34078	29/09/2022	AAA BARGAIN REMOVALS & STORAGE	RELOCATE TRICOLORE COMMUNITY CENTRE TO DOVENBY HOUSE	2,400.00	2,400.00
EFT34079	29/09/2022	PERTH PARTY HIRE	HIRE OF 30 CHAIRS - SPECIAL ELECTORS MEETING 15/9/22	340.00	340.00
EFT34080	29/09/2022	FRANK GILMOUR PEST CONTROL	PEST CONTROL INSPECTION - OSBORNE ROAD & TROCOLORE COMMUNITY BUS SHELTER BEHIND MAIN BUILDING	660.00	660.00
EFT34081	29/09/2022	R QUINN	REFUND OF BOND PAID FOR RENTAL	2,100.00	2,100.00
EFT34082	29/09/2022	GREAT AUSSIE PATIOS	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT34083	29/09/2022	OUTDOOR WORLD WANGARA	INFRASTRUCTURE BOND REFUND	3,000.00	3,000.00
EFT34084	29/09/2022	AT BRINE & SONS PTY LTD	INFRASTRUCTURE BOND REFUND	2,000.00	2,000.00
EFT34085	29/09/2022	WHITE GUM VALLEY BUILDING PTY LTD	INFRASTRUCTURE BOND REFUND	5,000.00	5,000.00

14.3 EFFC - LICENCE AND FUNDING AGREEMENT

Report Reference Number	OCR-1304
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple
Documents tabled	Nil

Attachments

1. Funding Agreement – Temporary relocation of East Fremantle Football Club
2. Licence Agreement – Tricolore Community Centre
3. Letter - Termination of Lease – East Fremantle Football Club
4. Letter – Request from East Fremantle Football Club for Compensation

PURPOSE

Council is requested to consider the attached Funding Agreement and Licence Agreement, between the Town of East Fremantle and East Fremantle Football Club (EFFC) and authorise the Chief Executive Officer and Mayor to execute the documents by the affixing of the Common Seal.

EXECUTIVE SUMMARY

Two documents have been drafted to facilitate the relocation of the East Fremantle Football Club from the East Fremantle Oval for the duration of the construction schedule, from October 2022 to December 2023:

- (1) Funding Agreement – Temporary relocation of East Fremantle Football Club
- (2) Licence Agreement – Tricolore Community Centre

Both documents have been negotiated between the Town of East Fremantle and the East Fremantle Football Club and discussed with Council at its Concept Forum of 13 September 2022.

BACKGROUND

The background on page 4 of the Funding Agreement provides informative context to this report:

- A The Town is undertaking a redevelopment of East Fremantle Oval, which involves the demolition of existing premises utilised by the EEEFC.
- B The redevelopment is expected to take place from October 2022 to December 2023.
- C Costs of the redevelopment will be minimised if the builder is able to acquire control of the full site and demolish all buildings on site.
- D Accordingly, the Town has required the Club to relocate their Club premises and use alternative premises for the duration of the redevelopment.
- E The Club has requested funding from the Town to compensate for the loss of revenue and additional costs resulting from the temporary relocation of its premises.
- F The Town has agreed to provide the Funding Amount to the Club for the purpose of reducing the costs associated with the Club's relocation on the terms and conditions set out in this Agreement.

To further reduce costs associated with the relocation, the Town is proposing that a Licence be granted over the Tricolore Community Centre for the permitted use of “Football Club related purposes including incidental uses of office administration, storage and sports massage”.

CONSULTATION

Extensive consultation has occurred with multiple stakeholders as follows.

Stakeholder	Matters Considered	Outcomes
East Fremantle Football Club	Relocation of administration, gym and sub-tenants from East Fremantle Oval for the duration of construction.	As detailed in the attached Funding Agreement and Licence Agreement.
Fremantle City Soccer Club	The Club has advised that they require access to part of the Hall for workshops, coach’s meetings, players meetings, committee meetings etc. Under their lease, they have restricted access during business hours, but have had uninterrupted access on weekends as needed.	The CEO and EMTS will meet with representatives of the Soccer Club on Friday 14/10/22 to discuss matters.
Yoga Club	Thursday casual booking of Tricolore 5.00pm – 9.30pm	Notified of unavailability.
Bahai Group	Friday casual booking of Tricolore 4.30pm – 6.30pm	Haven’t operated for some time. Will be notified of unavailability.
Neighbourhood Link Team	Relocation to Dovenby House including day centre activities. Notification to clients via direct mail out, social media and verbal communications.	Team briefing with Exec Manager Thur 1 September. Relocation occurring 15/16 September. Removalist company engaged to relocate furnishings. IT Provider engaged to relocate IT services. Surplus furnishings will be placed in the sea container storage at Tricolore. Now complete.
Existing staff – Dovenby House	Revision of floor plan and seating arrangements in Town Hall.	3 staff members have relocated back into the Town Hall, effective from Mon 5 September.

STATUTORY ENVIRONMENT

The Execution of Documents and affixing of the Common Seal is governed by section 9.49A of the *Local Government Act 1995*.

The proposed compensation payable to the EFFC is an eligible project expense and will be funded from the approved budget for the East Fremantle Oval Redevelopment E11738 (i.e., no budget variation required) The expenditure will be included in the audited financial statement provided to the Department.

Section 3.58 of the *Local Government Act 1995* outlines the requirements with regards to the disposal of property.

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* details the requirements for an exempt disposal for the purposes of section 3.58. As the proposed Licence with the EFFC for the Tricolore Community Centre is for recreational and sporting purposes, and the members are not permitted to receive any pecuniary profit

from the body's transactions, the disposal is considered to be exempt from the requirements of section 3.58 of the *Local Government Act 1995*. The Town is therefore not required to advertise the disposal, nor determine a market value for the transaction.

POLICY IMPLICATIONS

There are no Council Policies directly relevant to this matter.

FINANCIAL IMPLICATIONS

The financial implications are primarily detailed in the Funding Agreement with the EFFC; however there have been additional costs incurred by the Town in facilitating the relocation. Costs are summarized in the table below. These costs are offset by a circa \$600k reduction in the value of the building contract due to a shortened construction schedule as a result of full demolition upon project commencement.

Description	Estimated Value (ex GST)
Estimated Total Compensation payable to EFFC (15 months)	\$195,000
Purchase and delivery of 2 sea containers for storage requirements of EFFC	\$8,000
Relocation of Neighbourhood Link Team to Dovenby House – IT Costs	\$1,700
Relocation of Neighbourhood Link Team to Dovenby House – Removalist Costs	\$2,200
Legal Costs – Drafting of Funding Agreement and Licence	\$4,000
Provision of free internet services to Tricolore	\$1,785
Indirect Costs – Staff Time	\$8,000
- Negotiating particulars of Agreements/stakeholder engagement (CEO, EMCS, EMTS)	
- NL Team (arranging relocation/lost productivity)	
	\$220,685

STRATEGIC IMPLICATIONS

Strategic Priority 1 “Social” in the Town’s Strategic Community Plan 2020-30 includes the following relevant objectives:

- 1.1 Facilitate appropriate local services for the health and wellbeing of the community.
- 1.2 Inviting open spaces, meeting places and recreational facilities.

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That agreement is not reached with EFFC on the terms of compensation, frustrating the project	Possible (3)	Major (4)	High (10-16)	FINANCIAL IMPACT \$250,001 - \$1,000,000	Accept Officer Recommendation
That practical completion of the EF Oval Redevelopment be delayed for unforeseen reasons, resulting in	Possible (3)	Moderate (3)	High (10-16)	FINANCIAL IMPACT \$50,000 - \$250,000	Control through robust contractor management

additional payments to the EFFC					
That practical completion of the EF Oval Redevelopment be delayed for unforeseen reasons, resulting in extended occupation of the Tricolore Community Centre	Possible (3)	Minor (2)	Moderate (5-9)	SERVICE INTERRUPTION Medium term temporary interruption - backlog cleared by additional resources <1 week	Accept Risk
Other groups are prevented access to the Tricolore Community Centre impacting user activities	Possible (3)	Minor (2)	Moderate (5-9)	REPUTATIONAL Substantiated, low impact, low news item	Manage by stakeholder engagement
That Dovenby House is not conducive to providing efficient and cost-effective services for the delivery of the Commonwealth Home Support Program	Possible (3)	Moderate (3)	Moderate (5-9)	FINANCIAL IMPACT \$50,000 - \$250,000	Treat through monthly review of performance

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	12
Does this item need to be added to the Town’s Risk Register	Yes
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Not Applicable

COMMENT

The following is a summary of the term sheet of the respective agreements:

1. Funding Agreement

- Compensation up to a maximum of \$13k (Ex GST) per month to cover loss of lease revenue, storage costs, oval hire and loss of bar/function revenue

- Monthly payments in arrears following receipt of a tax invoice and evidence of expenditure claims
- Term of 15 months commencing on 1 October 2022 and expiring on 31 December 2023
- Should practical completion be delayed of the new facility, a good faith commitment to discuss terms of additional compensation

2. Licence Agreement

- Licenced area includes Tricolore building footprint and external area adjacent to fenced compound for storage (sea containers)
- Term of 15 months commencing on 14th October 2022 and expiring on 13 January 2024 (Term cannot commence until Ministerial Consent has been obtained, hence dates are different to the Funding Agreement)
- Licence fee of \$1 payable on demand
- Permitted use is football related purposes including incidental uses of office administration, storage and sports massage
- Permitted sub-license to the existing sub-tenant of the EFFC, Precise Massage Pty Ltd
- Any building modifications will require a certified building application to be submitted

CONCLUSION

The objective of the Licence and Funding Agreement is to facilitate an amicable outcome for EFFC, given the unavailability of the East Fremantle Oval for the duration of the redevelopment project. There have been several moving parts to enable this outcome, with Council resolution the remaining decision point.

14.3 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That Council resolve the following:

1. Note that the Lease with the East Fremantle Football Club has been terminated for the use of the East Fremantle Oval Facilities effective from 30 September 2022 due to the redevelopment project scheduled to commence in October.
2. To facilitate the Town's request of the East Fremantle Football Club to relocate from the East Fremantle Oval for the duration of the redevelopment project, grant a temporary Licence for the use of the Tricolore Community Centre as per the attached Licence Agreement; and
 - (i) That an Item 8.6 be inserted into the Schedule as follows:
Automatic Termination of Licence Agreement should Redevelopment Project not Proceed

 Should the redevelopment of the East Fremantle Oval not proceed for any reason, this Agreement is automatically terminated by providing the Club with twenty eight (28) days written notice.
3. Provide compensation to the East Fremantle Football Club as per the terms and conditions set out in the attached Funding Agreement, with compensation capped to a maximum of \$13,000 (ex GST) per month, payable on receipt of a valid tax invoice and evidence from the East Fremantle Football Club; and
 - (i) That an Item 6 be inserted into the Schedule as follows:
Automatic Termination of Funding Agreement should Redevelopment Project not Proceed

 Should the redevelopment of the East Fremantle Oval not proceed for any reason, this Agreement is automatically terminated by providing the Club with fourteen (14) days written notice.

 The Club will be required to provide the Town with evidence supporting a claim for compensation, for out-of-pocket expenses (such as relocation expenses) and loss in revenue, for the period 1 October 2022 up until the date stipulated in the termination notice. The amount of the claim will be limited to \$13,000 (ex GST) per month, (or pro-rated thereof) but will be discounted for any revenue that the Club has continued to receive such as lease and bar/function revenue.
4. Authorise the Mayor and Chief Executive Officer to execute the Licence Agreement and Funding Agreement and affix the Common Seal.

REPORT ATTACHMENTS

Attachments start on the next page

Funding Agreement – Temporary relocation of East Fremantle Football Club

Town of East Fremantle

East Fremantle Football Club Inc.



McLEODS

Barristers & Solicitors

Stirling Law Chambers | 220 Stirling Highway | CLAREMONT WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

Email: mcleods@mcleods.com.au

Ref: DFN:EAST:49765

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Details

Parties

Town of East Fremantle

of PO Box 1097, Fremantle WA 6959
(Town)

East Fremantle Football Club Inc.

of PO Box 43, Palmyra WA 6957
(Club)

Background

- A The Town is undertaking a redevelopment of East Fremantle Oval, which involves the demolition of existing premises utilised by the Club.
- B The redevelopment is expected to take place from October 2022 - December 2023.
- C Costs of the redevelopment will be minimised if the builder is able to acquire control of the full site and demolish all buildings on site.
- D Accordingly, the Town has required the Club to relocate their Club premises and use alternative premises for the duration of the redevelopment.
- E The Club has requested funding from the Town to compensate for the loss of revenue and additional costs resulting from the temporary relocation of its premises.
- F The Town has agreed to provide the Funding Amount to the Club for the purpose of reducing the costs associated with the Club's relocation on the terms and conditions set out in this Agreement.

Agreed Terms

1. Definitions and Interpretation

1.1 Definitions

In this Agreement:

Agreement means this agreement, including the Schedule and any Annexures;

Business Day means a day other than a Saturday, Sunday or public holiday in Perth, Western Australia;

Commencement Date means the date on which the Term commences;

CPI means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics;

Funding Amount means the amount described in Item 1 of the Schedule;

Funding Conditions means the conditions specified in Item 4 of this Agreement;

Funding Payment Dates means the date or dates specified in Item 2 of the Schedule;

Instalment means a payment instalment of the Funding Amount as referred to in Item 1 of the Schedule;

New Facility means the redeveloped Club facilities at the East Fremantle Oval;

Reporting Dates means the dates specified in Item 3 of the Schedule; and

Term means the term of this Agreement as stipulated in Item 5 of the Schedule;

1.2 Interpretation

In this Agreement, unless inconsistent with the context:

- (a) headings and bolding are for convenience only and do not affect the interpretation of this Agreement;
- (b) words importing the singular include the plural and vice versa;
- (c) a reference to a gender includes a reference to each other gender;
- (d) a reference to a person or individual includes a reference to a firm, corporation or other corporate body, authorities, governments and governmental agencies and vice versa;
- (e) where a term is assigned a particular meaning, other grammatical forms of that term have a corresponding meaning;
- (f) a reference to any written law includes:
 - (i) all written laws amending, consolidating or replacing that written law; and

- (ii) all regulations, proclamations, planning schemes or local laws made under that written law;
- (g) a reference to a party includes that party, its successors, permitted assigns, receivers, administrators, executors, substitutes and liquidators;
- (h) a reference to any document includes a reference to that document as amended, rectified or replaced from time to time and to any document so amending, rectifying or replacing the document;
- (i) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions;
- (j) a rule of construction does not apply to the disadvantage of a party because the party was responsible for the preparation of this Agreement or any part of it;
- (k) an obligation, representation or warranty in favour of two or more persons:
 - (i) is for the benefit of them jointly and severally; and
 - (ii) binds them jointly and severally;
- (l) a reference to '\$' or 'dollars' is a reference to Australian dollars;
- (m) unless expressly stated otherwise, a reference to a party, clause, sub-clause, paragraph or part, is a reference a party, clause, sub-clause, paragraph or part of or in this Agreement;
- (n) where two or more persons comprise a party to the Agreement, the covenants and agreements on their part are to bind and be observed and performed by them jointly and each of them severally; and
- (o) anything in this Agreement which is expressed to be done or performed by the Town, is to be properly and lawfully done and performed if so done and performed by an officer of the Town.

2. Payment of funding by Town

- (1) Subject to the provisions of the Agreement, the Town agrees to pay the Funding Amount to the Club.
- (2) The Funding Amount will be paid by Instalments on the Funding Payment Dates.
- (3) The Town's continued payment of the Funding Amount is conditional upon the Club complying with the provisions of this Agreement, including but not limited to the Funding Conditions, to the satisfaction of the Town.
- (4) The Funding Amount will be paid by the Town to the Club:
 - (a) subject to the Club first providing a valid tax invoice in the amount of the Instalment to the Town, on or prior to the Funding Payment Date; and
 - (b) by direct transfer to the Club's nominated bank account, which shall be provided by the Club to the Town or in such other manner elected by the Town acting reasonably.

3. Funding Conditions

Without detracting from any other clause of this Agreement, the Club shall comply with the Funding Conditions.

4. Reporting

The Club shall provide an audited Profit and Loss Statement to the Town on the Reporting Dates for the following reporting periods:

- (a) reporting period ended 31 October 2022; and
- (b) reporting period ended 31 October 2023.

(Reporting Periods)

5. Term

Subject to **clause 6**, this Agreement shall continue in force for the Term.

6. Default and termination

- (1) In the event that the Town considers that the Club has failed to comply with any provision of this Agreement it may serve notice in writing to the Club requiring it to comply with the Agreement within such period as is stipulated in the notice, but no less than thirty (30) days from service of the notice on the Club.
- (2) If the Club fails to rectify its failure to comply with the Agreement to the satisfaction of the Town within the period stipulated in a notice issued pursuant to sub-clause (1), then the Town may terminate this Agreement upon giving 14 days written notice to the Club of its intention to terminate.

7. Further assurance

Each party shall promptly execute all documents and do all things that any other party from time to time reasonably requires of it to effect, perfect or complete the provisions of this Agreement and any transaction contemplated by it.

8. Discretion of Town under written law not limited

Nothing in this Agreement is to fetter or limit, or is to be construed as an attempt to fetter or limit, the discretion or the powers of the Town or the Council of the Town under any written law.

9. GST

- (1) In this clause:

GST Act means *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

GST Law means the GST Act and any associated legislation including delegated legislation.

GST, Registered, supply, tax invoice and any other expression used that is defined in the GST Law has the same meaning as given to it in the GST Law.

- (2) Unless specifically described in this Agreement as 'GST-inclusive', any consideration to be paid or provided for a supply made under or in connection with this Agreement does not include an amount on account of GST and is 'GST-exclusive'.
- (3) Where, under the GST Law, any supply to be made by a party (**Supplier**) to another party (**Recipient**) under or in connection with this Agreement is subject to GST (other than a supply the consideration for which is specifically described in this Agreement as GST-inclusive), then:
 - (a) the consideration payable or to be provided for that supply under this Agreement will be increased by, and the Recipient will pay to the Supplier, an amount equal to the GST calculated according to the GST Law;
 - (b) the Recipient must pay that additional GST amount at the same time and in the same manner as the GST-exclusive consideration is paid or provided; and
 - (c) a reference to the consideration payable for a supply includes the value of any non-monetary consideration for the supply.
- (4) If the Supplier is Registered or required to be Registered, the Supplier must provide a GST compliant tax invoice in connection with any supply made by it under this Agreement, failing which the Recipient will not be obliged to make any payment for that supply until the invoice is provided.

10. Notices

Any notice, direction or other communication which must or may be given in connection with this Agreement:

- (a) must be in writing in order to be valid;
- (b) is sufficient if signed or executed by the party giving the notice or on its behalf by any director, secretary, duly authorised officer or solicitor of that party;
- (c) in order to be valid must be given to a party as follows:
 - (i) delivered or sent by prepaid post to, or left at, the address of that party as set out in this Agreement;
 - (ii) sent to the email address of that party; or
 - (iii) delivered or sent to another address or facsimile number as is notified in writing by that party to the other party from time to time; and
- (d) if given in accordance with paragraph (c), will be deemed to take effect:
 - (i) in the case of prepaid post, on the fourth business day after the date of posting;
 - (ii) in the case by email, when despatched by email to an email address specified in subclause (c)(iii) unless the time of dispatch is not on a Business Day or after 5 pm on a Business Day, in which case it will be deemed to be given or made on the next following Business Day; and

- (iii) in the case of delivery by hand, on delivery.

11. Confidentiality

11.1 Definition

For the purpose of this clause:

“Confidential Information” means any information relating to the Agreement, including but not limited to the provisions of the Agreement.

11.2 Use of Confidential Information

- (1) To the extent permitted by law, both parties agree to keep the Confidential Information confidential and to use such information only for the purposes of performance of their respective obligations under this Agreement.
- (2) The obligations of confidentiality in subclause (1) will not apply to information which:
 - (a) is generally available in the public domain except where such availability is as a result of a breach of this Agreement; or
 - (b) is required to be disclosed by an applicable law, including but not limited to the *Local Government Act 1995* or *Freedom of Information Act 1992*, or by court order.
- (3) The obligations imposed under this clause will survive the termination of this Agreement.

12. Dispute resolution

12.1 Referral of Dispute: Phase 1

Except as otherwise provided any dispute arising out of this Agreement is to be referred in the first instance in writing to the Town’s representative as nominated in writing by the Town from time to time (**Town’s Representative**) who shall convene a meeting within 10 days of receipt of such Notice from the Club or such other period of time as is agreed to by the Parties between the Town’s Representative and an officer of the Club for the purpose of resolving the dispute (**Original Meeting**).

12.2 Referral of Dispute: Phase 2

In the event the dispute is not resolved in accordance with **clause 12.1** of this Agreement then the dispute shall be referred in writing to the CEO of the Town who shall convene a meeting within 10 days of the Original Meeting or such other date as is agreed to by the Parties with the CEO of the Club for the purpose of resolving the dispute.

12.3 Appointment of Arbitrator: Phase 3

- (1) In the event the dispute is not resolved in accordance with **clause 12.2** of this Agreement then the dispute shall be determined by a single arbitrator under the provisions of the *Commercial Arbitration Act 2012* (as amended from time to time) and the Town and the Club may each be represented by a legal practitioner.
- (2) It is a condition precedent to the right of any party to arbitrate or litigate a dispute under this Agreement that it first has complied with the mediation process in accordance with this clause.

- (3) Each party may be represented by a qualified legal practitioner or other representative in any mediation proceedings.
- (4) The parties must continue to comply with their obligations under this Agreement despite any dispute being referred to mediation, unless agreed otherwise by the parties in writing.

13. Comply with Statutes

The Club shall:

- (a) comply with all written laws in undertaking the Permitted Purpose; and
- (b) obtain all required approvals, consents or permits required for the Permitted Purpose under any written law and comply with such approvals, consents or permits.

14. Relationship of parties

The parties acknowledge and agree that no relationship of partnership, agency or employment is expressly intended or to be implied into this Agreement.

15. Severability

In the event of part of this Agreement being or becoming void or unenforceable then that part is to be severed from this Agreement with the intention that the balance of this Agreement is to remain in full force and effect, unaffected by the severance.

16. Amendment and waiver

- (1) This Agreement may not be amended except by a document in writing signed by or on behalf of each of the parties.
- (2) Any waiver or relinquishment of the performance of any term or condition of this Agreement, will be effective only if made in writing and executed by or on behalf on the party granting the waiver.
- (3) No waiver of any one breach of any term or condition of this Agreement is to operate as a waiver of any other breach of the same or other term or condition of this Agreement.

17. Laws of Western Australia apply

This Agreement is to be construed and interpreted in accordance with the laws of the State of Western Australia and the parties agree to submit to the jurisdiction of the courts of that State and of courts competent to hear appeals from them.

Schedule

Item 1 Funding Amount and Instalments

Funding Amount: Up to a maximum of one hundred and fifty six thousand dollars (\$156,000) exclusive of GST per annum comprising the following fixed and estimated amounts:

Item	Annual Amount (ex GST)	Monthly Amount (ex GST)	Evidence Requirements to be supplied by the Club
Loss of Lease Revenue – Robert Anthony Young	\$47,500 fixed	\$3,958.33	Copy of Sub-lease provided. No further evidence required
Loss of Lease Revenue – Sayaka Kitchen	\$7,800 fixed	\$650	Copy of Sub-lease to be provided confirming lease fee amount.
Off Site Storage	\$14,000 estimated	\$1,166.66 (maximum)	Copy of agreement to be provided confirming arrangements and actual cost to be reimbursed.
Oval Hire	\$30,000 estimated	\$2,500 (maximum)	Receipts/invoices to be provided – actual cost to be reimbursed.
Bar/Function	\$56,700 fixed	\$4,725	
	\$156,000 (maximum)	\$13,000 (maximum)	

Where components of the Funding Amount are estimated and to be based on actual costs, those actual costs shall be determined by the Town having regard to the Evidence Requirements provided by the Club.

Instalments: The Funding Amount shall be payable in monthly instalments of up to a maximum thirteen thousand dollars (\$13,000) on the Funding Payment Dates

Item 2 Funding Payment Dates

The last day of each month during the Term commencing on 31 October 2022.

Item 3 Reporting Dates

31 December 2022 for the reporting period ended 31 October 2022

31 December 2023 for the reporting period ended 31 October 2023

Item 4 Funding Conditions

The Club shall satisfy any Evidence Requirements set out in the Table contained in Item 1 of the Schedule.

Item 5 Term

Fifteen (15) months commencing on 1 October 2022 and expiring on 31 December 2023.

In the event that the New Facility is not complete by December 2023, than the Parties will discuss, in good faith, continued funding support.

Signing page

EXECUTED by the parties as a Deed on

2022

THE COMMON SEAL of THE TOWN OF EAST FREMANTLE was hereunto affixed in the presence of:

Mayor

(Print full name)

Chief Executive Officer

(Print full name)

The **COMMON SEAL of EAST FREMANTLE FOOTBALL CLUB INC.** ('Association') was hereunto affixed pursuant to the constitution of the Association in the presence of each of the undersigned each of who hereby declares by the execution of this document that he or she holds the office in the Association indicated under his or her name:

Office Holder Sign

Office Holder Sign

Name:

Name:

Address:

Address:

Office Held:

Office Held:

Licence Agreement –
Tricolore Community
Centre, Part Reserve
22365, Lot 300 Wauhop
Road, East Fremantle

Town of East Fremantle

East Fremantle Football Club Inc.



McLEODS

Barristers & Solicitors

Stirling Law Chambers | 220 Stirling Highway | CLAREMONT WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

Email: mcleods@mcleods.com.au

Ref: DFN:EAFREM-49765

Copyright notice

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Details

Parties

Town of East Fremantle

of PO Box 1097, Fremantle WA 6959
(Licensor)

East Fremantle Football Club Inc.

of PO Box 43, Palmyra WA 6957
(Licensee)

Background

- A The Licensor is the management body of the land described in **Item 1** of the Schedule (**Land**).
- B Under the Management Order, the Licensor has the power to grant a licence for the Land for any term not exceeding 21 years, subject to the approval of the Minister for Lands first being obtained.
- C The Licensor has agreed to grant to the Licensee a licence to use those portions of the Land described in **Item 2** of the Schedule (**Licensed Area**), subject to the consent of the Minister for Lands.
- D The Licensor and the Licensee enter into this Agreement to set out the terms and conditions upon which the licence is granted.

Agreed terms

1. Grant of licence

In consideration of the covenants of the Licensee given herein, and subject to the consent of the Minister for Lands having been obtained, the Licensor HEREBY GRANTS to the Licensee a licence (**Licence**) to use the Licensed Area on the terms and conditions set out in this Deed.

2. Term

The Licence shall continue in force and effect for the duration of the term set out in **Item 3** of the Schedule (**Term**).

3. Permitted Hours of Use

For the duration of the Term of the Licence the Licensee shall be permitted to use the Licensed Area, but only during the permitted hours of use set out in **Item 4** of the Schedule (**Permitted Hours of Use**).

4. Licence fee & GST

The Licensee COVENANTS with the Licensor to:

- (a) pay the Licensor the licence fee referred to in **Item 5** of the Schedule (**Licence Fee**) from the commencement of the Term without any abatement or deduction whatsoever; and
- (b) pay the Licensor any GST payable on the Licence Fee and on any other supply made by the Licensor to the Licensee under this Licence.

5. Licence Fee Review

5.1 Licence Fee to be Reviewed

The Licence Fee will be reviewed on and from each Licence Fee Review Date to determine the Licence Fee to be paid by the Licensee until the next Licence Fee Review Date.

5.2 Methods of Review

The review will be either based on CPI or a Market Review. The basis for each licence fee review is as identified for each Licence Fee Review Date in **Item 6** of the Schedule.

5.3 CPI Review

A licence fee review based on CPI will increase the amount of Licence Fee payable during the immediately preceding period by the percentage of any increase in CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Licence Fee Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Licence Fee Review Date. If there is a decrease in CPI having regard to the relevant CPI publications the Licence Fee payable from the relevant Licence Fee Review Date will be the same as the Licence Fee payable during the immediately preceding period. Should the CPI be discontinued or suspended at any time or its method of computation substantially altered, the parties shall endeavour to agree upon the substitution of the CPI with an equivalent index, or failing agreement by the parties, the substitution shall be made by a Valuer appointed in accordance with **clause 5.4**.

5.4 Market Licence Fee Review

- (1) A licence fee review based on the market will establish the current market licence fee for the Licensed Area (which will not be less than the Licence Fee payable in the period immediately preceding the Licence Fee Review Date) by agreement between the parties and failing agreement, will be determined in accordance with the following provisions.
- (2) If agreement as to the substitution of the CPI with an equivalent index for the Licensed Fee is not reached at least one (1) month prior to the relevant Licence Fee Review Date then the current market licence fee for the Licensed Area will be determined at the expense of the Licensee by a valuer (**Valuer**) licensed under the *Land Valuers Licensing Act 1978*, to be appointed, at the request of either party, by the President for the time being of the Australian Property Institute (Western Australian Division) (or if such body no longer exists, such other body which is then substantially performing the functions performed at the Commencement Date by that Institute).
- (3) The Valuer will act as an expert and not as an arbitrator and his or her decision will be final and binding on the parties. The parties will be entitled to make submissions to the Valuer.
- (4) In this **clause 5**, “current market licence fee” means the licence fee obtainable for the Licensed Area in a free and open market if the Licensed Area was unoccupied and offered for rental for the use for which the Licensed Fee is permitted pursuant to this Licence and on the same terms and conditions contained in this Licence, BUT will not include:
 - (a) any improvements made or effected to the Licensed Area by the Licensee; and
 - (b) any licence fee free periods, discounts or other concessions.

5.5 Licence Fee will not decrease

Notwithstanding the provisions in this clause, the Licence Fee payable from any Licence Fee Review based on CPI Review will not be less than the Licence Fee payable in the period immediately preceding such Licence Fee Review Date.

5.6 Licensor’s right to review

The Licensor may institute a licence fee review notwithstanding the Licence Fee Review Date has passed and the Licensor did not institute a licence fee review on or prior to that Licence Fee Review Date, and in which case the Licence Fee agreed or determined shall date back to and be payable from the Licence Fee Review Date for which such review is made.

6. Use of Licensed Area

6.1 Permitted Use

The Licensee shall ensure that the Licensed Area is used only for the Permitted Use.

6.2 No harm or stress

The Licensee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of any building in the Licensed Area.

6.3 No smoking

The Licensee must not suffer or permit a person to smoke inside any enclosed portion of a building in the Licensed Area.

6.4 Sale of Alcohol

The Licensee shall not sell or supply liquor from the Licensed Area without first obtaining consent of the Licensor, which may be withheld in the absolute discretion of the Licensor.

6.5 Sale of Food

The Licensee shall only sell food within the Licensed Area if the Licensor's consent is first obtained and then only in accordance with the *Food Act 2008* and any other relevant written laws that may be in force from time to time.

6.6 No pollution

The Licensee must do all things necessary to prevent pollution or contamination of the Licensed Area by garbage, refuse, waste matter, oil and other pollutants.

6.7 No breach of copyright

The Licensee shall not do any act, nor authorise or permit any person to do any act, that constitutes a breach or infringement of copyright under the *Copyright Act 1968* (Cth).

7. Outgoings

- (1) The Licensee must pay to the Licensor or to such person as the Licensor may from time to time direct upon demand and punctually all the following outgoings, utilities or services (if applicable), assessed or incurred in respect of the Licensed Area:
 - (a) electricity consumption charges;
 - (b) water consumption charges;
 - (c) any fee or charge for the connection of any service to the Licensed Area; and
 - (d) any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Licensee's use and occupation of the Licensed Area, which for the sake of clarity does not include local government rates.
- (2) If the Licensed Area is not separately charged or assessed the Licensee will pay to the Licensor a proportionate part of any charges or assessments referred to in **clause 7(1)** being the proportion that the relevant portion of the Licensed Area bears to the total area of the land included in the charge or assessment and otherwise arises from or may reasonably be attributed to the Licensee's use of the Licensed Area.

8. Alterations

Subject to the provision made in Item 8 of the Schedule, the Licensee shall not:

- (a) make or cause, suffer or permit to be placed upon the Licensed Area any improvements, alterations, buildings, structures or other fixtures, fittings or equipment of any kind whatsoever; or
- (b) carry out any modifications or alterations whatsoever to the Licensed Area,

unless the Licensee has first obtained the prior written approval of the Licensor (which is granted at the absolute discretion of the Licensor and may be subject to such conditions as the Licensor deems fit) and all necessary approvals, licences and permits required by law have been obtained.

9. Entry and inspection of Licensed Area

The Licensee must permit the Licensor to enter the Licensed Area at any reasonable time during the Permitted Hours of Use to inspect and view the area, to carry out any maintenance work or to rectify any breach of the conditions of this Licence.

10. Signs & advertising

The Licensee shall not affix or exhibit or permit to be affixed or exhibited in or upon any part of the Licensed Area any placard, signboard, neon sign or other advertisement unless the Licensee has first obtained the prior written approval of the Licensor (which is granted at the absolute discretion of the Licensor and may be subject to such conditions as the Licensor deems fit).

11. Compliance with statutes

The Licensee shall:

- (a) comply promptly with all written laws from time to time in force relating to the Licensed Area;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any written law for the Permitted Use to be undertaken on the Licensed Area;
- (c) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Licensee's use of the Licensed Area; and
- (d) ensure that all obligations in regard to payment for copyright or licensing fees are paid to the appropriate person for all performances, exhibitions or displays held within the Licensed Area.

12. Maintenance and cleaning of Licensed Area

12.1 General Maintenance

- (1) The Licensee AGREES during the Term and for so long as the Licensee continues to use the Licensed Area to:
 - (a) maintain, replace, repair, clean and keep the Licensed Area (which for the avoidance of doubt includes the Licensor's and Licensee's fixtures and fittings) clean and in Good Repair having regard to the age of the Licensed Area at the Commencement Date PROVIDED THAT this subclause shall not impose on the Licensee any obligation:
 - (i) to carry out repairs or replacement that are necessary as a result of fair and reasonable wear and tear, EXCEPT when such repair or replacement is necessary because of any action or omission of or on the part of the Licensee or an Authorised Person or the Licensee's insurances are invalidated by any act, neglect or default by the Licensee or an Authorised Person; and
 - (ii) in respect of any structural maintenance, replacement or repair EXCEPT when such maintenance, repair or replacement is necessary because of any action or omission of or on the part of the Licensee or an Authorised Person, or by the Licensee's particular use or occupancy of the Licensed Area;
- (2) In discharging the obligations imposed on the Licensee under this subclause, the Licensee shall where installing, maintaining, replacing or repairing:

- (a) any electrical fittings and fixtures;
- (b) any plumbing;
- (c) any air-conditioning fittings and fixtures; and
- (d) any gas fittings and fixtures, in or on the Licensed Area,

use only licensed trades persons, or such trades persons as may be approved by the Licensor and notified to the Licensee, which approval shall not be unreasonably withheld.

12.2 Cleaning

The Licensee must keep the Licensed Area clean, tidy and free from rubbish at all times. The Licensee shall pay any costs, fees or charges incurred for cleaning of the Licensed Area.

13. Heritage Protection

Not used.

14. Damage to Licensed Area or Common Areas

The Licensor and the Licensee AGREE that:

- (a) it is the responsibility of the Licensee to repair, rehabilitate and make good any damage to the Licensed Area or the Common Areas, including but not limited to damage to any fixtures or fittings of the Licensor, caused by or arising out of or in relation to or incidental to the use of the Licensed Area by the Licensee or any Authorised Person or resulting from an act or omission of the Licensee or any Authorised Person;
- (b) the Licensee shall be responsible for the cost of any of the repairs, rehabilitation or making good of damage referred to in sub-clause (a); and
- (c) the Licensee must pay to the Licensor the costs of any repair, rehabilitation or making good of damage to the Licensed Area or the Common Areas within 7 days of receipt of a written demand for such payment being made by the Licensor.

15. Not to cause nuisance

The Licensee must not and must not suffer or permit a person to do or carry out on the Licensed Area anything which causes a nuisance, damage or disturbance to the Licensor, other users of the Licensed Area or the Land, or to owners or occupiers of adjoining properties.

16. Indemnity

The Licensee agrees to indemnify and keep indemnified the Licensor and the Minister for Lands, and all officers, servants and agents of the Licensor:

- (a) from and against the destruction of or damage to any property of the Licensor or any person; and
- (b) from and against all actions claims, costs and demands in respect of loss or damage to property or death or injury of any nature and however and wherever sustained,

caused by or arising out of or in relation to or incidental to the use of the Licensed Area by the Licensee or any Authorised Person or resulting from an act or omission of the Licensee or any

Authorised Person BUT the Licensee shall not be responsible for any loss or damage which is caused by the negligence of the Licensor or its servants, agents, contractors or invitees.

17. Insurance

17.1 Insurance required

The Licensee must effect and maintain with insurers approved by the Licensor (noting the Licensor's and the Licensee's respective rights and interest in the Licensed Area) for the time being:

- (a) adequate public liability insurance for a sum not less than twenty million dollars (\$20,000,000) in respect of any one claim or such greater amount as the Licensor may from time to time reasonably require; and
- (b) insurance to cover the Licensee's fixtures, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a Licensee can and does ordinarily insure in their full replacement value, and loss from theft or burglary.

17.2 Maintain insurance

The Licensee shall not cancel any policy of insurance referred to in sub-clause (1) and in the event of such cancellation this Licence shall terminate immediately and the Licensee shall have no claim against the Licensor for any loss suffered as a result of such termination.

17.3 Details and receipts

The Licensee shall produce copies of the certificates of currency or receipts confirming the currency of any policy or policies of insurance within seven (7) days of being provided with a written request by the Licensor to do so.

18. Not to void insurance

The Licensee agrees with the Licensor not to at any time during the Term, commit, or suffer to be done any act, matter or thing upon the Licensed Area whereby any insurance which may at any time have been effected in respect of the Licensed Area or any part thereof may be vitiated or rendered void or voidable.

19. No assignment without consent of Licensor

Subject to Item 8.4 of the Schedule, the Licensee agrees that it shall not encumber, assign, sub-licence or part with the possession or benefit of this Licence or the Licensed Area or any part of the Licensed Area without first obtaining the prior written consent of the Licensor and the Minister for Lands, which consent the Licensor may withhold in its absolute discretion.

20. Report to Licensor

The Licensee must immediately report to the Licensor:

- (a) any act of vandalism which occurs on or near the Licensed Area;
- (b) any occurrence or circumstances in or near the Licensed Area, of which it becomes aware, which might reasonably be expected to cause, in or on the Licensed Area, pollution of or damage to the environment; and

- (c) all notices, orders and summonses received by the Licensee and which affect the Licensed and immediately give them to the Licensor.

21. No right of exclusive possession

The Licensee acknowledges that this Licence is non-exclusive and does not convey any right of exclusive possession over the Licensed Area to the Licensee and the Licensee AGREES that it shall not interfere with the use of the Licensed Area by any other person authorised by the Licensor or otherwise entitled at law to access or use the Licensed Area.

22. Further term

If at the date of expiration of the Term:

- (a) there is no outstanding breach of this Licence by the Licensee; and
- (b) the Licensee's conduct of its business activities is otherwise to the satisfaction of the Chief Executive Officer of the Licensor,

the Licensor may grant to the Licensee a further licence of the Licensed Area for a Further Term upon and subject to the same terms, covenants and conditions as are contained or implied in this Licence except this **clause 22** in respect of any Further Term previously taken or the subject of the present exercise.

23. Default

The Licensor and the Licensee AGREE that if:

- (a) any Amounts Payable are in arrears after the date specified for payment for a period of fourteen (14) days after a notice of default has been served on the Licensee;
- (b) the Licensee is in breach of the Licensee's Obligations for a period of fourteen (14) days after a notice to rectify such breach has been served on the Licensee;
- (c) the Licensed Area is vacated;
- (d) a person other than the Licensee or a permitted sublessee or assignee is in occupation or possession of the Licensed Area;
- (e) the Licensee is a body corporate and an administrator of the Licensee is appointed;
- (f) the Licensee is a body corporate and an application is made, an order is made, or, a resolution is passed, or a meeting is convened for the purpose of considering a resolution, for the Licensee to be wound up unless the winding up is for the purpose of reconstruction; or
- (g) the Licensee:
 - (i) becomes insolvent;
 - (ii) admits in writing the inability of the Licensee to pay its debts; or
 - (iii) is deemed to be insolvent;

then the Licensor may terminate this Licence by notice in writing to the Licensee. Upon receipt of such notice by the Licensee the Licence shall terminate, but without prejudice to the right of action of the Licensor for arrears of the Licence Fee or damages for breach of the Licensee's

Obligations. Upon termination of the Licence the parties acknowledge that the Licensee shall not be entitled to any refund of the Licence Fee, in respect of any unexpired portion of the Term.

24. Restoration of Licensed Area

- (1) Upon the expiration or sooner determination of this Licence, the Licensee shall:
 - (a) restore the Licensed Area to the condition in which it existed at the date of possession of the Licensed Area to the satisfaction of the Licensor; and
 - (b) remove from the Licensed Area:
 - (i) any alterations, additions or improvements to the Licensed Area installed by the Licensee (if required by the Licensor by notice in writing); and
 - (ii) any stock, equipment, chattels or other personal property of the Licensee.
- (2) In the event the Licensee does not restore the Licensed Area to the satisfaction of the Licensor within one month of the expiration or sooner determination of this Licence the Licensor may:
 - (a) remove:
 - (i) any alterations, additions or improvements to the Licensed Area (where the removal of such alterations, additions or improvements was required by the Licensor under sub-clause (1)(b)); or
 - (ii) any stock, equipment, chattels or other personal property of the Licensee,which shall vest in the Licensor absolutely and may be disposed of by the Licensor at its absolute discretion; and
 - (b) restore the Licensed Area to its satisfaction,

and the costs of carrying out such removal, restoration and disposal shall be a liquidated debt recoverable from the Licensee by the Licensor in a Court of competent jurisdiction.

25. Rights rest in contract only

The Licensee ACKNOWLEDGES that the rights hereby conferred rest in contract only and nothing herein contained or implied shall be construed as granting or shall be deemed to grant to the Licensee any estate or interest in the Licensed Area.

26. Yielding up at expiration of term

The Licensee AGREES with the Licensor that at the end or sooner termination of the Term of the Licence it shall leave the Licensed Area in a condition consistent with the provisions of this Licence.

27. No warranty

The Licensor gives no warranty:

- (a) as to the suitability or otherwise of the Licensed Area for the Permitted Use; or
- (b) that the Licensor will issue any consents, approvals, authorities, permits or licences required by the Licensee under any statute for its use of the Licensed Area.

28. No fetter

Notwithstanding any other provision of this Licence, the Licensee ACKNOWLEDGES that the Licensor is a local government established by the *Local Government Act 1995* (WA), and in that capacity, the Licensor may be obliged to determine applications for approvals having regard to statutes governing such applications including matters required to be taken into consideration and formal processes to be undertaken, and the Licensor shall not be taken to be in default under this Licence by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Licence fetter the Licensor in performing its statutory obligations or exercising any discretion.

29. Notice

29.1 Form of Delivery

A Notice to a Party must be in writing and may be given or made:

- (a) by delivery to the Party personally;
- (b) by addressing it to the Party and leaving it at or posting it by prepaid post to the address of the Party appearing in this Licence or any other address nominated by a Party by Notice to the other; or
- (c) by addressing it to the Party and emailing it to the email address appearing in this Licence or any other email address nominated by a Party by Notice to the other

29.2 Service of Notice

A Notice to a Party is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **clause 29.1(b)**, at the time of leaving the Notice, provided the Notice is left during normal business hours;
- (c) if by post to an address specified in **clause 29.1(b)**, on the fourth business day following the date of posting of the Notice; and
- (d) if by email, when despatched by email to an email address specified in **clause 29.1(b)** of this Licence unless the time of dispatch is not on a Business Day or after 5 pm on a Business Day, in which case it will be deemed to be given or made on the next following Business Day.

29.3 Signing of Notice

A Notice to a Party may be signed:

- (a) if given by an individual, by the person giving the Notice;
- (b) if given by a corporation, by a director, secretary or manager of that corporation;
- (c) if given by a local government, by the CEO or an authorised officer;
- (d) if given by an association incorporated under the *Associations Incorporation Act 2015*, by any person authorised to do so by the board or committee of management of the association; or

- (e) by a solicitor or other agent of the individual, corporation, local government or association giving the Notice.

29.4 Address of parties for delivery of Notices

Licensor

Attention: Gary Tuffin
Address: 135 Canning Highway, East Fremantle
Email: gtuffin@eastfremantle.wa.gov.au

Licensee

Attention: Todd Shimmon
Address: PO Box 43, Palmyra WA 6957
Email: todd.shimmon@effc.com.au

30. Severance

If any part of this Licence is or becomes void or unenforceable, that part is or will be severed from this Licence to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

31. Further assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Licence.

32. Dispute resolution

The parties agree that any dispute between the Licensee and the Licensor in regard to anything arising from this Licence shall:

- (a) be addressed in the first instance by a meeting between representatives of the Licensee, appointed for that purpose, and the officer of the Licensor responsible for administering the Licensed Area; and
- (b) if the dispute cannot be resolved in a manner that is satisfactory to both parties through such a meeting, the Licensee agrees that the CEO of the Licensor will have the power to make a final determination in resolution of the dispute, but only after giving due consideration to all of the matters discussed at the meeting referred to in sub-clause (a) of this clause and setting out in writing the reasons for his or her decision.

33. Variation

This Licence may be varied only by deed executed by the Parties subject to such consents as are required by this Licence or at law.

34. Payment of interest

Without affecting the rights, power and remedies of the Licensor under this Licence, the Licensee shall pay to the Licensor interest on demand on any Amounts Payable which are unpaid for 7 days

computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

35. Costs

The Licensee must pay to the Licensor on demand:

- (a) any statutory duty or taxes payable on or in connection with this Licence; and
- (b) all costs, reasonable legal fees, disbursements and payments incurred by or for which the Licensor is liable in connection with or incidental to:
 - (i) the Amounts Payable or obtaining or attempting to obtain payment of the Amounts Payable under this Licence;
 - (ii) any breach of covenant by the Licensee or an Authorised Person; and
 - (iii) any work done at the Licensee's request which the Licensor is not responsible for under the terms of this Licence.

36. Governing law

This Licence is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

37. Additional terms covenants and conditions

Each of the terms, covenants and conditions (if any) specified in **Item 8** of the Schedule shall be deemed part of this Licence and shall be binding upon the Licensor and Licensee as if incorporated in the body of this Licence.

38. Interpretation

In this Licence, unless expressed to the contrary:

- (a) Words importing:
 - (i) the singular include the plural;
 - (ii) the plural include the singular; and
 - (iii) any gender includes each gender;
- (b) A reference to:
 - (i) a natural person includes a body corporate or local government;
 - (ii) a body corporate or local government includes a natural person;
 - (iii) a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
 - (iv) a statute, includes an ordinance, code, regulation, award, local planning scheme, regulation, local law, by-law, requisition, order or other statutory instruments made under any of them and a reference to any of them, whether or not by name,

- includes any amendments to, re-enactments of or replacements of any of them from time to time in force;
- (v) a right includes a benefit, remedy, discretion, authority or power;
 - (vi) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (vii) this Licence or provisions of this Licence or any other deed, agreement, instrument or contract includes a reference to:
 - (A) both express and implied provisions; and
 - (B) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
 - (viii) writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
 - (ix) anything (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them; and
- (c) a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure is a reference to, respectively, a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure of this Licence;
 - (d) The covenants and obligations on the part of the Licensee not to do or omit to do any act or thing include:
 - (i) covenants not to permit that act or thing to be done or omitted to be done by any officer, workmen, servants, agents, contractors, licensees, invitees, assignees or persons authorised by the Licensee; and
 - (ii) a covenant to take all reasonable steps to ensure that that act or thing is not done or omitted to be done;
 - (e) Except in the Schedule, headings do not affect the interpretation of this Licence;
 - (f) If a Party comprises two or more persons, the covenants and agreements on their part bind them and must be observed and performed by them jointly and each of them severally, and may be enforced against any one or more of them.
 - (g) The Schedule and Annexures (if any) form part of the Licence.

39. Definitions

In this Licence, unless otherwise required by the context or subject matter:

Amounts Payable means the Licence Fee and any other money payable by the Licensee under this Licence;

Authorised Person means an agent, employee, invitee or sub-licensee of the Licensee;

Chief Executive Officer means the Chief Executive Officer of the Licensor or any person authorized to act on his or her behalf;

Commencement Date means the date upon which the Term commences as stipulated in Item 3 of the Schedule;

Common Areas means all those parts of the Land not leased to any lessee or licensed to any licensee and intended for use by the lessees or licensees of the Land and their invitees in common with each other including all parking areas roads walkways malls corridors passageways stairways elevators toilets and washrooms in on or about the Land;

CPI means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics;

GST means a tax under the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any legislation substituted for, replacing or amending that Act, levied on a supply including but not limited to the Licence Fee or other money payable to the Licensor for goods or services or property or any other thing under this Licence; and

Interest Rate means the rate at the time the payment falls due being 2% greater than the Licensor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00;

Land means the land described at **Item 1** of the Schedule;

Licence means this deed as supplemented, amended or varied from time to time;

Licence Fee means the fee specified in **Item 5** of the Schedule;

Licensed Area means the Licensed Area described in **Item 2** of the Schedule;

Licensee's Obligations means the covenants, agreements and obligations set out or implied in this Licence or imposed by law to be performed by the Licensee;

Management Order means the Management Order made under section 46 of the Land Administration Act 1997, under which the Land was vested in the Licensor to be held for the purpose of "Park and Recreation";

Notice means each notice, demand, consent or authority given or made to any person under this Licence;

Party means the Licensor or the Licensee according to the context;

Permitted Use means the use set out in **Item 7** of the Schedule;

Schedule means the Schedule to this Licence, unless otherwise stipulated;

Supply means a good or service or any other thing supplied by the Licensor under this Licence and includes but is not limited to a grant of a right to possession of the Licensed Area; and

Term means the term stipulated in **Item 3** of the Schedule and, where the context permits, includes any further term.

Schedule

Item 1 Land

Part Reserve 22365, being Lot 300 on Deposited Plan 44502 and being the whole of the land comprised in Certificate of Title Volume 3139 Folio 502.

Item 2 Licensed Area

Those portions of the Land comprising:

- (a) the building known as the Tricolore Community Centre (**Building**); and
- (b) the area on the eastern side of the Building comprising an area to the south of the existing fenced compound,

as outlined in yellow on the plan annexed hereto as **Annexure A**.

Item 3 Term

Fifteen (15) months commencing on 14 October 2022 and expiring on 13 January 2024.

Item 4 Permitted Hours of Use

All hours during the Term.

Item 5 Licence Fee

Licence Fee: One dollar (\$1)

Manner of Payment: Payable on demand

Item 6 Licence Fee Review

Not applicable

Item 7 Permitted Use

Football Club related purposes including incidental uses of office administration, storage and sports massage.

Item 8 Additional terms, covenants and conditions

8.1 Storage Facilities

The Licensor shall provide up to three (3) 20ft sea containers to be placed to the south of the existing fenced compound, in the locations depicted on the plan annexed as Annexure A (**Storage Facilities**), subject to available space and any required approvals from the Department of Biodiversity Conservation and Attractions having been obtained.

The Storage Facilities may be utilised by the Licensee for the duration of the Term for the purpose of storage.

The Licensee acknowledges the 'in-kind' contribution of the Licensor in purchasing up to 3 sea containers (estimated cost \$10,000 ex GST) for use of the Licensee.

8.2 Replacement of locks

The Licensee shall replace the external locks to the Building and shall provide the Licensor with a key for access to the Building. Upon expiration or sooner termination of the Licence, the Licensee shall surrender all keys to the Licensor.

8.3 Internet

Notwithstanding clause 7, the Licensor agrees to bear the cost of the existing fibre internet connection to the Building, subject to the Licensee bearing any costs associated with the provision of equipment or fittings required to utilise the internet connection including but not limited to routers.

8.4 Permitted sub-licensee

The Licensor acknowledges and agrees that the Licensee may permit a portion of the Building to be utilised by Precise Massage Pty Ltd (**Sublicensee**) for the purposes of sports massage for the Term of the Licence. The Licensee acknowledges and agrees that the Sublicensee is an Authorised Person of the Licensee for the purposes of this Licence including but not limited to clause 16 (Indemnity).

8.4 Extension of Term

The Licensor acknowledges and agrees that an extension to the Term will be granted to the Licensee in the event that the practical completion of the new East Fremantle Oval Precinct is delayed. If granted, this extension will be for a maximum period of up to 12 months. The Licence Term will terminate once the new facility is built and a certificate of occupancy for the new East Fremantle Oval Precinct premises has been issued.

8.5 Building Alterations

The Licensee is required to submit a certified building application with accompanying plans and structure details for any alterations to the Building, including the proposed massage rooms. The Licensee acknowledges and agrees that such works cannot commence until a valid building permit has been issued.

Signing page

EXECUTED by the parties as a Deed on the _____ day of _____ 2022

THE COMMON SEAL of **THE TOWN OF EAST FREMANTLE** was hereunto affixed in the presence of:

Mayor

(Print full name)

Chief Executive Officer

(Print full name)

The **COMMON SEAL** of **EAST FREMANTLE FOOTBALL CLUB INC.** ('Association') was hereunto affixed pursuant to the constitution of the Association in the presence of each of the undersigned each of who hereby declares by the execution of this document that he or she holds the office in the Association indicated under his or her name:

Office Holder Sign

Office Holder Sign

Name:

Name:

Address:

Address:

Office Held:

Office Held:

Annexure A – Plan of Licensed Area



Annexure B – Minister’s Approval

[Insert consent letter from Minister of Lands]

OUR REF: R/RSC7
ENQUIRIES Gary Tuffin



BY HAND DELIVERY

24 August 2022

East Fremantle Football Club (Inc.)
East Fremantle Oval
Moss Street & Marmion Street
EAST FREMANTLE WA 6158
Attention: Todd Shimmon

Dear Sir

Lease : Part of Lot 6229 on Diagram 1243 and Part of Lot 6229 on Plan 3286 in Qualified Certificate of Crown Land Title Volume LR3017 Folio 75

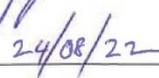
1. We refer to the lease made between the Town of East Fremantle (**Lessor**) as landlord and the East Fremantle Football Club Inc. (**Lessee**) as tenant dated 22 December 1983 (**Lease**).
2. Except where the context requires, words capitalised but not defined in this Notice have the meaning given in the Lease.
3. We confirm that the term of the Lease expired on 28 February 2003 and the Lessee is holding over as a monthly tenant with the consent of the Lessor pursuant to clause 8 of the Lease.
4. In accordance with clause 8 of the Lease, the Lessor hereby gives notice of termination of the Lease, with such termination to take effect on **30 September 2022**.
5. The Lessor requires the Lessee to deliver up vacant possession of the demised premises on or before 30 September 2022.

Yours sincerely,

SIGNED for and on behalf of **Town of East Fremantle** by the Chief Executive Officer, Mr Gary Tuffin:



Signature of Gary Tuffin, Chief Executive Officer



Date



EAST FREMANTLE FOOTBALL CLUB



Report to Town of East Fremantle on request to move off site for Redevelopment to start

1. Background

The current redevelopment plan which has been approved by the Council and now has \$25M State Government funding, will provide the Town and community a new state of the art facility that will be the envy of most sporting community centres in WA.

The current East Fremantle Football Club (EFFC) facility has deteriorated very quickly over the last 10 years and the EFFC would like to thank Councillors and staff for your vision & support in getting this project to fruition.

a. Staying at East Fremantle Oval

As discussed with Town Executives and the project planning team, EFFC would like to stay on site to watch the redevelopment evolve. Staying on site would also provide EFFC with significant savings as opposed to moving EFFC operations off site.

EFFC were informed by Council that the Club could stay at the ground while the redevelopment took place and therefore EFFC sub leases were also able to remain in place during redevelopment works. The three organisations holding the sub leases were informed at that time they could stay on site during redevelopment works.

EFFC acknowledges that following further project planning, including advice from the main contractor, that it has now been identified that significant project savings can be achieved by relocating EFFC from the East Fremantle Oval site during redevelopment works. The Club is willing to help any way they can to reduce project costs.

b. Relocation to WACA

EFFC were informed by Council Executives in December 2021 that the Club would need to find a new place for WAFL games in 2022 & 2023 while the ground was being redeveloped.

EFFC looked at a variety of options to play WAFL games in 2022, but finally decided on the WACA for logistical, hospitality and sponsors reasons. EFFC subsequently signed a contract for two years to play EFFC games at the WACA.

c. Project Delay

Escalation of building costs has resulted in delays to the project by approx. 6 months while the project was redesigned and value engineered and additional funding sought.

ONWARD TO VICTORY



MOSS STREET, EAST FREMANTLE PO BOX 43, PALMYRA, WA 6957
T: (08) 9339 5533 www.ffc.com.au

EAST FREMANTLE THANKS OUR MAJOR PARTNERS

EFFC were already locked into playing home games at the WACA in 2022 and therefore could not alter its plans and stay at East Fremantle Oval for the 2022 season. This meant a lost opportunity for increased bar & catering returns from EFFC Home games.

d. Builder can make savings

Based on the significant savings that can be made by the builder by relocating EFFC offsite, EFFC have now been formally advised by Council Executives of the preference for EFFC to be relocated off site for the duration of the redevelopment works.

This puts pressure on EFFC to co-ordinate 400 players in training & playing facilities for a year, plus the capacity to store property, equipment and other items in temporary accommodation for an estimated 15 months.

2. EFFC Operations Costs and Revenue Impact

EFFC has been requested to detail losses in income or costs resulting from the Club not being on site.

1. Three x sub leases at a total value of \$71,500. (see below)
 - Young for Life - \$47,500 per annum (Appendix 1)
 - Precise Sports Massage - \$16,200 per annum (Appendix 2)
 - Sayaka Kitchen - \$7,800 per annum
2. Bar Function Centre budgeted to return a net surplus of \$75,365 this year without football games (Appendix 3):
 - Current bar income at \$90,000 per annum till end of July, with projected turnover to be \$130,000 by end of October (EFFC financial year).
 - Expenditure costs are currently at \$35,000 at end of July and are expected to be at \$50,000 by end of year.
3. Storage Capacity off site
 - Quote from Storage King for 4 large storage rooms valued at \$330 per month = \$15,840 per annum for storage of all Club assets from current building
 - Three Sea Containers – quote \$150 per month plus delivery (cost est \$7,500) for football games, ie Property, Jumpers, shorts, balls, medical, merchandise, stock, for 400 players.
4. Ovals for Training for the entire 2023 season (4 Ovals needed with sufficient training lights) at an estimate of \$42,400.
 - Men’s Seniors – 65 players – Dec to Sept – 80 Training sessions at Cockburn Arc Facility at a cost of \$150 per session = \$12,000
 - Women’s Seniors – 65 players – Nov – July – 72 sessions at local ground, est cost \$100 per session \$7,200.
 - Men’s Colts – 50 players – Dec – Sept – 80 sessions at Subiaco Oval, est cost \$120 per session = \$9,600.
 - Women’s Youthies – 50 players – Nov – July – 72 sessions at local ground est \$100 per session = \$7,200.
 - Male Futures – 50 players – Jan – April – 32 sessions at Riverton Oval est \$100 per session = \$3,200.
 - Male 14’s & 15’s Programs 120 players – 8 weeks – 32 sessions at Riverton Oval est \$100 per session = \$3,200

Items 3 & 4 are estimates at this stage, with the Club endeavouring to give a realistic quote on what Councils charge to hire grounds with lighting for each session.

Total estimated cost/loss of revenue per annum \$212,605. This works out to be \$17,717 per month.

AREA	COST/INCOME IMPACT		
	LOW	MEDIUM	HIGH
Leases	\$71,500	\$71,500	\$71,500
Bar/Function	\$70,000	\$75,365	\$85,000
Storage – Off Site	\$14,000	\$15,840	\$18,000
Storage - Containers	\$5,000	\$7,500	\$10,000
Oval Hire	\$30,000	\$42,400	\$50,000
TOTAL ANNUAL	\$190,500	\$212,605	\$234,500
TOTAL MONTHLY	\$15,875	\$17,717	\$19,541

3. EFFC Admin & Facilities Requirements Off Site

The Club will need an administration facility for 8 to 10 staff, and a gymnasium for 250 senior football players to utilise on a daily basis if we move off site.

The Town has offered the Tricolore Community Centre for the EFFC to use as admin facilities and gymnasium from October 2022 till new building is complete at no cost. It may also be possible to place Mobile Sea Containers next to the Community Centre for easy access.

4. Costs EFFC are absorbing

1. Functions off site – Our 5 main functions each year will need to be held off site, costing the Club.
2. Home Games at WACA reduces our Bar & Catering income by \$60,000 per annum.
3. Removalists – The Club will undertake players & support staff to remove all items out of the old facility saving the costs of removalists.
4. We have told our Members and supporters that we are remaining on site for their entire rebuild, and this move will break the members & supporters link with the facility and the connection with the Club. Club will undertake to find another facility so Members can socialize in the Town of East Fremantle on a weekly basis.
5. Sub leases at East Fremantle Oval will probably want the Council to offer an alternative for them inside the Town. They have a short period to find a replacement lease. The Club will try and help the sub leases to find a place.

5. EFFC Contra Contribution to Project

1. The Club has access to EFFC sponsors who are intending on tendering for specific parts of the construction of the new facility.
2. As part of the main contractor tendering for sub contractors for the construction of the facility these sponsors are willing to provide a discounted price to help save costing on the overall build.

6. EFFC Fundraising Activities

The Club is setting up a Sharks Redevelopment Foundation through the Australian Sports Foundation where all donations over \$2 will be tax deductible. The intention is to undertake fundraising to help contribute to the new redevelopment.

A handwritten signature in black ink, appearing to read "Todd Shimon". The signature is written in a cursive, flowing style.

TODD SHIMMON
Chief Executive Officer

15 REPORTS – GOVERNANCE

Reports start on the next page

15.1 LOCAL GOVERNMENT REFORM

Report Reference Number	OCR-1511
Prepared by	Gary Tuffin CEO
Supervised by	Gary Tuffin CEO
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

PURPOSE

To advise on proposed local government reform changes in relation to election transition arrangements and for elected members to decide on the process for the Town's required Ward review.

EXECUTIVE SUMMARY

The Town has been identified as a category (1) local government under the election reform proposals, which means all wards must be abolished to create a district, and no other changes are required. This change can be achieved via a voluntary process, or via a default pathway, which will become automatic through a proposed change to the current legislation.

Council has been requested to notify the Department of Local Government (DLG) by **28th October 2022**, as to which way it would like to proceed.

BACKGROUND

On 3 July 2022, the Minister for Local Government announced the final package of proposed local government reforms, following a review of public submissions. As part of the reforms new requirements will be introduced to provide for:

- The introduction of optional preferential voting;
- Directly elected Mayors and Presidents for band 1 and 2 local governments;
- Councillor numbers based on population; and
- ***The removal of wards for band 3 and 4 local governments.***

Work on a Bill to amend the *Local Government Act 1995* (the Act) is ongoing, and a Bill is expected to be introduced into Parliament in early 2023.

It is currently understood that this reform has been driven by the Local Government Review Panel Report (2020), **Recommendation (26)**, which recommended the following representation numbers

26. In respect to elected member representation, the Panel recommends:

a. Population should be used to determine the number of elected member positions:

(i) Population of up to 5,000 – 5 councillors (including President).

(ii) Population of between 5,000 and 75,000 – 5 to 9 councillors (including Mayor/President).

(iii) Population of above 75,000 – 9 to 15 councillors (including Mayor).

Whilst these representation numbers have not been legislated at this stage, it has been verbally confirmed by the officer responsible for overseeing the process at the DLG.

Following discussion at the October Concept Forum on the options defined in this report, elected members had indicated they were supportive of Option (2) outlined below.

CONSULTATION

- A letter dated 20th September was received from the Minister’s office advising of the proposed changes.
- An email was sent to elected members 21st September 2022 from the CEO, advising the proposed changes.
- A telephone discussion 4th October 2022 with Ms Julie Craig (Strategy & Research Officer, DLG)
- Emails from LG Advisory Board (10 & 11/10/22) to CEO confirming process.
- Discussion Paper to Concept Forum on 11th October 2022.

STATUTORY ENVIRONMENT

Local Government Act 1995 Schedule 2.2 clause 6.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Option (1) - There will be costs associated with staff time and minor advertising costs.

Option (2) – It is understood currently there will be no costs, as the process would be run by the DLG.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2020-2030

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.1.1 Strengthen governance, risk management and compliance.

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Handing over control to the Local Government Advisory Board (LGAB) could potentially result in possible undesirable outcomes for the Town and Council although CEO has sought reassurances from LGAB that there will be no reduction in the number of elected members	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION No material service interruption	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	9
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

N/A

COMMENT

The proposed reforms will remove wards for band 3 and 4 local governments prior to the next (2023) elections. The TOEF is classified as a band 3 Local Government.

The Department of Local Government (DLG) has undertaken its own review of each local government in the State and has determined that for reform purposes the Town is a Category (1). This means that only the wards need to be abolished, and no other changes are required.

“The Department of Local Government, Sport and Cultural Industries (DLGSC) has completed an initial review, and identified that your local government may need to abolish wards under the proposed reforms”.

A reduction in elected member representation is not required as the Town has a population of approximately 8,000 people, and a combined current council membership of nine, including the Mayor.

(LGRP Recommendation 26)

26. In respect to elected member representation, the Panel recommends:

a. Population should be used to determine the number of elected member positions:

(ii) Population of between 5,000 and 75,000 – 5 to 9 councillors (including Mayor/President).

Two options are available, **Option (1)** undertake a voluntary review, or **Option (2)** wait for the legislative change (automatic changeover), no details of the actual legislative changes or process have been provided at this stage.

Option (1) – Summary of voluntary process

Table 1 – proposed timeframes for local government actions

Due date (latest possible)	Requirements/actions
28 October 2022	Council resolves to undertake a ward and representation review A comprehensive discussion paper is developed
December 2022	Completion of six week consultation period
December 2022 - January 2023	Draft review report is prepared, considered and adopted by council
14 February 2023	Formal review report is submitted to the Advisory Board

Table 2 - Ward and representation review process – for local governments

	Existing requirements/actions	Timeframe
1	The council resolves to undertake a ward and representation review	Variable
2	A comprehensive discussion paper is developed	Variable
3	Council advertises that it is conducting a review and the associated public submission period opens (minimum 6 weeks)	6 weeks
4	The discussion paper is made available to the community for consideration, and public submissions are invited on the matter	
5	Public submission period closes	
6	The Council assesses all submissions, considers options for change against the relevant factors to be considered, and drafts a report, which includes their decision, for the Local Government Advisory Board (the Advisory Board)	Variable
7	The formal report is presented to Council on the outcome of the public submissions and the proposed ward and/or boundary changes	Variable
8	Council resolves to adopt the report to the Advisory Board	Variable
9	The preferred option is submitted to the Advisory Board via the formal report, for the Board’s consideration and recommendation	Variable
10	The Advisory Board considers the council’s review report, and a recommendation is submitted to the Minister, which can either be accepted or rejected	Variable

CONCLUSION

Option (1) allows Council to remain in control of the process, but will need to be undertaken in a very tight timeframe to meet the legislative requirements.

Option (2) – Legislative process is unknown at this stage.

The legislative change (Option 2) would result in the least impact on the Town’s resources as the Local Government Advisory Board would take control of the process. To ensure that the default pathway did not result in a full spill of council further contact was made with the LG Advisory Board’s Strategy and Research Officer

The Local Government Advisory Board Officer advised as follows;

*“It would **not** be necessary for a full spill to occur under the default pathway, because the current number of councillors meets the reform threshold figures. In the letter sent to the Town from Minister Carey, I note that it states:*

“Default Pathway

It is intended that the Amendment Act will provide for all changes to be implemented by default in 2023. This pathway would involve all wards being abolished, with no other changes.”

Therefore, it is recommended that Council notify the DLGCS of its preference for the default pathway, which will result in all wards being abolished, with no other changes.

15.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That the Chief Executive Officer be requested to notify the Department of Local Government that;

- 1. as a Category 1 reform local government the Town's preferred method for the removal of wards (only), is the "Default pathway" through the proposed legislative changes to the *Local Government Act 1995*.**
- 2. as a Category 1 reform local government, the Town does not support a reduction in its elected member representation numbers, and further understands this will not happen as a result of the default pathway, as advised by the LGAB (email 11/10/22).**

15.2 WORKFORCE PLAN 2022-2027

Report Reference Number	OCR-1513
Prepared by	Janine May EA/GC
Supervised by	Gary Tuffin CEO Tuesday, 18 October 2022
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Workforce Plan 2022-2027

PURPOSE

Council is requested to consider endorsing the Workforce Plan for 2022-2027.

EXECUTIVE SUMMARY

The Workforce Plan fosters a resilient, connected organisation culture which continues to attract and retain talented staff.

The Workforce Plan:

- Profiles the current Town of East Fremantle workforce;
- Assesses the impact of the external workforce on the Town of East Fremantle's current and future workforce;
- Identifies the workforce implications the Strategic Community Plan has on the Town;
- Outlines strategies for addressing these implications; and
- Sets out how the delivery of this Workforce Plan will be monitored.

BACKGROUND

The Workforce Plan is a core information strategy identifying the human resources and skills required to deliver on the medium to long-term strategic direction, as outlined in the Town's Strategic Community Plan and outlines the strategies to be implemented to ensure the appropriate resources are in place, now and into the future.

The previous 2019-2020 Workforce Plan was adopted by Council on 20 August 2019. Whilst Council hasn't adopted a Workforce Plan since this date internal reviews have been undertaken each year, an organisational chart has been provided with the Annual Budget each year for endorsement.

CONSULTATION

Concept Forum 13 September 2022.

STATUTORY ENVIRONMENT

Part 5 Division 4 of the *Local Government Act 1995* deals with Local Government Employees. Specifically, the following provisions apply:

Section 5.36 (1) (b) – A local government is to employ such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

Section 5.36 (3) (a) (b) – A person is not to be employed by a local government in any other position unless the CEO believes that person is suitably qualified for the position and is satisfied with the proposed arrangements relating to the persons employment.

Section 5.37 (1) – A local government may designate employees or persons belonging to a class of employee to be senior employees.

Section 5.40 – The following principles apply to a local government in respect of its employees –

- (a) Employees are to be selected and promoted in accordance with the principles of merit and equity;
- (b) No power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage;
- (c) Employees are to be treated fairly and consistently.

Section 5.41 – The CEO’s functions are to –

- (d) Manage the day to day operations of the local government;
- (g) Be responsible for the employment, management supervision, direction and dismissal of other employees.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

Council adopts the annual budget each year which includes resourcing of the Workforce Plan including staff salaries and wages.

No additional new positions have been identified in the current plan 2022-2027.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2020 – 2030

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

RISK IMPLICATIONS

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council doesn't endorse the Workforce Plan and current resourcing levels.	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION Prolonged interruption of services - additional resources; performance affected <1month	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	9
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

N/A

COMMENT

Office of the CEO

The Office of the CEO did not undergo any major changes during the previous period. There were however some minor changes made to the CEO functional structure due to resignations and a review of position descriptions. These changes are as follows.

- Project Coordinator position was removed and replaced with the role of Marketing and Communications. Project coordination is now undertaken by each functional area.
- The role of Community Engagement Coordinator has been reviewed and the title changed to Community Engagement Officer.
- To acknowledge the breadth of the Executive Assistant to the CEO role, and to meet the increased need for additional governance measures due to the Office of the Auditor General’s expectations the position title was changed to Executive Assistant / Governance Officer.

Corporate Services

Services structure was reviewed with the following changes made, based on long service leave taken and as staff vacancies arose:

- The Records Officer position was changed to a Customer Services / Information Management position.
- Rates Officer was changed to Rates / Revenue Officer.
- There was a redeployment of one staff member to CHSP after a return from maternity leave.
- In June 2021 the Executive Assistant Corporate Services position title changed to Coordinator Corporate Services to align with the similar roles in the organisation.
- After the resignation of the CHSP Coordinator, this position was elevated to the role of Manager to attract viable candidate and the position was filled in December 2021.

- Three CHSP staff undertook casual conversion under the current Fair Work legislation and became permanent part time staff.
- Due to annual leave liabilities, the ELT agreed to employ an additional ranger to cover the Town's full time Ranger.
- In May 2022 the resignation of the Finance Manager, required the Town to take this role to market. This position's title was also changed to Manager Finance and Administration, and now includes Customer Service as a direct line of reporting.

Regulatory Services

Some minor changes were made to the staffing in Regulatory Services:

- The job title of the Waste Education Officer position was changed to Waste and Sustainability Officer to better reflect the breadth and focus areas of the role.
- The role of Casual Relief Planner was established in June 2020 as a three-year fixed term job 'Planning Officer' to help Regulatory Services in maintaining a high level of customer service. This role has proven invaluable to the Town's turn over of development applications and will continue as a core component of the Town's human resources.
- The Town currently outsources a building surveying role to assess some building applications, for half a day per week. It is expected that this task will be included in a future role as staff skills develop.
- The practicum placement for a university level cadet or work experience is currently being considered.

Operations/Technical Services

As a result of the Business Case for the Organisational Realignment of Operations the following positions were approved, advertised, and recruited.

- Executive Manager Technical Services, appointed January 2021
- Supervisor Infrastructure and Assets appointed May 2021.

As part of the review process for the Workforce Plan an assessment by the Executive Leadership team identified several service gaps in capacity and capability in the short and long term. The following areas should be addressed:

- Possible inability to attract suitably qualified and skilled staff
- The risk of higher staff vacancies due to the current job market,
- The difficulties in addressing leave liabilities, resulting in knowledge gaps and delayed service provision
- The flat hierarchy structure doesn't lend itself to succession planning.
- The potential retirement of long term staff, resulting in knowledge gaps and delayed service provision,
- The continued potential funding risk and subsequent removal of CHSP service provision
- The increased volume of development approvals currently received,
- The enhanced focused on sustainability,
- The increased need for additional governance measures due to the Office of the Auditor General's expectations

CONCLUSION

The Workforce Plan is a critical component of the Integrated Planning & Reporting Framework and its adoption is recommended.

15.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That Council endorse the 2022-2027 Workforce Plan as presented.

REPORT ATTACHMENTS

Attachments start on the next page



Workforce Plan

2022-2027



TOWN of
EAST FREMANTLE

Acknowledgment of Country

**Nyoongar boodja Kya Wanju boodja
booranyinj Nyoongar moort.**

**Noonakaat yuwal koorl Wadjuk
djinnakerding goora goora.**

**Nitja djen ngallanga bardlaninj
deman nga manga.**

**Hello and welcome to the land of
the Whadjuk Nyoongar people.**

The people of the land have walked
in this place for a long time.

Their feet have followed the footsteps of
their grandfathers and their grandmothers.

The Town of East Fremantle respectfully
acknowledges the Whadjuk people of the
Nyoongar Nation, the traditional owners
and custodians of this land, and we pay our
respects to Elders past, present and emerging.

The Town of East Fremantle is committed
to building a deeper level of understanding
and respect for all Aboriginal and Torres
Strait Islander peoples as we continue
on our journey of reconciliation.

One of the Town’s workforce planning priorities is to ensure the organisation has the human capital it needs in order to run efficiently and effectively, both now and in the future.



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Executive Summary



The Town of East Fremantle is a robust and resilient local government authority, and it is served by a small employee base of 55 staff.

We acknowledge that a diverse, dedicated, and motivated staff is the pillar of any successful organisation, and the Town of East Fremantle aims to achieve a high level of performance for all staff.

Recruiting, retaining, and training the right staff, in the right job roles and at the right time is critical to realising our long-term goals.

The Workforce Plan is a key strategic document which identifies the human resources, skills and competency development required to deliver on the Town's strategic direction, which is outlined in the Strategic Community Plan 2020-2030.

Workforce planning is a continual improvement process of shaping the workforce to achieve organisational goals both now and in the future.

In recent times the Town has faced several challenges, including those presented by the COVID-19 pandemic. We have also seen the rise of job markets, with many employers struggling to hire and keep talented staff.

As a result of these external factors, staff benefits and providing the right workplace culture have become critical in recruiting the right people.

We have continued to implement the RITE values of respect, integrity, teamwork and empathy.

This work has included the engagement of a staff driven Culture Club, which aims to involve staff in the implementation of these values through gatherings, staff outreach and motivation activities.

We believe that our employees play a critical role in building on our prior accomplishments and creating a future that fulfils community expectations. As a result, we must consult, promote, and develop our staff as they learn new methods of working.

This Workforce Plan aims to provide a framework to achieve a high performing, motivated and resilient staff that can deliver a high level of customer service and one which creates a positive impact on our community.

Gary Tuffin
Chief Executive Officer

We have continued to implement the RITE values of respect, integrity, teamwork and empathy.

Our Vision

An inclusive community balancing growth, lifestyle and sustainability!

Sustainability is defined as strategies and actions which provide the most positive environmental, social and economic impacts to best meet the needs of current and future generations.

Our Values

Elected Members and staff of the Town of East Fremantle work to the highest standards of ethics and behaviour and are guided by our corporate values, which are:

R



Respect

Being courteous at all times and valuing the views and opinions of others by having due regard to their rights and responsibilities

I



Integrity

Holding oneself to consistent standards exemplified by being honest and having a strong moral code, upholding the reputation of the organisation

T



Teamwork

Working together to achieve agreed outcomes by building and sustaining a high performance work environment underpinned by trust and commitment

E



Empathy

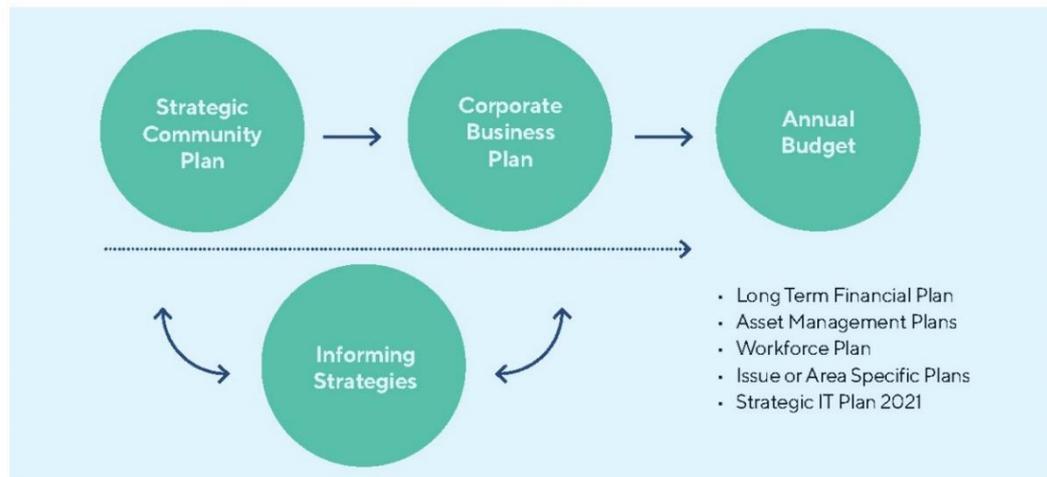
Willing to develop an understanding of someone's concern and consider their needs and feelings in working with them to address work related issues and solve problems

About this Plan

The workforce planning process ensures decisions that relate to the organisation's workforce align with all other organisational strategies and key documents.

It links the organisation's people to its strategy and focuses the workforce on service delivery. An effective Workforce Plan should also be actionable, pragmatic and provide guidance for future decision making based on today's information and performance indices.

Elements of the Integrated Planning and Reporting Framework



Where are we now?	Workforce implications of the Strategic Community Plan	Strategies for future requirements	Review and Monitoring
Tasks	Tasks	Tasks	Tasks
<ul style="list-style-type: none"> • Workplace culture survey • Staff engagement project group formed • Executive Leadership Team workshop • Organisational structure review • Analyse current workforce data • Financial analysis • Assess risks 	<ul style="list-style-type: none"> • Review outcomes of community consultation for capital Strategic Community Plan • Assess gaps, issues and risks • Assess current and future operating environment 	<ul style="list-style-type: none"> • Review Corporate Business Plan • Assess policies and workplace culture - is there sufficient scope to implement future direction? • Define future direction • Develop workforce resources 	<ul style="list-style-type: none"> • Develop performance management framework

About the Town of East Fremantle

The Town of East Fremantle is located in the south-western suburbs of Perth, approximately 16 kilometres from the Perth CBD.



Our Vision

To be an inclusive community, balancing growth, lifestyle and sustainability.

Community Profile

Our Town has a distinct identity. We are recognised for the integration of our heritage, lifestyle, environment, and community values.

The Town of East Fremantle was created in 1897, when it separated from the Fremantle Municipal Council.

Bordering the Swan River, our Town has a strong cultural heritage and supports a large range of sporting clubs and community organisations.

Our community has experienced steady population growth. Currently, our population is estimated at 7,986, although the Department of Planning Lands and Heritage estimates we will grow to 8,600 by 2026. In 2036 our population is estimated to be 10,654.

Where Are We Now?

Key Statistics

The following table provides some key statistics about our Town.

Our Area	
Population	7,986
Area	3.2 square kilometres
Number of dwellings	3,283
Distance from Perth	17.3 kilometres
Number of local clubs and associations	41
Representation	
Number of Electors	5,800 (5,729)
Number of Elected Members	9
Elector to Elected Member Ratio	1: 878
Our Council	
Number of Employees	55
Length of Roads	46 km
Area of Parks and Gardens	65 ha
Our Financial Position	
Annual Rates Levied	\$7,988,354 (2020-2021)
Annual Operating Expenditure	\$11,539,152 (2020-2021)
Value of Net Assets	\$74 million (2020-2021)

Council Structure

The Council is governed by the Mayor and eight Councillors elected on the basis of two Councillors for each of the four wards. These wards are Preston Point Ward, Richmond Ward, Plympton Ward and Woodside Ward.

Organisational Structure

To achieve the vision of Council set out by the Strategic Community Plan 2020-2030, Town staff are assigned to departments aimed at maximising work effort and minimising duplications.

Please refer to our Organisational Structure.

Key Staff Statistics

As at May 2022 the Town of East Fremantle had a workforce of 55 employees, comprised of the following:

- 54.5% of all employees including casual workforce are female
- 50.9% of all employees including casual workforce are 41-50 years of age and 34.5% of all employees are 51 years or older
- 67.3% of employees have been with the Town for less than five years and 32.7% have been with the Town for more than five years, and
- 9% of employees identify as coming from a culturally diverse background.

Departments

Each Department within the Town's organisational structure consists of several functional work areas. A review of each Department's Service Level Plan was undertaken to determine if any significant staffing or structural changes were required. Changes since the last Workforce Plan report include:

- The Revenue Officer reports to the Manager of Finance
- The combination of information management / records tasks into a customer service officer position effectively increasing customer service by one full time employee (FTE)
- The creation of the position of Coordinator at no overall increase to FTE numbers, and
- The regrade of duties for the Operations Supervisor to include overseeing property maintenance tasks.

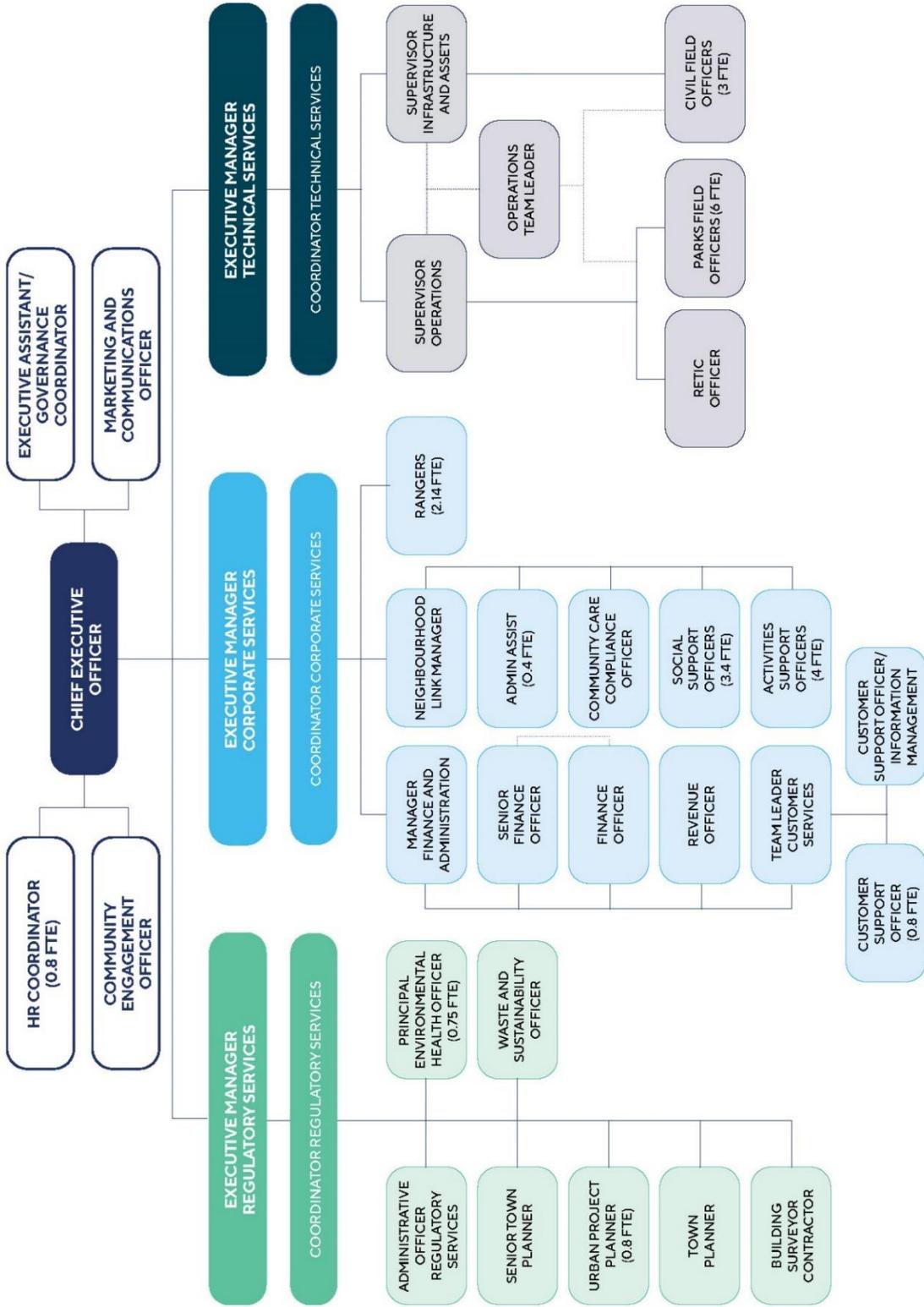


54.5%
of all employees
are female



32.7%
of employees have been with
the Town for more than 5 years

ORGANISATIONAL STRUCTURE



OFFICE OF THE CEO

Area of Responsibility

The Office of the Chief Executive Officer is the overarching directorate at the Town and creates a conduit between all other functional areas in the delivery of information, and in the provision of strategic advice and guidance to the executive. It also engages with Elected Members and the Mayor, as well as oversees all matters regarding governance, workplace health and safety, freedom of information, marketing, external and internal communication, public interest disclosures, corporate documents, external complaints, human resources, and community and stakeholder engagement.

Current State

The Office of the CEO did not undergo any major changes during the previous period. There were however, some minor changes made to the Office of the CEO functional structure due to resignations and a review of position descriptions. These changes are as follows:

The Project Coordinator position was removed and replaced with the role of Marketing and Communications Officer. Project coordination is now undertaken by each functional area.

The community engagement function has been reviewed and the title changed to Community Engagement Officer.

To acknowledge the breadth of the Executive Assistant to the CEO role, and to meet the increased need for additional governance measures due to the Office of the Auditor General's expectations, the position title was changed to Executive Assistant/Governance Officer and reclassified to a Level 9.

Head Count

There are eight full time employees in the Office of CEO. Currently seven staff report directly to the CEO including three executive managers.

Implications

No additional staff requirements are evident at the current time.

**Organisational Chart
CEO Unit**



CORPORATE SERVICES

Area of Responsibility

Corporate Services is responsible for administration, financial management, rates and revenue services, insurance, records management, information and communication technology, property lease management, procurement compliance, ranger services, customer services, and Neighbourhood Link.

Current State

The Corporate Services structure was reviewed with the following changes made to optimise service delivery. These changes were based on long service leave taken and as staff vacancies arose:

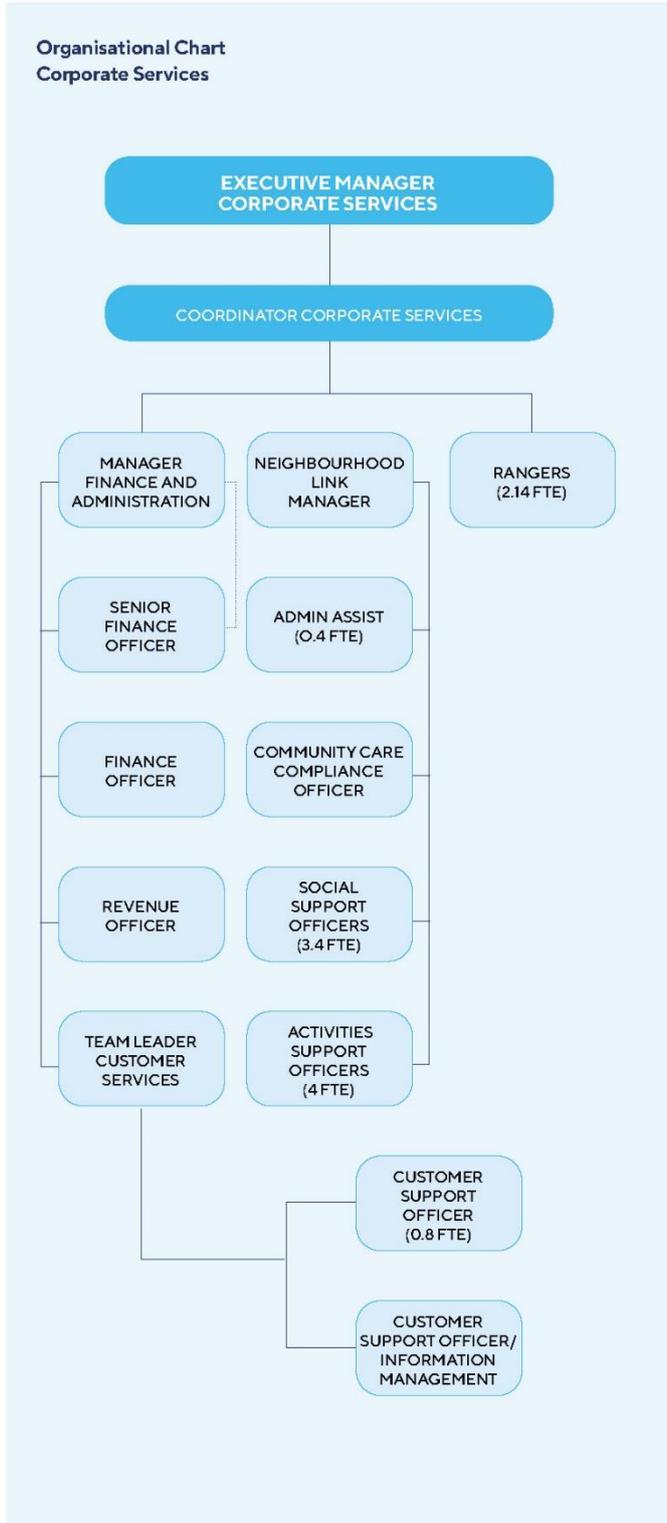
- i. The Records Officer position was changed to a Customer Services / Information Management position.
- ii. Rates Officer was changed to Revenue Officer.
- iii. There was a redeployment of one staff member to Neighbourhood Link after a return from leave.
- iv. Accounts payable staff continue to be upskilled.
- v. In June 2021 the Executive Assistant Corporate Services position title changed to Coordinator Corporate Services to align with the similar roles in the organisation.
- vi. After the resignation of the Neighbourhood Link Coordinator, this position was elevated to the role of Manager to attract viable candidates and the position was filled in December 2021.
- vii. Several Neighbourhood Link staff undertook casual conversion under the current Fair Work Legislation and became permanent part time staff.
- viii. Neighbourhood Link will continue to be closely monitored for sustainability as per the Federal funding model.
- ix. Due to annual leave liabilities, the Executive Leadership Team agreed to employ an additional ranger to cover the Town's full time ranger.
- x. In May 2022 the resignation of the Finance Manager, required the Town to take this role to market. This position's title was changed to Manager Finance and Administration, and now includes Customer Service as a direct line of reporting.

Head Count

There is the equivalent of 24 full time employees in Corporate Services. This is an increase of three full time employees based on casual conversion of some Neighbourhood Link staff as stated previously. This number also includes two staff who are currently on extended leave.

Conclusion

Neighbourhood Link will continue to be monitored for sustainability as per the Federal funding model.



REGULATORY SERVICES

Area of Responsibility

Regulatory Services is responsible for achieving compliance in several areas including statutory planning, strategic and heritage planning, planning and building, archived plans, environmental health, and waste and sustainability.

Current State

Some minor changes were made to the staffing in Regulatory Services:

- i. The job title of the Waste Education Officer position was changed to Waste and Sustainability Officer to better reflect the focus areas of the role.
- ii. The role of Casual Relief Planner was established in June 2020 as a three-year fixed term position as Town Planner to help Regulatory Services in maintaining a high level of customer service. This role has proven invaluable to the Town's turn over of development applications and will continue as a permanent role.

- iii. The Town currently outsources a building surveying role to assess building permit applications, for half a day per week. It is expected that this task will be included in a future role as staff skills develop.
- iv. The practicum placement for a university level cadet or work experience student is also being considered.

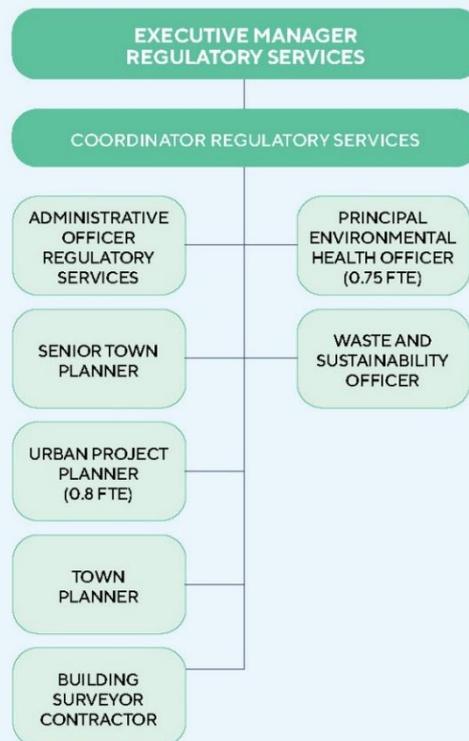
Head Count

There is the equivalent of eight full time employees in Regulatory Services. The staff count will remain the same.

Future State

Some minor growth is predicted based on service demand trends for building permit and development applications.

**Organisational Chart
Regulatory Services**



TECHNICAL SERVICES

Area of Responsibility

Technical Services is responsible for the strategic and operational asset management and the maintenance of the Town's parks, gardens, and reserves. It also undertakes civil maintenance including road and footpath construction, property maintenance, waste management, fleet management, and maintenance of public space.

Current State

A review of Depot operations was completed in March 2020, and the positions of Executive Manager Technical Services and Supervisor Infrastructure and Assets were established, aimed at improving service delivery. These positions were appointed as follows:

- Executive Manager Technical Services appointed January 2021.
- Supervisor Infrastructure and Assets appointed May 2021.

In March 2022, the role of Reticulation Field Officer was created to address the Town's reticulation assets and was subsequently filled.

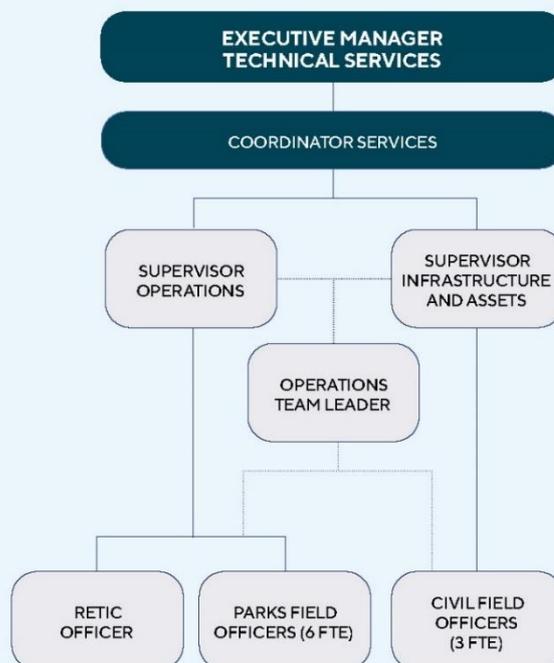
Head Count

There is the equivalent of 15 full time employees in Technical Services. The staff count has remained the same.

Conclusion

No additional staff requirements were identified.

Organisational Chart
Technical Services



Review of Our Service Delivery

The most significant event since the previous Workforce Plan report, has been the outbreak of COVID-19, with the Town experiencing four (4) shutdowns over a two-year period.

During that time the Town was able to maintain business as usual activities with staff continuing to serve customers through telephone and online. Services continued to be delivered at a high level, both internally and externally, and first call resolution improved from 50% to 70% of calls received.

These shutdowns were as follows:

25 March 2020 – 18 May 2020	8 weeks
1 February 2021 – 15 February 2021	2 weeks
26 April 2021 – 7 May 2021	2 weeks
30 March 2022 – 11 April 2022	1.5 weeks

Further to this, an Employee Resilience Scorecard survey was undertaken by LGIS in 2021, which showed that overall the Town demonstrated strength and resilience in response to the COVID-19 pandemic, with:

- Leaders helping workers to feel hopeful for their future
- Leaders demonstrating clear thinking and decision making
- Workers having confidence and trust in their local leadership group
- Overall demonstration of compassion and empathy
- The workforce demonstrating that it is open to new ideas.



The Town was able to maintain business as usual activities with staff continuing to serve customers through telephone and online.



WORKFORCE | 17

Review of Our Service Delivery

As part of the Integrated Planning and Reporting process which informs the Workforce Plan, the following reviews were conducted to update the Town's future staffing needs. They are as follows:

Community Priorities

A 2022 community survey was undertaken to update the Corporate Business Plan. The following top 5 key priorities were identified, which focus predominantly on Operations and Local Laws staff. These priority areas are:

- **Streetscapes, trees and verges** – with greater commitment to protecting, planting and maintaining street trees and ensuring local streets are kept tidy and inviting.
- **Safety and crime prevention** – including advocacy for greater police presence, improved street lighting and local laws management.
- **Sustainability** – continue support of sustainability leadership and initiatives.
- **Footpaths and cycleways** – with improved maintenance of footpaths and better bicycle infrastructure and connectivity.
- **Playgrounds, parks and reserves** – maintain to a high level and expand existing green spaces.



“The work I do is interesting, engaging, and meaningful”

*Survey of Town of East Fremantle employees

Staff Engagement

In March 2022, the Town also undertook an Employee Engagement Study. The purpose of the study was to assess employees' overall satisfaction with the workplace, and to identify ways to increase employee engagement.

Over 83% of Town employees completed the survey. The results indicated that the Town has a largely satisfied workforce.

Overall 97% of employees rated the organisation positively as a place to work, with the highest scores in the following areas:

- 87%** I enjoy the work I do
- 87%** The work I do is interesting, engaging, and meaningful
- 84%** We have a strong customer focus
- 83%** Safety and health focus

Areas for improvement included:

1. There are good career progression opportunities (52%)
2. I feel I am paid a fair amount for the work I do (53%)
3. Internal conflict is well managed and resolved (56%)

Given the small staff base, the Town has addressed these areas by prioritising training and development opportunities, undertaking a review of salary parities based on the annual WALGA survey and addressing workplace conflicts directly when they arise.



The Culture Club has also continued its work to focus on areas for improvement, including embedding the Town's values of Respect, Integrity, Teamwork and Empathy.

The survey also suggested further Culture Club activities including the following areas.

Service Level Reviews

The Executive Leadership Team undertook a review of its operational Service Plans looking at service capacity and the staffing resources required. Further consideration is also required to address leave liabilities, succession planning and further training and development of staff to meet service levels.

Up to 15 service types were reviewed. They are as follows:

Office of the CEO	<ul style="list-style-type: none"> • Leadership and Governance • Marketing and Communications • Community Engagement and Events • Human Resource Management
Regulatory Services	<ul style="list-style-type: none"> • Health and Sustainability • Strategic • Building • Statutory
Corporate Services	<ul style="list-style-type: none"> • Ranger Services • Neighbourhood Link • Corporate Services – finance, revenue, customer service, IT, information management and property administration
Technical Services	<ul style="list-style-type: none"> • Parks and Environment • Engineering (Civil) • Property Maintenance • Waste Management

The survey also suggested further Culture Club activities including the following areas.

33%

Health and fitness
eg gym membership, boot camp, riding or walking groups, yoga

33%

Out of work inclusive social events across teams
eg BBQs, restaurants

32%

Interactive team building events
eg mini golf, go-karting, wine tours

7%

At work social events
eg lunchtime fun, inhouse competitions

Industry Review

The Town of East Fremantle continues to participate in the annual WALGA Benchmarking Survey.

The results from the 2020-2021 survey showed various HR key performance indicators including comparing the Town of East Fremantle to the WA local government industry. The Town's HR metrics are as follows:

TURNOVER RATE

Turn over for year to 30 June 2021 was 12.2%.

Employee turnover



The median annual employee turnover rate for the 2020-21 financial year was 22.9%. The first quartile (P25) rate was 17.7% and the third quartile (P75) rate was 29.5%.

LEAVE LIABILITIES

Due to the small size of the staff base, leave liabilities are higher than average for annual leave and at the fiftieth percentile mark for long service leave. As a result, measures must be taken to ensure that staff can take leave as its falls due without a disruption to services.

Long service leave liability (per FTE)



The median long service leave liability was \$8,149 per full time equivalent employee. The first quartile (P25) result was \$5,320 and the third quartile (P75) result was \$10,210.

Annual leave liability (per FTE)

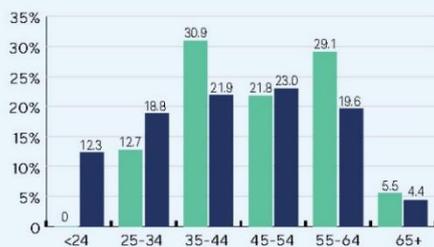


The median annual leave liability was \$7,086 per full time equivalent employee. The first quartile (P25) result was \$6,296 and the third quartile (P75) result was \$8,640.

AGE DEMOGRAPHIC

The Town of East Fremantle has an ageing employee demographic, with above average indices for the over 55 years category and above.

Employees (age)

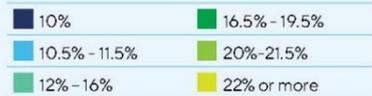
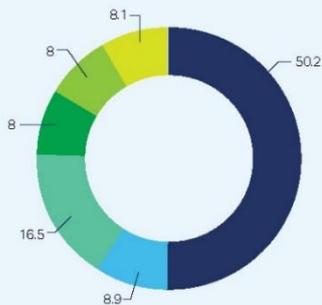


The largest 10 year cohorts were 45-54 years (23% of total), followed by 35-44 years (21.9%) and 55-64 years (19.6%).

REMUNERATION

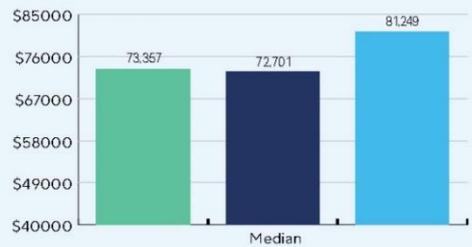
Superannuation indices showed that 93% of staff took advantage of the superannuation co-contribution. Of this 93%, 7% contributed more to superannuation. The Town continued to score at the median for salaries.

Employer super participation (total)



50.2% of employees in the survey had total super contributions at the minimum employer contribution rate of 10% of ordinary time earnings. 49.8% of employees had total super contribution rates at 10.5% or higher.

Average FTE salary



This chart compares your Local Government median full-time equivalent salary (green) with the survey median (navy) and median for your regional grouping (cyan). The green bar does not appear if your Local Government did not complete the 2021-2022 survey.

Employee Costs Review

Employee costs are defined as “all costs associated with the employment of a person such as salaries, wages, allowances, benefits such as vehicles and housing, superannuation, employment expenses, workers compensation insurance, training costs, conferences, safety expenses, fringe benefit tax etc.”

Employee costs are reported in the Statement of Comprehensive Income by Nature and Type in the Annual Financial Report. Employee costs for the Town of East Fremantle generally account for between 36% and 39% of total operating expenditure, which is consistent with the average of the local government sector (WA Median 40%).

The table below illustrates total salaries and wages plus the superannuation guarantee expense. These expenses are included in overall employee costs. As illustrated by the table, the Town has performed favourably compared to budget, with budget savings in five of the seven financial years.

All positions in the organisational chart have therefore been approved by Council and funded in the annual budget. An over-budget result generally occurs as a result of additional expenditure associated with contract relief cover whilst staff are on leave.

Total salaries and wages plus the superannuation guarantee has increase by 29% over the seven-year period below – this equates to annual growth of around 4% which covers wage indexation, new staff positions, staff relief cover and the compulsory increase in the superannuation guarantee (2021-2022). Local governments are a service organisation and there is a direct correlation between the level of service and staff numbers. All new positions have arisen as a result of an increase in demand for services (whether from external customers or as a result of regulatory requirements), which has been underpinned by Strategic Planning processes, including the Strategic Community Plan 2020-2030, Corporate Business Plan 2021-2025, Service Level Statements, the Long-Term Financial Plan and Workforce Plan.

TOTAL SALARIES AND WAGES AND SUPERANNUATION GUARANTEE

Financial Year	Budget	Actuals	Variance	Budget Performance
15-16	\$2,947,700	\$2,875,568	\$72,132	2.45%
16-17	\$3,011,800	\$2,921,258	\$90,542	3.01%
17-18	\$3,325,638	\$3,042,997	\$282,641	8.50%
18-19	\$3,347,198	\$3,410,110	\$-62,912	-1.88%
19-20	\$3,685,475	\$3,711,105	\$-25,630	-0.70%
20-21	\$3,700,409	\$3,503,111	\$197,298	5.33%
21-22	\$3,770,444	\$3,728,225	\$42,219	1.12%

Summary of Organisational Review

WORKFORCE CAPACITY RISKS

As part of the review process for the Workforce Plan, an assessment by the Executive Leadership Team identified several service gaps in capacity and capability in the short and long term. The following areas should be addressed:

- Possible inability to attract suitably qualified and skilled staff
- The risk of higher staff vacancies due to the current job market
- The inability to address leave liabilities, resulting in knowledge gaps and delayed service provision
- The lack of succession planning and the potential retirement of long-term staff, resulting in knowledge gaps and possible interruption to service provision
- The continued potential funding risk of Neighbourhood Link
- The increased volume of development applications received
- The enhanced focus on sustainability
- The need to improve and enhance local laws management
- The increased need for additional governance measures due to the Office of the Auditor General's expectations.



Review of Objectives, Strategies and Actions from the 2017 – 2021 Plan

The following previous Workforce Plan objectives were reviewed and assessed for completion. The results are as follows:

OBJECTIVE 1: RETAIN AND BUILD WORKFORCE CAPACITY

Strategy	Actions Taken	Responsible Officer/s	Time Frame	Comment	Outcome Achieved
1.1 Grow the capacity of our staff	Continue to build the capacity and skills of existing staff	CEO/ Executive Managers/ Managers	On-going	Individual Training Plans completed	Yes
	Develop teams that will ensure the Town meets its obligations and the needs and expectations of the community into the future	CEO/Executive Managers/ Manager	On-going	Achieved through recruitment and staff development	Yes
1.2 Learning and development	Offer learning and development opportunities	CEO/Executive Managers	On-going	Undertook Performance Appraisals / Training Plans / Training Assistance Policy introduced Education Study and Assistance Policy approved by Council	Yes
	Improving the level of skills available by actively recruiting new staff with appropriate qualifications	CEO/Executive Managers/ HR Coordinator	As required	Staff are recruited, supported, mentored, and developed as per individual and business needs arise	Yes
	Review the Town's performance appraisal / management system	CEO/HR Coordinator	Annually, 31 March	Procedure developed and implemented. Appraisals undertaken each year	Yes
	Undertake a review of our current workforce capability and capacity to meet our current and future strategic objectives	CEO/Executive Management Team/HR Coordinator	May/June	Considerations for leave liability, staff longevity, and ability to keep the staff base trained and committed to lifelong learning	Yes
1.3 Disability access and inclusion	Undertake regular in-house training in Synergy Records to improve operational efficiencies	HR Coordinator/Records Officer	As required	Build internal capacity through an increased understanding and more efficient use of the Town's Business Enterprise System, Synergy Soft	Yes
	Introduce ways to assist the Town meet the Disability Access and Inclusion Plan Objectives for Outcome 7: People with disabilities have the same employment opportunities as other people at the Town	Executive Management Team /HR Coordinator/PEHO		Candidate pack modified to address inclusion Recruitment processes ensure unbiased assessment	yes
	Ensure funding included in future budgets to enable reasonable adjustments to workplace, if required, for new employee / Council Member	CEO/Executive Manager Corporate Services	Annual Budget	Currently up to 3% (performance based) C/PI based annual increase in gross salaries and wages included in the Long-Term Financial Plan	Yes

OBJECTIVE 2: BUILD A WORKFORCE TO DELIVER SERVICES INTO THE FUTURE

Strategy	Actions Taken	Responsible Officer/s	Time Frame	Comment	Outcome Achieved
2.1 Meet the outcomes of the Town's Plan's, including Strategic Community Plan, Corporate Business Plan and Long-Term Financial Plan	Develop and plan employment of staff to deliver future services as outlined in the Long-Term Financial Plan	CEO, Executive Managers/ HR Coordinator	Budget Review March - June	Organisational Chart presented to Council annually as part of Budget adoption	Yes
2.2 Promote the Town as an exciting and rewarding place to work	Promote the benefits of working for the Town via all job advertisements Market the benefits of working for the Town on the website Review and update Employment Benefits to ensure meets current standards	CEO/HR Coordinator Project Coordinator/HR Coordinator HR Coordinator	Ongoing As required As required	Job ads are reworked to appeal to specific audiences using appropriate marketing and communication tools including social media Ongoing Reviewed annually	Yes Yes Yes
2.3 Minimise skill gaps	Development of the individual departmental Service Delivery Plans, including current levels of service, succession planning and meeting other Plans etc. objectives (Workforce Plan, Strategic Community Plan, Corporate Plan etc.)	CEO/HR Coordinator	Annually reviewed	ELT working with Service Delivery Plans Skills transfer, mentoring, underway Succession planning to be further considered	Partially
2.4 Risk management	Using the Roles and Responsibility Matrix, identify key tasks and responsibilities	Executive Management Team/HR Coordinator	30 June 2019 - to be completed during the performance appraisal process	Staff training plans and the performance appraisal process, which are currently in use are based on the roles and responsibilities matrix	Partially

OBJECTIVE 3: ENHANCE OUR ORGANISATIONAL CULTURE

Strategy	Action	Responsible Officer/s	Time Frame	Outcome Achieved
3.1 Establish practices responsive to workers' needs	Regularly monitoring and reviewing policies and procedures	All Managers	Annually – 30 June Review underway	Partially
	Conduct an Employee Engagement Survey to benchmark and assess current employee engagement and satisfaction	HR Coordinator	Biannually	Yes
	Work with staff on areas of improvement identified in the Engagement Survey	CEO/HR Coordinator	Biannually	Yes
	Establish Culture Club to embed RITE Values			
	Review performance and remuneration systems annually	Executive Managers / HR Coordinator	Annually	Yes
3.2 Continue to improve health and safety	Embedding new organisation values Respect, Integrity, Teamwork and Empathy	CEO/HR Coordinator	On-going	Yes
	Monitor the Town's workforce profile and exit interview data for analysis	HR Coordinator	On-going	Yes
	Consider flexible working arrangements for employees that meet the needs of the employee and the Town	Executive Managers/ HR Coordinator	As required	Yes
	All managers and employees are to contribute to the improvement and maintenance of a workplace culture that support the Town's values particularly 1) safe workplace, and 2) RITE Values	All staff	On-going	Yes
3.3 Build better employee relations	Continue to build strong, positive relationships with our staff based on fairness and respect	All staff	On-going	Partially
	Continue to improve communication between departments and staff at all levels	All staff	On-going	Partially
	Address conflict and staff dissatisfaction as it arises	Manager	Ongoing	Partially, continued training underway



Strategic Community Plan Workforce Requirements

This section specifically deals with what workforce resources are required for delivering the outcomes of the Strategic Community Plan 2020-2030, and its projections for following years.

The Executive Leadership Team (ELT) identified the following areas for additional staff resources based on the Service Level Plans and the Strategic Community Plan.

It is proposed that existing services will be maintained for all operational areas in the short term, thereby containing the requirement for additional operational staff. Council already uses several external service providers and contractors to deliver services and there is no foreseeable change in these arrangements.

It is proposed that existing services will be maintained for all operational areas in the short term, thereby containing the requirement for additional operational staff.

WORKFORCE FUTURE DEMAND ASSESSMENT IDENTIFIED IN 2022 AND ONGOING

Department	Current FTE	Contractors	Change in Demand for Service	Future Additional FTE Requirements
Office of the CEO	7	<ul style="list-style-type: none"> East Fremantle Oval – Project Manager and Client Lead 	Nil	Nil
Corporate Services	24	<ul style="list-style-type: none"> 3-5-year contract in place for IT Support and Managed Services (commenced March 2022) 	Enterprise Resource Plan (ERP) Replacement will require Project Support-Business Plan indicates this will be a 26/27 Project	Temporary team of 3 staff to deliver this project
Regulatory Services	8	<ul style="list-style-type: none"> Building Surveyor Services – ongoing Swimming Pool Barrier Inspections – every 4 years or for new swimming pools/spas Heritage Assessments – as required or every 4-5 years to review full heritage list 	Nil Existing services	Nil additional
Technical Services	15	<ul style="list-style-type: none"> Approximately 15 per annum will remain the same, no impact to bottom line 	Nil Existing services	Nil additional
Total additional FTE				3

Other Stressors

COVID-19 AND THE GREAT RESIGNATION

The local government industry is finding it increasingly harder to recruit for and sustain employment longevity for specific roles. The success of industries such as mining creates an attractive lure for FIFO workers. As a result some technical skills and labourers are harder to attract and retain.

Despite this, the Town of East Fremantle is in metropolitan Perth and is well positioned to attract qualified staff. In addition, as a stable industry it has employment benefits which are not readily available to other industries.

AN AGEING WORKFORCE

Industry wide there are a large number of 'baby boomers' who are nearing retirement. Similar to other local governments in Western Australia, the Town of East Fremantle is directly affected by this significant factor. As more of the local government workforce retires, knowledge and experience will be lost.

FURTHER IDENTIFIED RISKS

The Town of East Fremantle needs to ensure that it can attract the best staff and that our workforce is adaptable and prepared to meet new challenges in the delivery of increased services, including:

- Increased community need for services with fewer financial resources
- Increase in legislative requirements, such as the Attorney General Audit
- Increase in WHS and other legislative requirements, and
- Ever evolving technology and on-line platforms.

Further to this:

- Although the Town of East Fremantle is in the Perth metropolitan area, matching the salaries paid by the larger metropolitan Local Governments is a challenge
- As a small municipality there are limited opportunities for career progression and job growth for most staff
- There is very low limited capacity for staff back-up in the event of illness, such as the impact of COVID-19, or additional statutory reporting tasks as they fall due.

THE FUTURE OF WORK

Industry data reveals that COVID-19, and the *Great Resignation* has motivated employees to reconsider their work life and seek more meaningful values-based employment. In order to be competitive, local government must demonstrate a willingness to provide staff with autonomy, transparency and trust, which are factors which will attract and maintain younger, and inter-generational staff.

Key opportunities such as Working from Home, and Reward and Recognition policies need to be implemented for the Town to continue to be an attractive employer.



Key opportunities such as Working from Home and Reward and Recognition policies need to be implemented for the Town to continue to be an attractive employers.



Attractors and Benefits

The Town offers several benefits to offset the current employment stressors. These include:

- **Access to quality staff training and professional development**

The Town continued to encourage and support staff training and professional development, with the Staff Training and Conferences budget increased from \$15,000 in 20-21 to \$30,000 in 21-22.

- **RITE Values**

The Town's RITE Values were developed by staff with the aim of becoming a value driven organisation. This process resulted in the following RITE (Respect, Integrity, Trust and Empathy) values which are the underpinning principles of who we are and what we seek to achieve.

- **The Rite Way Platform**

The Learn RITE online training platform has continued to develop, with over 23 online courses customised for the Town of East Fremantle. This cost-effective platform provides staff with online training in areas such as the Code of Conduct, Ethical Decision Making and Health and Safety. Courses are available to staff at their own pace and based on their workplace needs.

- **Culture Club Initiative**

The Culture Club was formed consisting of staff representatives with a view to promote the RITE values, and health and wellbeing initiatives for the Town staff. Several events have been organised including A Reconciliation Week breakfast, an RUOK lunch and Mental Health week breakfast barbeque.

- **Health and Wellbeing Program**

The Town encourages employee health and wellbeing. Initiatives have included the provision of a weekly fruit box, flu vaccinations, coffee machine provided at Town Hall, ice machine provided at the Depot and the installation of office plants.

- **Review of Policies and Procedures**

The Town's Human Resources management policies and procedures are reviewed annually with a view to keep pace with modern management practices.

Policies reviewed to date include COVID-19 Leave – the provision of additional leave for those affected by COVID-19 with a zero leave balance, Working from Home Policy to assist staff and to delay the spread of COVID-19 and a Smart Rider policy – which provides access to public transport SmartRider cards for staff attending events outside the Town.

- **Meaningful Performance Reviews**

The Learn RITE system also provides annual performance appraisals which are undertaken in the first quarter of the calendar year. These are aimed to link performance appraisals to salary reviews and staff training and development plans and are aligned to the budget process.

Next Steps

The 2021 WALGA employment survey highlighted the need for organisations to remain focused on Work Health and Safety, Organisational Culture and Change, Workforce Planning and Mental Health.

Similarly, the 2022 staff survey highlighted the need for the Town to focus on career progression, salary parity and managing internal conflict.

The Town therefore aims to improve staff motivation and passion by:

- improving workforce culture, including internal communication and transparent access to decision making
- improving the value proposition for staff by encouraging professional development and other training and Town representation opportunities as they arise
- improving organisational resilience to deal with adverse external situations such as absentee due to COVID-19, funding cuts, or increased workload demands

- improving staff autonomy and trust, including working from home arrangements, which should be based on performance goals
- creating a thriving workplace culture and making the Town of East Fremantle an employer of choice.

Our proposed actions to achieve this can be seen in the attached Action Plan.

Creating a thriving workplace culture is characterised by the future themes of:

**Communication
Autonomy, Trust
Transparency,
Performance
Passion**





WORKFORCE PLAN | 31

Below are listed primary projects to move us into the future. This Plan will be reviewed annually.

WORKFORCE PLAN - ACTIONS

Theme	Focus Area	Action	Measurement	2022	2023	2024	2025	2026	2027
Communication	Improved Communication	CEO briefing after Council meetings	Number of meetings held	●	●	●	●	●	●
		Monthly Toolbox talks	Staff satisfaction (annual survey)	●	●	●	●	●	●
		Monthly Lunch and Learns – what’s happening in my team – to all staff		●	●	●	●	●	●
		Pulse surveys to identify staff concerns		●					
		Annual staff culture survey		●	●	●	●	●	
Culture	Culture Club Advisory	Bi-monthly meetings to assess the progress of RITE Values embedding	Annual survey	●	●	●	●	●	●
		Staff consultation on key organisational priorities and focuses		●	●	●	●	●	●
		Love Your Work program is a reward and recognition program based on the RITE values		●					
Safety	WHandS	Focus on a Safe Workplace		●	●	●	●	●	●
		Advise staff of changes to the WHandS regulations		●	●	●	●	●	●
		Explore opportunities for additional benefits including health club memberships							
		Host staff workshops to explore benefits and make recommendations to ELT							
Resilience	Develop a value proposition	Develop a value proposition for the Town	Task completed	●					
		Identify pathways for creating a welcoming and thriving workforce		●					
		Training and development program in place	Task completed						
Improved resilience	Back up roles identified	Future leaders identified	Annual review	●	●	●	●	●	●
		Mental health training and development offered and used							
		Consider framework. Ensure suitable resources for skills and knowledge transfer from senior staff		●					

WORKFORCE PLAN - ACTIONS

Theme	Focus Area	Action	Measurement	2022	2023	2024	2025	2026	2027
Trust	Improved transparency and autonomy	Review Working from Home Policy and link to performance goals		●					
	Developing high performing teams	Off-site team meetings with an independent facilitator to develop strategic blueprints and build relationships		●	●				
A welcoming, thriving place	Ensure policies are updated and relevant	Rescind outdated policies Promote new policies to the organisation		●	●				
	Ensure professional development	Training plans developed	via RITE performance management platform	●	●	●	●	●	●
	Opportunities for traineeships and cadetships	Identify areas for traineeships and approach academic and TAFE institutions			●				
	Address gender and cultural diversity in senior roles	Identify and create pathways for women and CALD representation in supervisor roles and beyond			●				
	Review existing and future staff benefits			●					

Key Performance Indicators

The strategies and actions outlined in this Plan will therefore aim to address workforce capacity risks.

It is also proposed that the following HR indicators be reported through the Corporate Business Plan and Annual Report.

FUTURE KEY PERFORMANCE INDICATORS

Indicator	Measure	Current	Target			
			2021-2022	2022-2023	2023-2024	2024-2025
Recruitment, retention, and selection processes are efficient and effective	Workforce turnover ratio	12.2%	10%	10%	15%	15%
Employee satisfaction	Employee satisfaction survey	92%	92% or greater	92% or greater	92% or greater	92% or greater
Percentage of Workforce Plan actions achieved	Actions reviewed annually					





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15.3 SWAN YACHT CLUB - EXTENSION OF RIVERBED LEASE

Report Reference Number	OCR-1508
Prepared by	Janine May EA/GC
Supervised by	Gary Tuffin CEO
Meeting date	Tuesday, 18 October 2022
Voting requirements	Simple
Documents tabled	Nil.
Attachments	Nil.

PURPOSE

To consider supporting the Swan Yacht Club’s application to extend their riverbed lease.

EXECUTIVE SUMMARY

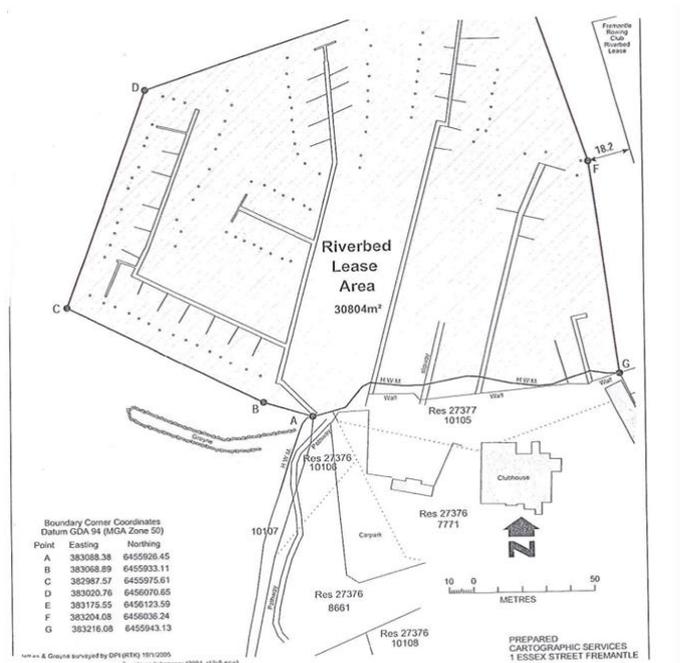
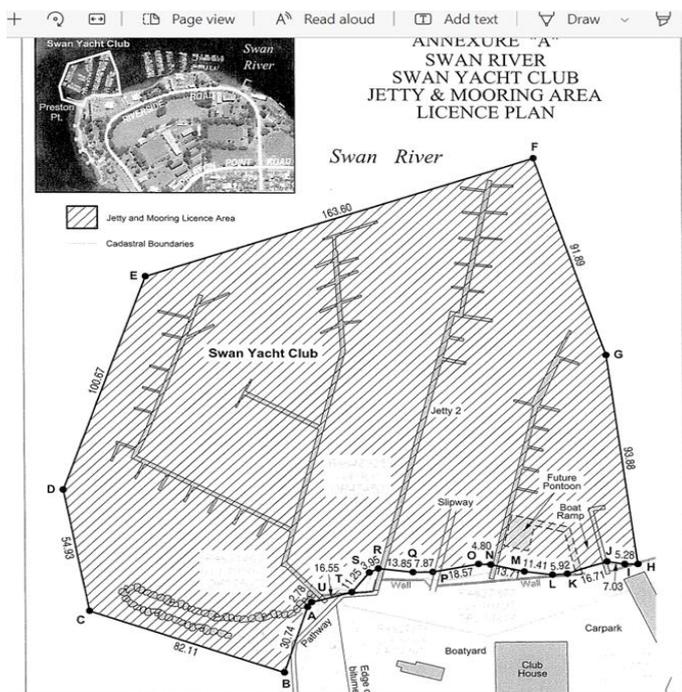
As this amendment will align with the Club’s existing Jetty & Mooring Area Plan, Council’s support is recommended.

BACKGROUND

It has come to the Club’s attention that their Jetty & Mooring Area Plan and Riverbed lease do not share the same boundaries:

1. Swan Yacht Club Jetty & Mooring Area Licence Plan includes the groyne
2. Swan Yacht Club Riverbed Lease does not include the groyne

The Club is currently working on a plan to redevelop the jetty along points E and D of their Licence Plan.



CONSULTATION

Swan Yacht Club

STATUTORY ENVIRONMENT

The final decision maker will be Department of Biodiversity, Conservation and Attractions.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS

Strategic Community Plan 2020-2030

Strategic Priority 1 Social

"A socially connected, inclusive and safe community"

1.2 Inviting open spaces, meeting places and recreational facilities

1.2.1 Provision of adequate facilities to support healthy and active lifestyles.

Strategic Priority 4 Natural Environment

"Maintaining and enhancing our river foreshore and other green, open spaces with a focus on environmental sustainability and community amenity"

4.1 Conserve maintain and enhance the Town's open space

4.1.1 Partner with stakeholders to actively protect, conserve and maintain the Swan River foreshore

RISK IMPLICATIONS

Risks

There are no identifiable risks.

SITE INSPECTION

N/A

COMMENT

The Club's proposed jetty redevelopment design has a section of jetty outside the current Riverbed Lease Area points A,B & C and is seeking the Town's support for the inclusion of the groyne into the Riverbed Lease aligning the Jetty and Mooring Licence Plan and the Riverbed Lease boundaries.

Section titled FB40 (coloured aqua) would provide further protection with wave attenuation and two pens outside the existing riverbed lease area.

Proposed Jetty Redevelopment Design



Whilst mentioned above, the future jetty redevelopment design is not under consideration in this application.

CONCLUSION

As the proposed realignment of the Club’s Riverbed Lease boundaries will not affect public access to the groyne, Council’s support is recommended.

CHOOSE AN ITEM. OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution Choose an item. Click or tap to enter a date.

OFFICER RECOMMENDATION:

That the:

1. Town support the application by the Swan Yacht Club to include the groyne into their Riverbed Lease, so it aligns with their current Jetty and Mooring Area Licence
2. CEO be requested to prepare a letter of support for the Swan Yacht Club’s application.

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

The following two motions were received from Mayor O'Neill:

16.1 MAYOR O'NEILL – SWAN RIVER CROSSING PROJECT

“The TOEF requests from the Swan River Crossing Alliance and MRWA continued consultation and engagement to address the concerns of Council and the community, in particular traffic movements, prior to finalising design concepts, to improve the opportunities the redevelopment of the bridge provides for the community. By all stake holders working together we can ensure that the design outcome address pedestrian and cycling travel, invigorates the river foreshore to promote social and environmental outcomes for the enhancement of the river.”

Officer Comment:

Administration support the proposed motion. The true impacts of the project are still uncertain and therefore as proposed the 'Crossing' Alliance should continue to engage with the Council and community and further widespread consultation is continued. The Town raised a number of concerns with the Crossings Alliance project team most importantly traffic movements into the Plympton Precinct and the George Street commercial area. The Town also raised wider impacts to traffic movements, pedestrian crossing points, the design and provision of additional open space, construction traffic impacts and finally social and environmental impacts, including amenity improvements. To ensure the final design achieves the best outcomes for the community, built form and the environment, administration supports additional engagement and consultation being undertaken prior to finalising the design.

16.2 MAYOR O'NEILL – AUSTRALIA DAY COMPULSORY CITIZENSHIP CEREMONY

“The Town of East Fremantle write to the relevant Federal Ministers and departments to request that the decision of the previous Federal government for 'compulsory Citizenship Ceremonies' to be held on Australia Day cease. This decision be returned to each local government to decide as was previously the case.”

Officer Comment:

A ceremony was held on Australia Day 2022 for five conferees and their guests. Fees (increased for public holiday) were paid for a Welcome to Country and a semi professional singer to perform the national anthem. Four staff were paid penalty rates to attend, coordinate and cook the barbeque breakfast.

At this stage, there are three conferees listed for the 2023 Australia Day ceremony.

17 NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

18 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

19 NEW BUSINESS OF AN URGENT NATURE

20 MATTERS BEHIND CLOSED DOORS

21 CLOSURE