



Agenda

Finance, Policy, Operations and Legislation Committee

Wednesday, 8 July 2020, 6.30pm

CITY OF FREMANTLE

**NOTICE OF A FINANCE, POLICY, OPERATIONS AND LEGISLATION
COMMITTEE MEETING**

Elected Members

A Finance, Policy, Operations and Legislation Committee meeting of the City of Fremantle will be held on **Wednesday, 8 July 2020** in the North Fremantle Community Hall, located at 2 Thompson Road, North Fremantle commencing at 6.30 pm.

A handwritten signature in black ink, appearing to read 'Glen Dougall', written in a cursive style.

Glen Dougall
Director City Business

3 July 2020

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CITY OF FREMANTLE

Finance, Policy, Operations and Legislation Committee

Agenda

1. Official opening, welcome and acknowledgement

We acknowledge the Whadjuk people as the traditional owners of the greater Fremantle/Walyalup area and we recognise that their cultural and heritage beliefs are still important today.

2. Attendance, apologies and leaves of absence

Cr Hannah Fitzhardinge - Leave of absence

3. Disclosures of interests by members

Elected members must disclose any interests that may affect their decision-making. They may do this in a written notice given to the CEO; or at the meeting.

4. Responses to previous questions taken on notice

There are no responses to public questions taken on notice at a previous meeting.

5. Public question time

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time.

Further guidance on public question time can be viewed [here](#), or upon entering the meeting.

6. Petitions

Petitions to be presented to the committee.

Petitions may be tabled at the meeting with the agreement of the presiding member.

7. Deputations

7.1 Special deputations

A special deputation may be made to the meeting in accordance with the City of Fremantle Meeting Procedures Policy 2018.

There are no special deputation requests.

7.2 Presentations

Elected members and members of the public may make presentations to the meeting in accordance with the City of Fremantle Meeting Procedures Policy 2018.

8. Confirmation of minutes

The minutes of the Finance, Policy, Operations and Legislation Committee meeting dated 11 March 2020 were confirmed at the Ordinary Meeting of Council held on 15 April 2020.

9. Elected member communication

Elected members may ask questions or make personal explanations on matters not included on the agenda.

10. Reports and recommendations

10.1 Committee delegation

FPOL2007-1 WALYALUP RECONCILIATION ACTION PLAN 2019-2022 – ANNUAL REPORT – 2019-2020

Meeting date:	8 July 2020
Responsible officer:	Manager Community Development
Decision making authority:	FPOL Committee
Agenda attachments:	1. Walyalup Reconciliation Action Plan Annual Progress Report 2019-2020
Additional information:	Nil

SUMMARY

The Walyalup Reconciliation Action Plan Annual Progress Report documents the progress made against those deliverables in year 1 of the Walyalup Reconciliation Action Plan 2019-20 for the 2019-20 financial year.

This report recommends that Council receive the Walyalup Reconciliation Action Plan from July 2019 – June 2020 as required for acceptance by Reconciliation Australia.

BACKGROUND

The City has a long-standing commitment in fostering relationships with Aboriginal people dating back to the formative *Policy for respect, recognition and conciliation* with Aboriginal people which was developed and endorsed by Council in 2000.

An *Aboriginal Engagement Plan* was developed and endorsed by Council in 2015 to assist the City to improve relations with the Aboriginal community and is underpinned by a key principle of establishing two separate dialogues, one for community matters and another for land and heritage matters.

Reconciliation Australia launched the Reconciliation Action Plan (RAP) program in 2006 during the 40th anniversary of the 1967 referendum. All RAPs are developed with the support of Reconciliation Australia and include actions, timelines and deliverables based around three pillars of relationships, respect and opportunities.

The City identified the need to develop a RAP to provide a framework that recognises Aboriginal culture within the City and to continue building strong relationships with the Aboriginal community.

The Walyalup Reconciliation Action Plan 2019-2022 was developed through community consultation starting in November 2017 with Traditional Owners nomination of two delegates to sit on the RAP working group and represent the Whadjuk people.

In March 2018 the City engaged Kambarang Services, Danny Ford, Rose Walley and Tim Muirhead to work with City staff to facilitate culturally appropriate conversations with the Aboriginal community and key stakeholders through a series of workshops and meetings.

In September 2018 the City held a powerful and engaging community meeting, attended by over 100 committed people including Aboriginal people and key stakeholders, as well as the Mayor, Elected Members and City staff. This meeting generated organic and grass roots discussion around people, spirit and place in Fremantle and was summarised into a comprehensive plan for Reconciliation. At the meeting nominations for membership to the Working Group were accepted. This working group is diverse and consists of traditional owners (Whadjuk people), Aboriginal people both young and older, non-Aboriginal external people, Elected Members and City staff.

The WRAP was then endorsed by the Working Group in April 2019 where over 50 committed people attended the meeting who also signed the Statement of Commitment to Reconciliation. It was at this meeting that the Working Group requested that the reconciliation action plan be referred to as the Walyalup Reconciliation Action Plan (WRAP).

During the month of May 2019, the plan was made available to the wider community, who were asked to provide their comments on how our community and individuals can help on our path to reconciliation. Electronic feedback was taken through the City's My Say portal along with hard copies available at the City's library, Wanjoo Lounge and Meeting Place in South Fremantle. The City of Fremantle Walyalup Community Engagement Report summarised the findings.

The City's commitment continues to be demonstrated as the result of listening to the community, building connections and taking action. The Walyalup Reconciliation Action Plan Reference Group (WRAPRG) was established with a broad membership and clear, agreed Terms of Reference to provide feedback on the implementation of the Walyalup Reconciliation Action Plan and promote accountability.

FINANCIAL IMPLICATIONS

Budget allocation for WRAP actions, account number 100547.6823

LEGAL IMPLICATIONS

Nil

CONSULTATION

Two groups were established as identified in the WRAP – the Walyalup Reconciliation Action Plan Reference Group (WRAPRG) and an Elders Group.

The Walyalup Reconciliation Action Plan Reference Group (WRAPRG) was established with a broad membership and clear, agreed Terms of Reference to meet quarterly to track progress of the implementation of the Walyalup Reconciliation Action Plan, provide feedback and provide accountability. Three meetings were held in the 2019-2020 financial year, with a fourth being cancelled in June 2020 due to the COVID-19 pandemic and government restrictions in place.

An Elders group was also established to meet twice per year with the Mayor, Councillors, CEO and Senior Management to further build relationships. In 2019-20 meetings were held on 10 July 2019 and 15 January 2020.

OFFICER COMMENT

'Character, culture and heritage' is a key focus area of the City's Strategic Community Plan. This lists '*Recognise and celebrate aboriginal heritage and culture*' as a specific outcome, and the development of the Walyalup Reconciliation Action Plan is a measurement of success.

The Walyalup Reconciliation Action Plan aligns with the City's vision to create an inclusive, caring community where Aboriginal people experience the same life outcomes as other Australians, and where their special place in our nation and our City is recognised. We want a community and an organisation in which Aboriginal people are acknowledged, listened to and understood; a community and organisation that respect and tell the truth about history, and where healing and growth is nurtured by all of us. Ultimately, we want this to be a shared vision for Fremantle, where the City embraces culture and heritage, and where Aboriginal people are part of making decisions and improvements for community wellbeing.

The City recognises the importance of meaningful engagement, mutual respect, creating trust and utilising culturally appropriate practices and protocols to truly understand its local communities. The City has a strong commitment to working collaboratively with the Aboriginal community.

With the advent of COVID-19 and the significant impact this is likely to have on both Council operations and the community it serves; council priorities for the last quarter of the financial year and government restrictions has caused some interruption in achieving some deliverables.

The report provides a summary of project progress for the deliverables from July 2019 to June 2020 (attached). 90% of deliverables have been completed or are on track, 10% have been delayed or postponed and no deliverables have been cancelled or not commenced.

Some of the highlights the City has achieved this financial year include: -

Relationships

- Establishment and regular meetings of the Walyalup Reconciliation Reference Group (WRRG) and the Elders group
- Agreed protocols on "who can speak for what"
- Publicise the five dimensions around Reconciliation for Reconciliation Week
- Commemorated the anniversary of respected elder Midgegooroo's execution
- Communicate the WRAP to City of Fremantle employees
- Encourage local schools and large organisations and businesses to develop their own RAP
- Engaged 18 Aboriginal facilitators to conduct classes and share culture and knowledge through the six Nyoongar Seasons at the Walyalup Aboriginal Cultural Centre

- Cultural activities for significant cultural dates and key celebrations including One Day, NAIDOC Week, Reconciliation Week, Woylie Festival, Wardanji Festival, Revealed Art Market

Respect

- Council endorsed the name Walyalup Civic Centre for the new administration building
- Meeting rooms in the new administration building to be allocated Nyoongar names
- Cross cultural competence and cultural awareness training completed by 30% of staff and Councillors
- Cultural Awareness incorporated into induction process for new staff
- Promotion to staff of cultural protocols including Acknowledgement of Country and Welcome to Country, and key contacts
- Traditional Owners provided Welcome to Country at all significant City of Fremantle events and ceremonies
- Full education encouraged in local schools through support of Woylie Festival and school holiday activities at the Cultural Centre.
- Increased enrolment for Nyoongar language classes

The City of Fremantle's One Day in Fremantle event was recognised with an Australian Government award for promoting Indigenous reconciliation.

Opportunities

- Aboriginal and Torres Strait Islander procurement strategy was developed
- 6 Aboriginal trainees were employed as permanent staff at the City
- Aboriginal staff supported to undertake Leadership and Management training
- On track for employment target of 4% of Aboriginal and/or Torres Strait Island people

Governance, Tracking Progress and Reporting

- Internal RAP champions from Senior Management
- Aboriginal representation including young leaders, business representatives and service providers on the WRAPRG
- WRAPRG met 3 times to drive and monitor WRAP implementation for Council endorsement
- WRAP deliverables assigned to relevant staff
- Registered WRAP via Reconciliation Australia
- WRAP is a standing agenda item and senior management meetings

Support for the Walyalup Reconciliation Action Plan has been widespread through the community and the organisation and many of the outcomes that have been achieved already in the first year have exceeded expectations identified in the implementation plan. COVID-19 has impacted some of the deliverables and as the pandemic eases it is expected that all the second-year deliverables and those impacted from the first reporting year will be completed in 2020/2021.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council:

- 1. Receives the Walyalup Reconciliation Action Plan Annual Progress Report for July 2019- June 2020, provided in Attachment 1.**
- 2. Notes the Walyalup Reconciliation Action Plan Annual Progress Report for July 2019 – June 2020 will be forwarded to Reconciliation Australia, in accordance with the reporting requirements.**

FPOL2007-2 AGE FRIENDLY CITY PLAN 2019-24 – ANNUAL REPORT 2019-20

Meeting date: 8 July 2020
Responsible officer: Manager Community Development
Decision making authority: Council
Agenda attachments: 1. Age Friendly City Plan Annual Progress Report 2019-2020
Additional information: Nil

SUMMARY

The Age Friendly City Plan Annual Progress Report documents the progress made against those deliverables in year 1 of the Age Friendly City Plan 2019-24 for the 2019-20 financial year.

This report recommends that Council receive the Age Friendly City Plan Annual Progress Report from July 2019 – June 2020.

BACKGROUND

The City commenced the Age Friendly City (AFC) journey in 2010 with an intensive community engagement process. Two AFC plans have been executed, firstly in 2011-2014 and an interim plan 2014-2015. There was no active plan from 2015 however an outcomes report 2015-2018 was compiled. A new AFC Plan 2019-2024 was endorsed by Council on 10 April 2019.

The World Health Organisation's Age Friendly Cities Framework was used to guide the development of the vision, outcomes and strategies for the AFC Plan 2019-2024. The World Health Organisation (WHO) has established eight domains of the urban environment that contribute to healthy and active ageing. These domains include social participation, community support and health, housing, civic participation and employment, communication and information, transportation, outdoor spaces and buildings, respect and inclusion.

WHO state that our environments "play an important role in determining our physical and mental capacity across a person's life course and into older age and also how well we adjust to loss of function and other forms of adversity that we may experience"¹.

The City was awarded membership to the World Health Organisation Age Friendly City Global Network in 2016. This achievement endorses the City of Fremantle as a local government that values older people while striving to be inclusive and accessible in an urban environment that promotes positive ageing.

The City was recognised for its efforts to become an age-friendly city by taking out the Age Friendly Local Government category at the WA Seniors Awards in November 2018.

Through the AFC Plan 2019-2024 the City aims to decrease loneliness, increase social participation and volunteering, provide intergenerational and cross cultural activities and

¹ WHO. Age Friendly Environments. <https://www.who.int/ageing/age-friendly-environments/en/>

improve communication on relevant services and opportunities for people over the age of 55 within the Fremantle LGA.

The AFC Plan 2019-2024 aims to build on and maintain the work achieved over the last nine years, across the organisation and under the WHO domains.

In 2019-2020 the City continued to support the Wanjoo Lounge, promote social participation and volunteering opportunities as well as facilitate communication opportunities through projects, events and community engagement. A range of low cost free activities, including the Wanjoo Lounge, Come and Try programs, community forums, social dancing and in-home library services were offered in addition to a focus on catering for seniors as part of its mainstream services to the community at the Leisure Centre, Library, The Meeting Place, the Walyalup Aboriginal Cultural Centre and the Fremantle Arts Centre.

Government restrictions from March due to COVID-19 resulted in cancellation and postponement of activities, and the opportunity to focus on support for over 55s in the form of the Neighbour to Neighbour program. The program involved reaching out to residents in this demographic to assess needs, communicate services available and offer resources such as the Homebound library delivery service and IT support.

FINANCIAL IMPLICATIONS

Budget summary will continue to be reported through the Monthly Financial Report.

LEGAL IMPLICATIONS

Nil

CONSULTATION

The City of Fremantle's Strategic Community Plan 2015-2025 aims for Fremantle to be an environment where it is easy for people to live safe, happy and healthy lives. It seeks to celebrate and support diversity and improve community inclusiveness and participation for all.

In 2018 City staff were supported by a consultant to assist with community engagement for the new Age Friendly City Plan. A working group was established comprising the Mayor, three Elected Members, four service providers and six community representatives. The final draft of the AFC Plan 2019-24 was released for community comment from 19 February and closed on 19 March 2019 via the My Say, City of Fremantle website. It was endorsed by the working group in March 2019 and by Council on 10 April 2019.

In 2019-20 volunteers provided valuable contribution with ideas and forward planning of what is wanted and needed for older people. The Wanjoo lounge has 20 volunteers and approximately 20 visitors a day providing an opportunity for grass roots community engagement.

The City implemented the Neighbour to Neighbour program in response to COVID-19 which resulted in more than 1500 residents over the age of 55 being consulted by phone

regarding assistance needs and services available in the community. These calls provided valuable information about quality of life for seniors in Fremantle.

OFFICER COMMENT

The purpose of the Age Friendly City Plan is to prioritise positive ageing opportunities for the Fremantle community and a great place for older people to visit.

According to 2016 Census data the City of Fremantle has both a higher median age and a larger proportion of people over 55, compared to Western Australia. As a destination city it also attracts visitors of all ages.

With the advent of COVID-19 and the significant impact this is likely to have on both Council operations and the community it serves; council priorities for the last quarter of the financial year and government restrictions has caused some interruption in achieving some deliverables.

The progress report (attached) provides a summary of project progress for the deliverables from July 2019 to June 2020.

Some of the highlights the City has achieved this financial year include: -

- Memory Café at Fremantle Arts Centre launched 2019, offering local people living with dementia and their carers a monthly meet-up in a welcoming setting to meet new friends, share experiences and see support from Alzheimer's WA. This was an addition to Memory Cafés held at Fremantle Hospital.
- Tech Help, in collaboration with Life Long Learning, provided free support and training for over 55s on how to use technology including smart phones, laptops and tablets either one on one or in small groups.
- Come and try over 55s activities were promoted across art/craft, recreation, health wellbeing and technology, providing weekly opportunities for social participation, learning something new and sharing skills. 31 activities were promoted, 1861 people participated. Most popular activities were a variety of yoga classes.
- Over 55s cultural classes were held at the Walyalup Aboriginal Cultural Centre including Nyoongar art, nature art classes, pot decorating and cultural storytelling.
- 30 Volunteers consistently provided valuable time and skills in overseeing the Wanjoo Lounge, facilitating programs which assisted in decreasing loneliness, skill and knowledge sharing and community connecting.
- During COVID 19 volunteer community helpers were linked to people needing assistance via the Neighbour to Neighbour project. The project attracted 518 resident volunteers, (167 nonresident volunteers) to register. To date 1474 resident phone calls completed, 48 vulnerable people, requesting assistance, were supported. All members of the City's Community Development team were involved in its success.

The first year of the five year Age Friendly City Plan was well supported by the over 55s community in numbers of volunteers and activity participants but also in willingness and uptake of new activities and opportunities to learn new skills including embracing Aboriginal culture. It was also supported and embraced by City staff, implementing new initiatives and projects with this demographic in mind.

During the COVID-19 pandemic the Neighbour to Neighbour engagement unveiled a very self-sufficient, socially engaged and community oriented demographic with many over 55s already registered to volunteer either through the N2N program or within their own neighbourhoods and only 3% of people contacted needing assistance. The interruption to activities during COVID-19 provided an opportunity to explore other ways to support vulnerable people in our community in addition to the active social engagement already provided.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council receive the Age Friendly City Plan Annual Progress Report for July 2019-June 2020, provided in Attached 1.

10.2 Council decision

FPOL2007-3 CONSIDERATION OF A MOTION CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS MEETING REGARDING THE WALYALUP CIVIC CENTRE

Meeting date:	22 July 2020
Responsible officer:	Director Community Development
Decision making authority:	Council
Agenda attachments:	Nil
Additional information:	Nil

SUMMARY

This report considers a motion moved at the Annual General Meeting of Electors (AGME) on 9 March 2020.

This report recommends that Council receives the information in this Report as a response to all matters raised, noting that no further action is proposed.

BACKGROUND

The City of Fremantle held its 2019 Annual General Meeting of Electors on 9 March 2020 and nine motions were carried at the meeting.

At the Ordinary Meeting of Council held on 15 April 2020, it was resolved that a report on each motion would be brought back to Council individually for consideration by no later than July 2020. This report considers the following motion:

That Council engage the community regarding details of the final fit out and facilities for the new civic building (recently named Walyalup without community consultation)

The new civic building has been promoted in council documents as a ‘cultural centre’ and the Fremantle Society seeks, among other things:

- a) That the number of books intended for the new library be greater than the previous one in William Street.**
- b) That the Local History Library be at least as well-resourced as the previous one, with the reinstatement of the second local history librarian dispensed with last year.**
- c) That adequate permanent displays feature in the new building to showcase Fremantle’s history, and the gifts given to Council over the years, for example by the Fremantle family.**
- d) That there be adequate exhibition space to display, for example, part of the extensive Fremantle Art Collection.**

FINANCIAL IMPLICATIONS

There are no financial implications to this report.

LEGAL IMPLICATIONS

There are no legal implications to this report.

CONSULTATION

There has been no consultation undertaken as a direct response to the specific issues raised at the AGME. See officer comment below regarding the extensive consultation surrounding the Kings Square project.

OFFICER COMMENT

The following paragraphs provide responses to the various issues raised in this particular motion passed at the AGME 2019, on 9 March 2020:

“That Council engage the community regarding details of the final fit out and facilities for the new civic building (recently named Walyalup without community consultation)”

COMMENT:

The Council has consulted extensively with the community over many years regarding the development of the new civic building and Kings Square, including:

- Kings Square Business Case;
- Urban Design Strategy for Kings Square;
- Architectural competition for New Civic Building;
- Public realm Concept Plan;
- Children’s Playscape;
- Fig Tree removal.

The design of the building – including all details of the final fit out and facilities – is documented, tendered, procured and in the stage of delivery. Revisiting these detailed elements as part of a new community engagement process would generate contractual (and financial) risks that should be avoided at this late stage of the process. It is also worth noting that since the Council consulted with the community over the key decisions around project design and finances it has engaged a highly skilled professional team of designers – led by Kerry Hill Architects – to deliver on the detail. This team is comprised of specialised consultants who bring an appropriate level of expertise to the project to ensure that all the final details of this complex building are coordinated and integrated whilst retaining the overall architectural design intent.

“The new civic building has been promoted in council documents as a ‘cultural centre’ and the Fremantle Society seeks, among other things:

- a) **That the number of books intended for the new library be greater than the previous one in William Street.”**

COMMENT:

The library currently has 27,000 items which is a reduction from the collection housed at William Street because the opportunity was taken to systematically weed the collection for items with no borrowing history, were in poor /damaged condition or significantly dated to ensure the library collection was current, relevant and in good condition before moving to the temporary location at Fremantle Oval. A stocktake also took place and collection size was further adjusted for lost or missing stock.

The intention in the short term is to progressively increase the collection size through both budget allocation and negotiations with the State Library of Western Australia to supplement the state funding allocation to the City of Fremantle. In the longer term, the collection size will continue to be revised and adjusted subject to budget and council policy, as well as usage trends locally, nationally and internationally. Currently we anticipate the collection will be in the order of 35,000 items when we open the new building.

It should be noted that the smaller collection size is also a strategic approach to ensure that the library is not 'just about books on shelves' but the equally essential role of providing a community space that is safe and welcoming; bringing people together and facilitating literacy, learning and 21st century skills so they can grow, learn and succeed at school life and work. Therefore, complementing the traditional collection, are meeting spaces, multipurpose areas, children's and work zones, private study, reading and activity areas, all of which reflect the diverse reasons why people that visit and need public libraries.

Further supporting this contemporary approach to library service delivery, there is also an increased focus on digital collections services with the library having free access to 82,000 + digital items (books, magazines, movies, music and audiobooks). The uptake of digital services is gradually increasing, and this was particularly noticeable through Covid-19 when usage increased dramatically (e.g. magazines by 235%, audiobooks by 20% and films by 50%).

The vision for the new building is to deliver a vital social hub for the community that supports and celebrates social interaction as well as empowers individuals and communities through access to information, technology, lifelong learning and cultural and leisure opportunities.

- b) That the Local History Library be at least as well-resourced as the previous one, with the reinstatement of the second local history librarian dispensed with last year.**

COMMENT:

The new library will house a larger local history centre dedicated to customer service, local history books, microfilm and other materials. The space will be 18% larger than in the previous library because staff work areas are no longer part of this footprint allowing more space for services and stock. The new local history centre will also have a specialised climate-controlled storage area in an environmentally monitored space.

The new Local History Centre will include digital microfilm reader/printers and a large screen where digitised materials such as photographs and maps can be displayed for the

enjoyment and use of the community. There will also be a large work area where customers can sit and read or undertake research using our materials. Our local history librarian as well as the library customer service team will continue to provide support for local history enquiries and research.

The Kings Square library, inclusive of the Local History Centre will be an important new piece of community infrastructure providing a space for people to meet, socially interact and participate in community life as well as explore the local history, literacy and learning resources provided. Ongoing monitoring of customer service needs and responses will be part of commissioning and operating the new building and may result in fine-tuning and adjustments to resourcing.

- c) That adequate permanent displays feature in the new building to showcase Fremantle's history, and the gifts given to Council over the years, for example by the Fremantle family.**

COMMENT:

All the gift and historical materials are currently in storage. The City intends to develop a Civic Collection Policy to detail procedures and standards by which the collection is managed. This will determine where and how items will be publicly displayed

- d) That there be adequate exhibition space to display, for example, part of the extensive Fremantle Art Collection.**

COMMENT:

There are some limited spaces to display the City's art collection. Over a period of time we are intending to provide some exhibition display panels/plinths to further provide opportunity for displays and small exhibitions. Digital opportunities for interactive displays will also be explored.

The Fremantle Arts Centre will continue to be the primary exhibitor of the Collection with its dedicated gallery and program of Collection Exhibitions.

It is also interesting to note that the entire Fremantle Art Collection will be available digitally in the near future through an innovative project called Collections WA. This will be an online portal, launched later this year, resulting from a collaboration between Australian Museums and Galleries Association (AMaGA), Lotterywest, WA Museums, and Department of Local Government, Sport and Cultural Industries (DLGSC).

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council acknowledges and considers the motion passed at the Annual General Meeting of Electors on 9 March 2020 regarding the new civic building and receives the information in this report as a full and final response to matters raised.

**FPOL2007-4 CONSIDERATION OF A MOTION CARRIED AT THE ANNUAL
GENERAL MEETING OF ELECTORS MEETING REGARDING
KINGS SQUARE**

Meeting date: 8 July 2020
Responsible officer: Director City Business
Decision making authority: Council
Agenda attachments: Nil
Additional information: Nil

SUMMARY

This report considers a motion moved at the Annual General Meeting of Electors on 9 March 2020 which recommended that:

“It is proposed that the City of Fremantle engage the Auditor General to conduct a Post Investment Review of the construction of the new Civic Administration building in Kings Square, and provide a public report as to whether it has been implemented in accordance with the approved 2012 Kings Square Business Case, and whether the \$50 million project investment has been in the best interest of Fremantle ratepayers.

The report should highlight any differences between the 2012 Business Case, as approved by Council, with particular focus on the following:

- *Has the total cost of the Admin building been constrained to the cost stated in the 2012 Business Case, including all cost associated with the projects dating back to the approval of the Business Case by Council in early 2013?*
- *Has the City of Fremantle been successful in delivering on its financial risk management strategy, where it clearly stated that all cost over-runs would be managed via a fixed price contract for the building construction, where the contractor would be liable for cost overruns – not the City of Fremantle?*
- *Was the Admin building funded via Project Financing, as clearly stated in the 2012 Business Case, whereby the project would not require funds to be drawn from the City’s other sources of financing. In other words, was any debt associated with the project ring-fenced to the project itself rather than putting an additional debt burden on Fremantle ratepayers?”*

It is recommended that Council receives the information in this report as a response to the matter raised, noting that no further action is proposed.

BACKGROUND

The City of Fremantle held its Annual General Meeting of Electors on 9 March 2020 and nine motions were carried at the meeting.

At the Ordinary Meeting of Council held on 15 April 2020 it was resolved that a report on each motion would be brought back to Council individually for consideration by no later than July 2020.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Local Government Act 1995;

“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.”*

CONSULTATION

Nil.

OFFICER COMMENT

The City of Fremantle adopted the Kings Square Business Plan at a special meeting of council held on 11 February 2013.

The motion adopted at the Annual Electors meeting held on 9 March 2020, forwarded questions in relation to the adopted Business Plan. These questions and answers are provided below;

It is proposed that the City of Fremantle engage the Auditor General to conduct a Post Investment Review of the construction of the new Civic Administration building in Kings Square, and provide a public report as to whether it has been implemented in accordance with the approved 2012 Kings Square Business Case, and whether the \$50 million project investment has been in the best interest of Fremantle ratepayers.

The report should highlight any differences between the 2012 Business Case, as approved by Council, with particular focus on the following:

- Has the total cost of the Admin building been constrained to the cost stated in the 2012 Business Case, including all cost associated with the projects dating back to the approval of the Business Case by Council in early 2013?*

Comment:

The Kings Square Business Plan was prepared for Council and publicly advertised in the second half of 2012 and adopted by Council in February 2013. The Plan provided the following costs for the construction of the new civic building;

Civic Centre and Library	\$16,779,883
Administration	<u>\$27,564,642</u>
TOTAL	<u>\$44,344,525</u>

These costs included demolition, base build and fit-out.

When budgeting for these works in subsequent years the City applied the Consumer Price Index (Perth) increases to the figures used in the original Plan. These were applied as follows;

Year	Perth CPI	Budget
2014/15	3.3%	\$45,807,894
2015/16	1.2%	\$46,357,589
2016/17	0.5%	\$46,589,377
2017/18	0.7%	\$46,915,502

In late 2017 the City awarded a contract for the demolition of the former civic building and in late 2018 awarded a contract for the construction of the new civic, library and administration building and more recently a contract for additional furniture not contained in the construction contract. These amounts were for;

Demolition	\$ 2,383,743
Civic, Library, Administration	\$43,461,128
Additional Fit out/Furniture*	<u>\$ 661,000</u>
TOTAL	<u>\$46,505,871</u>

*(Not included in construction contract).

- ***Has the City of Fremantle been successful in delivering on its financial risk management strategy, where it clearly stated that all cost over-runs would be managed via a fixed price contract for the building construction, where the contractor would be liable for cost overruns – not the City of Fremantle?***

Comment:

The current cost of construction plus any variations are within the current contract with Pindan and within the contingency allowance approved by council when awarding the contract.

- ***Was the Admin building funded via Project Financing, as clearly stated in the 2012 Business Case, whereby the project would not require funds to be drawn from the City's other sources of financing. In other words, was any debt associated with the project ring-fenced to the project itself rather than putting an additional debt burden on Fremantle ratepayers?***

Comment:

The project has been funded through reserve funds generated from the sale of property and debt funding as described in the Plan as below;

Reserves	\$29,550,000
Loan	<u>\$20,000,000</u>
TOTAL	<u>\$49,550,000</u>

The resolution from the Annual Electors Meeting seeks consideration of an audit by the Office of the Auditor General (OAG) for a post investment review of the construction to consider whether it has been undertaken in accordance with the original business plan. The figures from the Plan and the actuals provided within this report provide a simple and straight-forward analysis of this. Also, as part of a change to the Local Government Act and Audit provisions in 2017, the AOG currently audit the City each financial year. Undertaking a separate audit outside of this annual process may not be necessary.

The resolution also requests that the audit consider whether the investment has been made in the best interest of Fremantle ratepayers. It is not considered that this particular matter is capable of being audited. The Business Plan process is itself designed for this purpose and is a public process for the purpose of public input. An audit of this could only consider whether the business plan process complied with the requirements of the Act in considering relevant aspects of the proposal against the interest in ratepayers.

It is recommended that based on the information provided within this report, Council note the resolution from the Annual Electors meeting from March 2020 and not take any further action.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

Council acknowledges and considers the motion passed at the Annual General Meeting of Electors on 9 March 2020 regarding the post investment review of the construction of the new Civic Administration building in Kings Square and receives the information in this report as a full and final response to matters raised.

11. Motions of which previous notice has been given

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

Nil

12. Urgent business

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

Nil

13. Late items

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

Nil

14. Confidential business

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

Nil

15. Closure