



# Minutes

## Ordinary Meeting of Council

Wednesday 27 March 2024 6pm



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

The Presiding Member declared the meeting open at 6.03pm and welcomed members of the public to the meeting.

The Presiding Member informed members of the public that the meeting was being recorded and streamed live on the internet. They further advised that while all care is taken to maintain privacy, visitors in the public gallery and members of the public submitting a question, may be captured in the recording.

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

### **2.1 Attendance**

Ms Hannah Fitzhardinge	Mayor/Presiding Member
Cr Jenny Archibald	Deputy Mayor/Central Ward
Cr Geoff Graham	Central Ward
Cr Adin Lang	Coastal Ward ( <i>arrived at 6:04pm</i> )
Cr Andrew Sullivan	Coastal Ward
Cr Jemima Williamson-Wong	Coastal Ward
Cr Fedele Camarda	East Ward
Cr Ben Lawver	East Ward
Cr Frank Mofflin	East Ward
Cr Doug Thompson	North Ward
Cr Ingrid van Dorssen	North Ward
Mr Glen Dougall	Chief Executive Officer
Mr Matt Hammond	Director City Business
Mr Pete Stone	Director Creative Arts and Community
Mr Graham Tattersall	Director Infrastructure
Ms Alida Ferreira	Manager Financial Services
Ms Melody Foster	Manager Governance
Ms Aimee Sabbatino	Manager Economy and Commercial
Mr Ryan Abbott	Manager Parks and Landscapes
Mr Kavi Gupta	Community Engagement Partner
Emily Groves	Media and Community Relations Advisor
Ms Marie Vitanza	Meeting Support Officer

*There were approximately 20 members of the public and 1 member of the press in attendance.*

### **2.2 Apologies**

Mr Russell Kingdom	Director Planning, Place and Urban Development
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## 2.3 Leave of absence

Nil.

## 3. Applications for leave of absence

### **COUNCIL DECISION**

**Moved: Mayor, Hannah Fitzhardinge      Seconded: Cr Andrew Sullivan**

**Mayor, Hannah Fitzhardinge request for leave of absence from 1 May 2024 until 5 May 2024 (inclusive) is approved.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**

## 4. Disclosures of interest by members

Cr Andrew Sullivan declared a financial interest in item number ARMC2403-4 in relation to a matter within the emerging issues report.

Cr Andrew Sullivan stated that they would not remain in the meeting for the discussion of the item.

Cr Jemima Williamson-Wong declared a financial interest in item number C2403-19 as her mother is Western Australia's Government Architect, employed at the Department of Planning.

Cr Jemima Williamson-Wong stated that they would not remain in the meeting for the discussion of the item.

Cr Geoff Graham declared a financial interest in item number C2403-22 as they are a financial member of the Fremantle Bowling Club.

Cr Geoff Graham stated that they would not remain in the meeting for the discussion of the item.



## 5. Responses to previous public questions taken on notice

Responses to the questions taken on notice at the Ordinary Meeting of Council held on 13 March 2024 are provided below.

### **Lyn Wicks spoke in relation to matters not on the agenda and asked the following questions:**

#### **Question 1:**

Would Council please itemise the key factors which lead to the cancellation of the Weekend Easter Markets for 2024?

#### **Response 1:**

A review was conducted post the 2023 FISAF event and the decision was made to concentrate staffing efforts and resources on the 2024 artist programming and allowing all businesses equal opportunity to trade via an Extended Trading Permit (ETP).

#### **Question 2:**

Would Council please also provide the data that supports these key factors?

#### **Response 2:**

Data referenced was gathered from feedback from businesses on High St within the road closure from the 2023 Festival and staff feedback including a review of the event budget, staffing allocations and communications, and Culture Counts audience survey.

#### **Question 3:**

Would Council please provide the data collated on Council's 2 visits to the High Street businesses, in the last month, seeking further feedback about the cancellation, gauging interest in the 2024 event and businesses taking up the City's offer of extended trading permits?

#### **Response 3:**

Please see above. Data collected is provided anonymously and collated for internal use.

#### **Question 4:**

This year did anyone from Council engage face to face with Rowena Mitchell, to talk to her about the event cancellation and reasons for it before it was cancelled? And work on a solution with her, to promote business along High Street on the Easter weekend 2024, so that it is fair and equal for all businesses and so that it is a win/win outcome for everyone?



**Response 4:**

Staff communicated to Rowena via email to explain the City's decision and offer access to an ETP and suggest alternative funding for the markets.

**Question 5:**

Why doesn't Council want to support these businesses by including their Easter Market event in the Fremantle International Street Arts Festival? Please clearly explain what was so wrong with this event over the past 7 years, for Council to cancel it this year?

**Response 5:**

The market event has changed over recent years, with interruptions due to Covid and a change in focus of the markets from the original event plan and footprint.

The City is committed to offering the opportunity to all traders to apply for an ETP to trade during the festival.

**Cathy Gavranich spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

Could you please explain how the cancellation of the Westend Weekender contributes to "improving the overall FISAF event?"

**Response 1:**

A review was conducted post the 2023 FISAF event and the decision was made to concentrate staffing efforts and resources on the 2024 artists programming elements and allowing all businesses equal opportunity to trade via an Extended Trading Permit (ETP).

**Question 2:**

Please clarify how the Westend Weekender affects the "rebuild" of FISAF?

**Response 2:**

Please see above.

**Question 3:**

Please provide the total curatorial budget, as well as the festival programming budget?

**Response 3:**

The City's adopted operational budget for FISAF artist payments, accommodation and travel is \$131,006.



**Question 4:**

Please provide an itemisation of the costs for the national and international artists, including airfares, accommodation, and any additional costs?

**Response 4:**

Please see above.

**Question 5:**

Please provide information on what measures have been implemented by the City to mitigate the environmental impact associated with major events to date, as well as the specific measures implemented to mitigate the environmental impacts of the International airfares generated by FISAF over the years?

**Response 5:**

The City adheres to the [City of Fremantle Sustainable Events Policy](#)

**Question 6:**

Please provide a copy of the Main Roads communications regarding the "considerable increase in costs" for road closures in 2024?

**Response 6:**

Please see link to the website, with an information sheet and supporting documents. [Changes to the Traffic Management Company Registration Scheme | Main Roads Western Australia](#)

**Question 7:**

It is my understanding that if an announcement is made in early 2024, it would not take effect until July 21<sup>st</sup>. Is that correct?

**Response 7:**

The announcement was published in October 2023, to be implemented between that date to July 2024.

All traffic management companies are to ensure they meet the new requirements conditions that include the increase in salaries and updating employment conditions.

**Question 8:**

Could you please provide more information on the towing of a vehicle mentioned in the answer provided to my questions at the previous council meeting?

**Response 8:**

A tow truck was called to tow a vehicle left in the event area. The vehicle was eventually moved but the tow truck fee still applied.





**Rowena Mitchell spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

Who were the individuals responsible for the decision to cancel the Westen Weekender?

**Response 1:**

Directors, Managers and operational staff from the Creative Arts and Community Directorate and the City Business Directorate.

**Question 2:**

Can we meet with the decision makers to have a conversation?

**Response 2:**

Yes, there will be an event wide business de-brief meeting post the 2024 festival, in addition to this staff can meet with you as an individual business owner.

**Question 3:**

How do we get the Westen Weekender reinstated?

**Response 3:**

The City has made the decision not to proceed with the market for the 2024 festival.

**Elisabeth Megroz spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

Is it the case, that questions asked by electors in person during official question time are required to be answered in the chamber at the time?

**Response 1:**

In accordance with Section 5.24(2) of the *Local Government Act 1995* and Regulation 7(1) of the *Local Government (Administration) Regulations 1996*, the procedure for asking and responding to questions is to be determined by the person presiding at the meeting.

Therefore, the Mayor as the presiding member, may choose to take questions on notice or ask an officer to respond to the question in the meeting.

**Question 2:**

I note, the outcome of the motion of the receipt of the Annual Report, moved by Cr Doug Thompson and Seconded by Cr Jennifer Archibald from the floor (as electors), was that it was not accepted by the electors for the 4<sup>th</sup> year, the matter remains unresolved, and as such were voted for by all councillors in an enbloc



process, as a mere "includes 19", without any verbal/visual reference to the item, and having observed that not one single elected member had anything to say to 44 questions in relation to the annual report, 21 general questions and 13 motion raised, state how this conduct is in accordance with the spirit of the legislated Local Government Act of dealing with all decisions made at the AGME?

**Response 2:**

The Meeting Procedures Policy provides that reports to council may be voted "*en bloc*" if the meeting determines there is no debate required or questions to be asked on these items.

**Question 3:**

Has the officer have the authority to act on behalf of elected members?

**Response 3:**

Officers author reports to council with recommendations, the role of the Council is to consider these recommendations and accept, amend or modify the recommendations as they determine.

**Question 4:**

In relation to the Officer's recommendation to confirm the minutes dated the 28 February 2024, state on what grounds the officer is justified in recommending these minutes be confirmed?

The outcome of the motion of the receipt of the Annual Report (that is, it was not accepted by the electors for the 4th year) remains unresolved, and excluded as a motion from the current minutes?

**Response 4:**

Minutes of meetings are not a verbatim record, questions are summarised as provided for under the Local Government Act.

**Helen Cox spoke in relation to the Annual General Meeting of Electors, and asked the following question:**

**Question 1:**

Questions and motions presented by Electors were recorded and minutes in error and managed with a Council Officer's response "no further action required". Are these actions considered to be appropriate and do they "pass the pub test" by employees acting in good faith on behalf of the Fremantle City Council?

**Response 1:**

As per response to Ms Megroz above.



**Tony Cattalini spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

During a meeting with the Mayor, CEO and Director of Planning, the Director of Planning stated that the tree at 195 High Street had been placed on the Significant Tree Register prior to the adoption of LPP2.23, meaning the condition to notify the owners and occupiers of the place where a tree is located was not applicable. Is the above statement by the Director of Planning correct?

**Response 1:**

***The following Questions 1-8 will require further time to enable officers to undertake research to respond to the questions. Responses will be provided at the next Ordinary Meeting of Council to be held on 10 April 2024.***

**Question 2:**

Can the Mayor advise by what mechanism the tree at 195 High Street was placed on the Significant tree register prior to the adoption of LPP2.23 on the 27/02/2019?

**Question 3**

Can the Mayor advise the date that the Moreton Bay Fig Tree located at 195 High Street was placed on the register?

**Question 4**

Can the Mayor advise if the Community Engagement carried out by the City through its Officers or any other means with regards to LPP2.23 between 06/11/2018 and 04/12/2018 met all the requirements as prescribed in LPS4 Clause 13(A)?

**Question 5**

Can the Mayor advise if all the occupiers of 195 High Street were contacted by the City through its Officers or any other means as prescribed in LPS4 clause 13(a) during the Community Engagement for LPP2.23 carried out between 06/11/2018 and 04/12/2018?

**Question 6**

If the Mayor can confirm that all occupiers were contacted by the City through its Officers or any other means as per question 5, can the Mayor provide evidence confirming the contact?

**Question 7**

Can the Mayor please advise if the occupiers of 195 High Street were given notice by the City through its Officers or any other means of the adoption of resolution SPD1902-3 as passed on 27/02/2019?



### **Question 8**

If the Mayor can confirm that all the occupiers were given notice as per question 7? Can the Mayor provide evidence confirming the contact?

### **Ian Ker spoke in relation to matters not on the agenda and asked the following questions:**

Noting the following question in relation to South Beach Toilets was not captured in the minutes of the Council meeting held on 28 February 2024.

### **Question 1**

What changes were made in January 23 and hence in the tenders advertised in October 23 to the schematic design presented to council on 26 October 2022 and what further changes were in the revised tenders that closed in February 2024?

### **Response 1:**

Following Council approval of the schematic design in October 2022, the following changes have been made to the design, in consultation with the CEO Reference Group:

1. The changing room layout was revised to provide a mix of open and enclosed showers, increased bench space and the facility was widened approximately 300mm to improve internal circulation. Privacy and Crime Prevention Through Environmental Design was to be further developed through the Design Development phase.
2. The location of the Changing Place facility was tested and the Reference Group preferred it to be attached to the change facility. The legibility and access to the Changing Place facility was to be confirmed through Design Development with input from 'lived experience' facilitated by Community Development.
3. To increase gender-inclusive facilities accessible from the breezeway and add additional peak capacity one universal accessible family room was split in to two universal accessible toilets. This was supported by the incorporation of urinals in the men's bathroom space.
4. The desire to improve circulation in and around the hand basin while prioritising bench space was addressed.
5. The roof design achieved the requirements for natural light, ventilation and functional requirements.
6. The development of landscape and civil works design should provide informal meeting places suitable for a range of weather conditions (sheltered, open, shady, sunny etc.) and provision of sufficient foot wash



and shower amenities located logically near the facility and path from the beach.

The revised schematic design (as noted above) was used for the tender process in 2023 and the recent RFQ process that was undertaken. The contractors that were engaged as part of the RFQ process, were also given an opportunity to provide an alternative proposal that maintains quality and a value proposition within the allocated budget.

## **6. Public question time**

**Rowena Mitchell spoke in relation to the Westend Weekender and asked the following questions:**

**Question 1:**

How can we address the lack of action from the Council and ensure our voices are heard?

**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

**Question 2:**

When can we expect a review and meeting to discuss the Westend Weekender and work a way forward?

**Response:**

The Director Creative Arts and Community has corresponded via email with you to set up this meeting.

**Question 3:**

How can we get our council to engage on matters important to the local community?

**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

**Sarah Cole spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

What is the audited total project cost of the Walyalup Civic Centre?



**Response:**

This has been previously answered, please refer to the [minutes](#) from Council Meeting 24 August 2022.

**Question 2:**

Why did you not consider remediation or fixing the amount of “concrete cancer” as a cost-effective option?

**Response:**

The condition of the South Beach toilets had been assessed as poor and there were a number of maintenance issues; this, coupled with the remediation works required to rectify the “concrete cancer” found within the building, concluded remediation was not considered to be a cost-effective option.

**Question 3:**

Who in Council decided to demolish and replace the toilets instead of remediating?

**Response:**

Demolition and replacement of the building was considered as part of the South Beach Place Plan and subsequent design of the new South Beach change facilities, which included extensive consultation with the South Beach Place Plan Reference Group. The reference group included participants from various community stakeholder groups.

As noted in the report to Council on the 26 October 2022 ([Council Minutes - 26 October 2022](#)), due to the poor condition of the building, demolition and replacement of the building was considered to be the most viable option.

**Question 4:**

Why did the public not hear that there was another option to remediate?

**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

**Question 5:**

Can the Mayor confirm or deny that the ratepayers are paying the Hammond Legal fees of Cr Jemima Williamson-Wong’s legal representation in the election challenge?

**Response:**

The City is not currently paying any legal fees for Cr Jemima Williamson-Wong.



**Elisabeth Megroz spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

Given it is legislated that the matters to be discussed at an AGME, before anything else, are the contents of the annual report, and given the annual report - having been rejected for the 4th time at the AGME - remains with neither a consideration by council nor a reference as a motion in the minutes of the 28 February 2028 (a mere note in the minutes of the 5 February 2024 p. 14, not worthy of commenting!), explain the reasons why this motion was treated in such a dismissive manner?

**Response:**

The Mayor advised this question was asked at the Council meeting on 13 March 2024. The response can be viewed in the [Council Agenda](#) for the meeting held on 27 March 2024.

**Question 2:**

Given that live-streaming of 3/7 meetings did not live up to the minimum requirements of enabling people to effectively watch and listen, explain the reasons why the meetings were unable to be broadcast according to the regulations as would be required from 1 January 2025?

**Response:**

The CEO responded advising the Act will require the City to provide live streaming as of 1 January 2025. The City has been experiencing some technical difficulties with the system and is working towards resolving these issues. This may require the City to upgrade the system and AV equipment in the chamber.

**Question 3:**

What was the 'improvised' recording as would be required from 1 January 2025?

**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

**Question 4:**

What is the cost of the livestreaming as a service to the ratepayers?

**Response:**

There are no costs associated with the livestreaming service to ratepayers at this point in time. The costs associated with upgrading the system and equipment is unknown at this stage.

**Question 5:**

Again, the minutes from the 13 March 2024 to be confirmed tonight will be repeating the practice of including incorrect statements as well as omissions. I strongly object to the publishing of anything that is not in accordance with



what I/others said or did, as it impedes transparency and accountability. Advise to whom I should direct my formal objections to the above matter, since you ignored my concerns?

**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

**Question 6:**

You referred to the LG Act. There is no reference to questions on notice in the act. The minutes as presented, read as if the questions were responded to directly at the meetings. Clarify how the Act relates to questions on notice, and why do minutes not state when questions were taken on notice at meetings?

**Response:**

The procedure for public question time is dealt with in the City's Meeting Procedures Policy. As outlined in the City's Policy, '*A question may be taken on notice by council or committee for later response*'.

Questions taken on notice at a Council Meeting will be recorded in the Minutes of the meeting in which they were asked and a response to the questions will be provided in the Agenda of the next Council meeting, under the section "Responses to previous questions taken on notice".

**Helen Cox spoke in relation to matters not on the agenda and asked the following questions:**

**Question 1:**

Will item C2402-19 of the Annual General Meeting of Electors be revisited and the motion tabled in chamber at the 10<sup>th</sup> April 2024 Council Meeting for the consideration of each motion and question by elected members and be followed by a vote?

**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

**Ian Ker spoke in relation to, and asked the following questions in relation to item C2403-16:**

**Question 1:**

Request that the recommendation tonight be modified to make signing of a contract be subject to final approval of the design and specifications including materials and timelines by Council and a requirement to actively inform the community of timelines and progress?





**Response:**

This question has been taken on notice. Answers will be provided within the agenda of the next Ordinary Meeting of Council.

## **7. Petitions**

Cr Adin Lang presented a Petition signed by approximately 47 businesses and 283 residents, requesting the following:

*The Westend Weekender Market, a cherished part of the Fremantle International Street Arts Festival, has been a beacon of vibrancy and community spirit in our city. Over the Easter long weekend, it supports local businesses and creates an atmosphere that draws foot traffic past shop front windows in a street that would otherwise be deserted. It is more than just a market; it's an integral part of our community fabric.*

*However, this beloved event has been discontinued. Its absence is felt deeply by many residents and business owners alike. The Westend businesses rely on this event to boost their sales and visibility during what would normally be quiet times. Without it, they are left struggling to attract customers.*

*Moreover, the festival also serves as a platform for local artists to showcase their talents and contribute to Fremantle's vibrant arts scene. According to City of Fremantle data from previous years, the festival attracts thousands of visitors each year who come not only for shopping but also for entertainment.*

*The discontinuation of the Westend Weekender not only impacts our economy but also diminishes our cultural heritage and sense of community spirit. We urge City Council officials to reconsider their decision and reinstate this important event. Please sign this petition if you believe in supporting local businesses, fostering artistic talent, preserving cultural heritage or simply enjoying vibrant street festivals like we do! Together we can bring back the annual Westend Weekender at Fremantle International Street Arts Festival!*

The petition was accepted by the City and will be addressed by relevant officers.

## **8. Deputations**

### **8.1 Special deputations**

Nil.



## 8.2 Presentations

Nil.

## 9. Confirmation of minutes

### **COUNCIL DECISION**

**Moved: Cr Ben Lawver**

**Seconded: Cr Jemima Williamson-Wong**

**Council confirm the minutes of the Ordinary Meeting of Council dated 13 March 2024.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**

## 10. Elected member communication

Mayor, Hannah Fitzhardinge welcomed the Change Makers to the Ordinary Meeting of Council.



## **11. Reports and recommendations from officers**

### **11.1 Planning reports**

Nil.



## 11.2 Strategic and general reports

### **C2403-16 PROPOSALS FOR THE CONSTRUCTION OF SOUTH BEACH CHANGE FACILITY AT 7 OCEAN DRIVE, SOUTH BEACH**

<b>Meeting date:</b>	27 March 2024
<b>Responsible officer:</b>	Manager Building, Facilities and Sustainable Services
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Schematic Design Report for the South Beach Change Facility (Approved 26 October 2022)
<b>Confidential Attachments:</b>	1. Evaluation Matrix

#### **SUMMARY**

**This report provides an update in respect to the progress of quotation proposals received for the Construction of South Beach Change Facility at 7 Ocean Drive, South Beach, following Councils' rejection of tender submissions through the previous process in December 2023.**

**This report also seeks delegated authority for the Chief Executive Officer to award a contract for construction of the facility, to the preferred contractor subject to a suitable and acceptable outcome following value engineering discussions.**

#### **BACKGROUND**

This project has had significant engagement and feedback from the community throughout the design process, this included the establishment of the South Beach Reference Group. Subsequently, the new South Beach changeroom facility and landscape proposal creates a precinct that prioritises inclusivity, accessibility, and sustainability.

The proposed new public Change Facility has been designed to provide a high quality approach to flexible, accessible spaces that cater for multiple users and includes a Changing Place facility, group change rooms; family/universal access change rooms, toilets, and urinals.

The Schematic Design for the South Beach Change Facility was presented to Council on 26 October 2022, and approved as shown in **Attachment 1**.

The initial tender (FCC648/23) for the Construction of the Changing Facility at 7 Ocean Drive, South Beach was advertised on TenderLink Portal on 27 October 2023 and closed on 22 of November 2023.



Two tender submissions were received and, despite the opportunity to submit alternative submissions, neither contractor submitted a proposal that included an alternative proposal.

The independent pre-tender estimate for the construction work was provided by a consultant at \$2.18m. Whilst this was marginally higher than the available budget, officers elected to progress to tender in anticipation there may be some value savings available to bridge a minor budget shortfall if required.

Tender submissions were returned significantly above the anticipated building construction values; notably, the tenders were also significantly higher than could be negotiated in accordance with the Local Government Act; within range (+/- 10%).

Given the limited responses and the values of the two tenders, Council resolved to reject all tenders at the 20 December 2023 Ordinary Council Meeting as provided below:

### **COUNCIL DECISION ITEM C2312-22**

#### **Council:**

- 1. Reject all tenders for tender number FCC648/23 for construction of South Beach Change Facility at 7 Ocean Drive, South Beach, in accordance with Regulation 18(5) of the *Local Government (Functions and General) Regulations 1996*.**
- 2. Review the building design proposal for the construction of South Beach Change Facility at 7 Ocean Drive, South Beach, to address affordability, and where practical, allow timelines similar to the current delivery forecast; and re-engage the market.**

In accordance with part two of the resolution, officers revisited the building design proposal, re-evaluated the costs. Officers then engaged the market under an RFQ process and received alternative submissions that now provide proposals with greater capacity to achieve the City's design, functionality and financial objectives in the delivery of South Beach Change Facility.

The first stage of evaluation of the RFQ process (RFQ558/24) has now been completed.

### **FINANCIAL IMPLICATIONS**

Given the gap identified in the tender submissions compared with the original pre-tender estimate, officers, reviewed the scope of works collaborated with consultants and also examined the pricing structures of the submissions. As a result, Officers reviewed the budget and proposed an additional capital funding of \$500,000 was adopted as part of the mid-year budget review.



The adjusted construction budget for the building will be \$2.5m, not inclusive of contingency or professional fees or landscaping works.

The table below summarises the updated project budget, for the South Beach Change Facility and integrated landscape works, and associated expenses:

<b>Item</b>	<b>Budget (ex GST)</b>
Year to Date Actuals	\$433,094
Construction Budget for the building (RFQ558/24)	\$2,699,025
Civil and Landscape Integration Works	\$604,000
Estimated Professional Fees, Certifications, Permits and other costs	\$94,000
<b>Total Project Budget</b>	<b>\$3,830,119</b>

## **LEGAL IMPLICATIONS**

The original Tenders were invited in accordance with section 3.57 of the *Local Government Act 1995* and the tendering procedures and evaluation complied with part 4 of the *Local Government (Functions and General) Regulations 1996*.

Under the *Local Government (Functions and General) Regulations 1996*, Regulation 11(2), tenders do not need to be publicly advertised if the local government has publicly advertised tenders within the last six months, but no tender was submitted that met the tender specifications or satisfied the value for money assessment.

## **CONSULTATION**

The South Beach Change Facility and landscape design has been developed using feedback received during the community engagement process for the South Beach Place Plan, inclusive of the South Beach Reference Group represented by the following stakeholder groups:

- South Fremantle Precinct Group
- Fremantle Sailing Club
- South Beach Community Group
- Community members
- South Beach Café (Beachside)
- Access and Inclusion Working Group
- Walyalup Reconciliation Action Plan representatives
- Elected Members
- City Officers

The Schematic Design report for the South Beach Change Facility was presented to Council on 26 October 2022.



Council requested the CEO establish a Design Reference Group consisting of Elected Members, staff and targeted key stakeholders to progress with the detailed design and tender of the South Beach Facilities Project, with the CEO having delegated authority to approve the final design.

### **OFFICER COMMENT**

Officers engaged a selected group of contractors seeking quotations for the project, noting the Council's willingness to consider alternative proposals that maintained quality and a value proposition.

RFQ558/24 South Beach Change Facility quotation process commenced in early February 2024, selected contractors were asked to provide quotations by 6 March 2024.

### **Evaluation of Proposals**

All submissions passed the compliance criteria and all conforming and alternative submissions were evaluated by the panel to identify a suitably qualified and experienced contractor.

The evaluation panel comprised:

- Manager Building, Facilities and Sustainable Services (*voting*)
- Building Project Manager (*voting*)
- Building Project Manager (*voting*)
- Manager Parks and Landscape (*voting*)
- Landscape Architect (*voting*)
- Procure to Pay Team Leader (*non-voting*)

To obtain the broadest possible comparison base, each proposal was evaluated against the following selection criteria and was, in turn, graded in the evaluation matrix.

<b>Item No</b>	<b>Description</b>	<b>Weighting</b>
1	Relevant Experience	10%
2	Key Personnel, Skills and Resources	15%
3	Demonstrated Understanding	30%
4	Sustainability	10%
5	Price	35%

All quotations received were conforming and all included an alternative proposal.

The scores of the evaluation for delivery of RFQ558/24 South Beach Change Facility are shown in the table in **Confidential Attachment 1**.



Officers have commenced negotiation with the shortlisted respondent(s) with a view to negotiating the alternative proposal to ensure it:

1. Represents value for money, having a construction contract award value of \$2.5m; and
2. Retains:
  - a. Architectural design quality and intent
  - b. Material quality / design life
  - c. Functionality and layout requirements

Subject to successful negotiations with the preferred contractor for the delivery of the South Beach Change Facility, works could potentially commence around mid-2024.

### **Environmental considerations**

Submissions included adequate Environmental Management Plans and sufficiently identified suitable methods for site environmental management.

### **Risk consideration**

Officers have reviewed and updated the initial risk assessment and are comfortable that the current approach has been well considered, suitably addresses the required specifications / scope of work and provides value for money. Officers will ensure the preferred contractor is subject to a third-party financial assessment, to ensure financial stability prior to the contract being awarded.

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

Simple majority required

### **OFFICER'S RECOMMENDATION**

Council:

1. Acknowledge the process undertaken by officers as outlined in this report is undertaken in accordance with Regulation 11(2)(c) of the *Local Government (Functions and General) Regulations 1996*.
2. Give delegated authority to the Chief Executive Officer to award and manage a contract with the preferred contractor, with a view to secure agreement within the following parameters:
  - a. The total contract value must not exceed the budget identified in this report for RFQ558/24;
  - b. Any amendment to the building footprint is to be limited to 30m<sup>2</sup> size reduction, only if required in order to achieve the requirement of part 2a; and
  - c. Reasonable changes to building materials that does not affect quality.





## AMENDED OFFICER'S RECOMMENDATION

Moved: Cr Andrew Sullivan

Seconded: Cr Frank Mofflin

Council:

1. Acknowledge the process undertaken by officers as outlined in this report is undertaken in accordance with Regulation 11(2)(c) of the *Local Government (Functions and General) Regulations 1996*.
2. Give delegated authority to the Chief Executive Officer to award and manage a contract with the preferred contractor (as indicated in Confidential Attachment 1) *for the construction of the South Beach change facility at 7 Ocean Drive, South Beach*, with a view to secure agreement within the following parameters:
  - d. The total contract value must not exceed the budget identified in this report for RFQ558/24;
  - e. Any amendment to the building footprint is to be limited to 30m<sup>2</sup> size reduction, only if required in order to achieve the requirement of part 2a; and
  - f. Reasonable changes to building materials that does not affect quality.
3. *Note the design proposal and tender for the landscaping works will be considered separately, with a view to aligning the delivery of these works to commence following completion of the change facility.*

**Amendment Carried: 11/0**

Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen



## AMENDMENT

**Moved: Cr Jemima Williamson-Wong      Seconded: Cr Andrew Sullivan**

Minor amendment to add an additional part 4 to the Amended Officer's Recommendation as follows:

- 4. Request the CEO to update the community of the finalised design proposal and development timeline.***

**Amendment Carried: 11/0**  
**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



**COUNCIL DECISION ITEM C2403-16**  
**(Amended officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Frank Mofflin**

- 1. Acknowledge the process undertaken by officers as outlined in this report is undertaken in accordance with Regulation 11(2)(c) of the Local Government (Functions and General) Regulations 1996.**
- 2. Give delegated authority to the Chief Executive Officer to award and manage a contract with the preferred contractor (as indicated in Confidential Attachment 1) *for the construction of the South Beach change facility at 7 Ocean Drive, South Beach, with a view to secure agreement within the following parameters:***
  - a. The total contract value must not exceed the budget identified in this report for RFQ558/24;**
  - b. Any amendment to the building footprint is to be limited to 30m2 size reduction, only if required in order to achieve the requirement of part 2a; and**
  - c. Reasonable changes to building materials that does not affect quality.**
- 3. *Note the design proposal and tender for the landscaping works will be considered separately, with a view to aligning the delivery of these works to commence following completion of the change facility.***
- 4. *Request the Chief Executive Officer to update the community of the finalised design proposal and development timeline.***

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



## **C2403-15 BATHERS BEACH – PROTECTED SWIMMING AREA**

<b>Meeting date:</b>	27 March 2024
<b>Responsible officer:</b>	Manager Parks and Landscape
<b>Voting requirements:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. Bather’s Beach Shark Barrier Engagement Report</li><li>2. Shark Bite Mitigation and Safe Swimming Areas Investigation: Final Report</li></ol>

### **SUMMARY**

**The City of Fremantle has a number of favoured swimming locations along the coastline and the Swan River foreshore. Two recent shark attacks have raised conversation and consideration of whether shark bite mitigation measures and/or shark protected swimming areas are required. A consultant team was engaged to provide an investigation, assessment, and summary report on the options available inclusive of costs and funding availability, the preferred location was subsequently agreed by Council as Bathers Beach.**

**This report provides an update on the community engagement and funding for a protected swimming area at Bathers Beach.**

**The report also provides an update on an additional detailed site investigation for Harvey Beach.**

### **BACKGROUND**

The City of Fremantle (CoF) and Town of East Fremantle (ToEF) have a number of favoured swimming locations along the coastline and the Swan River foreshore. Two recent shark attacks have raised conversation and consideration of whether shark bite mitigation measures and/or shark protected swimming areas are required. This has been further supported with the State Government offer to fund protection barriers under a state funding program. Whilst instances of swimmers’ interactions with sharks are rare, the recent incidents have understandably increased public awareness, and heightened public concern in respect to the risk of shark attacks whilst swimming.

The City of Fremantle and Town of East Fremantle partnered together to investigate shark bite mitigation measures and/or shark protected swimming areas along their respectively managed coastline or river areas. A consultant team was engaged to provide an investigation, assessment, and summary report on the options available inclusive of costs and funding availability. This report was considered at the Ordinary Council Meeting dated 6 December 2023; Council resolved the following:



1. Receive the Shark Bite Mitigation and Safe Swimming Areas Investigation Final Report, provided in attachment 1.
2. Endorse the preferred location of a potential safe swimming area to be Bathers Beach, Fremantle, as detailed in the Final Report.
3. Request that officers explore potential funding sources with State Government, agencies, and other parties to inform a project proposal for the purpose of a community consultation exercise.
4. Subject to the outcome of potential funding opportunities and community engagement (item 3), develop a project proposal for Council consideration as part of the 2024/25 budget process.
5. Request officers undertake a detailed site assessment for a Shark Barrier at Harvey Beach, North Fremantle, and should it be deemed suitable and cost effective, be brought back to council for consideration.

This report provides an update on the community engagement and funding for options for Bathers Beach and an update on the detailed site assessment for a protected swimming area at Harvey Beach, North Fremantle.

**FINANCIAL IMPLICATIONS**

An estimate of costs was determined by seeking a ‘Request for Information’ from two commercially available shark barrier suppliers in Perth. This information was used to develop site specific costs as follows:

<b>Capital Expenditure</b>			
<b>Site</b>	<b>Estimated Capital Cost Range</b>	<b>Grant Funding (unconfirmed)</b>	<b>Municipal Contribution</b>
Bathers Beach (net length ~340m)	\$585,040 - \$680,000	\$200,000	\$385,040 - \$480,000
<b>Operational Expenditure</b>			
<b>Site</b>	<b>Estimated Annual Operation Costs</b>	<b>Estimated Annual Operation Costs</b>	
Bathers Beach (net length ~340m)	\$68,000 (no seasonal removal)	\$121,000 (annual removal and reinstallation for the winter period)	

The Western Australian Government has funding available for the capital expenditure associated with installing shark barriers / enclosures. Five such barrier systems installed in WA have received entire or partial funding through this program.

The City has been advised that Bathers Beach may be eligible for assessment for a grant fund towards the capital cost of the shark barrier of up to \$200,000 (ex GST) administered through the Department of Primary Industries and Regional Development (DPIRD). This funding does not extend to the operational costs for ongoing maintenance, and this would be the City’s responsibility.



There may also be opportunities for private contributions towards the capital or operating expenses for a protected swimming area. The City has received an expression of interest to support the proposal for a contribution of \$100,000 towards a public toilet at Bathers Beach.

## **LEGAL IMPLICATIONS**

Nil

## **CONSULTATION**

The City of Fremantle launched a public engagement program to understand community support for the Council's preferred option and their reasons why and provide the State government with community input ahead of funding conversations. The City's engagement exercise was an opportunity for the public to:

- Review the mitigation report provided by Stantec.
- Seek clarification on Council's preferred location at Bathers Beach.
- Submit feedback on the preferred option and state why.
- Submit feedback that could be included in conversations with State government funding bodies.

The City of Fremantle conducted a series of in-person, local media, and digital community engagement activities to collect submissions and feedback for this program. The public was invited to:

- Share their thoughts via an online or hard copy survey.
- Attend an information session hosted by City staff at Bather's Beach in the Fremantle city centre.

The public engagement program reached more than 700 people through face-to-face conversations and online visits to the City's MySay portal. The public engagement program resulted in 159 formal submissions through the City's MySay portal. 100% of submissions received came through this portal. This resulted in more than 1,750 individual pieces of information collected through the engagement program.

## **OFFICER COMMENT**

The community engagement feedback received showed mixed support for a protected swimming area at Bathers Beach. Of the 159 submissions received, 48% of respondents do support Council's preferred location of Bathers Beach for a safe swimming area and 52% of respondents do not support Council's preferred location of Bathers Beach for a safe swimming area. A detailed summary of respondent's additional comments on why they did or didn't support the proposal



is provided in the attached Bather's Beach Shark Barrier Engagement Report, and as follows:

**YES Respondents – I support Bathers Beach**

Respondents who selected "YES" in support of the proposed shark barrier at Bathers Beach provided the following additional comments.

- Safety and Confidence in Swimming was voiced 65 times.
- Location and Accessibility was voiced 29 times.
- Tourism and Community Engagement was voiced 12 times.
- Relief for Overcrowded Beaches was voiced 3 times.
- Environmental Considerations was voiced 2 times.

**YES Respondents – Potential Benefits of Bathers Beach**

Respondents who selected "YES" in support of the proposed shark barrier at Bathers Beach provided the following additional comments when asked: "What are some of the potential benefits of the proposed location?"

- Safety and Confidence in Swimming was voiced 86 times.
- Location and Accessibility was voiced 54 times.
- Tourism was voiced 46 times.
- Family-Friendly Environment was voiced 31 times.
- Economic Benefits and Local Businesses was voiced 27 times.

**YES Respondents – Potential Challenges of Bathers Beach**

Respondents who selected "YES" in support of the proposed shark barrier at Bathers Beach provided the following additional comments when asked: "What are some of the potential challenges or issues with the proposed location?"

- Parking Concerns were voiced 43 times.
- Amenities (Toilets and Change Rooms) were voiced 31 times.
- Seaweed and Beach Maintenance was voiced 26 times.
- Environmental Impact was voiced 16 times.
- Tourism and Increased Beach Traffic was voiced 15 times.

For respondents who did not support a shark barrier at Bathers Beach  
Summary as follows:

**NO Respondents – I do not support Bathers Beach**

Respondents who selected "NO" opposing the proposed shark barrier at Bathers Beach provided the following additional comments.

- Unsuitability of Bathers Beach was voiced 56 times.
- Preference for Other Beaches was voiced 55 times.
- Cost and Resource Allocation was voiced 32 times.



- Low Usage and Limited Appeal of Bathers Beach was voiced 40 times.
- Parking and Accessibility Issues were voiced 30 times.

#### NO Respondents – Potential Benefits of Bathers Beach

Respondents who selected “NO” opposing the proposed shark barrier at Bathers Beach provided the following additional comments when asked: “What are some of the potential benefits of the proposed location?”

- Tourism and Business Impact was voiced 32 times.
- Safety and Confidence in Swimming was voiced 23 times.
- Low Usage and Limited Appeal of Bathers Beach was voiced 20 times.

#### NO Respondents – Potential Challenges of Bathers Beach

Respondents who selected “NO” opposing the proposed shark barrier at Bathers Beach provided the following additional comments when asked: “What are some of the potential challenges or issues with the proposed location?”

- Parking Issues were voiced 50 times.
- Beach Quality and Appeal was voiced 29 times.
- Low Usage of Bathers Beach was voiced 26 times.
- Financial Motive and Resource Allocation Concerns was voiced 22 times.
- Preference for Other Locations was voiced 16 times.

To summarise, while only 48% of respondents supported a protected swimming area at Bathers Beach, respondents against it generally preferred an alternative location for a protected swimming area or felt Bathers Beach was unsuitable.

To support the installation of a protected swimming area at Bathers Beach, an amenity block (toilets and showers) may also be required. The closest City toilets are at Esplanade Reserve or Arthurs Head and do not have shower facilities.

Bathers Beach is not directly aligned for funding with the State Government's commitment to partnering with local councils along the Swan and Canning rivers to deliver shark mitigation strategies including the installation of swimming enclosures due to its coastal location. However, consultation with DPIRD has indicated there would be general support for the proposed location. The beach enclosure program is administered by DPIRD and there is no formal grant process or submission requirements.

To seek the funding, the City needs to submit a proposal with supporting information and budget requirements to DPIRD to present to the Minister for consideration. This will occur following Council approval of the project and budget.





## **Harvey Beach**

The detailed site investigation for Harvey Beach provided an additional investigation into the feasibility of installing a protected swimming area at this location. While depth, space and access to amenities continue to present challenges for the Harvey Beach site, it was also clear that Harvey Beach maintains several features compatible with the installation of a protected swimming area, including:

- Historical use as a recreational swimming and fishing facility.
- Relative shelter from prevailing wind and sun.
- A safe environment for supervised swimming, with no discernible risks from currents or wave energy.
- Low CAPEX and OPEX costs relative to other sites.
- No discernible risks to aquatic habitats or migrating marine fauna.

However, as in the previous assessment, detailed analysis conducted as part of this report identified several challenges (some new) which will need to be addressed to proceed with the Harvey Beach site, including:

- The relative lack of space and steep bathymetry of the site, which may present engineering and safety challenges.
- The storm water drains at the site, which may present a risk to human health following rainfall events.
- Resource conflicts between swimmers and anglers.
- The limited parking options and access to public transport (nearest bus stop is 450 m from the site).

Previous scoring ranked Harvey Beach 6th overall following negative scores for depth, space and access to amenities, resulting in an overall score of 42%. However, based on the results of this study, and provided the challenges with the space and bathymetric criteria are overcome, there is potential to increase this score to 57%.

The estimated costs for a protected swimming area at Harvey Beach would be as follows:

<b>Site</b>	<b>Estimated Capital Cost Range</b>	<b>Estimated Annual Operation Costs</b>
Harvey Beach - Alignment 1 (Net length ~105 m)	\$210,000 - \$300,220	\$29,925 - \$96,360
Harvey Beach – Alignment 2 (Net length ~70 m)	\$140,000 - \$257,800	\$19,380 - \$96,360



Harvey Beach is aligned to the State Government's funding commitment to partner with local councils along the Swan and Canning rivers to deliver shark mitigation strategies including the installation of swimming enclosures.

Should Council progress with a shark barrier at Harvey Beach, further consultation with stakeholders and the community is recommended. The City will also need to seek relevant approvals for works in the Swan River under the Aboriginal Heritage Act 1972, from the Department of Biodiversity, Conservation and Attractions, Department of Transport and Department of Water and Environmental Regulation (Bed and Banks Permit), among others.

### **VOTING AND OTHER REQUIREMENTS**

Simple majority required

### **OFFICER'S RECOMMENDATION**

Council:

1. Receive the Bather's Beach Shark Barrier Engagement Report, provided in attachment 1.
2. Note officers will submit a capital and operational budget proposal for a protected swimming area at Bathers Beach for consideration in the 2024/25 financial year, and if approved, seek grant funding to support the capital cost of the project.
3. Receive the Detailed Site Investigation for Harvey Beach, North Fremantle, provided in attachment 2, and note a budget proposal will be submitted for Council consideration in the 2024/25 financial year to progress the following steps:
  - a. Community consultation on the proposal.
  - b. Approval for works in the Swan River under the Aboriginal Heritage Act 1972.
  - c. Approvals from the Department of Biodiversity, Conservation and Attractions, Department of Transport and Department of Water, Environmental Regulation (Bed and Banks Permit) and others that may be required as the proposal progresses.



**COUNCIL DECISION ITEM C2403-15**  
**(Amended officer's recommendation)**

**Moved: Mayor Hannah Fitzhardinge**

**Seconded: Cr Jenny Archibald**

- 1. Receive the Bather's Beach Shark Barrier Engagement Report, provided in attachment 1.**
- 2. Reaffirm Bathers Beach as the preferred location for a protected swimming area, as per the Council resolution (C2312-10) of the 6 December 2023.**
- 3. Request the Chief Executive Officer seek up to 100% grant funding for the capital cost of the project and submit a budget proposal for the capital and operational budget for consideration as part of draft 2024/25 budget.**
- 4. Receive the Detailed Site Investigation for Harvey Beach, North Fremantle, provided in attachment 2, and note a budget proposal will be submitted for Council consideration in the 2024/25 financial year to progress the following steps:**
  - a. Community consultation on the proposal.**
  - b. Approval for works in the Swan River under the Aboriginal Heritage Act 1972.**
  - c. Approvals from the Department of Biodiversity, Conservation and Attractions, Department of Transport and Department of Water, Environmental Regulation (Bed and Banks Permit) and others that may be required as the proposal progresses.**

**Carried: 10/1**

**For**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Adin Lang, Cr Jemima Williamson-Wong, Cr Fedele Camarda,  
Cr Ben Lawver, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Ingrid van Dorssen**

**Against**

**Cr Andrew Sullivan**

**Reason for change:**

Officer's provided an amended recommendation Council consideration, to include a new part 2 to reaffirm Bathers Beach as the preferred location, and amend the original part 2 to clarify that the City will seek 100% grant funding for the capital costs.



**C2403-17      ENDORSEMENT OF DRAFT STRATEGIC COMMUNITY PLAN  
2024 - 2034**

**Meeting date:** 27 March 2024  
**Responsible officer:** Manager Economy & Commercial  
**Voting requirements:** Simple Majority  
**Attachments:**  
1. *Let's Talk Freo* Engagement Report  
2. DRAFT Strategic Community Plan 2024 – 2034

**SUMMARY**

**The purpose of this report is to seek Council endorsement of the draft Strategic Community Plan 2024 – 2034.**

**This report recommends that Council endorse the draft Strategic Community Plan 2024 – 2034 and authorise the Chief Executive Officer to advertise the attached draft Strategic Community Plan for public comment.**

**BACKGROUND**

In March of 2021, the City of Fremantle commenced a major review of its Strategic Community Plan 2015-2025. The current Strategic Community Plan 2015-2025 is based on community visioning from 2013/14 and a review conducted in 2019.

The Strategic Community Plan is the City's most significant guiding document and establishes the community's vision for Fremantle's future. The Strategic Community Plan will drive our planning, budgeting, resource allocation and service delivery over the next decade and provides a clear understanding of what matters most to the people who live, work and play in Fremantle.

The review of the Strategic Community Plan commenced in 2021 and is considered a major review under the Integrated Planning and Reporting Framework and Guidelines (September 2016). The City's Community Engagement Policy provides further direction in engagement planning and approaches.

The guidelines recommend that the major review involves at least:

- 500 or 10% of community members (whichever is fewer).
- Be conducted by at least two documented mechanisms.

The findings and community feedback collected throughout this major review are included in the consultation section of this report and have directly influenced the development of the City of Fremantle's upcoming 2024-2034 Strategic Community Plan.



## **FINANCIAL IMPLICATIONS**

All costs associated with the Strategic Community Plan will be allocated within the long-term financial plan and annual budgets.

The plan will be used to guide the corporate, business and financial planning for the City. Council policy or procedures developed or reviewed after the Strategic Community Plan has been adopted will be aligned to the strategic outcomes and objective of the new strategic plan.

## **LEGAL IMPLICATIONS**

The Strategic Community Plan has been developed in accordance with section 5.56 of the Local Government Act 1995, regulation 19C of the Local Government (Administration) Regulations 1996 and the Integrated Planning and Reporting (IPR) Framework and Guidelines.

In accordance with regulation 19C, the Strategic Community Plan will be reviewed at least once every 4 years.

## **CONSULTATION**

Public engagement for the Strategic Community Plan is often the largest form of community engagement that a local government conducts. Community input directly shapes the final document that is adopted by Council.

The City of Fremantle—through the *Let's Talk, Freo* engagement program — conducted the largest ever public engagement program for the review of its SCP. The public engagement period ran from 21 February to 31 July 2023.

The engagement program was promoted through the following channels:

- Online surveys
- Letterbox drop
- Social media promotion
- Face-to-face conversations
- Pop-ups and community events
- Precinct group meetings
- Targeted stakeholder events
- Aboriginal Engagement workshop
- High school workshops
- School holiday competition
- Email newsletter campaign
- Public engagement ambassadors
- Opinion pieces in the Fremantle Herald
- Promotional bookmarks
- Advertising (Fremantle Herald)



More than 36 events were either attended or hosted by officers across Fremantle including:

- Notre Dame Journalism school seminars and tutorials
- Two Politics in the Pub events in South Fremantle
- Engagement pop-up at South Fremantle IGA
- Engagement pop-up at Gilbert's Hilton
- Engagement pop-up at Samson Tree Festival
- A City of Fremantle business engagement luncheon
- A City of Fremantle sports club breakfast
- A City of Fremantle artists and creatives forum
- A City of Fremantle "City Thinkers" forum
- A City of Fremantle LGBTQIA+ event with the Flaming Galah
- A City of Fremantle youth event at Clancy's Fish Pub
- Engagement pop-up at the Esplanade Reserve during the school holidays
- Engagement pop-up at the Fremantle International Street Arts Festival
- Two business engagement door knocks
- Engagement pop-up at the Pre-Loved Second Hand Markers at FOMO
- Buster the Fun Bus Event Hilton
- A backyard conversation in Hilton
- Three local high school workshops
- Weekend of Courageous Conversations event at Fremantle Town Hall

The IAP2 spectrum for public participation aims to assist with selecting appropriate stakeholder participation levels and includes goals and promises for each level and stakeholder hierarchy group.

The primary stakeholder engagement level for this project was to inform, consult, and involve the community where applicable.

### **OFFICER COMMENT**

At its March 2021 Finance, Policy, Operations and Legislation Committee, Council established a Strategic Community Plan Review Working Group to:

1. Provide advice and guidance on the design, delivery and outcomes of the engagement process to support the review of the Strategic Community Plan.
2. Support the coordination of engagement, communications and promotion with the Future of Fremantle project.

The Working Group was made up of appointed Elected Members, officers and a representative from the Department of Planning Lands and Heritage representing the Future of Fremantle project.



The City's project team actively engaged the Working Group in the design and implementation of the engagement process and the working group provided advice on engagement and communications plans. The Project Team consisted of officers from across the organisation.

Throughout the project, the Working Group conducted 15 meetings. At the first meeting of the Working Group, the following principles were agreed upon to guide the engagement process:

- The dialogue should be courageous, forward thinking and aspirational with an eye to identifying weak signals.
- The process should build capacity within the City of Fremantle by involving staff and community in the delivery.
- The process must be:
  - o Inclusive to capture the diversity of the City.
  - o Accessible so anyone that wishes to participate can participate.
  - o Safe by placing the health and wellbeing of all participants above our desire to collect feedback.
  - o Effective and constructive in gathering feedback and encouraging dialogue.
  - o Well-informed to ensure participants can engage from a position of knowledge.
- The consultants and staff must be agile and the process adaptable to respond to rapidly changing circumstances.
- The process should reference / leverage other activities / engagements currently underway including Walyalup Reconciliation Action Plan review, Heart of Beaconsfield and Future of Fremantle.
- The dialogue should focus on building new strengths and enhancing existing strengths.
- The process should deliver a sense of shared ownership with community and businesses and realistic expectations of what can be achieved.

The Project Team further simplified the above principles as follows:

- Be responsive and relevant.
- Go to the community; be where they are.
- Be visible and accessible throughout.
- Conduct quality conversations.

The Strategic Community Plan public engagement program was split up into three phases commencing on the 21 February 2023. The phases were determined through feedback received via staff engagement workshops, deep engagement workshops, working group ideas and feedback, as well as best practice research.



Phase	What	Why	How & Where
<p><b>0 – Co-Design &amp; Development</b></p> <p><b>June – October 2022</b></p>	<p><u>Internal workshops</u> The project team delivered internal workshops of the key themes and discussion points with officers throughout the organisation.</p> <p><u>Key stakeholder workshops</u> The project team conducted a series of workshops with a targeted group of community representatives.</p>	<p>These “deep engagement” workshops allowed officers across the organisation to contribute best practice thinking, creative ideas, and champion the public engagement program with their networks.</p> <p>The workshops also enabled the project team to capture internal and external feedback on how to best lead these conversations with the community.</p>	<ul style="list-style-type: none"> <li>- Six staff workshops on each <i>Let’s Talk, Freo!</i> theme</li> <li>- Six targeted stakeholder workshops on each <i>Let’s Talk, Freo!</i> theme</li> </ul>
<p><b>1 – Promote &amp; Capture</b></p> <p><b>February – April 2023</b></p>	<p>Launched <i>Let’s Talk Freo!</i> online with surveys live for community responses to our six themes.</p> <p>Actively promoted the launch via mobile engagement and a presence at community events (e.g. precinct meetings), online channels, and through the deep engagement workshop stakeholders.</p> <p><b>Note:</b> After kick-off, this phase was live in an always-on capacity throughout our public engagement program.</p>	<p>Best practice research showed that an online phase 1 component to public engagement can enable the project team to continue to stress test the thinking behind the themes, collect feedback, and be responsive in Phase 2 – the deeper face-to-face component.</p> <p>This allowed the project team to evolve the conversation and interactions with the community based on the findings in this phase. The project team tailored the face-to-face engagement via the insights gained here.</p>	<ul style="list-style-type: none"> <li>- Online – MySay</li> <li>- Mobile Engagement</li> <li>- Drop in - Precinct groups, community events (e.g. Politics in the Pub)</li> <li>- Letterbox drop – Selected 1,000 ratepayers at random to encourage broad reach</li> </ul>





<p><b>2 – Deep Dive</b></p> <p><b>April – July 2023</b></p>	<p>Face-to-face courageous conversations held directly with the community.</p> <p>The project team aimed to hold events specific to each theme with key community groups to focus the conversation and create unique experiences relevant to each theme.</p> <p>This phase also involved pop-up presences relevant to each theme and required the project team to meet the community where they are.</p> <p>These events and conversations were facilitated by the Community Engagement Team, and then incorporated alongside the online feedback we receive via MySay.</p>	<p>Feedback received from stakeholders and City of Fremantle staff showed that the best engagement occurred when the team went to the community where they are. E.g. schools, community meetings, clubs, and other relevant venues.</p> <p>The project team developed the program to ensure that the community was able to engage with the program and there wasn't a reliance on needing the community to come to City staff at the Walyalup Civic Centre.</p>	<ul style="list-style-type: none"> <li>- Strategic Community Plan theme specific events</li> <li>- Mobile Engagement</li> <li>- Active community events – E.g. Politics in the Pub, precinct meetings, social events taking place in the city, events that the City hosted and created</li> </ul>
<p><b>3 – Close the Loop</b></p> <p><b>July 2023</b></p>	<p>Concluded the public engagement phase with a summary outline of what the project team had heard and learned through all phases of the Strategic Community Plan review project.</p> <p>Provided a final opportunity for the community to share their feedback during</p>	<p>A key component of early feedback from the community was to ensure we closed the loop with the community. This became a key focus for the project team and the <i>Weekend Of Courageous Conversations</i> summit event at Fremantle Town Hall and online MySay platform provided the</p>	<ul style="list-style-type: none"> <li>- Online: MySay</li> <li>- Close the Loop Summit at Fremantle Town Hall</li> </ul>



	<p>the <i>Weekend Of Courageous Conversations</i> summit event at Fremantle Town Hall.</p> <p>This event closed out the public engagement process and commenced the writing of our draft Strategic Community Plan document.</p>	<p>opportunity for the project team to close the loop with the community and provide information on what they can expect next throughout the process.</p>	
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A range of tools and platforms were used to engage and communicate with the public. These include:

My Say Freo

The City’s MySay engagement platform was used to communicate information related to the project. As a dynamic channel it was updated as required to meet engagement and communication requirements. It also provided a platform for the City to engage with the community in Phases 2-3 and was an important mechanism to close the loop after each phase of engagement. MySay Freo will also be used to engage with all stakeholders when the draft Strategic Community Plan is made available for public comment, and a final plan is adopted for the community to review.

Local Media

Recognising that local media provides an opportunity to widely circulate key messages, the City’s communications team briefed the local media on the engagement process and identified opportunities for the media to participate in the process. The communications team also used local media to highlight real stories from real people who live, work, or play in Fremantle through editorial and opinion pieces.

Survey

An online survey was hosted on the MySay Freo engagement platform. Developed in the early stages of engagement, the survey was designed to be quick and easy to complete, providing the opportunity for the community to test and validate the City’s six themes (with the option to select a preference of one or more focus areas) as well as better understand the community’s concerns and future aspirations for the City. A communications campaign raised awareness about the survey broadly across the community to drive a high participation rate across a representative sample of the City’s demographics.



### Active Community Events

Utilised existing community events and venues that occurred regularly during the public engagement phase. This included precinct group meetings, arts & culture events, school holiday activations, and venue-based events like Politics in the Pub. Officers were visible, answered questions, and encouraged comments to MySay, and drummed up interest for other events taking place.

### Courageous Conversations Events

The project team hosted a series of events in unique settings throughout Fremantle. These theme focused events allowed the community to dive deeper into conversation around each one and allow the project team to design creative events that matched the importance of the conversation. Theme events were promoted on social media via Facebook events, as well through an invite process with the community or key community groups.

### Letterbox Drop

The project team randomly selected 1,000 ratepayers across the City of Fremantle with letter box drops inviting them to get involved in the Strategic Community Plan engagement program. Ratepayers were able to submit to the online surveys, RSVP to key events, or request to stay informed through the process. A selection of random ratepayers allowed us to expand our audience reach and connect with residents who may not always attend community sessions or engage with the City.

### Visitors Centre Static Activation

The project team setup an engagement kiosk at the Fremantle Town Hall to capture feedback and interact with the community. This allowed visitors and residents to approach a static destination if they could not make any other engagement experiences.

### Weekend of Courageous Conversations

The project team designed and hosted a concluding “Weekend of Courageous Conversations” event at Fremantle Town Hall to share high level findings and top line results from our public engagement program, and the Strategic Community Plan journey from 2022-2023. This allowed the project team to capture one final round of feedback on the summary findings, and to conclude the engagement program with residents and participants. It was also an opportunity to thank the community for their participation and provide them with information that they could expect in the coming months as officers finalised the draft Strategic Community Plan for public comment.

### Let’s Talk Freo! Email

The project team created a bi-weekly and special edition, e-newsletter program through the City’s database of over 2,800 people who have signed up to receive information on community engagement projects happening in Fremantle. This channel was instrumental to generating awareness and participation throughout the Let’s Talk, Freo! public engagement program.



### Communication Channels

The project team accessed a range of digital and traditional communication channels to widely promote the engagement process – and included email newsletters, website announcements, traditional media (e.g. newspapers), etc.

### Social Media (Facebook & Instagram)

The City's corporate communication team regularly used Facebook and Instagram to promote events and activities, while also highlighting interesting pieces of feedback or participation along the way.

### Let's Talk, Freo! Public Engagement Ambassadors

The project team recruited key community members to be ambassadors for our specific themes/conversation prompts. These ambassadors became visible community representatives encouraging engagement with the conversations and partnered as experts or thought leaders on their key theme. The project team utilised their thoughts and standing in the community to produce media articles or assist with events and interactions with the public.

### Conversation Prompts

The six conversation prompts below were developed in consultation with officers, the project working group, and key stakeholders in the community to start and guide conversations with the broader community through the public engagement process. '*Courageous Conversations*' were considered in the context of these six areas:

- Creative City: Freo is WA's creative heart, a recognised hub for artists and creatives. How can we stay that way?
- Learning City: Fremantle is a place to learn. How do we leverage our unique advantage? How do we ensure our learning pathways and education facilities remain accessible for all?
- Living in your local area: What is your local area? If it grows by 20% over 20 years, what needs to change?
- Future of our City centre – What's unique about our City centre and what do we need to enable it to flourish?
- Climate Future - What would an increase in temperature of 2–3 degrees mean for our City? As a community, how do we decrease risk, build resilience, and prepare for more extreme weather events?
- Jobs for the future – How do we build a competitive and innovative workforce? What skills do we need to drive Fremantle's future and create job opportunities?

The aim was to start conversations with the broader community, while also capturing feedback and input that may continue to develop these key themes for the final Strategic Community Plan documentation.

By focusing engagement in specific areas, the consultation process was designed to encourage participants to go deeper in their exploration of issues and potential solutions.



### Results

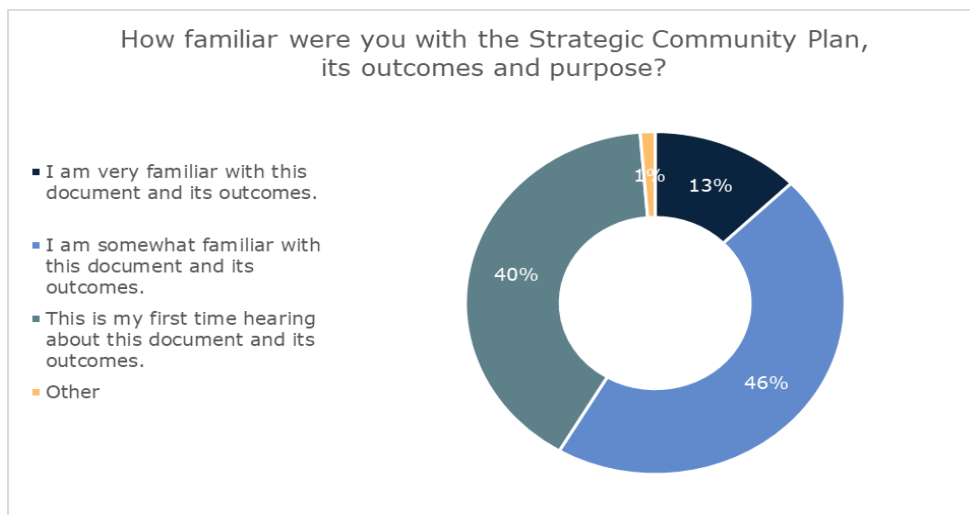
The City’s public engagement program reached 4,900 people in face-to-face and online interactions. This resulted in more than 2,600 comments made through online surveys, written submissions, emails, audio interviews, facilitated panel conversations, articles and videos. These comments, when analysed, resulted in over 5,000 ideas and comments from the public.

Contribution types were broken down in the following ways:

- 663 handwritten responses
- 1,713 survey responses
- 94 audio transcripts
- 184 responses via an Aboriginal Engagement workshop

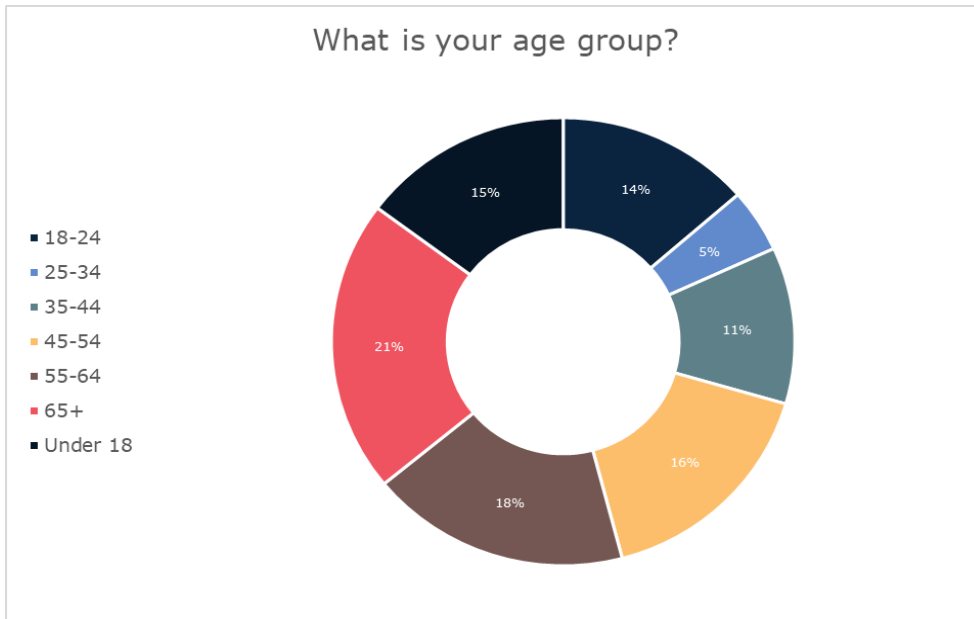
The program concluded with the Weekend of Courageous Conversations in July, which was attended by approximately 200 people at the Fremantle Town Hall.

### Who was reached



Let’s Talk, Freo! managed to reach a whole new audience of people who live, work, or play in Fremantle. This presented a unique opportunity to hear from community members who don’t regularly participate in public engagement in our City.

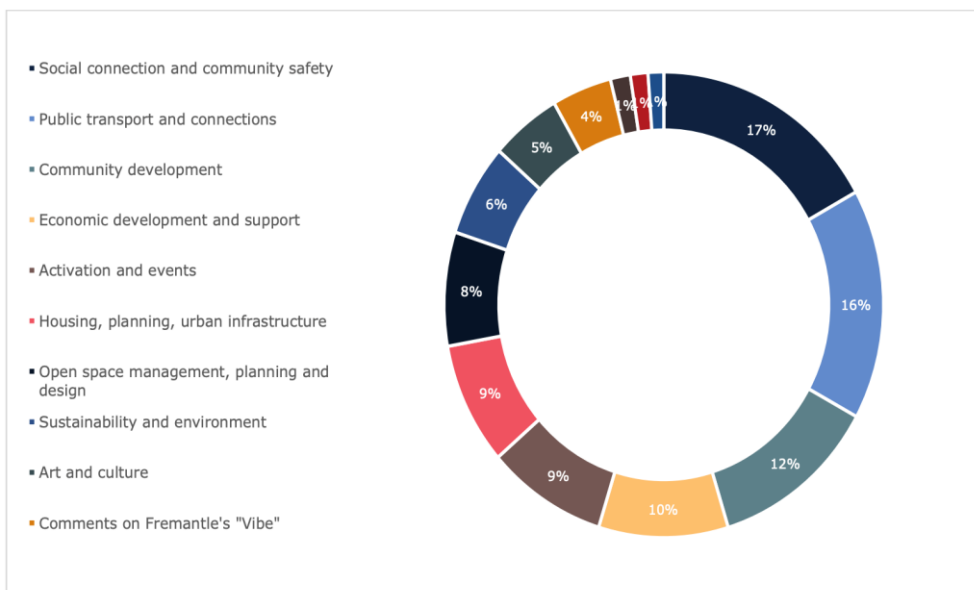
- 40% of survey respondents interacted with the Strategic Community Plan for the first time.
- 46% of survey respondents had some familiarity with the Strategic Community Plan.
- 13% of survey respondents were very familiar with the Strategic Community Plan and its purpose.



The following age groups were reached through MySay surveys, and face-to-face interactions where possible. The project team made significant effort to increase participation amongst the under 18–35-year-old age group.

- 65+: 21%
- 55-64: 18%
- 45-54: 16%
- Under 18: 15%
- 18-24: 14%
- 35-44: 11%
- 25-34: 5%

Engagement Findings Summary - All Comments





Of the 5,000 ideas and comments analysed in this report, the top five areas of feedback from the public were commonly voiced in the following areas:

- 16.71% of comments related to fostering greater social connection, engagement, and community safety.
- 15.80% of comments related to improving public transport and connectivity.
- 12.11% of comments related to nurturing and building community development capacity.
- 9.39% of comments related to diversifying Fremantle's economy.
- 8.71% of comments related to championing or facilitating activations and events to increase foot-fall and activity across the City of Fremantle (not just the City centre).

A detailed engagement report is included in the attachments.

Following Council endorsement of this draft plan, the draft Strategic Community Plan attached will be advertised for public comment.

Following the public advertising period, public submissions received will be presented to Council along with the Strategic Community Plan for adoption.

## **VOTING AND OTHER REQUIREMENTS**

Simple majority required

## **OFFICER'S RECOMMENDATION**

**Moved: Cr Ben Lawver**

**Seconded: Cr Jenny Archibald**

**Council:**

- 1. Receive the feedback received during the community engagement process, as shown in the Engagement Report provided in Attachment 1.**
- 2. Endorse the draft Strategic Community Plan as shown in Attachment 2 for the purposes of public advertising.**
- 3. Authorise the Chief Executive Officer to advertise the draft Strategic Community Plan for public comment, and note submissions received via the public advertising process will be presented to Council for consideration, prior to adoption of the Strategic Community Plan 2024 – 2034.**



## AMENDMENT

**Moved: Mayor Hannah Fitzhardinge      Seconded: Cr Andrew Sullivan**

Amend the officer's recommendation, to include an additional part as follows:

### **Council:**

- 1. *Acknowledge and thank the community for participating in the engagement process and for their contribution towards the development of the Strategic Community Plan.***
- ~~1~~ 2. Receive the feedback received during the community engagement process, as shown in the Engagement Report provided in Attachment 1.**
- ~~2~~ 3. Endorse the draft Strategic Community Plan as shown in Attachment 2 for the purposes of public advertising.**
- ~~3~~ 4. Authorise the Chief Executive Officer to advertise the draft Strategic Community Plan for public comment, and note submissions received via the public advertising process will be presented to Council for consideration, prior to adoption of the Strategic Community Plan 2024 – 2034.**

**Amendment Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**

### **Reason for amendment:**

To acknowledge the community for their input into the Strategic Community Plan engagement process.





**COUNCIL DECISION ITEM C2403-17**  
**(Amended officer's recommendation)**

**Moved: Mayor Hannah Fitzhardinge**

**Seconded: Cr Andrew Sullivan**

- 1. Acknowledge and thank the community for participating in the engagement process and for their contribution towards the development of the Strategic Community Plan.**
- 2. Receive the feedback received during the community engagement process, as shown in the Engagement Report provided in Attachment 1.**
- 3. Endorse the draft Strategic Community Plan as shown in Attachment 2 for the purposes of public advertising.**
- 4. Authorise the Chief Executive Officer to advertise the draft Strategic Community Plan for public comment, and note submissions received via the public advertising process will be presented to Council for consideration, prior to adoption of the Strategic Community Plan 2024 – 2034.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



**C2403-18 PROPOSED PARTIAL PUBLIC ROAD CLOSURE OF A SETBACK PORTION OF QUEEN VICTORIA STREET, FREMANTLE – FOR AMALGAMATION WITH 31-33 QUEEN VICTORIA STREET, FREMANTLE.**

**Meeting date:** 27 March 2024  
**Responsible officer:** Manager Economy & Commercial  
**Voting requirements:** Simple Majority  
**Attachments:** Nil.

**SUMMARY**

**The City has received an application from Harvest Legal acting for the owners of 31-33 Queen Victoria Street, Fremantle ('Applicant') to close and amalgamate the setback portion of Queen Victoria Street with 31-33 (Lot 304) Queen Victoria Street, Fremantle**

**This report recommends that Council, in accordance with Sections 58 and 87 of the *Land Administration Act 1997*, approve the advertising and proposed partial closure of the setback portion of Queen Victoria Street, Fremantle for amalgamation with 31-33 (Lot 304) Queen Victoria Street, Fremantle.**

**BACKGROUND**

The road setback area represents one of three remaining parcels of road widening on Queen Victoria Street, Fremantle (south of the river).

On 15 November 2022 – Harvest Legal wrote to the City on behalf of their client being the current owners of 31-33 Queen Victoria Street, Fremantle, seeking to clarify the status of the land fronting the owner's property and whether this land could be acquired for future use.

**Certificate of Title details:**

The subject setback area (approximately 100m<sup>2</sup>) of Queen Victoria Street, Fremantle abuts No. 31-33 Queen Victoria Street, Fremantle.

No. 31-33 Queen Victoria Street is described as Lot 304 on Diagram 61996 being the whole of the land in Certificate of Title Volume 1649 Folio 285. The current Land area is 1118m<sup>2</sup>.

**Minutes – Ordinary Meeting of Council  
27 March 2024**

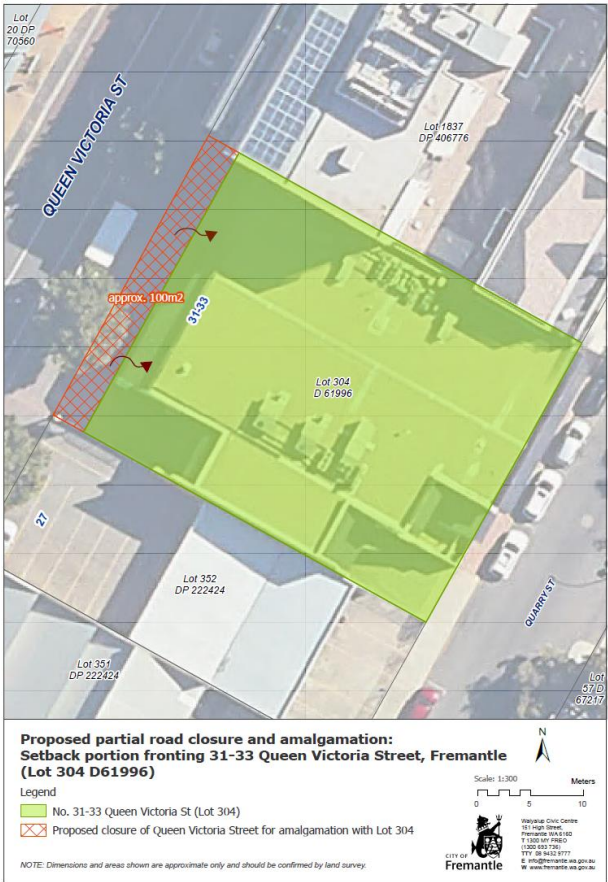


Figure 1 - City of Fremantle Map-Setback Road fronting 31-33 Queen Victoria Street



Figure 2 – Setback portion of Queen Victoria Street outlined in red (Approx. 100m<sup>2</sup>).



## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this partial closure. The fee paid by the property owners covers the costs associated with the public advertising and costs associated with obtaining comments from the required public utility service providers.

In addition, the property owners have agreed in writing to cover any other costs associated with the proposed road closure and amalgamation.

The City does not have the power to sell road reserve and therefore is not entitled to any compensation. The property owners will be required to pay the Crown the value of the land.

## **LEGAL IMPLICATIONS**

Section 58 and 87 of the *Land Administration Act 1997 (LAA)* apply in relation to the proposed closure and amalgamation described above.

All public road closures for the purpose of amalgamation with an adjoining property require a 35-day public comment period before being submitted to the Department of Planning, Lands and Heritage (DPLH), in accordance with Section 58 of the *LAA*.

## **CONSULTATION**

The City's Strategic Planning and Engineering and Infrastructure Services have been consulted in relation to this application and have advised that the setback area is no longer required for road widening.

In accordance with Section 58 of the *LAA*, the City will carry out public advertising for a period of not less than 35 days by:

- Advertising in the Fremantle Herald (Have Your Say)
- Public Comment invited on the City's engagement platform, My Say Freo
- Writing to public utility service providers for comments
- Hard copy details will be made available from the City of Fremantle Customer Service Counter

Subject to no objections being received after the public advertising period, Council may make a decision to support the proposal and proceed with an application to the Minister for Lands as described in Part 1 of the resolution to this report.

The Applicant has conducted the initial "Dial Before You Dig" enquiry on 31 January 2024 with the results noted in the table below.



Dial Before You Dig (DBYD) results – search on 31 <sup>st</sup> January 2024.	
Atco Gas	Contains a critical gas asset within the vicinity - outside the setback area.
NBN Services	Contains NBN Assets within the vicinity – outside the setback area.
Water Corporation	<ul style="list-style-type: none"> <li>• Contains a water pipeline located within the setback area.</li> <li>• Contains Sewer lines located in the vicinity – outside the setback area.</li> </ul>
Telstra (WA)	Fibre optic and/or major network within the vicinity – outside the setback area.
Western Power	Contains underground cables located within the setback area.
BP Refinery Kwinana	BP Refinery Kwinana do not have any active pipelines in the designated location.
TPG Telecom (WA)	Has assets affected within the setback area
AARNet Fibre Optic Infrastructure	Contains AARNet Fibre Optic Assets with the vicinity – outside the setback area.
Optus	Contains underground Optus Fibre Optic Telecommunications assets within the vicinity – outside the setback area.

**OFFICER COMMENT**

The proposed amalgamation of the setback area with 31-33 Queen Victoria Street, Fremantle is consistent with the boundary lines of the adjoining properties. Earlier discussions with the Applicant in November 2022 confirmed that the City of Fremantle no longer required the setback land for future road widening.

The proposal would need to be zoned under the Local Planning Scheme 4 (LPS4). The planning provisions to the property at 31-33 Queen Victoria Street, Fremantle are as follows:

- LPS4 Zoning           Mixed Use Zone
- MRS Zoning           Central City Zone
- R-Code                R-AC3
- Local Planning Areas LPA 2 – Fremantle
  - Sub Area 2.3.1 – 4
  - Sub Area 2.3.1 – 5
  - Sub Area 2.3.1 – Sub Area 1 (LPA2 – Fremantle)



In terms of the setback requirements for Sub Area 2.3.1 – Sub Area 1 and area 4 and 5. These requirements include a Nil setback to Queen Victoria Street for a new development. As other properties in the same street have the Nil setback requirements and come forward of the subject property, officers have concluded that the City no longer requires the additional land for road widening and consideration to amalgamating the land with the private lot is a reasonable proposal.

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

Simple majority required

#### **COUNCIL DECISION ITEM C2403-18 (Officer's recommendation)**

**Moved: Cr Ben Lawver**

**Seconded: Cr Jemima Williamson-Wong**

- 1. In accordance with Sections 58 and 87 of the Land Administration Act 1997, approves the advertising of the proposed public road closure of the setback portion (approximately 100m<sup>2</sup>) of Queen Victoria Street, Fremantle for the purpose of amalgamation with No's 31-33 Queen Victoria Street, Fremantle as described on Certificate of Title Volume 1649 Folio 285 being Lot 304 on Diagram 61996 and subject to no objections being received:**
  - a. Supports the proposal, and applies to the Minister for Lands to close and amalgamate the setback portion described in part 1 above, and**
  - b. Indemnifies the Minister for Lands against any claim for compensation that may arise from that closure and amalgamation.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



## 11.3 Committee and working group reports

### ARMC2403-01 ADOPTION OF THE 2023 COMPLIANCE AUDIT RETURN

<b>Meeting date:</b>	18 March 2024
<b>Responsible officer:</b>	Manager Governance
<b>Voting requirements:</b>	Simple Majority
<b>Attachments:</b>	1. Quantum Assurance Report and Appendix 2. 2023 Compliance Audit Return - Draft

#### SUMMARY

**The 2023 Compliance Audit Return (CAR) has been completed by the City of Fremantle, with the assistance of an independent auditor, and is presented to Council for adoption in accordance with regulation 14 of the *Local Government (Audit) Regulations 1996*.**

**This report recommends that Council adopt the 2023 Compliance Audit Return as shown in Attachment 2, and note that the Mayor and the Chief Executive Officer will certify the return before it is submitted to the Department of Local Government, Sport, and Cultural Industries by 31 March 2024.**

#### BACKGROUND

In accordance with regulation 14 of the *Local Government (Audit) Regulations 1996*, each local government authority is required to carry out a compliance audit for the period 1 January to 31 December of each year and submit it to the Department of Local Government, Sport, and Cultural Industries (the Department) by 31 March.

The City engaged Quantum Assurance as an independent auditor to assist with the completion of the 2023 Compliance Audit Return (CAR) after being appointed by Council at the Ordinary Meeting of Council on 20 December 2023.

The 2023 CAR contains 94 questions focusing on the local government's compliance with the requirements of the *Local Government Act 1995* (the Act) and associated regulations, in relation to the following matters:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct





- Tenders for Providing Goods and Services
- Optional Questions

Under regulation 14 (3A) of the *Local Government (Audit) Regulations 1996*, the Audit and Risk Management Committee is required to review the CAR and make recommendations to Council on any action required in response to the audit findings. The Council are required to adopt the CAR prior to it being submitted to the Minister for Local Government before the deadline of 31 March 2024.

### **FINANCIAL IMPLICATIONS**

The expenditure associated with the annual Compliance Audit Return was included in the 2023/2024 Budget.

### **LEGAL IMPLICATIONS**

In accordance with section 7.13(1)(i) of the *Local Government Act 1995* and regulations 13, 14 and 15 of the *Local Government (Audit) Regulations 1996*, local governments are required to carry out an audit of compliance for the period 1 January to 31 December each year.

Following preparation of the return a local government is to:

- a. Review the audit report at its audit committee,
- b. Present the audit report to council,
- c. Adopt the audit report, and
- d. Record the audit report in the minutes of that meeting.

The return is to be signed by the Mayor and Chief Executive Officer before it is submitted, with a copy of the relevant section of the minutes of the meeting at which it is adopted, to the Department of Local Government, Sport and Cultural Industries by the 31 March following the period to which the return relates.

### **CONSULTATION**

In January and February 2024, Quantum Assurance's auditor consulted relevant City officers seeking responses and supporting documentation to verify those responses in relation to the questions asked in the CAR. The information was reviewed by the independent auditor and used in the development of the auditors quality assurance review report, as shown in **Attachment 1**.

### **OFFICER COMMENT**

Quantum Assurance's auditor met with relevant City officers to review each of the 94 questions contained within the CAR and examined supporting documents to verify responses, as provided in **Attachment 1**.

Of the 94 questions contained within the 2023 CAR, 1 non-compliance was identified, as shown in the following table:





Reference	Question	Explanatory Notes
<p><b>Disclosure of Interest – Question 5</b></p> <p>The Act s5.76 Admin Reg 23, Form 3</p>	<p>Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2023?</p>	<p>1 x form was submitted late (22/09/2023) in the Attain (financial disclosures) system that the City uses due to admin error, resulting in the officer not being prompted to submit the Annual Return form. The error has been rectified and processes have been updated to ensure a manual check occurs prior to 31 August. The breach was reported to the Corruption and Crime Commission and the Department, with no action taken.</p>

The matter identified as non-compliant in the CAR will be monitored by officers and improved procedures will be followed to ensure compliance. Quantum Assurance did not provide further recommendations for the City of Fremantle, rather commending improved processes, under separate cover.

The City has achieved a 98% compliance rating for the period covered by the 2023 CAR. This compares with the 90% compliance rating in the 2022 CAR, and 95% in 2021. The 2023 questions did not alter from the previous year, apart from the following questions, which the City is compliant with:

**Not included in the 2023 CAR:** *"Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?"*

**Response:** Yes, approved on 21 April 2021.

**New Addition in the 2023 CAR (previously combined with Official Conduct question 2):** *"Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?"*

**Response:** Yes.

The City uses the CAR each year as an opportunity to review and identify processes improvement opportunities, that may assist the City to avoid potential non-compliance in the future. In addition to this, officers are exploring options to implement an ongoing internal audit process that will monitor and track compliance throughout the year and assist with continuous improvement.

## VOTING AND OTHER REQUIREMENTS

Simple majority required



**COUNCIL DECISION ARMC2403-01**  
**(Committee recommendation)**

**Moved: Cr Frank Mofflin**

**Seconded: Cr Jenny Archibald**

**Council:**

- 1. Adopt the 2023 Compliance Audit Return, for the period 1 January 2023 to 31 December 2023, as shown in Attachment 2.**
- 2. Note that the Mayor and the Chief Executive Officer will certify the 2023 Compliance Audit Return before it is submitted to the Department of Local Government, Sport, and Cultural Industries by 31 March 2024.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



## **ITEMS APPROVED "EN BLOC"**

The following items were adopted unopposed and without discussion "en bloc" as recommended.

### **COUNCIL DECISION**

**Moved: Cr Doug Thompson**

**Seconded: Cr Jenny Archibald**

**The following items be adopted en bloc as recommended:**

<b>ARMC2403-02</b>	<b>PURCHASING POLICY EXEMPTIONS DECEMBER 2023 TO FEBRUARY 2024</b>
<b>ARMC2403-03</b>	<b>TENDERS AWARDED UNDER DELEGATION DECEMBER 2023 TO FEBRUARY 2024</b>
<b>ARMC2403-05</b>	<b>OVERDUE DEBTORS REPORT AS AT 29 FEBRUARY 2024</b>

**Carried : 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



**ARMC2403-02 PURCHASING POLICY EXEMPTIONS DECEMBER 2023 TO FEBRUARY 2024**

**Meeting date:** 18 March 2024  
**Responsible officer:** Manager Financial Services  
**Voting requirements:** Simple Majority  
**Attachments:** 1. Purchasing Policy Exemption Detail  
December 2023 to February 2024

**SUMMARY**

**The purpose of this report is to inform Council of purchases made by the City that were exempted from the requirements of the Purchasing Policy, during the period December.**

**This report recommends that Council receive the Purchasing Policy Exemptions report for December 2023 to February 2024.**

**BACKGROUND**

At the Ordinary Meeting of Council of 25 November 2020, Council adopted an updated Purchasing Policy. The Purchasing Policy outlines the requirements and decision-making process for each Policy threshold. The Policy also contains a list of tender exemptions (exempt under Regulation 11(2) of the *Local Government (Functions and General) Regulations 1996*) and other Policy exemptions.

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

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**CONSULTATION**

Nil



## OFFICER COMMENT

### December 2023

The total value of spending exempt from the City of Fremantle Purchasing Policy was **\$13,999.00** for the month of December 2023.

The value of exemptions by category is:

Exemption Category	Value
Request for Artist	\$13,999.00
<b>Total</b>	<b>\$13,999.00</b>

Details regarding individual exemptions can be found in Attachment 1.

### January 2024

The total value of spending exempt from the City of Fremantle Purchasing Policy was **\$46,632.90** for the month of January 2024.

The value of exemptions by category is:

Exemption Category	Value
Specialist Consulting Advice	\$10,300.00
Request for Artist	\$3,000.00
Sole Source	\$33,332.90
<b>Total</b>	<b>\$46,632.90</b>

Details regarding individual exemptions can be found in Attachment 1.

### February 2024

The total value of spending exempt from the City of Fremantle Purchasing Policy was **\$98,200.00** for the month of February 2024.

The value of exemptions by category is:

Exemption Category	Value
Specialist Consulting Advice	\$95,200.00
Request for Artist	\$3,000.00
<b>Total</b>	<b>\$98,200.00</b>

Details regarding individual exemptions can be found in Attachment 1.



## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

### **COUNCIL DECISION ITEM ARMC2403-02** **(Committee recommendation)**

**Moved: Cr Doug Thompson**

**Seconded: Cr Jenny Archibald**

**Council receive the information report on Purchasing Policy exemptions for December 2023 to February 2024.**

**Carried en bloc: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



**ARMC2403-03      TENDERS AWARDED UNDER DELEGATION DECEMBER  
2023 TO FEBRUARY 2024**

**Meeting date:** 18 March 2024  
**Responsible officer:** Manager Financial Services  
**Voting requirements:** Simple Majority  
**Attachments:** Nil.

**SUMMARY**

**The purpose of this report is to summarise tenders awarded under delegation by various delegated officers and Committees during the period December 2023 to February 2024.**

**This report recommends that Council receive the report on tenders awarded under delegation between December 2023 to February 2024.**

**BACKGROUND**

Tenders awarded by the City are awarded under the following delegations, approved at Council on 28 June 2023 (FPOL2306-4):

Delegated Authority	Amount of Delegation
Ordinary Meeting of Council	\$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 in line with the adopted 2023-24 budget.

**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 Register of Delegated Authority 2023-24, the Chief Executive Officer is required to report the use of this delegation to the Audit and Risk Management Committee.

**CONSULTATION**

Nil



**OFFICER COMMENT**

Below is a list of tenders awarded under delegation between December 2023 to February 2024.

**December 2023**

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

**January 2024**

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

**February 2024**

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
FCC650/23 Hook Lift Bin Services and Bulk Waste Processing	Director	Veolia Environmental Services Australia Pty Ltd	3 Years	\$268,740
FCC651/23 Bulk Green Organics Waste Verge Collection	Director	Western Maze WA T/As WA Recycling Service	3 Years	222,000

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

**COUNCIL DECISION ITEM ARMC2403-03**  
**(Committee recommendation)**

**Moved: Cr Doug Thompson**

**Seconded: Cr Jenny Archibald**

**Council receive the information report on tenders awarded under delegation for December 2023 to February 2024.**

**Carried en bloc: 11/0**  
**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,**  
**Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,**  
**Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,**  
**Cr Doug Thompson, Cr Ingrid van Dorsen**





## **ARMC2403-05 OVERDUE DEBTORS REPORT AS AT 29 FEBRUARY 2024**

<b>Meeting date:</b>	18 March 2024
<b>Responsible Officer:</b>	Manager Financial Services
<b>Voting requirements:</b>	Simple Majority
<b>Attachments:</b>	Nil
<b>Confidential Attachments:</b>	1. Summary of Overdue Debts above Threshold

### **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 29 February 2024, and identify those where the amount owing is over 90 days with a total debt exceeding \$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 29 February 2024.**

### **BACKGROUND**

This report provides the Audit and Risk Management Committee 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.
- 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 debts 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 2024 an amount of \$160,937 is held as an allowance for impairment of sundry receivables. There have been no waivers or debt written off for the 2023/24 financial year.



### **Summary of Sundry Debtors**

There have been no Sundry debts waived or written off during the 2023/24 financial year.

### **Summary of Rates Debtors**

There have been no Rates debts waived or written off during the 2023/24 financial year.

### **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

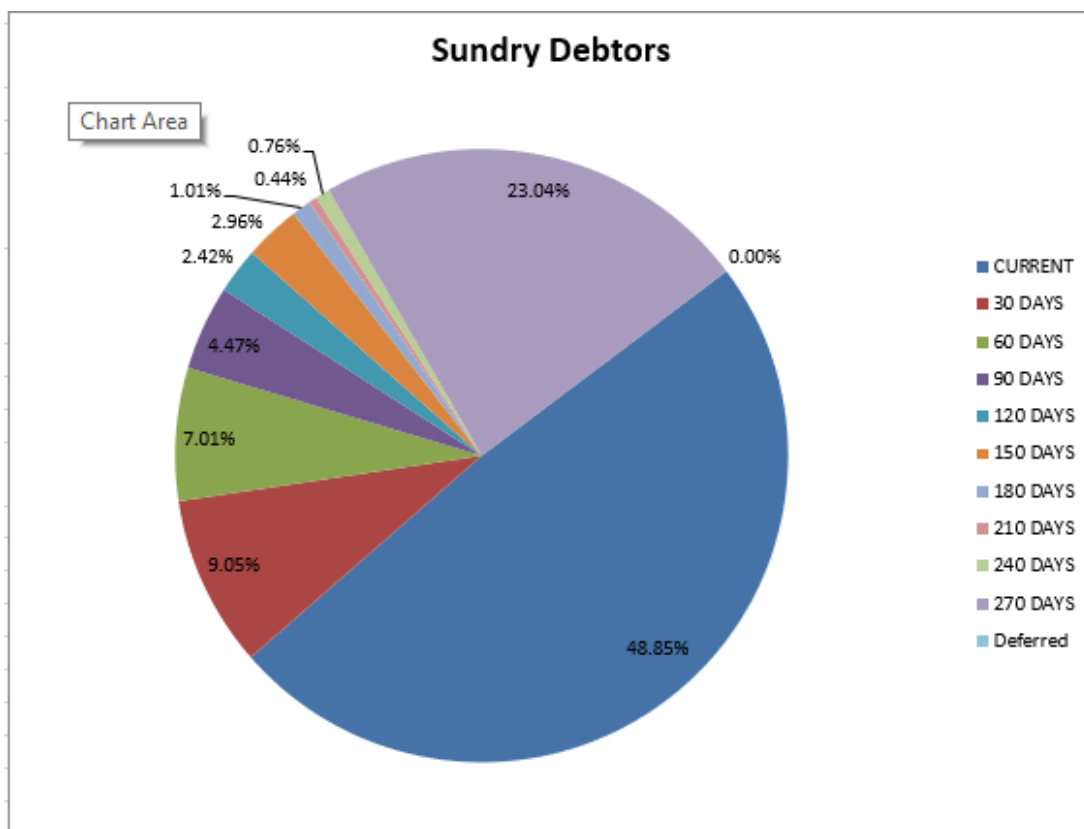
### **OFFICER COMMENT**

The total of debts outstanding as at 29 February 2024 was \$1,148,339. A breakdown of aged debt for the current period compared to prior year is tabled below.



Period Ending	Current	30 Days	60 Days	90+ Days	Total
Dec 23 – February 24	49%	9%	7%	35%	100%
	560,984	103,893	80,478	402,983	1,148,339
Dec 23 – February 24 Excl. Commercial Properties	80%	11%	5%	4%	100%
	359,834	49,459	23,075	18,398	450,766
Dec 22 - February 23	359,824	44,284	59,836	388,555	852,499

The graph below shows the aged debt balances as at 29 February 2024:



Compared to the report of overdue debtors as at 30 November 2023, presented to Audit and Risk Management Committee at the 11 December 2023 meeting, the total value of outstanding debts has increased slightly from \$1,037,954 to \$1,148,339.

Total outstanding debt over 90 days has increased from \$305,572 at the end of the previous reporting date to \$402,983.

The number of overdue debtors over 90 days, and above the total debt reporting threshold of \$10,000, has remained at five. Of the five reported, two debtors have decreased and one has increased values of debt since the prior reporting period.



These five debtors have a total debt owing of \$242,865 of which \$240,365 is over 90 days. The confidential attachment contains details of the debtors comprising this balance.

### **Key Performance Indicators**

When determining status or risk associated with outstanding debtors, officers typically consider and assess the following metrics:

- Total amount of outstanding debt
- Age of outstanding debt (and value of that debt)
- Frequency of payment of outstanding debt
- Outstanding debt per individual debtor
- Outstanding debt per type of debtor

Officers consider all of these metrics alongside each other as well as the debtor day ratio to assist in providing an overarching assessment of general performance of outstanding debtors. The debtor day ratio measures how quickly cash is being collected from debtors regardless of the level of total outstanding amount of debt or the type of debt, allowing for a consistent metric that will identify periods where debtors are taking longer to pay down outstanding debt.

A number of metrics have been provided to follow that provide an initial snapshot of performance and or status of outstanding debtors to follow.

#### Debtor Day Ratio

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 divided by the total amount invoiced to that period for the financial year. This is then multiplied by the total number of days from 1 July to the end of the period. See calculation in the graph to follow.

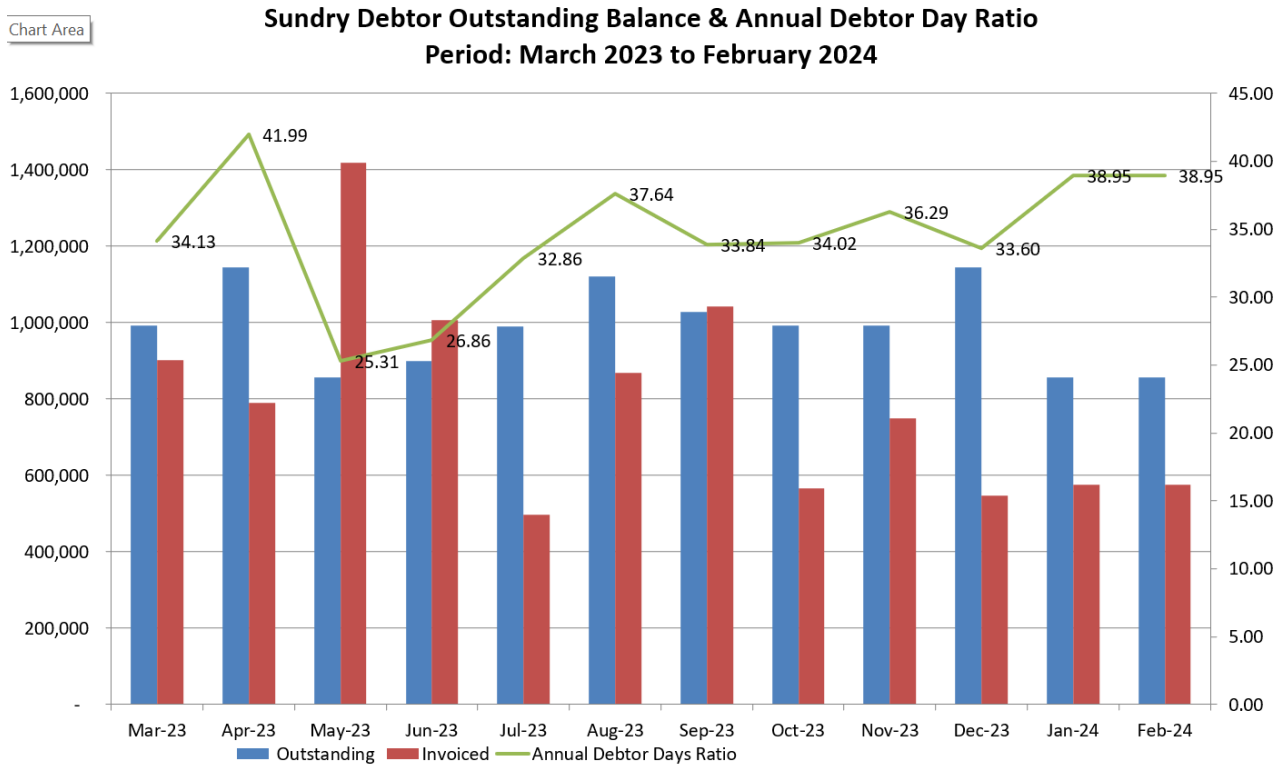
Prior financial year information is presented together with the current financial year as a comparative to demonstrate the City's ability to collect funds owed to the City when due.

As at 29 February 2024, the Debtor Day Ratio was 38.95 – being a decrease from the prior reporting period as at November 2023 of 36.29.

The chart to follow indicates the debtor days over the last 12 months. Of the 12 months, 11 months are below 41 debtor days. This indicates that the overall debt collection policy is effective in containing debtor days. Additionally, on occasions that the debtor days rise it is brought back down in subsequent months.



Notwithstanding this containment below 41 days, debtor days have been trending upwards since May 2023 and officers are now reviewing this data to consider any intervention required to arrest this upward trend.

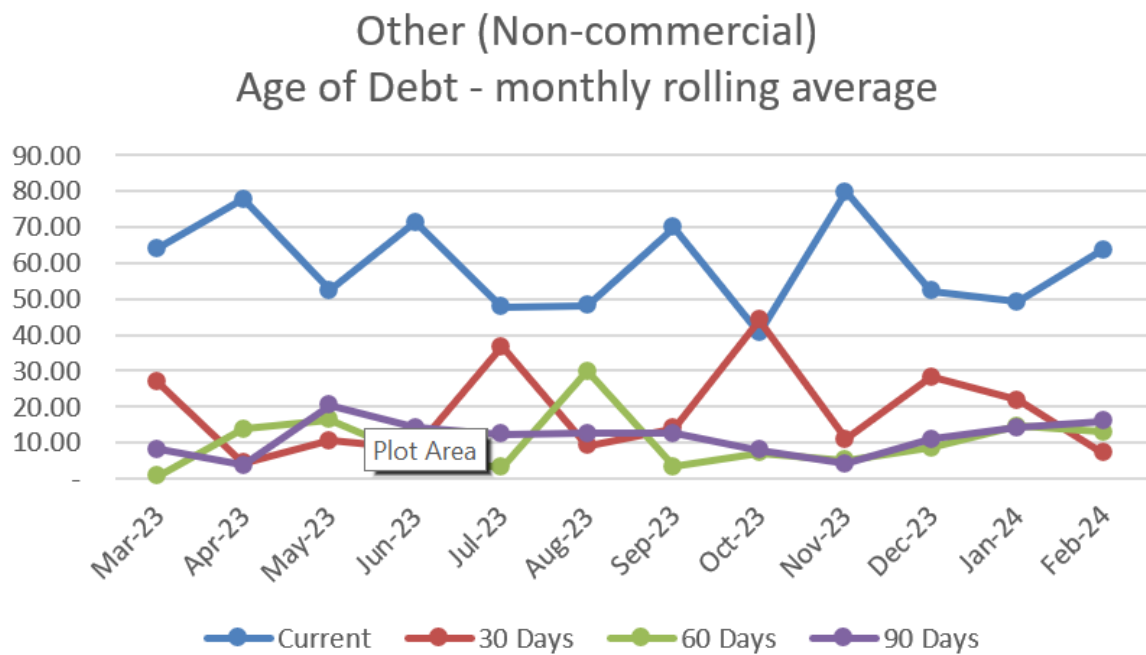
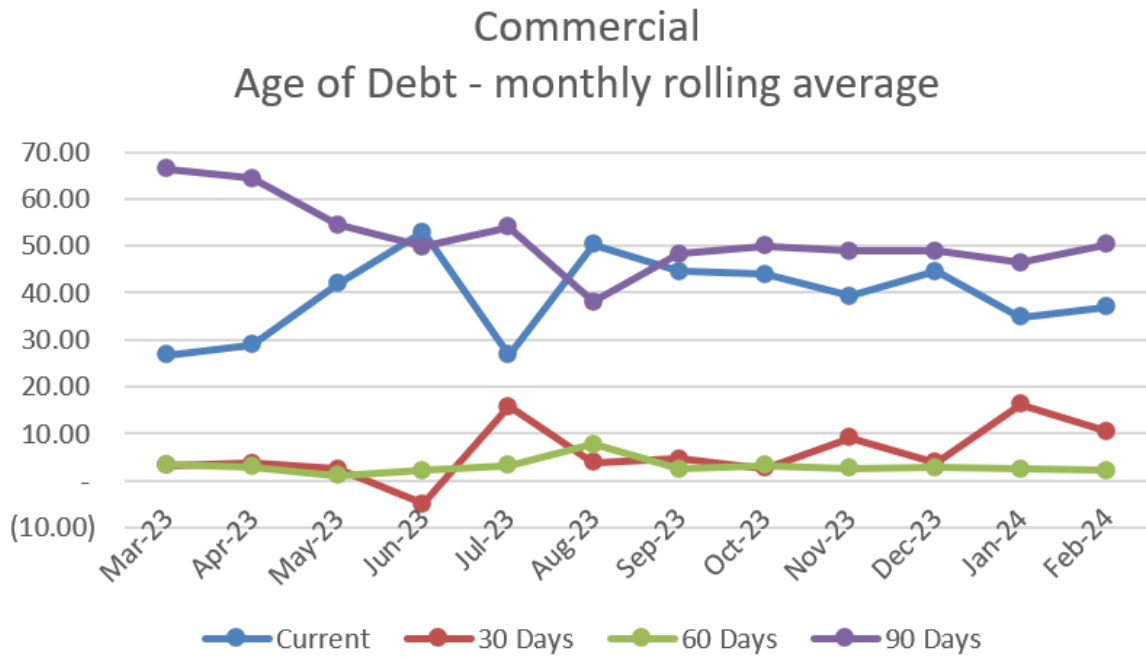


Age of Debt

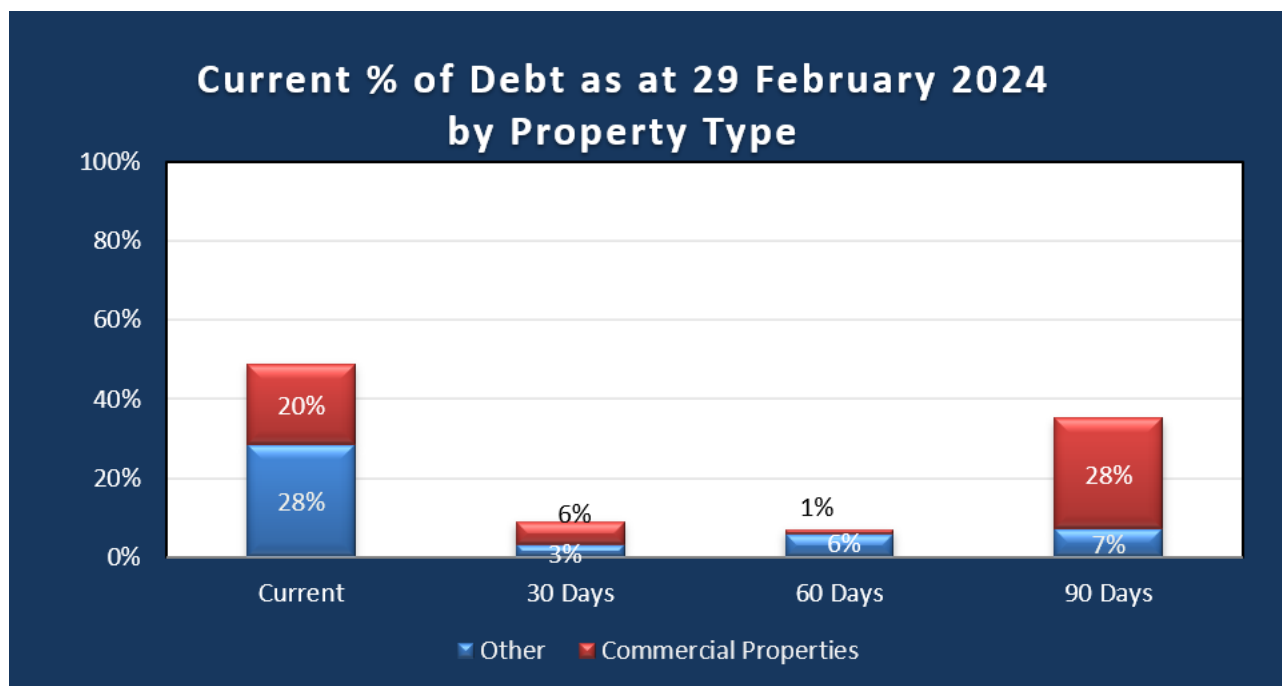
The rolling 12-month Average for debt in each age category is shown in the graphs to follow for Commercial and Other (non-commercial) debt. These graphs show the 12-month average as at each point in time, to provide a view of the trend of the City’s aged debt portfolio.

As per the monthly rolling average chart for commercial, the portion of debt that is current was 37% as at February 2024. The portion of debt that is over 90 days has remained steady over time but has slightly increased in February 2024. This currently includes debts associated with 2 commercial property debtors carrying a significant portion of the outstanding debt. This represents a positive trend and indicates an increasing percentage of debt being paid earlier. The portion of debt in the 30-59 days and 60-89 days has not significantly changed.

For other (non-commercial) debt, current debt remains the category with the highest amount outstanding. All other categories remain much lower than the current trend line. This indicates a high proportion of debts being collected in a timely manner.



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



Of total debt, Commercial Properties account for 20% (\$235K) of Current debt, and account for 50% of the debt owing 90 days or more (\$320K).

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

### Impact of COVID on Commercial Property

As at 1 April 2021 all COVID-19 waiver arrangements came to an end and 100% of normal rent became 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 \$7,090 remains outstanding. This is a reduction from the prior reporting period of \$3,776 with all debtors currently paying their debts progressively via direct debit arrangements.

### Rate Exemption Approvals

Under the provisions of Section 6.26 of the Local Government Act 1995 the following properties were granted approval for rate exemptions:

- 24 High St, Fremantle PID 298 – Edmund Rice Services (partially leased to Tuart Place) – S6.26(2)(g) – charitable purposes – awaiting sub values from Landgate to determine partial rates exemption to be applied.



- 223 High St, Fremantle – PID 1363 – Baldrick Pty Ltd (partially leased to Christian Brothers College) – S6.26(2)(f) – Non Government School - awaiting sub values from Landgate to determine partial rates exemption to be applied.
- 5/69 Quarry St, Fremantle PID 15643 – The Perth Diocesan Trustees – S6.26(2)(d) – place of a Minister of religion - \$2,420.63 for 2023/2024 Rates.
- 4 Ives Cl, Samson PID 11392 - Patacara Bhikkhuni Hermitage Incorporated – S6.26(2)(d) – place of a Minister of religion, a convent, nunnery or monastery - \$1,709.39 for 2023/2024 Rates.

**Delegation 2.3 - Defer payment, grant a concession, waive fees and write off of Debts**

During the reported period there were no waivers or write offs greater than \$1,000.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

**COUNCIL DECISION ITEM ARMC2403-05  
(Committee recommendation)**

**Moved: Cr Doug Thompson**

**Seconded: Cr Jenny Archibald**

**Council receive the Overdue Debtors Report as at 29 February 2024, and the confidential attachment listing overdue debts exceeding 90 days with the combined value, by debtor, exceeding \$10,000 as at 29 February 2024.**

**Carried en bloc: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorssen**





## 11.4 Statutory reports

### C2403-20 STATEMENT OF INVESTMENTS – FEBRUARY 2024

<b>Meeting date:</b>	27 March 2024
<b>Responsible officer:</b>	Manager Financial Services
<b>Voting requirements:</b>	Simple Majority
<b>Attachments:</b>	1. Statement of Investments – February 2024

#### SUMMARY

**This report outlines the investment of surplus funds for the month ending 29 February 2024 and provides information on these investments for Council consideration.**

**This report recommends that Council receive the Investment Report for the month ended 29 February 2024, as provided in Attachment 1.**

**The investment report provides a snapshot of the City's investment portfolio and includes information as at 29 February 2024 in relation to:**

- **Portfolio details;**
- **Portfolio credit framework;**
- **Portfolio liquidity;**
- **Portfolio fossil fuel summary;**
- **Interest income; and**
- **Investing activities.**

#### BACKGROUND

In accordance with the Investment Policy adopted by Council, the City of Fremantle invests its surplus funds, long term cash, current assets and other funds in authorised investments as outlined in the policy.

Due to timing differences between receiving revenue and the expenditure of funds, surplus funds may be held by the City for a period of time. To maximise returns and maintain a low level of credit risk, the City invests these funds into appropriately rated and liquid investments, until the City requires the money for operational expenditure.

The City's investment policy seeks to limit investments in financial institutions which support, either directly or indirectly, fossil fuel companies, while balancing compliance with the Investment Policy, and achieving a suitable return on those investments.



## **FINANCIAL IMPLICATIONS**

Investment interest earned year to date is \$1,767,687 against a full year budget of \$2,206,375. Interest earnings year to date are higher than YTD budget by \$200,077 with \$220,535 being earned in February. The strong investment performance is due to the attractive interest rates in the current market.

The current official cash rate as determined by the Reserve Bank is 4.35%, which remained unchanged at their February Board meeting. The current cash rate remains the highest since April 2012.

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 4.75% for the month of February 2024. The City's actual portfolio return in the last 12 months is 4.12%, comparing on par with the benchmark Bloomberg AusBond Bill Index reference rate of 4.10% (refer to Attachment 1 point 8).

## **LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

- *Local Government (Financial Management) Regulations 1996* Regulation 19 – Management of Investments; and
- *Trustee Act 1962* (Part 3)

Authorised Deposit-taking Institutions are authorised under the *Banking Act 1959* and are subject to Prudential Standards which are overviewed by the Australian Prudential Regulation Authority (APRA).

## **CONSULTATION**

Nil

## **OFFICER COMMENT**

The City's Investment Portfolio Manager has provided a comprehensive Investment Report for the month ending 29 February 2024 which can be viewed in the Attachment. A summary of the investment report is provided below.

### **1. Portfolio Details**

As at 29 February 2024, the City's investment portfolio totalled \$55.28m. The market value of this investment was \$56.06m at that time, which takes into account accrued interest.

The investment portfolio is made up of:



Cash Investments (<= 3 months)	\$ 9.78m
Term Deposits (> 3 months)	\$ 45.50m
<b>TOTAL</b>	<b>\$ 55.28m</b>

Of which:

Unrestricted cash	\$ 44.86m
Restricted cash (Reserve Funds)	\$ 10.42m
<b>TOTAL</b>	<b>\$ 55.28m</b>

The current amount of \$44.86m held as unrestricted cash represents 49.83% of the total adopted budget for operating revenue (\$90.02m).

## **2. Portfolio Credit Framework**

The City’s Investment policy determines the maximum amount to be invested in any one Tier, or any one financial institution within a Tier, based on the credit rating of the financial institution. Council adopted amendments to this policy at its Ordinary Council Meeting held on 25 November 2020, and the current adopted Counterparty Credit Framework is noted below.

### **Portfolio Credit Framework limits**

The Portfolio Credit Framework limits prescribe the limit of investments that may be made within any Tier of financial institutions. The maximum allocation to be invested in each Tier, and the City’s actual investment allocation in those Tiers as at 31 January 2024, is outlined below. It shows that the distribution of the City’s investments across the four Tiers is compliant with the City’s investment policy.

Tier	Allocation	Allocation %	Maximum Allocation %	% Used of Maximum Allocation	% Available of Maximum Allocation	% Exceeded of Maximum Allocation
Tier 1	21,711,368.37	39.28%	100.00%	39.28%	60.72%	0.00%
Tier 2	25,064,020.55	45.34%	60.00%	75.57%	24.43%	0.00%
Tier 3	8,500,000.00	15.38%	35.00%	43.94%	56.06%	0.00%
Tier 4	0.00	0.00%	15.00%	0.00%	100.00%	0.00%
	<b>55,275,388.92</b>					

Values used in the above calculations exclude interest for term deposits and other simple interest securities.

Within each Tier, the Counterparty Credit Framework limits prescribe the limit of investments that may be made with any one financial institution. The maximum percentage of investments to be held with any one financial institution, within a given Tier, are outlined below.

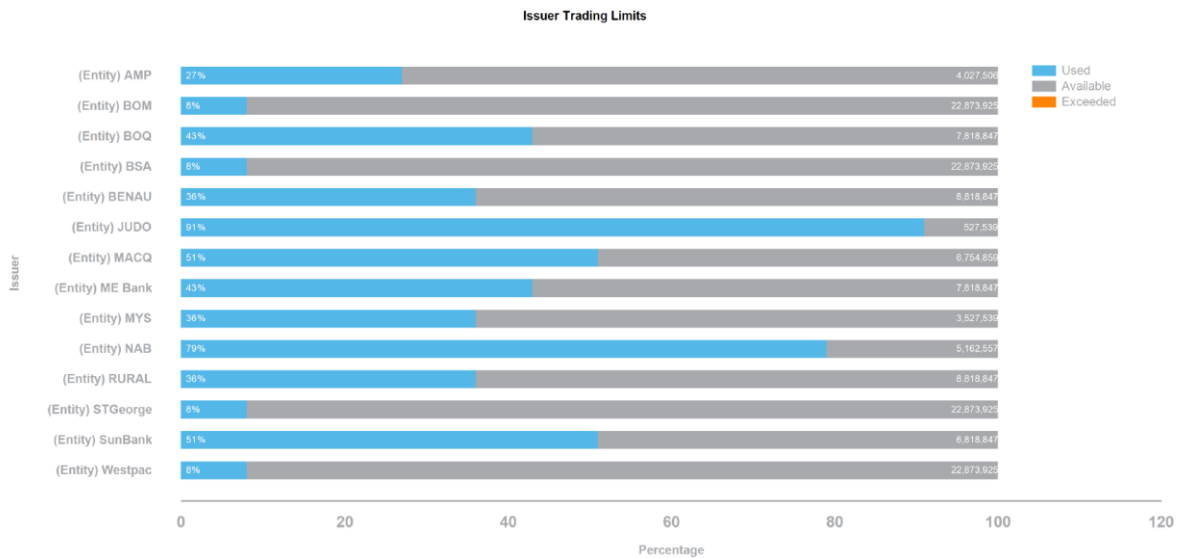


**Counterparty credit framework**

Investments are not to exceed the following percentages of average annual funds invested with any one financial institution and consideration should be given to the relationship between credit rating and interest rate.

Credit quality	Maximum % of total investments
Tier 1 (excl. AAA government) AAA to AA-	45%
Tier 2 A+ to A-	25%
Tier 3 BBB+ to BBB-	10%
Tier 4 Unrated	(\$1m)

The City’s funds invested as at 29 February 2024, relative to the Counterparty Credit Framework limits were as follows:



As highlighted in the chart above, the City’s portfolio of investments as at 29 February 2024 is compliant with the City’s investment policy.

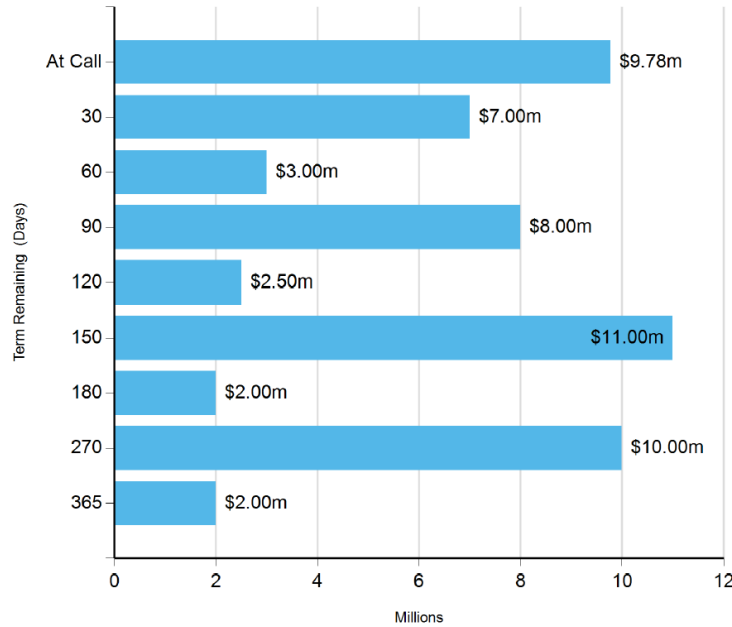
**3. Portfolio Liquidity Indicator**

The City’s investments are to be made in a manner to ensure sufficient liquidity to meet all reasonably anticipated cash flow requirements, without incurring significant costs due to the unanticipated sale of an investment.

The below graph provides details on the maturity timing of the City’s investment portfolio as at 29 February 2024. Currently, all investments will mature in one year or less.



**Face Value by Term Remaining**

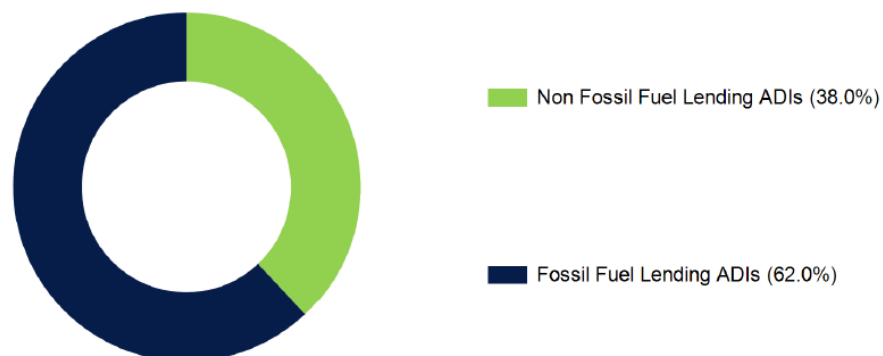


**4. Portfolio Summary by Fossil Fuels Lending Authorised Deposit-Taking Institutions (ADIs)**

To support the City’s ability to undertake greater fossil fuel divestment, a review of the Investment Policy was presented and adopted by Council on 25 November 2020 which incorporated a minor change to the investment framework to increase the percentages allocated to Tier 3 and Tier 4 categories, allowing greater flexibility. Since December 2020 investments have been made in accordance with the revised policy to increase the percentage invested in “Green Investments”; being ADIs that do not lend to industries engaged in the exploration for, or production of, fossil fuels (Non-Fossil Fuel Lending ADIs).

As at 29 February 2024, \$21m (38%) of the City’s portfolio was invested in “Green Investments”.

**Fossil Fuel vs Non Fossil Fuel Lending ADI**





Refer to Attachment 1 (Note 7) for details on which financial institutions these investments are held in.

*Update on volatility in the global banking sector*

According to the Reserve Bank of Australia's (RBA) Financial Stability Review published in October 2023 higher interest rates and high inflation have exposed vulnerabilities in some parts of the global financial system and put pressure on households and businesses.

Global interest rates have increased substantially since late 2021, after a prolonged period of historically low rates. This increase has exposed vulnerabilities in some banking systems, and stresses experienced by non-bank financial institutions (NBFIs).

NBFIs have disrupted functioning in parts of the global financial system. Such events – including liquidity stress in commodity and energy markets in 2022, stress in UK government bond markets caused by pension funds in September 2022, and banking stress in the United States and Switzerland in March 2023 – have required interventions by authorities to ensure broader system stability.

Notwithstanding continuing concerns internationally, The RBA has cited there are important differences in the composition of the financial system meaning these vulnerabilities are not as prevalent in Australia. The Australian NBFIs sector is largely comprised of superannuation funds that do not guarantee member returns, use little leverage, and have a lower risk of redemptions that could spark unforeseen liquidity calls. Outside of superannuation funds, credit intermediation from non-banks (including from hedge funds) is also limited in Australia compared with other economies, comprising 4 per cent of outstanding housing credit and 9 per cent of business credit.

More generally, the RBA has advised that global financial stability risks remain elevated for the following reasons:

- The spread of property sector stress in China to the rest of its economy and financial system, which has other longstanding vulnerabilities.
- A sharp tightening in financial conditions and disorderly asset repricing caused by, for example, a severe global economic downturn or a reassessment of the interest rate outlook if inflation stays high for longer than expected.
- NBFIs in key financial centres could amplify abrupt adjustments in global financial conditions.
- A further weakening of conditions in commercial real estate (CRE).
- A sharp increase in unemployment and a slowdown in economic growth.
- Renewed pressure on smaller banks, especially in the United States
- Ongoing threats to global financial stability generated from outside the financial system continue to build, including those related to cyber-attacks, geopolitical tensions and risks associated with climate change.



Given the current volatility in the banking sector the City is currently prioritising higher rated banks (Tier 1 & 2) when it comes to investment activity. If a non-fossil fuel lender is providing competitive rates that will generate a suitable return, and fall within a tier 1 or 2 category, these lenders will be prioritised. However outside of this the City will prioritise low risk investment activity across higher tier banks in order to limit the City's exposure to the increasing risk being faced across the sector.

## **5. Interest Income for Matured Investments**

Per Attachment 1 (Note 9), interest income earned during February 2024 from matured investments was \$482,162.

## **6. Investing Activities**

In February 2024, 2 new term deposit of \$11m was invested. Full details of the institutions invested in, interest rates, number of days and maturity date for investments held as at 29 February 2024 are provided in Attachment 1 (Note 10).

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required.

## **OFFICER'S RECOMMENDATION**

**Council receive the Investment Report for the month ending 29 February 2024, as provided in Attachment 1.**

## **COUNCIL DECISION ITEM C2403-20 (Officer's recommendation)**

**Moved: Cr Doug Thompson**

**Seconded: Cr Geoff Graham**

**Council receive the Investment Report for the month ending 29 February 2024, as provided in Attachment 1.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**



## C2403-21 MONTHLY FINANCIAL REPORT - FEBRUARY 2024

**Meeting date:** 27 March 2024  
**Responsible officer:** Manager Financial Services  
**Voting requirements:** Absolute Majority  
**Attachments:** 1. Monthly Financial Report – February 2024

### SUMMARY

The monthly financial report for the period ending 29 February 2024 has been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

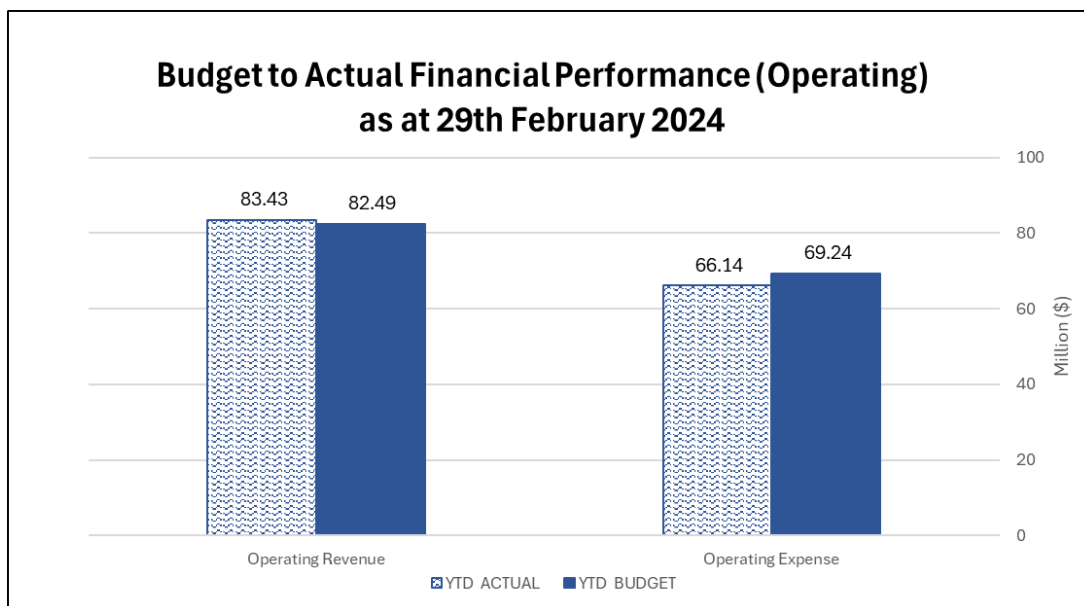
This report provides an analysis of financial performance up to February 2024 based on the following statements:

- Statement of Comprehensive Income by Nature;
- Statement of Financial Activity by Nature and by Directorate; and
- Statement of Financial Position with Net Current Assets.

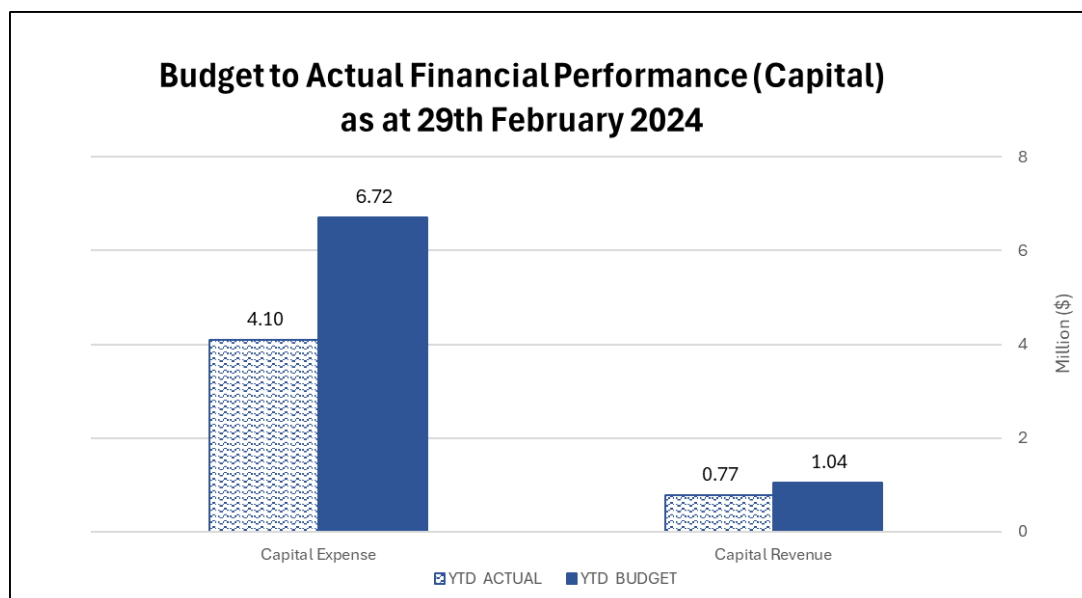
This financial report for the period ended 29 February 2024 is prepared considering accrued interest on borrowings (loans) and prepaid insurance premiums.

### BACKGROUND

The following charts and table provide a high-level summary of the Council's year to date financial performance as at 29 February 2024.







**STATEMENT OF FINANCIAL ACTIVITY – BY NATURE FOR THE PERIOD TO 29 FEBRUARY 2024**

The table to follow provides a summary of the year-to-date Statement of Financial Activity by Nature, to 29 February 2024. The detailed Statement can be found in the attached Monthly Financial Report.

**STATEMENT OF COMPREHENSIVE INCOME – BY NATURE AND TYPE FOR THE PERIOD TO 29 FEBRUARY 2024**

As detailed in the Statement of Comprehensive Income by Nature and Type, operating income and expenses have varied to the Adopted Budget as follows:

Description	YTD Adopted Budget \$	YTD Actual \$	Variance \$	Variance %
<b>Operating Income</b>				
<b>Rates (including Annual Levy)</b>	58,917,371	59,716,999	799,628	1.36%
<b>Service Charges</b>	5,868	12,680	6,812	116.09%
<b>Op. Grants, Subsidies &amp; Contributions</b>	2,420,176	1,677,649	(742,527)	(30.68%)
<b>Fees and Charges</b>	17,490,483	18,157,072	666,589	3.81%
<b>Interest Earnings</b>	2,035,610	2,257,490	221,880	10.90%
<b>Reimbursement Income</b>	1,039,705	1,045,092	5,387	0.52%
<b>Other Income</b>	588,111	560,513	(27,598)	(4.69%)
<b>Total</b>	82,497,324	83,427,495	930,171	1.13%



<b>Operating Expenses</b>				
<b>Employee Costs</b>	(29,456,485)	(28,022,303)	1,434,182	4.87%
<b>Employee costs - Agency Labour</b>	(585,745)	(722,916)	(137,171)	(23.42%)
<b>Materials and Contracts</b>	(20,414,028)	(19,228,570)	1,185,457	5.81%
<b>Depreciation - Non-Current Assets</b>	(14,928,353)	(14,927,493)	860	0.01%
<b>Interest Expenses</b>	(320,834)	(328,631)	(7,797)	(2.43%)
<b>Utility Charges</b>	(1,353,612)	(1,036,802)	316,810	23.40%
<b>Insurance Expenses</b>	(778,391)	(698,721)	79,670	10.24%
<b>Other Expenditure</b>	(1,405,682)	(1,168,894)	236,788	16.85%
<b>Total</b>	(69,243,130)	(66,134,331)	3,108,798	4.49%

Further explanation of material variances can be found within the Officer’s Comment section of this report.

## **FINANCIAL IMPLICATIONS**

This report is provided to enable Council to assess how revenue and expenditure are tracking against budget, and to identify any budget issues of which the Council should be informed.

## **LEGAL IMPLICATIONS**

Local Government (Financial Management) Regulation 34 requires a monthly financial activity statement and an explanation of any material variances to be prepared and presented to an Ordinary Council meeting.

## **CONSULTATION**

Nil

## **OFFICER COMMENT**

### **Summary of financial performance**

As at the end of February 2024, the City demonstrated strong financial performance with a closing funding of \$31.28m.

In summary, as at the end of February 2024, the current closing position exceeds the YTD amended budget by \$1.96m. This is mainly due to favourable variances against the year-to-date budget across the following areas:

- Increased Rates revenue of \$0.80m;
- Increased revenue from Fees and Charges of \$0.66m;
- Increased revenue from Interest earnings of \$0.22m;
- Operating expenditure underspend of \$1.43m from Employee Cost;



- Operating expenditure underspend of \$1.19m from Material and Contracts;
- Operating expenditure underspend of \$0.32m from Utility costs;
- Capital expenditure underspend of \$2.62m.

These favourable variances are offset by:



- Decreased revenue of \$0.28m recognised for Capital grants and contributions
- Decreased Reserve transfer of \$4.47m.

**Explanation of Material Variances & YTD Performance**





In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, Council adopted the level to be used in Statements of Financial Activity by Nature in the 2023-24 financial year for reporting material variances as 10% together with the minimum value of \$100,000 (Refer Item C2306-1 from Council meeting on 28 June 2023).

The material variance thresholds are adopted annually by Council and indicate whether actual expenditure or revenue varies materially from the year-to-date budget. The following is an explanation of significant operating and capital variances to budget as identified in the Statements of Financial Activity by Nature.

Building on the favourable opening net position for the year, the following items explain the City’s major variances in operating performance for this financial year, as highlighted in the year-to-date Financial Activity Statement as at 31 January 2024:

<b>Description</b>	<b>Variance Amount (\$)</b>	<b>Comment</b>
<b>Grants, Subsidies and Contributions</b>	<b>(747,527)</b>	 <b>(30.68%)</b>
<b>Major Variances:</b>		
Operate Fremantle Arts Centre	(400,000)	Timing variance: 2 <sup>nd</sup> instalment of grant to be received from DLGSC.
<b>Interest Earnings</b>	<b>221,880</b>	 <b>10.90%</b>
<b>Major Variances:</b>		
Receive investment income	214,592	Higher interest earning is mainly due to higher interest rates on investments along with higher cash holdings due to above budget revenue and underspends. Current



Description	Variance Amount (\$)	Comment
		investment markets continue to offer attractive interest rates.
<b>Employee costs - Agency Labour</b>	<b>(137,171)</b>	 <b>(23.42%)</b>
<b>Major Variances:</b>		
IT Operations Team	(62,982)	Agency labour used to cover vacant positions, offset by savings in staff establishment budget.
Parks and Landscapes Team	(42,779)	
Traffic and Engineering Design Team	(27,134)	
<b>Utility Charges</b>	<b>316,810</b>	 <b>23.40%</b>
<b>Major Variances:</b>		
Public Street lighting	196,945	Timing variance - Billing for one month outstanding
<b>Other Expenditure</b>	<b>236,788</b>	 <b>16.85%</b>
<b>Major Variances:</b>		
Contribute to the operations of Regional Resource Recovery	63,098	Timing variance: Resource Recovery Group Membership Contribution towards Operating Expenses FY2023-24
Support Community and Sporting Groups	32,272	Timing variance: Fremantle Park sponsorship
Support South Fremantle Football Club	25,000	Timing variance: License agreement has been finalised and payment is to be made for the outstanding balance from 2017-2018.
Allocate arts development funding	24,323	Timing variance: Art grants requests being reviewed and expected to be paid by year end.
Allocate Community Development funding	22,323	Timing variance: First round of community grants awarded. Payments being made on signing of agreements.
<b>Capital Grants and Subsidies/Contributions for the development of Assets</b>	<b>(279,069)</b>	 <b>(26.81%)</b>



Description	Variance Amount (\$)	Comment
<b>Major Variances:</b>		
P-11823 Design and construct-Port Beach coastal adaptation	(232,044)	Timing variance: Project is currently in aquittal phase with Department of Transport with further works on dune vegetation set to be on site in June 2024.
<b>Payment for Investment properties</b>	<b>113,547</b>	<b>62.91%</b>
<b>Major Variances:</b>		
P-12176 Install - Moores Building - Electrical	40,000	Timing Variance: contractor engaged
P-12182 Install - Arts Centre - Office climate control	22,500	Timing Variance: Pending Heritage Approval
P-12183 Install - Arts Centre - Jewellery studio ventilation	22,000	Timing Variance: Quotes have been received.
<b>Payment for Property, plant and equipment</b>	<b>1,287,212</b>	<b>44.63%</b>
<b>Major Variances:</b>		
P-12041 Program - Ticket machines	706,000	Timing Variance: Tender has been awarded and final negotiation underway and installation to be completed before end of June
P-12082 Design and construct - Brad Hardie Changerooms	200,000	The Brad Hardie Changerooms are being considered in the Hilton Park Masterplan Project. The project has been put on hold until the scope of works for refurbishment is clearly defined following engagement, use and needs analysis, functional requirements, masterplanning and budget/funding development.
P-12036 Purchase - Parking licence plate recognition cameras	180,000	Timing Variance: Included in parking machine tender, will be competed at same time.
<b>Payment for Construction of infrastructure</b>	<b>1,217,615</b>	<b>33.31%</b>
<b>Major Variances:</b>		



Description	Variance Amount (\$)	Comment
P-11823 Design and construct-Port Beach coastal adaptation	207,708	Timing variance: The works Contract for dune revegetation has been awarded and works are set to be on site in June 2024.
P-12148 Design and construct - Walyalup Koort Lighting	330,000	Timing variance: Project will commence on 13 March 2024 expected to be completed by end of April 2024.
P-12028 Program - Coastal Monitoring (South)	116,335	The Contract has been awarded, awaiting invoicing.
P-12138 Design and construct - John St Riverwall Replacement	148,041	The Contract has been awarded. Works have been put on hold whilst the City obtains approval for an Aboriginal Cultural Heritage Management Plan as part of the Conditions for the Section 18 approval for works within the Swan River.
<b>Reserve Transfers</b>	<b>(4,471,593)</b>	<b>▼ (190.72%)</b>
<b>Major Variances:</b>		
Transfer to Reserves (Restricted) – Capital	(2,953,876)	Timing variance: transfers from Mid Year budget review phased in March.
Transfer to Reserves (Restricted) – Operating	(579,836)	Timing variance: transfers from Mid Year budget review phased in March.
Transfer from Reserves (Restricted) – Capital	(878,194)	Timing variance: primarily attributed to an underspend on capital works, therefore, the required funding from Reserves is less than budgeted year to date.

### Accounting methods

The City manages its finances in line with the requirements of the Local Government Act 1995, associated regulations and Australian accounting standards.

The City carries out accounting on both an accrual basis and a cash basis.



Accrual accounting requires accounting transactions to be recognised and recorded when they occur, regardless of whether payment/receipt has been made at that time, in accordance with the Australian Accounting standards.

The City accounts for Rates, Service Charges, Interest income on term deposits, Insurance expenses and Interest expenses on borrowings (loans) & leases on an accrual basis.

The remainder of income and expenditure items are recognised and recorded at the period they are encountered.

**Budget amendments**

<b>Item</b>	<b>Account #</b>	<b>Account Details</b>	<b>2023/24 Adopted Budget</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure (Increase)/ Decrease</b>	<b>2023/24 Amended Budget</b>
1.1	Transfer the budget for 300278 P-12028 Coastal Monitoring (South) from the Capital project to the Operating Project code 200810 P-12028 Coastal Monitoring (South)					
	300278.1606	P-12028 Coastal Monitoring (South)	(31,726)		31,726	0
	300278.1609	P-12028 Coastal Monitoring (South)	(84,609)		84,609	0
	300278.3915	P-12028 Coastal Monitoring (South)	60,681	(60,681)		0
	300278.4266	P-12028 Coastal Monitoring (South)	4,650	(4,650)		0
	300278.4327	P-12028 Coastal Monitoring (South)	19,278	(19,278)		0
	200810.6823	P-12028 Coastal Monitoring (South)			(31,726)	(31,726)
	200810.6824	P-12028 Coastal Monitoring (South)			(84,609)	(84,609)
	200810.3915	P-12028 Coastal Monitoring (South)		60,681		60,681
	200810.4366	P-12028 Coastal Monitoring (South)		4,650		4,650
	200810.4327	P-12028 Coastal Monitoring (South)		19,278		19,278



1.2	<p>Fremantle Town Hall Balcony is currently unusable with components requiring repair, refurbishment and replacement. Fremantle Town Hall Balcony Refurbishment Works must be aligned to accessibility compliance, heritage requirements, future user needs, functionality and original style.</p> <p>Funding \$294k confirmed from the Local Roads and Community Infrastructure Program</p>					
	300389.4219	P-12208 Town Hall - Balcony	0	294,000		294,000
	300389.1606	P-12208 Town Hall - Balcony	0		(294,000)	(294,000)
1.3	<p>Depot Amenities</p> <p>The depot is currently serviced by temporary toilets located on the western side of the entrance road. The objectives:</p> <ul style="list-style-type: none"> <li>Remove asbestos risk from site.</li> <li>Provide fit-for-purpose toilets and showers to Works Depot Staff this FY.</li> <li>Provide fully compliant ambulant and accessible toilets and showers.</li> <li>Improve equity between WCC and Depot staff.</li> <li>Provide facilities suitable for future City use following Depot decommissioning.</li> </ul> <p>Should Council agree to this amendment the net closing position will reduce by \$250K for the current financial year to \$10,162.</p>					
		Net closing position	260,162	(250,000)		10,162
	300388.1606	P-12203 Depot - Amenities	0		(250,000)	(250,000)

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute majority required

**COUNCIL DECISION ITEM C2403-21  
(Officer’s recommendation)**

**Moved: Cr Doug Thompson**

**Seconded: Cr Geoff Graham**

**1. Council receive the Monthly Financial Reports, as provided in Attachment 1 including the Statement of Comprehensive Income, Statement of Financial Activity, Statement of Financial Position and Statement of Net Current Assets, for the period ended 29 February 2024.**

**2. Approve the following budget amendments:**



**Minutes – Ordinary Meeting of Council  
27 March 2024**



<b>Item</b>	<b>Account #</b>	<b>Account Details</b>	<b>2023/24 Adopted Budget</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure (Increase)/ Decrease</b>	<b>2023/24 Amended Budget</b>
1.1	Transfer the budget for 300278 P-12028 Coastal Monitoring (South) from the Capital project to the Operating Project code 200810 P-12028 Coastal Monitoring (South)					
	300278.1606	P-12028 Coastal Monitoring (South)	(31,726)		31,726	0
	300278.1609	P-12028 Coastal Monitoring (South)	(84,609)		84,609	0
	300278.3915	P-12028 Coastal Monitoring (South)	60,681	(60,681)		0
	300278.4266	P-12028 Coastal Monitoring (South)	4,650	(4,650)		0
	300278.4327	P-12028 Coastal Monitoring (South)	19,278	(19,278)		0
	200810.6823	P-12028 Coastal Monitoring (South)			(31,726)	(31,726)
	200810.6824	P-12028 Coastal Monitoring (South)			(84,609)	(84,609)
	200810.3915	P-12028 Coastal Monitoring (South)		60,681		60,681
	200810.4366	P-12028 Coastal Monitoring (South)		4,650		4,650
	200810.4327	P-12028 Coastal Monitoring (South)		19,278		19,278
1.2	<p>Fremantle Town Hall Balcony is currently unusable with components requiring repair, refurbishment and replacement. Fremantle Town Hall Balcony Refurbishment Works must be aligned to accessibility compliance, heritage requirements, future user needs, functionality and original style.</p> <p>Funding \$294k confirmed from the Local Roads and Community Infrastructure Program</p>					
	300389.4219	P-12208 Town Hall - Balcony	0	294,000		294,000
	300389.1606	P-12208 Town Hall - Balcony	0		(294,000)	(294,000)
1.3	Depot Amenities					



<p>The depot is currently serviced by temporary toilets located on the western side of the entrance road. The objectives:                  Remove asbestos risk from site.                  Provide fit-for-purpose toilets and showers to Works Depot Staff this FY.                  Provide fully compliant ambulant and accessible toilets and showers.                  Improve equity between WCC and Depot staff.                  Provide facilities suitable for future City use following Depot decommissioning.</p> <p>Should Council agree to this amendment the net closing position will reduce by \$250K for the current financial year to \$10,162.</p>						
		Net closing position	260,162	(250,000)		10,162
	300388.1606	P-12203 Depot - Amenities	0		(250,000)	(250,000)

**Carried: 11/0**  
**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
 Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
 Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
 Cr Doug Thompson, Cr Ingrid van Dorsen**



## 11.3 Committee and working group reports

Cr Andrew Sullivan declared a Financial interest in item AMRC2403-04, left the meeting at 7.15pm and was absent during the discussion and voting of this item.

### **AMRC2403-04 EMERGING ISSUES REPORT – DECEMBER 2023 TO FEBRUARY 2024**

<b>Meeting date:</b>	18 March 2024
<b>Responsible officer:</b>	Manager Governance
<b>Voting requirements:</b>	Simple Majority
<b>Attachments:</b>	Nil
<b>Confidential Attachments:</b>	1. Emerging Issues Summary Report (December -February)

#### **SUMMARY**

**This report highlights the relevant issues which are either current or emerging and may significantly affect the operation, financial, legal, or reputational operation of the City.**

**These matters are raised to inform the committee of any significant issues identified by officers and allow for any further feedback or questions on the actions currently being taken or under consideration to address and resolve them.**

#### **BACKGROUND**

Part of the role of the Audit and Risk Management Committee is to be aware of any significant financial, political, and corporate issues being identified by the organisation and to understand, review or advise on the possible actions to address these.

#### **FINANCIAL IMPLICATIONS**

Some of the issues and potential mitigation actions outlined in this report may include financial implications for the City. Order of magnitude estimates of financial implications based on information available at the time of the report, is included in the issues table attached.

#### **LEGAL IMPLICATIONS**

The City actively seeks legal advice and support where issues and risks identified have potential legal implications.



## **CONSULTATION**

Nil.

## **OFFICER COMMENT**

The confidential table attached with this agenda identifies the current or emerging issues which are considered significant by the organisation. Some are in action, and some are under review by the organisation and will continue to be updated to the Audit and Risk Management Committee over time.

In conjunction with the organisation's newly developed Risk Management Framework, the City's issues log will provide a consistent and effective means of tracking, managing, and resolving significant issues.

It should be noted that as the City progresses through the transitional period to the new Risk Management Framework, there are a number of issues covered on both the issues log and the current Corporate Risk Register.

The City's emerging issues log is populated and maintained by officers. This document is maintained live in the City's corporate document management system and is reviewed and discussion by the Executive Leadership Team as a standing agenda item monthly.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

### **COUNCIL DECISION ITEM ARMC2403-04 (Committee recommendation)**

**Moved: Cr Jenny Archibald**

**Seconded: Cr Geoff Graham**

**Council receive the emerging issues report for December 2023 to February 2024.**

**Carried: 10/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**

**Cr Andrew Sullivan returned to the meeting at 7:16pm.**



## 11.4 Statutory reports

Cr Jemima Williamson-Wong declared a Financial interest in item C2403-19, left the meeting at 7.16pm and was absent during the discussion and voting of this item.

### C2403-19 SCHEDULE OF PAYMENTS –FEBRUARY 2024

<b>Meeting date:</b>	27 March 2024
<b>Responsible officer:</b>	A/Procure to Pay Team Lead
<b>Voting requirements:</b>	Simple Majority
<b>Attachments:</b>	1. Schedule of Payments and Listings 2. Purchase Card Transactions <i>Attachments viewed electronically</i>

#### SUMMARY

**The purpose of this report is to present to Council a list of accounts paid by the Chief Executive Officer under delegated authority for the month ending 29 February 2024, as required by the *Local Government (Financial Management) Regulations 1996*.**

**This report recommends that Council accept the list of payments made under delegated authority and accept the detailed transaction listing of Purchase Card expenditure.**

#### BACKGROUND

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's municipal or trust fund. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid under delegation for the month of September 2023, is provided within Attachments 1 and 2.

#### FINANCIAL IMPLICATIONS

A total of \$8,116,104.95 in payments were made in the month of February 2024 from the City's municipal and trust fund accounts.

#### LEGAL IMPLICATIONS

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

*13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*



- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -
  - (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.*
  
- (2) *A list of accounts for approval to be paid is to be prepared each month showing
  - (a) for each account which requires council authorisation in that month -
    - (i) the payee's name;
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction; and
  
  - (b) the date of the meeting of the council to which the list is to be presented.*
  
- (3) *A list prepared under sub-regulation (1) or (2) is to be -
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.*

## CONSULTATION

Nil

## OFFICER COMMENT

The following table summarises the payments for the month ending 29 February 2024 by payment type:

<b>Payment Type</b>	<b>Amount (\$)</b>
<i>Cheque / EFT / Direct Debit/International Payments</i>	\$ 5,406,204.46
<i>Purchase card transactions</i>	\$ 40,194.13
<i>Salary / Wages / Superannuation</i>	\$ 2,669,706.36
<b>Total</b>	<b>\$ 8,116,104.95</b>

Attachment 1 provides a detailed listing of the payments by Cheque, EFT and Direct Debit, while Attachment 2 provides a detailed listing of Purchase Card transactions for the month ending 29 February 2024.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required



**COUNCIL DECISION ITEM C2403-19**  
**(Officer's recommendation)**

**Moved: Cr Doug Thompson**

**Seconded: Cr Fedele Camarda**

- 1. Accept the list of payments made under delegated authority, totalling \$8,116,104.95 for the month ending 29 February 2024 including the Cheque /EFT/ Direct Debits/ International Payments as contained within Attachment 1.**
- 2. Accept the detailed transaction listing of Purchase Card expenditure, totalling \$ 40,194.13 for the months ending 29 February 2024, as contained within Attachment 2.**

**Carried: 10/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Fedele Camarda, Cr Ben Lawver,  
Cr Frank Mofflin, Cr Doug Thompson, Cr Ingrid van Dorsen**

**Cr Jemima Williamson-Wong returned to the meeting at 7:18pm.**



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

Nil.

## 13. Urgent business

Nil.

## 14. Late items

Nil.

## 15. Confidential business

### **COUNCIL DECISION**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

**That the meeting be moved behind closed doors to consider the confidential items on the agenda.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorssen**

**At 7:17pm there were no members of the public at the meeting at this time.**





## ARMC2403-6 CONFIDENTIAL INFORMATION REPORT – MARCH 2024

### 1. FREMANTLE LEISURE CENTRE INCIDENT REPORT UPDATE – FEBRUARY 2024

<b>Meeting date:</b>	18 March 2024
<b>Responsible officer:</b>	Manager Community Development
<b>Voting requirements:</b>	Simple majority
<b>Attachments:</b>	Nil
<b>Confidential Attachments:</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:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person

#### **COUNCIL DECISION ARMC2403-6** **(Officer's Recommendation)**

**Moved: Cr Geoff Graham**

**Seconded: Cr Andrew Sullivan**

**Council receive and note the confidential information report provided by officers in relation to the incident that occurred at the Fremantle Leisure Centre.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Geoff Graham,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorssen**



**Cr Geoff Gramham declared a Financial interest in item C2403-22, left the meeting at 7.20pm and did not return.**

**C2403-22            FREMANTLE PARK SPORT & COMMUNITY CENTRE**

**Meeting date:** 27 March 2024  
**Responsible officer:** Manager Economy and Commercial  
**Voting Requirements:** Council  
**Confidential attachments:** 1. Fremantle Park MOU and Business Plan

**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:

- (a) a matter affecting an employee or employees
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

**COUNCIL DECISION C2403-22**  
**(Officer’s Recommendation)**

**Moved: Cr Ben Lawver**

**Seconded: Cr Jenny Archibald**

**Council:**

- 1. Authorise the Chief Executive Officer to negotiate and enter into an agreement with Fremantle Park Sport & Community Centre Inc. that seeks to provide support to the club under a temporary caretaker arrangement.**
- 2. Note that the provision of support under a caretaker arrangement is subject to Fremantle Park Sport and Community Centre Inc. agreeing to the conditions associated with the recommended option outlined in the report.**
- 3. Request the Chief Executive Officer undertake a review of and make required changes to the current business plan in line with the conditions associated with the recommended option outlined in the report, noting the updated business plan will be presented to council for approval prior to the end of the 2-year caretaker period.**



- 4. Note any costs to the City as a result of the proposed caretaker arrangement will be presented to council for consideration and approval as part of the 2024/25 budget process.**

**Carried: 10/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Jemima Williamson-Wong,  
Cr Fedele Camarda, Cr Ben Lawver, Cr Frank Mofflin,  
Cr Doug Thompson, Cr Ingrid van Dorsen**

## **16. Closure**

**The Presiding Member declared the meeting closed at 7:22pm.**