



# Minutes

Audit and Risk

Management Committee

Wednesday 20 April 2022 5.30pm



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## **1. Official opening, welcome and acknowledgment**

The Presiding Member declared the meeting open at 5.31 pm.

## **2. Attendance, apologies and leave of absence**

### **2.1 Attendance**

Cr Su Groome	Presiding Member/East Ward
Cr Andrew Sullivan	South Ward
Cr Marija Vujcic	South Ward ( <i>entered 5.45pm</i> )
Cr Frank Mofflin	Deputy Mayor/Hilton Ward
Mr Ben Arnold	Independent Member

Mr Matt Hammond	A/Director City Business
Mr Graham Tattersall	Director Infrastructure
Ms Kylie Lamb	Manager Financial Services
Ms Charlie Clarke	Manager Governance
Mr Mark Donnelly	Manager Field Services
Ms Kayla Goodchild	Meeting Support Officer

### **2.2 Apologies**

Cr Fedele Camarda

### **2.3 Leave of absence**

Mayor Hannah Fitzhardinge

## **3. Disclosures of interest by members**

Cr Frank Mofflin declared an impartiality interest in item number ARMC2204-2. Cr Mofflin is a social member of the club.

## **4. Deputations**

### **4.1 Special deputations**

Nil



## 4.2 Presentations

Nil

## 5. Confirmation of minutes

### COUNCIL DECISION

Moved: Cr Su Groome

Seconded: Cr Frank Mofflin

**The Audit and Risk Management Committee confirm the minutes of the Audit and Risk Management Committee meeting dated 16 February 2022.**

Carried: 3/1

For

Cr Su Groome, Cr Andrew Sullivan, Cr Frank Mofflin

Against

Mr Ben Arnold

## 6. Elected member communication

Nil



## 7. Reports and recommendations

### ARMC2204-1 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEMBERSHIP UPDATE

<b>Meeting date:</b>	20 April 2022
<b>Responsible officer:</b>	Manager Field Services
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. City of Fremantle 2021 EM Capability Summary Report</li><li>2. City of Fremantle 2021 EM Capability Summary Supplement</li></ol> <p><i>(Confidential attachments under separate cover)</i></p>
<b>Additional information:</b>	<ol style="list-style-type: none"><li>1. Previous Minutes of the Local Emergency Management Committee</li></ol>

#### SUMMARY

**The purpose of this report is to provide an overview of the functions of the Local Emergency Management Committee (LEMC) including the City's role in emergency management and to amend the membership of the Committee.**

**It is recognised that local governments are the closest level of government to their communities and have access to local knowledge about the local environment and demographic features of their communities.**

**In accordance with the Emergency Management Act 2005, the functions of local government in an emergency are to:**

- (a) ensure that effective local emergency management arrangements are prepared and maintained for its district;**
- (b) manage recovery following an emergency affecting the community in its district; and**
- (c) perform other functions given to the local government under this Act.**

**The functions of a local emergency management committee are to:**

- (a) advise and assist the local government in ensuring that local emergency management arrangements are established for its district;**
- (b) liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and**



- (c) **carry out other emergency management activities as directed by the State Emergency Management Committee (SEMC) or prescribed by the regulations.**

**It is recognised that in some instances the wider community are not always informed as best as can be on emergency management, and what it means to be prepared for an unanticipated emergency event.**

**This report recommends the membership of the LEMC is amended to include two elected members and that council nominate the two elected members to be included as additional members to of committee.**

## **BACKGROUND**

The City's Local Emergency Management Arrangements (LEMA), shared with the Town of East Fremantle, were endorsed by the LEMC on 27 February 2017 and approved by the State Emergency Management Committee (SEMC) on 2 May 2017, they are reviewed post incident with an official review due in 2022.

The LEMC meets four times per year and towards the end of each financial year officers of the LEMC prepare an Annual Report which is a self-assessment of the City's Emergency Management capabilities. The report identifies any gaps due to external or internal factors during that period.

Over the last five years the City has responded, on average, to three Incident Support Group (ISG) activations per year, with the main hazards being commercial and residential building fires.

Section 36 of the *Emergency Management Act 2005* states the functions of local government in an emergency are:

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;
- (b) to manage recovery following an emergency affecting the community in its district; and
- (c) to perform other functions given to the local government under this Act.

As per the definition in the *Act*, recovery means the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing.

The functions of a local emergency management committee (LEMC) are:

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;



- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

The current LEMC is made up of City officers and representatives from:

- WA Police Force
- DFES
- St John Ambulance
- Department of Defence
- Australian Border Force
- Fremantle Ports
- Department of Communities
- Department of Health

Representatives from other groups such as aged care and medical facilities attend meetings on an irregular basis.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **LEGAL IMPLICATIONS**

Nil

#### **CONSULTATION**

Nil

#### **OFFICER COMMENT**

It is recommended that consideration be given to expand the LEMC to include two elected members to best represent or advise on the interests of all community members and in particular those with special needs and to promote appropriate engagement with local Aboriginal communities.

Clause 38(3) and (4) of the *Emergency Management Act 2005* states that a local emergency management committee consists of a chairman and other members appointed by the local government in accordance with the constitution and procedures of a local emergency management committee, and that the terms and conditions of appointment of members are to be determined by the SEMC. It also states that the committee must have the local emergency coordinator as chairman, or if not them, the local emergency coordinator for the local government district.

The City's Local Emergency Management Arrangements (LEMA) also allows the City to amend its membership of this committee as required.



## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority required

### **COMMITTEE RECOMMENDATION ITEM ARMC2204-1** **(Officer's recommendation)**

**Moved: Cr Su Groome**

**Seconded: Cr Andrew Sullivan**

#### **Council:**

- 1. Advises the Local Emergency Management Committee (LEMC) at the next scheduled meeting that the City wishes to amend the membership of the Committee.**
- 2. Nominates Cr Su Groome and Cr Frank Mofflin as additional members of the Committee.**

**Carried: 4/0**  
**Cr Su Groome, Cr Andrew Sullivan**  
**Cr Frank Mofflin, Mr Ben Arnold**





Cr Marija Vujcic arrived at 5.45 pm prior to consideration of the following item.

**ARMC2204-3 WALYALUP CIVIC CENTRE – PROJECT UPDATE**

**Meeting date:** 20 April 2022  
**Responsible officer:** Director Infrastructure  
**Decision making authority:** Council  
**Attachments:** 1. Risk Register Summary (April)  
**Additional information:** Nil

**SUMMARY**

**This report provides a summary update in respect to the construction project for the Walyalup Civic Centre.**

**The report includes an overview of risks or issues and provides a summary of costs as they relate to the building construction contract, this includes costs and works associated with the Liquidation of Pindan Pty Ltd and the City's subsequent self-delivery model.**

**This report recommends that Council note the project update and the progress, management of any outstanding works and costs.**

**BACKGROUND**

The building reached Practical Completion in late October 2021, it subsequently opened to the public and commenced service delivery on 22 November 2021.

On 25 November a flooding incident occurred in the lower ground plant room area. The implications of this were significant and the building was subsequently closed to staff and the public until 6 December 2021. Rectification works were completed and the building reopened (back to its designed function) on 20 December 2021.

**FINANCIAL IMPLICATIONS**

Works relating to the flooding event are currently being finalised and are subject to an insurance claim. The value of works and remediation is now estimated at approximately \$175,000.

The City continues to manage costs associated with the delivery and reconciliation of the construction works via a 'Work Breakdown Structure' (WBS), within its financial system (Technology One).

Officers are progressing through the final account / retention release process with contractors and suppliers.



Given the duration of the project and the nature of trades involved, the retention payments made by the City are staggered; when contractors reach completion and final account payments it triggers their first 2.5% release, the second 2.5% release is activated at the end of the subsequent 12 months defects liability stage.

The total value of works spend is currently \$46,777,339 this is inclusive of adjustments and other additional works which are funded from separate budgets as per the breakdown below:

<b>Available Construction Budget (Building)</b> <i>(Financials as at 11 May 2022)</i>	<b>Budget</b>	<b>Actuals / Spend</b>	<b>Remaining</b>	
			<b>Outstanding</b>	<b>Retentions</b> <i>(to be paid from PBA)</i>
Initial Contract	\$ 41,461,128			
Contingency - 5% (\$600k Ddt'd - moved to Town Hall works)	\$ 1,500,000			
Changing Places (Grant)	\$ 150,000			
<b>Total</b>	<b>\$ 43,111,128</b>	<b>\$43,113,939</b>	<b>-\$2,811</b>	<b>\$ 652,332</b>
Liquidation / Insurance Bonds	\$3,600,000	\$3,321,510	\$278,490	
<i>Other bond (Street trees etc)</i>	\$96,000			
<b>Construction Works Budget</b>	<b>\$ 46,807,128</b>	<b>\$ 46,435,449</b>	<b>\$371,679</b>	
<b>Other Costs - (delivered by Contractors)</b>				
<i>Tenancy Fit out Works</i>	\$219,194	\$ 263,850	-\$44,656	
<i>Town Hall Basement waterproofing (blg maint')</i>	\$47,487	\$ 47,487	\$0	
<i>Kings sq paving inc William St link - (Eng Maint')</i>	\$30,553	\$30,553	\$0	
<b>Overall Payments</b>	<b>\$ 47,104,362</b>	<b>\$ 46,777,339</b>		

The City has paid retentions of \$159,721 since the last summary report and currently holds \$652,332 in remaining retentions. There is a \$371,679 positive balance against the building construction works.

**LEGAL IMPLICATIONS**

Nil.

**CONSULTATION**

The project team have continued to actively engage with key stakeholders through the delivery stage of the project.

**OFFICER COMMENT**

Tenancies



Visitor Centre:

- The facility opened to the public at the end of January 2022.

Newman Court (x2):

- Fit out works to the walls and floors complete – Officers are now procuring works for heating and cooling.

Level 3 / other areas:

- Officers have agreed essential terms for the prospective tenants for a portion of level 3; discussions are underway with prospective tenants for the level 2 area of the triangle and opportunities are being investigated for the remaining areas.
- Officers will propose a funding request for works to these areas. This is proposed to turn the current 'cold shells' (no services or finishes) in to 'warm shells' (to include heating/cooling, lighting and floor finishes) for consideration as part of the 2022/23 budget process.

Defects

Officers are working with the CDI group to close out the remaining defects (approx. 200), these are expected to be complete by the end of May.

Outstanding defects are relatively minor issues that do not affect building function, occupation, or use.

Most outstanding items are small, aesthetic, finishing items like painting / scratches / missing beads / cracks / chips / faulty handles etc.

The remaining 'larger' issues include:

- Louvre / canopy controls, overrides and enhancements:
  - *partially complete (awaiting new drivers for the 'stacked' louvres).*
- Turf condition and maintenance (sloped bank)
  - *turf repairs planned for after easter – avoiding events.*
- Roof flashing (decorative)
  - *arranged for completion early May.*

Officers also have some furniture replacements and improvements to address with the suppliers – this is a separate contract from the construction works.

It should be noted that there remains issue with significant delays in addressing the above defects as a result of COVID (labour, travel, and supply chain implications) and the Christmas close downs.



Final payments and retention monies are being withheld until works are completed to both the Architect and City's satisfaction.

### Flooding Incident

Further to the flooding event of 25 November 2021, Officers have completed the rectification works, these included:

- Replacement of 2x Fire Pumps
- Replacement of 5x Electrical Control Panels
- Replacement of Lift Control boxes
- Electrical
  - Underfloor electrical systems and floor boxes tested and dried. Comms cabling and connections replaced.
- Mechanical
  - Plenums / Floor dried and precautionary anti-fungal treatment applied.
- Access Floor
  - Wet Carpet tiles – dried and cleaning (replacement tiles ordered.)
  - Access floor leg - anti-corrosion spray applied.
- Pump room Fire Doors replaced.
- The control panels and lift parts which were subject to longer lead times for replacement have also been completed.

The adjuster has now received and processed the insurance claim, the City anticipates feedback shortly in respect to settlement of the outstanding claim.

Officers have also programmed the mitigation works to better manage the risk of another failure and subsequent flood.

The increased mitigation measures include:

- Addition of a strainer on the mains water infill to eliminate the risk of debris reaching main inlet valve.
- Tank High Level Alarm.
- Flow control Valve.
- Review of Hydraulic Pumps within Basement level.
- Install secondary overflow to Fire Pump room.
- Provide secondary access point from Street level to Western Power assets.
- Bunds.

The City's Critical/Emergency Management Plan has been updated and further developed by the City of Fremantle Facilities Management (FM) team to address the back of house area, including access/door management and Pump Room / Fire Tanks alarm response escalations and priority mains isolation process.



Additional FM staff training will be arranged at the completion and testing of the remaining installation works.

The above improvement works are being progressed, unfortunately COVID and supply chain issues have delayed immediate completion of some of the works.

Green Mark Engineering have reviewed and are satisfied with the proposed mitigation strategies and proposed improvements. It is currently anticipated that Green Mark Engineering will be able to return to carry out an overflow stress test and provide a final close out report by the end of July.

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

### **COMMITTEE RECOMMENDATION ITEM ARMC2204-3 (Officer's recommendation)**

**Moved: Cr Su Groome**

**Seconded: Cr Andrew Sullivan**

**Council note the status as of 12 April 2022 for the Walyalup Civic Centre construction project, as detailed in the update report provided to the Audit and Risk Management Committee.**

**Carried: 4/1**

**For**

**Cr Su Groome, Cr Andrew Sullivan**

**Cr Frank Mofflin, Mr Ben Arnold**

**Against**

**Cr Marija Vujcic**



## **ARMC2204-4 PURCHASING POLICY EXEMPTIONS JANUARY TO February 2022**

<b>Meeting date:</b>	20 April 2022
<b>Responsible officer:</b>	Manager Financial Services
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Purchasing Policy Exemption Details January 2022 to February 2022
<b>Additional information:</b>	Nil

### **SUMMARY**

**The purpose of this report is to inform Council of purchases made by the City that were exempt to the requirements of the Purchasing Policy, during the period January 2022 to February 2022.**

**This report recommends that Council receive the Purchasing Policy Exemptions report for January 2022 to February 2022.**

### **BACKGROUND**

At the Ordinary Meeting of Council of 25 November 2020, Council adopted a new Purchasing Policy. The policy contains a list of tender exemptions (exempt under Regulation 11(2) of the *Local Government (Functions and General) Regulations 1996*) and policy exemptions.

Under this policy all exemptions used by the City are to be reported to the Audit and Risk Management Committee.

### **FINANCIAL IMPLICATIONS**

Nil.

### **LEGAL IMPLICATIONS**

Nil.

### **CONSULTATION**

Nil.

### **OFFICER COMMENT**

#### **January 2022**

The total value of spending exempt from the City of Fremantle Purchasing Policy was \$98,200.00 excluding GST for the month of January 2022.



The value of exemptions by category is:

<b>Exemption Category</b>	<b>Value (ex GST)</b>
Artists Exemptions	\$2,200.00
Subscriptions	\$96,000.00
<b>Total</b>	<b>\$98,200.00</b>

Details regarding individual exemptions can be found in attachment 1.

### **February 2022**

The total value of spending exempt from the City of Fremantle Purchasing Policy was \$107,750.00 excluding GST for the month of February 2022.

The value of exemptions by category is:

<b>Exemption Category</b>	<b>Value (ex GST)</b>
Artists Exemptions	\$8,500.00
Sole Source of Supply Exemption	\$99,250.00
<b>Total</b>	<b>\$107,750.00</b>

Details regarding individual exemptions can be found in attachment 1.

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

#### **COMMITTEE RECOMMENDATION ITEM ARMC2204-4** **(Officer's recommendation)**

**Moved: Cr Su Groome**

**Seconded: Cr Frank Mofflin**

**Council receive the information report on Purchasing Policy exemptions for January 2022 to February 2022.**

**Carried: 5/0**

**Cr Su Groome, Cr Andrew Sullivan  
Cr Marija Vujcic, Cr Frank Mofflin, Mr Ben Arnold**



## ARMC2204-5 OVERDUE DEBTORS REPORT AS AT 28 FEBRUARY 2022

<b>Meeting date:</b>	20 April 2022
<b>Responsible officer:</b>	Manager Financial Services
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Summary of Overdue Debts above Threshold (Confidential attachment under separate cover)
<b>Additional information:</b>	Nil

### SUMMARY

**This Overdue Debtors Report, with confidential attachment, is provided to the Audit and Risk Management Committee to report details of overdue debts, as at 28 February 2022, where the amount owing over 90 days exceeds \$10,000.**

**This report recommends that Council receive the Overdue Debtors Report and acknowledge the overdue debts exceeding 90 days that have a combined value greater than \$10,000 as at 28 February 2022.**

### BACKGROUND

This report provides the Audit and Risk Management Committee (ARMC) the following information in relation to overdue debtors:

- The amount of total debt outstanding for the period aged from current to over 90 days overdue with a comparison to the same period for the previous year.
- The value of debt that is more than 90 days overdue where the combined value of those debts, by debtor, exceeds \$10,000.
- All records of the uses of delegated authority, to waive or write off debts valued at \$1,000 or above.
- A confidential report containing the individual debtor information in relation to the outstanding debtors exceeding 90 days with a combined value of debt, by debtor, exceeding \$10,000.
- The Debtor Day Ratio, being the average number of days taken for the City to receive payment from its customers for invoices issued to them.

### FINANCIAL IMPLICATIONS

It is a requirement that annual financial statements include an allowance for impairment of receivables owed to the local government to be recognised as a cost to the budget in the year in which the impairment is made.





As at the year ending 30 June 2021 an amount of \$170,969 was held as an allowance for impairment of receivables. As at 28 February 2022, the current allowance held as impairment is \$168,935 with one debt being written off in the 2021/22 financial year.

During this financial year the following reportable write-offs and waivers have been processed against this account:

Total Write-offs	\$2,034
Total Waivers	nil
<b>Total</b>	<b>\$2,034</b>

Since the last report, no occurrences of delegated authority to waive or write off debts valued at \$1,000 or above per debtor by officers has occurred. Currently no debtor has been identified for potential write-off/waiver.

**Summary of Sundry Debtor’s Debts Written-off year to date:**

Debtor No.	Name	Amount	Business Unit	Delegated Officer or Council
2019393	City Tours Pty Ltd	2,034	Community Development	Manager Community Development
	<b>TOTAL</b>	2,034		

**Summary of Rates Debtors Debts Written-off year to date:**

PID No.	Name	Amount	Business Unit	Delegated Officer or Council
	<b>TOTAL</b>	<b>NIL</b>		

**Summary of Sundry Debtor’s Debts Waived year to date:**

Debtor Name	Amount Waived Excl GST	Description
<b>TOTAL</b>	<b>NIL</b>	



**LEGAL IMPLICATIONS**

Section 6.12 (1) (c) of the *Local Government Act 1995* provides authority for the Council to write off outstanding monies.

In accordance with section 5.42 and 5.44 of the *Local Government Act 1995* the following delegated authority applies:

- The Chief Executive Officer has delegated authority to write off debts (not including rates or infringement) considered unrecoverable up to \$50,000 per account where, in the opinion of the Chief Executive Officer, all other reasonable avenues of recovery have been exhausted.
- Directors and Managers have various sub-delegated authority to write off debts (not including rates or infringement) considered unrecoverable up to \$20,000 per account where, in the opinion of the Director or Manager, all other reasonable avenues of recovery have been exhausted.

All records of the uses of this delegated authority, to waive or write off debts valued at \$1,000 or above, per debtor, must be reported to the Audit and Risk Management Committee.

Any amount more than \$50,000 is to be written off by Council resolution. A Council resolution authorising the write-off of any bad debt does not prevent Council from reinstating the debt if the future circumstances change and the debt becomes collectable.

**CONSULTATION**

Nil.

**OFFICER COMMENT**

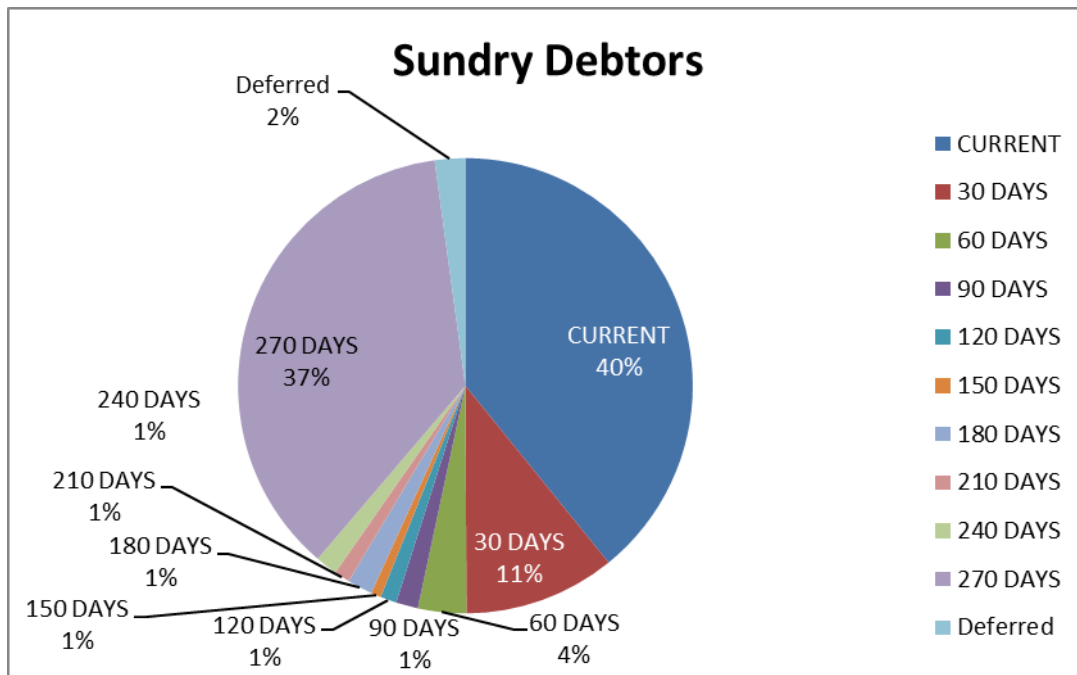
The total of debts outstanding as at 28 February 2022 is \$1,003,014. A breakdown of aged debt for the current period compared to prior year for the March 2021 period is tabled below.

<b>Period</b>	<b>Current</b>	<b>30 Days</b>	<b>60 Days</b>	<b>90+ Days</b>	<b>Total</b>
July 21 – February 22	40%	11%	4%	45%	100%
	401,385	110,477	35,221	455,931	1,003,014
July 21 – February 22 excl. Commercial Properties	44%	14%	2%	40%	100%
	254,224	81,887	10,098	228,215	574,424
July 20 – March 21*	551,399	292,590	27,409	115,325	986,723

\*Prior year reporting presented quarterly



Of the total debt balance, the amount outstanding for 90+ days is \$455,931 or 45.46%. Below is a graph of the aged debt balances as at 28 February 2022.



Compared to the report of overdue debtors as at 31 December 2021, presented to Audit and Risk Management Committee at the 16 February 2022 meeting, the total value of outstanding debtors has decreased by \$12,395.

Outstanding debt over 90 days has decreased from \$468k at the end of the previous reporting date to \$456k. The number of overdue debtors above the reporting threshold of \$10,000 and 90 days has reduced from 9 to 8, with a total value of \$402,724. Of this, \$22,195 is deferred and subject to an agreed payment arrangement to secure payment in full by 30 June 2023.

The confidential attachment contains debtor information in relation to the \$402,724 of outstanding debtors exceeding 90 days with a combined value, by debtor, exceeding \$10,000.

### **Debtors Outstanding**

The Debtor Day Ratio measures how quickly cash is being collected from debtors. The longer it takes for an organisation to collect, the greater the number of debtor days.

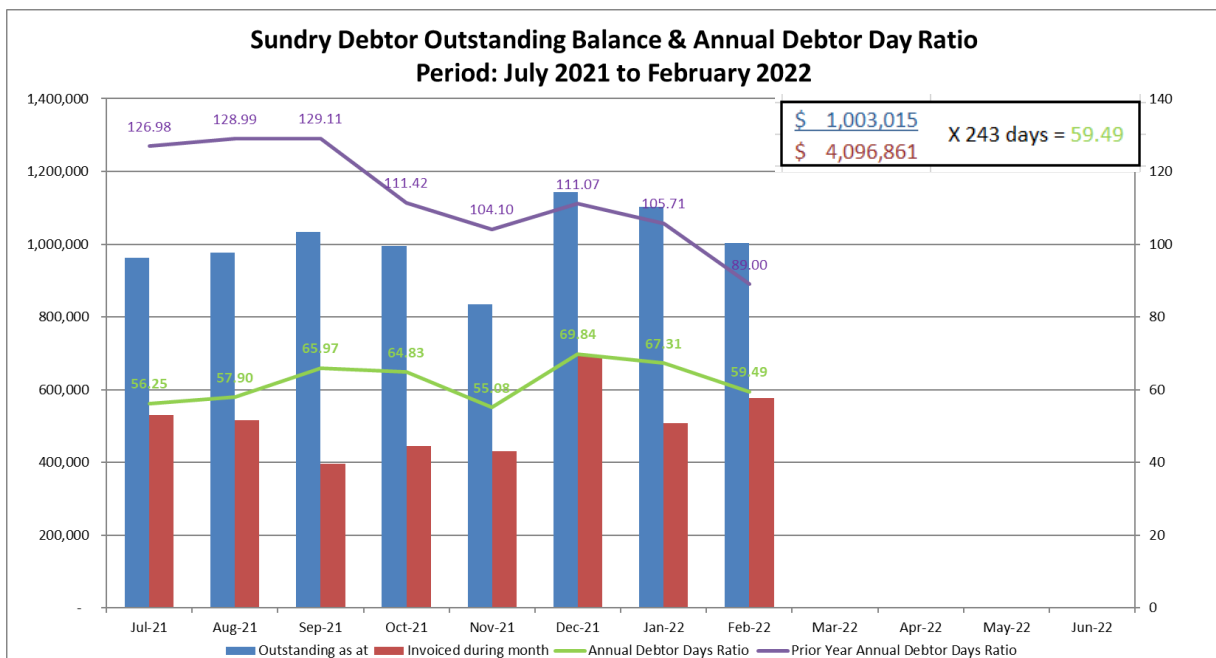
The calculation of the ratio considers the total amount outstanding at the end of the period over the total amount invoiced to that period for the financial year by the



total number of days from 1 July to the end of the period. See calculation in the graph below.

Prior financial year information is presented together with the current financial year as a comparative to demonstrate the City’s ability to collect funds owed to the City when due.

At 1<sup>st</sup> July 2021, \$892,055 of invoices raised prior to 2021/22 were outstanding resulting in outstanding debt exceeding the amount invoiced during July 2021.



As at 28 February 2022, the Debtor Day Ratio was 59.49 – being a decrease from the prior reporting period. Of outstanding debt, 40% related to current invoices that were not yet due.

**Key Performance Indicators**

The Audit and Risk Management Committee recommended performance measures be developed to show a reporting date ‘snapshot’ of debt collection performance.

Internal debt management procedures have been reviewed resulting in officers engaging with debtors earlier where an amount is considered to have an increased risk of default. Upon review of debt levels over prior financial years, officers consider reasonable and recommend the following targets against which to report.



The key performance targets below show the distribution of aged debtors that the City is aiming for:

	<b>Key Performance Targets</b>				
<b>Age of Debt</b>	Current	30-59 Days	60-89 Days	90 Days or more	Total
<b>Target</b>	80% or more	no more than 10%	no more than 5%	no more than 5%	100%

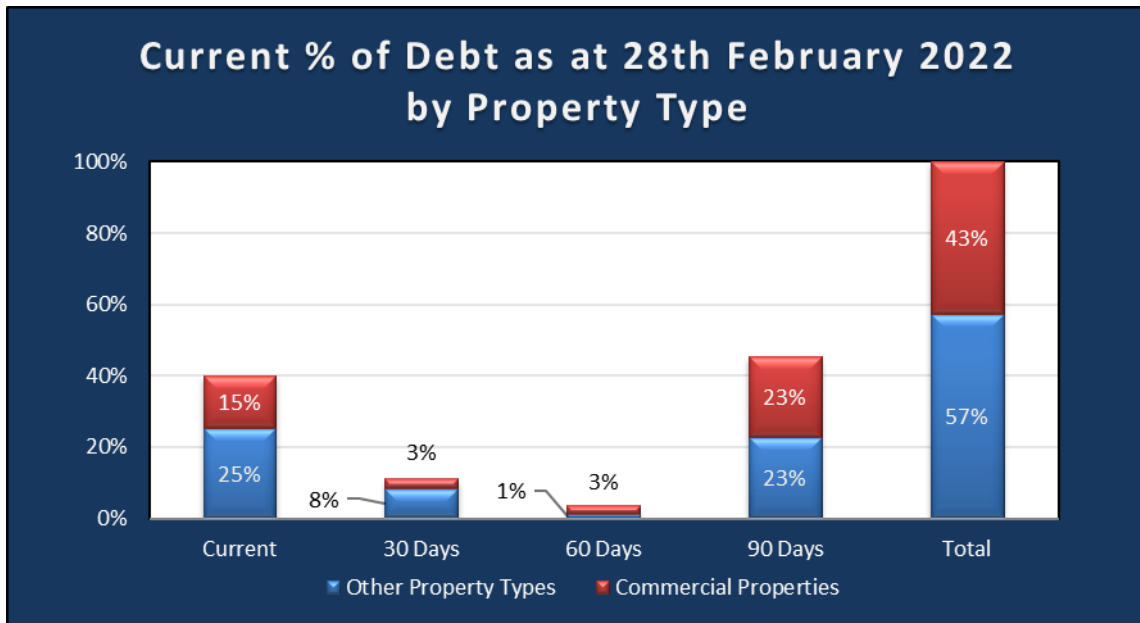
The following table reports the City’s debtor portfolio against these key performance targets as at February 2022:

	<b>As at 28th February 2022</b>				
<b>Aged Debt Category</b>	Current	30-59 Days	60-89 Days	90 Days or more	Total
<b>Target % of Debt</b>	80%	10%	5%	5%	100%
<b>Current Value of Debt</b>	401,385	110,477	35,221	455,931	1,003,015
<b>Current % of Debt</b>	40.02%	11.01%	3.51%	45.46%	100.00%
<b>Target Met / Not Met</b>					

From the start of this financial year, the percentage of debt that is ‘current’ has held steady at around 40%. However, we are seeing the percentage of debt that is outstanding 90 days or more steadily decline – down from 53% at the start of this financial year to 45% at the end of February 2022.



The Current Value of Debt by Age category is shown in the graph below, split between Commercial Properties and Other (non-Commercial) Property Types:



Of total overdue debt, Commercial Properties account for 43% (\$428,590), and Commercial Properties account for half of the debt owing 90 days or more (\$227,717). Deferred payment arrangements are currently in place for \$22,102 of total overdue Commercial Property debts.

City officers continue to liaise with all commercial tenants to provide assistance, including payment arrangements, where appropriate.

### Impact of COVID on Commercial Property

In response to COVID-19, the State Government created legislation and guidelines aimed at protecting commercial tenants who may have been subject to financial duress as a result of the pandemic.

The City adhered to the legislation and guidelines in order to support its commercial tenants and opted to provide rent waivers in cases where tenants could demonstrate financial loss as a result of COVID-19.

During the emergency period (April 2020 – September 2020) landlords were required to provide waivers of up to 100%. The waivers during this period were to be provided commensurate with any loss that could be demonstrated by the business as a result to COVID-19.



During the recovery period (October 2020 – March 2021) landlords were required to provide waivers up to 50%. The waivers during this period were to be provided commensurate with any loss that could be demonstrated by the business as a result to COVID-19.

As at 1 April 2021 all COVID-19 waiver arrangements came to an end and 100% of normal rent is now payable.

The total amount waived for commercial properties relating to COVID-19 during both the emergency period and recovery period was **\$656,975**.

After waivers the City invoiced a total of **\$492,579** for commercial properties.

To date, of the \$492,579 only **\$22,195** remains outstanding a reduction, since the prior reporting period, of \$6,126 (1.24%), with all debtors currently successfully paying this back via direct debit arrangements.

#### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

#### **COMMITTEE RECOMMENDATION ITEM ARMC2204-5 (Officer's recommendation)**

**Moved: Cr Su Groome**

**Seconded: Cr Frank Mofflin**

**Council receive the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value, by debtor, exceeding \$10,000 as at 28 February 2021.**

**Carried: 5/0**

**Cr Su Groome, Cr Andrew Sullivan  
Cr Marija Vujcic, Cr Frank Mofflin, Mr Ben Arnold**



## ARMC2204-6 TENDERS AWARDED UNDER DELEGATION JANUARY TO FEBRUARY 2022

**Meeting date:** 20 April 2022  
**Responsible officer:** Manager Financial Services  
**Decision making authority:** Council  
**Attachments:** Nil  
**Additional information:** Nil

### SUMMARY

**The purpose of this report is to summarise tenders awarded under delegation by various delegated officers and committees during the period January 2022 to February 2022.**

**This report recommends that Council receive the report on tenders awarded under delegation between January 2022 to February 2022.**

### BACKGROUND

Tenders awarded by the City are awarded under the following delegations, approved at Council on 8 July 2021:

<b>Delegated Authority</b>	<b>Amount of Delegation</b>
Finance, Policy Operations and Legislation Committee (FPOL)	\$500,000+ (if within budget)
CEO	Up to \$500,000
Directors	Up to \$500,000

Items identified under 'Officer Comment' of this report detail tenders awarded under delegation.

### FINANCIAL IMPLICATIONS

All tenders were awarded within budget approved at Council on 23 July 2021.

### LEGAL IMPLICATIONS

All tenders awarded met the requirements of Regulations 11A – 24AJ of the *Local Government (Functions and General) Regulations 1996* and S3.57 of the *Local Government Act 1995*.

Under delegation 2.11 Expressions of interest and tenders of the City's Delegated Authority Register, the Chief Executive Officer is required to report the use of this delegation to the Audit and Risk Management Committee.





## CONSULTATION

Nil.

## OFFICER COMMENT

No Tenders were awarded under delegation during this reporting period. It is common practice for the City to have fewer or no tenders awarded at the beginning of the calendar year as the City avoids calling for Tenders (any public consultation) during holiday periods.

### January 2022

Nil.

### February 2022

Nil.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

### **COMMITTEE RECOMMENDATION ITEM ARMC2204-6** **(Officer's recommendation)**

**Moved: Cr Su Groome**

**Seconded: Cr Frank Mofflin**

**Council acknowledge that no tenders were awarded under delegation for January 2022 to February 2022.**

**Carried: 5/0**

**Cr Su Groome, Cr Andrew Sullivan  
Cr Marija Vujcic, Cr Frank Mofflin, Mr Ben Arnold**



## 8. Motions of which previous notice has been given

Nil

## 9. Urgent business

Nil

## 10. Late items

Nil

## 11. Confidential business

### **ARMC2204-2 FREMANTLE PARK – PROJECT INDEPENDENT FINANCIAL AUDIT REPORT**

<b>Meeting date:</b>	20 April 2022
<b>Responsible officer:</b>	Manager Financial Services
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Management Letter – Fremantle Park Project 2. Audit Opinion Report – Fremantle Park Project <i>(Confidential attachments under separate cover)</i>
<b>Additional information:</b>	Nil.

### **REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- (e) a matter that if disclosed, would reveal —
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person,



**ARMC2204-7      EMERGING ISSUES REPORT - APRIL 2022**

**Meeting date:** 20 April 2022  
**Responsible officer:** Director City Business  
**Decision making authority:** Council  
**Attachments:** Nil  
**Additional information:** Nil

**REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting

**12. Closure**

**The Presiding Member declared the meeting closed at 6.57pm.**