



# Minutes

## Ordinary Meeting of Council

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Wednesday, 25 August 2021, 6.00pm

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## ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council  
held in the North Fremantle Community Hall  
on **Wednesday, 25 August 2021** at 6.00 pm.

### 1 Official opening, welcome and acknowledgment

The Presiding Member declared the meeting open at 6.00 pm and welcomed members of the public to the meeting.

### 2 Attendance, apologies and leave of absence

#### 2.1 Attendance

Cr Andrew Sullivan	Deputy Mayor/South Ward
Cr Marija Vujcic	South Ward
Cr Doug Thompson	North Ward
Cr Rachel Pemberton	City Ward
Cr Adin Lang	City Ward
Cr Jenny Archibald	East Ward
Cr Geoff Graham	Beaconsfield Ward
Cr Hannah Fitzhardinge	Beaconsfield Ward
Cr Sam Wainwright	Hilton Ward
Cr Frank Mofflin	Hilton Ward
Mr Glen Dougall	A/Chief Executive Officer
Mr Matt Hammond	A/Director City Business
Ms Michelle Brennand	Director Community Development
Mr Paul Garbett	Director Strategic Planning and Projects
Mr Graham Tattersall	Director Infrastructure
Ms Charlie Clarke	Manager Governance
Mr Paul Dunlop	Manager Communications and Events
Mr Jay Ellis	Manager Customer Experience and Learning
Mr David Janssens	Manager Infrastructure Engineering
Mr Luke McGuirk	Engineering Team Leader
Ms Aimee Sabbatino	Events Coordinator
Ms Melody Foster	Executive Assistant/Meeting Support Officer

*There were approximately 15 members of the public and 2 members of the press in attendance.*

#### 2.2 Apologies

Nil

## **2.3 Leave of absence**

Cr Su Groome                      East Ward  
Cr Bryn Jones                      North Ward

## **3. Applications for leave of absence**

Nil

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

Cr Adin Lang declared a impartiality interest in item number FPOL2108-8, as he is a member of the club.

Cr Frank Mofflin declared a impartiality interest in item number FPOL2108-8, as he is a member of the club.

Cr Geoff Graham declared a impartiality interest in item number FPOL2108-8, as he is a member of the club.

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

The following questions were taken on notice at the last Ordinary Meeting of Council held on Wednesday, 28 July 2021:

### **Questions received from Brian Jury**

#### **Questions 1**

Rate revenue has grown from 27Mil in 2010 to 46Mil in in 2020 an increase 70%. Can the council please advise how much of the increase was organic growth from new properties and how much was due to rate increases on existing ratepayers?

#### **Response to question 1:**

Rate revenue is calculated by multiplying a property's valuation by the differential rate in the dollar set by Council.

The valuation of property is determined by the Valuer General at Landgate, a separate organisation to the City of Fremantle.

Between FY09/10, the valuation of property within the City of Fremantle as determined by the Valuer General, increased from \$331,253,260 to \$550,840,835 and total number of rateable properties from 14,036 to 16,538. The average annual increase in the Valuer Generals property values across this period equates to 1.3% per annum.

The City of Fremantle's differential rate in the dollar, which varies according to property type, has on average increased by 4.2% per annum across the 'Residential Improved' rate category over the period FY09/10 to FY21/22.

#### **Questions 2**

Can the council please give a brief comparison of the rate increases since 2010 when compared to

- a. CPI
- b. Average Weekly earnings

c. Local Govt Cost Index

**Response to question 2:**

This information has been provided in the graph below.



**Questions 3**

The 10-year plan currently shows rate revenue increasing to 66 mil by the end of 2025 which is an increase of 32% over the current revenue of 50 mil. Is this forecast still current and if so, what is the split of the projected increase to Rate increase and organic growth? In short what are the projected rate increases say for the next 4 years?

**Response to question 3:**

The forecast is no longer current. We anticipate an updated Long-Term Financial Plan (LTFP) to be adopted by Council later this year.

**Questions 4**

The 10-year plan also has revenue from fees & charges increasing to 34 Mil by 2025 which is around 54% of current revenue around 22Mil. Is this still the current forecast and what is the plan to get there in 4 years?

**Response to question 4:**

As detailed in the plan the previous forecast included:

- projected rates from new developments to a value of \$3.6m of new rates.
- a 3% increase per year which included a proposed new car park and commercial rent from tenancies in the new civic centre.
- The forecast is due to be updated and we anticipate an updated Long-Term Financial Plan (LTFP) being adopted by Council later this year.

### **Questions 5**

In an email reply to me on the 30/6 the council stated “After receiving submissions from the community, Council made the decision that in order to meet community expectations “an increase over and above the advertised rate was required. Can the council give a brief explanation how it came to this view after reviewing 8 submissions which all unambiguously called for a smaller or no rate increase?”

#### **Response to question 5:**

The rates in the dollar of 3.95% increase to be adopted in budget 2021/2022 have varied to the advertised rates in the dollar of 3.25% due to the City’s intention to address the backlog of asset renewal required because of its aging infrastructure. The increased rates will help fund additional asset renewal projects and City’s operating expenses with respect to planned and preventative maintenance of its infrastructure assets.

### **Questions 6**

Can council please provide a brief explanation as to why the accelerated program of asset renewal was not included in the original budget that was used for the advertised rates. What changed between April and June?

#### **Response to question 6:**

Rates advertised in accordance with the draft LTFP. Due to timing and ongoing uncertainty, the plan had not been revised with regards to the full effects of COVID-19 and loss of \$8m in revenue between FY19/20 & FY20/21.

Review team prioritised asset projects in accordance with available funding in draft LTFP. The compounding impact of loss of revenue has an impact on asset management over the longer term that is not sustainable. Council workshopped

strategies to address declining asset sustainability resulting in requirement for additional funds, in the absence of alternate funding sources, rates have been increased by more than forecasted in the draft LTFP.

### **Questions 7**

Can council please give a brief description of how it arrived at an interest rate of 5.5% for people taking the payment option. If the council wants to truly “ease the burden by offering a payment option” why is gouging on the interest rate?

#### **Response to question 7:**

The City of Fremantle's interest charged on rates paid by instalment is in accordance with the Local Government (Financial Management) Regulations 1996 section 6.45(3).

### **Questions 8**

Can council advise how many, if any, (say since 2010) properties it has taken possession of and sold to recover unpaid rates?

**Response to question 8:**

Council will actively pursue the recovery of rates arrears as specified in the Local Government Act 1995 however as per City policy Debtor Management, this is done as a last resort and has occurred on one occasion during this period.

**Questions 9**

At the recent 10 nights in free event I note Councillor Lang enjoyed a bath on South Mole for the cost of \$45

Can the council please advise?

- a. Who delivered the "event"?
- b. How were they selected?
- c. What was the total cost?
- d. How much of that cost was recovered via ticket sales?
- e. In short how much did the councillors bath cost ratepayers?

**Response to question 9:**

Councillor Lang purchased his own ticket to attend Soak and Steam at Fremantle Festival: 10 Nights in Port.

The City of Fremantle produces and delivers 10 Nights in Port. The City commissioned Artist Jesse Lee following the artist commissioning procedure. The cost and income for this event is included in the operational Fremantle Festival budget.

**Questions 10**

I noted that information that is required under the act was not provided within the rate notice nor in a document accompanying it.

If a local government imposes a differential general rate or minimum payment that differs from the rate set out in the public notice, the Local Government (Financial) Regulations states:

- o Include details of the rate or minimum payment advertised and reasons for the difference in the annual budget; and
- o Include details of the rate or minimum payment advertised and reasons for the difference in the rate notice or in a document accompanying the rate notice.

Why was the information required by the regulations not included with the rate notices?

**Response to question 10:**

Information was provided in accordance with relevant legislation in the 2021-22 Annual Rate brochure that was included with physical paper notices or as a link with the notices delivered (as per the ratepayer's selection) by eRates or BPay.

**Questions received from Andrew Luobikis**

In response to my questions below from previous meetings and in specific to the chart showing the percentage increase over the last 12 years. In fact, I purposely put in an obvious error for the current 2021/2022 year as 1%, not the 3.95% actual approved by the City.



When this was advertised the rate in the dollar was 0.084602 with min \$1388 (3.14%). It actually increased from the 8 May 2021 advertising to 3.95% with a rate in the dollar of 0.085176.

**Question 1**

Why was this not corrected after it had been presented at two meetings?

**Response to question 1:**

The City will only seek clarification if an error in the question means that it is incomprehensible and cannot be answered in its original form.

**Question 2**

Why did the rate increase without being advertised again prior to final adoption?

**Response to question 2:**

The *Local Government Act 1995* allows council to advertise its intention and decide when setting the budget. That was the process followed on this occasion.

**Question 3**

Why does the council keep cutting ratepayers amenity items in the budget, whilst at the same time waiving debts without expecting future payment, approving frivolous grants for street parties Etc, or no expenditure cuts in wages or employment?

Is this not unsustainable for Ratepayers to have year on year above CPI increases especially in tough times and most residents have not seen pay increases in years?

**Response to question 3:**

Please provide some additional information about the specific amenities referred to.

**Questions received from Mark Woodcock**

**Question 1**

In the Minutes of the Annual General Meeting of Electors Monday, 21 June 2021, 6.00pm, it stated on pg. 13, "The following questions that were not provided with an interim answer at the meeting were taken on notice.

A written response will be provided to the speakers and recorded in the Ordinary Meeting of Council agenda of 28 July 2021." Can the council please point to the answers in this meeting agenda, where it said the answers would be published?

**Response to question 1:**

Answers to the questions raised at the Annual General Meeting of Electors on 21 June 2021 were published in the report "C2107-1 – Acceptance of Minutes and consideration of Motions from the Annual General Meeting of Electors Held on Monday 21 June 2021", beginning on page 47, in the agenda of the Ordinary Meeting of Council, 28 July 2021.

**Question 2**

On the reported budget for 2 Jones St. The Project Budget for Financial Year 2016/17 is \$3,000,000. Twenty percent of this budget has been committed to architectural/superintendency and sub consultants to design and implement compliance

requirements for the life of the project. In the Key Project Risks. Schedule risk. Financial risk. Increase in consultant fees due to investigation of additional design options.

- a. How much was spent on consultants for a project that was not completed?
- b. How much of reported \$3 million dollars spent on this project and what value has it brought the rate payers?

**Response to question 2:**

To date, the City has spent approx. \$162k on consultants and studies – the earlier works included a high-level site evaluation, site testing and some remediation (at Knutsford Street).

This spend includes development of initial concepts for location and space use evaluation in anticipation of a potential depot renewal project (for both the Knutsford St and Jones Street sites).

The project is currently progressing through service level and delivery model reviews. Officers would look to recommence option appraisals for future consideration by Council at the conclusion of these works.

**Question 3**

On the Jones St, topic, Jan 2017 meeting, the risk assessment, didn't mention asbestos contamination or ground contamination, why not?

No questions were recorded on this report in the minutes. Is an independent investigation needed into the purchase and management of this project to ensure the mistakes that have cost the city millions in losses aren't repeated?

**Response to question 3:**

The report to the Strategy and Project Development Committee (16 January 2017) listed the following – as Key Project Risks:

- *Schedule risk. Late completion of Project due to delay in option confirmation;*
- *Financial risk. Increase in consultant fees due to investigation of additional design options, funding of the entire project; and*
- *Operational / Functional Risks associated with a reduced project cost.*

This was a high-level project summary - not a detailed risk assessment.

The City is aware of the site condition and Asbestos Containing Material (ACM) at 2 Jones Street. ACM's at the site are managed and continues to be managed and monitored in line with the City's normal statutory / maintenance obligations.

**Question 4**

At the Annual General Electors Meeting an issue of holes in Hampton Road was raised, the same issue was raised last Annual General Electors meeting, when will the holes be repaired so it lasts more than a few months?

**Response to question 4:**

Temporary repairs for potholing are typically used until a suitable budget is allocation for a longer-term solution.

The City's Asset Management team monitor the condition of the City's assets and develop prioritised programs of work for Council to consider as part of the annual budget / grant application process. The condition of Hampton Road has been recorded and is listed for improvement within the 10-year financial plan.

### **Questions received from John Dowson**

#### **2 Jones Street.**

##### **Question 1**

What is the total remediation costs.

##### **Response to question 1:**

The estimated cost for the removal of the asbestos cladding/roofing from 2 Jones Street is approx. \$140k. A project cost for full remediation and redevelopment will be determined once a preferred option for use is established.

##### **Question 2**

Can the public have access to following confidential documents?

AC1604-1

SGS1404-6

FPOL1808-11

##### **Response to question 2:**

Yes, these documents may be released to the public upon request, however, any attachment that has been created or contains confidential information of a third party, will require an FOI application.

##### **Question 3**

- a. Is it true that the tenant paying over \$600,00 a year rent for the site when purchased was related to the owner?
- b. If that link was not known why not?
- c. Did City review rental records before making an offer of \$7.8m well above council's own valuation of \$7.1m?

##### **Response to question 3:**

The property was leased by Fremantle Freight & Storage Pty Ltd. Fremantle Freight & Storage Pty Ltd occupied the entire property under an existing lease, with the exception of a former boardroom within the office (approximately 44 square metres) which was used by the owner for storage; and portion of the rear offices which were occupied by Quayside Transport under a sub-lease.

The City undertook all usual due diligence associated with the purchase of a property prior to purchasing the site.

##### **Question 4**

In retrospect how successful has the purchase been in fulfilling One Planet Strategies?

##### **Response to question 4:**

As the site has yet to be developed for its intended purpose, the site's role in achieving one planet strategies cannot yet be assessed.

**Question 5**

Why did council's business plan fail to address issues of asbestos?

**Response to question 5:**

Site contamination was considered as part of due diligence activities carried out as part of the sale process.

**Question 6**

When was report sought on 22 August 2018 by councillors seeking sale of 2 Jones Street presented to council and why hasn't it yet been sold?

**Response to question 6:**

A report is yet to be presented to Council as officers are still considering future use or disposal of the site. Any decision to dispose of this site would need to be based on a sound financial outcome for the City and the market conditions required to achieve this.

**Questions received from Craig Ross**

**Question 1**

Construction work in progress as at 30 June 2021 is \$62m – comprising the amount to 30 June 2020 of \$38.4m plus the amount to 30 June 2021 of \$23.6m. How much of this \$62m amount relates to the total civic centre project capital work in progress as at 30 June 2021?

**Response to question 1:**

The City of Fremantle is currently finalising its FY20/21 end of year financial position. Once this position has been finalised and audited by the Office of the Auditor General, the requested figure will be made public.

**Question 2**

Adding project extracts from the capex listing attachments the total civic centre project capital work in progress at 30 June 2021 approximates \$52m and 90% complete and with more significant costs to come. Why has City response indicated that the \$50m budget has not been exceeded?

**Response to question 2:**

Total costs incurred for construction of the Civic Centre & Library Building at 30 June 2021 were \$40,451,025. Remaining project costs are forecast at \$4,836,233 for delivery of the building at a total cost of \$45,287,258. Separate from the Civic Centre & Library Building construction are a number of projects, related to the Walyalup Koort precinct. These projects have approved budgets, separate from the Civic Centre & Library Building budget.

**Question 3**

As the City's disclosure for Capital Works in Progress is non-compliant, when will the statement of financial position be corrected?

**Response to question 3:**

We will work with the Auditors to provide that for 30 June 2021. We are working with the City's Auditors in relation to this issue.

**Question 4**

The response to the questions about the expected lease income over the next 10 years for the commercial lease areas in the civic centre is unsatisfactory. Why can't an estimate be provided of expected lease income or best -worse case range?

**Response to question 4:**

Based on the number of tenancies available, the particular uses/segments proposed for each, and the market conditions/expectations associated with each of those segments (i.e. retail, office, hospitality), conservatively the City would expect that if all spaces were leased, up to \$6 million in rent could be generated over a 10 year period. This could increase if market conditions were to improve. However, this does not take into account further capital investment or fit out contributions required from the City in order to lease the spaces in the current market.

**Question 5**

An unaudited profit of \$11.6m profit was adopted by council in July 2020 and yet an operating loss of \$8.5m appeared in the audited financial statements with no explanation of changes.

Will council provide explanation in the monthly agendas for changes made to the FY20/21 operating results presented tonight (28 July 2021) and the final results in the audited financial statements?

**Response to question 5:**

A comparison has been made between two different financial statements.

The first being the City of Fremantle's Statement of Comprehensive Income for the year ended 30 June 2020 (as contained in the FY20 Annual Financial Report) which records an operating result of \$-8,483,120.

The Monthly Financial Report as at 30 June 2020 (adopted by Council in July 2020) provides an extract of the City's Rate Setting Statement and records an estimated profit of \$11.6m. The Rate Setting Statement includes both operating and capital activities undertaken by the City.

**Questions received from Hans Hug on behalf of the Fremantle Chamber Orchestra**

**Question 1**

Given the information previously provided to Council regarding the Fremantle Chamber Orchestra (FCO) and in particular FCO's contribution to the City of Fremantle:

Can Council explain why the long-standing subsidy to the FCO for the hire of the Town Hall has apparently been withdrawn?

**Response to question 1:**

The City has provided ongoing and recurrent financial support for the hire of the Town Hall to the Fremantle Chamber Orchestra from 2005 – 2018 through a number of arrangements including subsidy (2005 – 2014), grants and fee waivers.

From 2018 the City has been unable to provide the Fremantle Chamber Orchestra with the Town Hall venue due to the construction of the Walyalup Civic Centre.

### **Question 2**

Can Council explain why the City's previous support and cooperation has apparently been withdrawn?

### **Response to question 2:**

The Grants and Sponsorship Policy adopted on 12 May 2021 supports one off, ad-hoc grant, sponsorship and funding requests. This request sits outside of Policy.

Requests that sit outside of Policy can be submitted to Council for consideration.

The request from the Fremantle Chamber Orchestra was considered at the August Finance Policy and Legislation (FPOL) Committee meeting via an Officer Report on Annual Sponsorship Arrangements.

### **Question 3**

Given full Council previously voted to grant FCO subsidised use status, 15 years ago, and that this decision has been automatically applied every year since, is it the case that it would require a rescission motion to be passed by full Council for the subsidised use status to be revoked?

### **Response to question 3:**

The City has historically been strongly supportive of the orchestra, to the extent that we have waived hire fees for all FCO concerts held at the town hall since 2005 (see details below).

The cost of cleaning the hall and other maintenance is considerable and it is considered reasonable that hall users – such as the orchestra, which charges a fee to patrons attending its concerts – contribute nominally to the cost of maintaining the venue to ensure it continues to be available for uses of this nature.

Council has previously only approved subsidised use of the Town Hall by the Fremantle Chamber Orchestra for a period of four years when the Orchestra have requested a subsidy outside of the relevant City policy. All decisions of Council in this matter have expired so there is no ongoing direction of council that will need to be revoked.

The Fremantle Chamber Orchestra requested a 100% subsidy outside of the 2010 policy (policy allowed for a 100% subsidy if the Town Hall was hired from Monday to Wednesday and a 50% subsidy on other days) so the decision was referred to Council. Council determined the following:

*The Fremantle Chamber Orchestra is granted a 100% subsidy off the hire fee of the Town Hall to hold up to three public concerts for the next four subsequent years.*

A previous subsidy was granted to the Fremantle Symphony Orchestra at the Council meeting of the 20 December 2006. At this meeting Council granted a 100% subsidy off the hire fee of the Town Hall for the Symphony Orchestra concerts in 2006 and the next 4 subsequent years. Council determined the following:

1. *Council support the request to refund \$252 being the hire fee paid for the Fremantle Chamber Orchestra's performance at the Town Hall on the 12 th November 2006 (50% subsidy was granted).*

2. *The Fremantle Chamber Orchestra is granted a 100% subsidy off the hire fee of the Town Hall to hold up to three public concerts per year for the next four subsequent years.*

### **Questions received from Elizabeth Megroz**

#### **Question 1**

During the last year the responses provided by the city to the questions I have asked have been unsatisfactory or the questions remain unanswered.

- a) Is this way of responding by the City considered to be a fair or transparent method of communication by the City of Fremantle?
- b) Why are some questions unanswered and responses received not related to the relevance of the questions asked?
- c) Why was the above question and the one below not Minuted?

#### **Response to question 1:**

The City has provided a complete list of your 92 (not including your questions listed here) questions asked in the last 12 months and their response to you via email with a request that you advise the City of any questions that have not been responded to so that the City may provide a response.

The City provides responses to the best of its ability but cannot guarantee that a response will be acceptable to the questioner.

The City provide further information if the questioner believes that the City has misunderstood the question.

The City does not record statements made during public question time and where possible will remove statements made during questioning to ensure that those members of the public who make statements are treated in the same way as members of the public who ask questions.

#### **Question 2**

The example to illustrate the above point was:

*Per note 9 a) of the 2020 Financial Report, in the 4<sup>th</sup> column, buildings non-specialised, the gross carrying amount brought forward at 1 July 2019 was \$125,492,999. Additions were \$5,843,811 and disposals were \$6,841,877. This would give a gross carrying amount at 30 June 2020 of \$134,494,933. Why is the gross carrying amount shown as \$265,143,718? Where has the gain of \$120,648,785 come from?*

The City response was to highlight a typographical error only: being the amount of 134,494,933 instead of \$144,494,933 (agenda 23 June 2021), while ignoring the purpose for an explanation of the question submitted.

This question and 4 other questions were resubmitted at the AGME.

Why was it not Minuted?

This question is now asked for the 3<sup>rd</sup> time; 1. Ordinary Meeting of Council 26 May 2021, 2. AGME 21 June 2021 and 3. Today at the Ordinary Meeting of Council 28 July 2021.

*Please explain how the One Planet sustainability philosophy and its living principles apply having to front up in person 3 times to ask the same question? A question in this regard was asked at the Ordinary Meeting of Council 24 March 2021.*

*Your response was as follows: "the context of this query is not clear, could you please provide some further detail?"*

How does the City justify this action under the One Planet policy and strategy (forcing ratepayers to behave in a more unsustainable way by giving up more time than necessary and travel by car to ask a question?)

**Response to question 2:**

The Minutes of Council meetings are a summary only and the City does not capture statements made at the meeting by either members of the public or elected members as verbatim statements. When a question is unclear the questioner will be asked if they can provide more information or context to allow the City to answer the question in full.

Responses to questions, including the request for clarification is emailed to the questioner as well as appearing in the Minutes of the meeting. A questioner does not need to attend a meeting to ask a question of the City the City will respond to questions received outside of the meeting processes.

**Question 3**

I sought clarification 3 times as to where specifically the amount of \$42,250 for Artist Exemptions of the 2020 – 21 Annual Budget is recorded:

*25 November 2020*

*Please indicate where the Artists costs that were budgeted and approved at the 8 July 2020 Special Council Meeting are documented?*

*9 December 2020*

*October 2020 Exemption Category, p. 78 in the Ordinary Meeting of Council:*

a) *Please indicate the page no. in the attachments of the Special Council meeting documents where the Artists Exemptions that have been budgeted and approved are recorded.*

*24 March 2021*

*ARMC2011-8 Purchasing Policy Exemptions August to October*

*Given that page 48 of the 2020-21 Annual Budget does not budget and record the amount of \$42,250 for Artist Exemptions, would you indicate where it was recorded.*

Where (including page number) was the amount of \$42,250 for Artist Exemptions of the 2020-21 Annual Budget recorded, and for which arts project?

Who was responsible for awarding the commissions, what was the process and where is the documentation?

**Response to question 3:**

25 November

***Response provided in 9 December agenda***

*"In the attachments of the Special Council meeting documents"*

9 December

**Response Provided in 27 January agenda**

"Artist exemptions are reported quarterly at each Audit and Risk Management Committee and are then reported at the following Ordinary Meeting of Council. Agenda - Ordinary Meeting of Council 27 January 2021 Page 8



Engagement of artists is conducted by officers in line with the City's purchasing policy and artist commissioning procedure.

The artist commissioning procedure outlines each program that engages artists and outlines targets, links to the Strategic Community Plan, selection process, and who can approve the commission (whether it be a panel or Director)."

### Additional Response provided 24 March 2021 agenda

#### Response

- a) Individual Capital Project budgets for events can be found on page 48 of the 2020 -21 Annual Budget (see below).

Office of the Chief Executive							
<b>Festivals Team</b>							
Base Operating - Conduct heritage festival(Quarantined)	100398	N	20,000				20,000
<b>Fremantle Arts Centre Team</b>							
Base Operating - Conduct Print award exhibitions (Quarantined)	100418	N	42,800				42,800
P-10848 Program-In Cahoots art exhibition	200344	Y	112,009	-	112,009	-	-
P-11729 Program-Reveal Aboriginal Artist 2020	200488	Y	180,047	-	155,047	25,000	-
P-11945 Program-Reveal Aboriginal Artist 2021	200789	N	250,000	-	-	250,000	-
<b>Subtotal - Office of the Chief Executive</b>			<b>604,856</b>	-	<b>267,056</b>	<b>275,000</b>	<b>62,800</b>

### 24 March 2021

We cannot find any record of this question being asked again at this meeting.

### Questions received from Adele Carles

#### Question 1

At the Electors Meeting last month, Director Infrastructure, told us that the fit out was 90%-95% completed, incl carpets, some furniture etc. However, in written answers to this issue, you state that the remaining works for the building included:

"General interior fit out works, including carpet installation, painting and cabinetry works."

Is the fit out 90% complete or is it part of the remaining works yet to be done?

#### Response to question 1:

The internal fit out works are now at approx. 95% complete overall. Approx. 5% is part of the remaining works still to be done.

#### Question 2

Ongoing financing of the construction since the collapse of Pindan on 19 May:

How much of your remaining construction budget of \$3.64 Million has now been spent?

Have you spent any of the retained bonds of around \$3,673,000? If yes, how much has been spent and for what purpose?

#### Response to question 2:

As of June, the City has paid \$40,451,233 against the construction project.

- \$828,920 has been spent against the bonds, this is mainly against the façade, glazing and mesh works.
- The remainder is spend against the remaining original works budget.

## 6. Public question time

**Mark Woodcock** provided the following questions on notice:

1. In respect to the civic centre building project, what are the current known building construction defects, who is liable and responsible for rectification (is it the City, CDI Group or novated subcontractors), including such items as the impact of the rain ingress affected areas (i.e., electrical installation issues in the basement area) and other defects? It's reported that the water table has aided in the flooding of the old basement, has the water table been an issue before for this location? Has construction work of the building damaged the integrity of this area. If so, who is liable for the repair work?
2. Has the fire protection installation and suppression system in the Fremantle Town Hall and the civic centre been completed yet, and if not and in the event of a fire what legal risks is the City exposed to and liable for, and is insurance in place to cover the impact of such fire risks? What are the additional expenses for this work and the changes needed and how does this impact the budget?

**Elisabeth Megroz** asked the following questions 1 and 2 and provided questions 3 - 9 on notice:

1. Page 28 of the Index of Notes to the Financial Report for the Year ended June 2020 (meeting attachments AGME 21 June 2021), Buildings - non specialised in the 4th column: Please demonstrate how you arrived at the figure of \$265,143,718 (the gross carrying amount 30 June 2020); given the gross carrying amount brought forward at 1 July 2019 was \$125,492,999, additions were \$25,843,811 and disposals were \$6,841,877? Can you account for the gain of \$120,648,785?
2. Given the Financial Report was not accepted at the AGME 21 June 2021, is there an amended Financial Report available? If not, when will it be made available?
3. Which one of your different versions of advice in relation to questions taken on notice is correct:

Page 15, Agenda 25 August 2021:

**Responses** to questions, including the request for clarification is emailed to the questioner as well as appearing in the Minutes of the meeting. A questioner does not need to attend a meeting to ask a question of the City the City will respond to questions received outside of the meeting processes.

**Response 2.** In order to accommodate public question time requirements during the Covid-19 related lockdown/limitations the process was temporarily suspended. The City has now reverted to its pre-Covid requirement that questions and statements are to be made at a meeting. A report clarifying Public Question Time processes will be presented to Council for consideration in May.

**Response 3.** Electronic questions were only received by the City during the Covid-19 related lockdown/limitations.

Questions not asked at a meeting will be responded to as general communication and will not be included in the Minutes of a meeting

4. Artists exemptions - Where in the excerpt provided does it note 'artists exemptions'? Where is the amount of \$42,250 recorded? Where is the artist's name recorded?
5. What was the total cost (including the artist's transport, accommodation, the subsequent clean up and restoration of buildings, etc,) associated with the Fremantle Biennale project Arcs d'Ellipses (Yellow Stripes) of 2017?
6. Is the Fremantle Biennale project Yellow Stripes and its associate consequences compatible with the One Planet policy/strategy?
7. For the current Fremantle Biennale project what was the selection process for the commissioning of the artists?
8. How were the ratepayers involved in the decision making process for the current Fremantle Biennale project?
9. Given Fremantle council's decision to delete the firework display component of the Blessing of the Fleet, was there community consultation to determine whether ratepayers agree with such a decision?

**Acting Chief Executive Officer, Glen Dougall provided the following response to questions 1 and 2:**

1. The City has answered that question on two occasions now and have provided a response in the current agenda.
2. The financial report that was presented to the AGME on the 21 June 2021, doesn't necessarily need to be accepted by the AGME, and no amended report will be provided as the financial statements have been provided and signed off by the Office of the Auditor General and cannot be amended.

**Craig Ross** provided the following questions on notice:

1. The total civic centre project costs have clearly exceeded the original 2012 Kings Square project business plan and revised budgets. The unwillingness to provide up to date information to ratepayers on the total expenditure continues, but now the City is using the excuse that figures are unaudited. So is now being asked for a third time. In a request for a one figure answer, of the approximate \$62m Construction work in progress amount (unaudited) as at 30 June 2021, how much relates to the entire total civic centre project construction work in progress as at 30 June 2021?
2. The CEO is responsible for the preparation and fair presentation of the annual financial information, not the auditor, so why can't the unaudited expenditure figure in question 1 be provided?
3. The Statement of Financial Position as at 31 July 2021 states 'Capital Work in Progress' as \$23m which is clearly incorrect (should be approx. \$40m higher) and when will this misleading figure be corrected?
4. In a yes or no answer, will the annual financial statements as at 30 June 2021 disclose Construction Work in Progress in the notes to the financial statements properly as required by accounting standards (AASB 116 74b)?

5. Will the annual financial statements as at 30 June 2021 disclose Heritage Buildings and Heritage Land separately in the notes to the financial statements similar to City of Perth financial statement disclosure?
6. In the Statement of Comprehensive Income for the month ended 31 July 2021, depreciation is incorrectly stated as \$2,822 rather than approximately \$0.8m, and when will this be corrected?
7. As required by local government guidelines was a fixed asset reconciliation actually prepared for the month ended 31 July 2021, and what was the depreciation amount in that movement table?
8. In the Statement of Comprehensive Income for the month ended 31 July 2021, employee costs, interest and insurance costs are all clearly incorrect and not properly accrued, and when will this be corrected?
9. The council has failed to properly respond to my question 5 (from the previous OCM 28 July 2021). To reiterate, an unaudited profit of \$11,626,192 (OCM 22 July 2020, refer Statement of Comprehensive Income, not Rate Setting Statement as council have incorrectly suggested) was disclosed in the council agenda on 22 July 2020. Yet an operating loss of \$8.5m appeared in the audited financial statements in March 2021 with no explanation of the \$20m decrease to arrive at this substantial loss. To avoid misunderstanding again by the City refer attachments provided. To prevent poor practice in the future, will council provide explanation in the monthly agendas for the changes made to the FY20/21 operating results presented in the council agenda on 28 July 2021 to the final results in the audited financial statements?
10. If no explanations are to be provided in the changes made to the FY20/21 operating results as the year end process is progressively finalised, why not?
11. Will the Audit & Risk Management Committee review the draft FY20/21 annual financial statements before being signed by the CEO, and what happens if the committee actually wants to make changes (such as preventing the poor Construction work in progress disclosure in FY19/20)?
12. Why was the sale of 7-9 Quarry Street property considered a confidential item at FPOL on 11 August 2021?
13. What financial due diligence has the council undertaken on the proposed buyer of the 7-9 Quarry Street property to ensure proposed conditions and development timelines will be met?
14. Why didn't the council engage an independent property sales agent in the sales advertisement process for the sale of the 7-9 Quarry Street property?

**Acting Chief Executive Officer, Glen Dougall provided a short response to Mr Ross's questions:**

1. The City isn't hiding behind the auditor in any way. The City has provided information in relation to the work in progress in relation to the Civic Centre, which I think was the specific questions you asked and has provided an update that we will work through the auditor in bringing the prior year, that have been signed off by the auditor to account through the work in progress for the current financial year.

2. The Quarry street item that was provided as confidential, was provided as confidential because there was information pertaining to a sale relating to a third party and Council may or may not have at that time wanted to proceed with that sale and we didn't want to disclose that confidential information. Because the Committee decided that they would provide a positive recommendation forward to Council, officers decided to rewrite the item slightly to remove significant confidential information whilst also providing the pertinent information in accordance with the sale proceeds which is a) the price and b) the valuation.
3. The due diligence as far as timelines go, would be included in the contract of sale. So, the contract of sale would require the purchases to abide by those timelines, like other sales in the past that Council have proceeded with.
4. The independent real estate agent wasn't required initially because Council went through a) an auction process and b) an expression of interest process earlier this year and at that point we didn't decide to undertake the process required to use a real estate agent.

**Jason Amaranti** asked the following questions:

1. I can see that there is a budget and plan for underground power for Hilton. Will this be for all of Hilton. What is the plan and budget to extend underground power to Samson and O'Connor.
2. I work with a number of businesses in Murphy Street in O'Connor and they have all made comments in regards to the parking and safety in the street. Is there a plan to look at this?

**Deputy Mayor, Andrew Sullivan** provided a response to question 1:

The area is chosen by the state agency and is typically an area that suits their grid, so my understand is that it is not something we can negotiate. So, the area is the area, and we will participate in that, but its not the whole of Hilton. There is a map showing the area, but that area won't be amended.

**Director Infrastructure, Graham Tattersall,** provided a response to question 1:

There is a map defining the area and it is set by Western Power and it relates to the asset condition and is directed by them. So, we don't have the opportunity to extend it or add additional properties.

**Deputy Mayor, Andrew Sullivan** advised that he will take question 2 on notice.

**Brian Jury** provided the following questions on notice:

1. Why does the council give evasive non answers to clear questions requiring me to resubmit them ?
2. In the absence of a 10 year Financial Plan can the council please give an estimate of next years Rate increase

3. Regarding the answer given to my question 5 last month . The answer given is just a repetition of the answer the council arrived at . Which submissions did the council review that led them to state that to meet the communities expectation a higher than advertised rate was needed ( The 8 submissions in the minutes all called for no or a lesser increase )
4. Was the higher than rate increase due to the community submissions or was it due to the reasons outlined in the answer to my question 6 ? Which is the correct reason for the higher then advertised rate increase ?
5. With regard to Q7:  
Does the council mean 6.45(3) of the local govt act 1995 rather than Local Govt ( Financial Management ) Regulations 1996 which simply states you can apply an interest rate ?  
  
The question was how did the council while trying to ease the burden at rates arrive at an interest rate double current mortgage rates and 15 times higher than the best deposit rate it could hope to achieve ?
6. Could the council please advise me what the cost and revenue from ticket sales was the "Soak and Stem event . This was asked for clearly last month
7. Regarding Q10 .Can the council highlight where in the information provided to ratepayer where the advertised rates are included as required
8. Why is the council importing paving stone from China for the new civic centre ? Is Australian stone not good enough ?

**Steven Pynt** provided the following questions on notice:

1. Will Council's construction of the proposed new toilet and shower facility at South Beach commence and be completed within the next 12 months?
2. What was the total legal expense incurred by the City during the year ended 30 June 2021, for how many separate instances was legal advice sought times during the year ended 30 June 2021, how much has been budgeted for legal expenses in the year ending 30 June 2022, and when was the last tender for the provision of services for the City's preferred legal advisor?

**Deputy Mayor, Andrew Sullivan** provided a response to question 1:

No, there wont be a construction of toilets in the next 12 months, the budget item is for design works and the like. Officers confirmed that the budget was extended to include temporary toilets. If temporary toilets are required the budget hopefully allocates sufficient money for that, but not for new construction or renovations.

**Deputy Mayor, Andrew Sullivan** advised that he will take question 2 on notice.

**Helen Cox** made statements in relation to matters not on the agenda and provided the following questions on notice in relation to a motion from the Annual General Meeting of Electors:

1. Please explain when a full report will be presented to Council in review of the City's own policies and practices of 'good governance' that resulted in Fremantle ratepayers funding of a so called 'unauthorised' 'Tent City' political protest?
2. Please also explain how and when the Fremantle City Council plans to allocate appropriate resources to ensure that the recommendations of that report are immediately implemented with planned, accountable actions that will clearly demonstrate 'accountability for performance' of the principles of continuous improvement and 'good governance' of our City?

**Barry Healy** asked the following question:

1. I would like to ask about the approximate cost and wastage of Council staff workers hours spent in dealing with the campaign of vexatious questions that this Council has been regaled with all year?

**Andrew Loubikis** provided the following questions on notice:

1. In relation to FPOL2108-3 the Review of Sustainability Subscriptions. If sustainability is such a high priority for the city, then was not a decision on this item and my motion from the Electors meeting not deferred to this full council meeting?
2. FPOL2108-18 . Considering the Fremantle community and businesses need some positivity, why has the motion by Councillor Vujcic been voted against, only to have a alternative watered down version? Surely an event as proposed by Councillor Vujcic would inject some much needed business into town whilst recognising the achievements of the local Olympians?

**John Dowson** spoke in relation to item FPOL2108-10 and asked the following questions:

1. Why is the City voting to scrap the Fremantle Heritage Conservation Grants Policy altogether?
2. In relation to the Heritage Places Reserve Policy, how is it lawful for council to abandon a key policy without public consultation and council motion especially given the following clause in the policy?

Mr Dowson also made a statement in relation to item FPOL2108-19.

## **7. Petitions**

Cr Andrew Sullivan presented the 2021 Resilience Australia State Award for the Local Government Category, recently awarded to the City of Fremantle for the Neighbour to Neighbour project.

## **8. Deputations**

### **8.1 Special deputations**

Nil

## 8.2 Presentations

Nil

## 9. Confirmation of minutes

### COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Doug Thompson

**Council confirm the minutes of the Ordinary Meeting of Council dated 28 July 2021**

Carried: 9/1

For

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic

## 10. Elected member communication

Cr Marija Vujcic made a public apology in relation to comments she made about Cr Pemberton and Dr Pettitt regarding 'Tent City' at Pioneer Park, as directed by the Local Government Standards Panel.

Cr Rachel Pemberton thanked Cr Vujcic for her apology and provided some additional commentary outlining some of the information contained within the finding of minor breach by the Standards Panel report SP 2021-022.

Cr Sam Wainwright noted that he attended the Creative Connections 2021 Exhibition Launch on Friday 13 Aug at 6 – 8pm at Moore and Moore gallery on behalf of the Council.

Cr Geoff Graham noted that he attended the funeral of the late Jack Edwards earlier in the day.

## 11. Reports and recommendations from committees

### 11.1 Planning Committee 4 August 2021

Nil



## 11.2 Finance, Policy, Operations and Legislation Committee 11 August 2021

### FPOL2108-8 RATES CONCESSION – FREMANTLE PARK SPORT AND COMMUNITY CENTRE

<b>Meeting date:</b>	11 August 2021
<b>Responsible officer:</b>	A/Manager Finance
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	Nil
<b>Additional information:</b>	Nil

#### SUMMARY

The City has received a request from the Fremantle Park Sport and Community Centre for consideration of a proportional rate concession for their 2019/20 and 2020/21 rates for their property located at 36 Ellen Street, Fremantle.

This report recommends that Council approve an additional rates concession of \$3,961 for the rates owed by the Fremantle Park Sport and Community Centre (Property ID 1026809) for the 2019/20 and 2020/21 financial years.

#### BACKGROUND

Council approves rate concessions when adopting the annual budget each year. The significant majority of these concessions are for community sporting groups who hold exclusive leases, also included are some professional sporting groups, community clubs and a handful of residential and commercial properties to provide individual rate balance outcomes where mixed use outcomes apply such as pension status, short term accommodation and when the previous nightclub differential rates were applied.

The Fremantle Park Sport and Community Centre Incorporated currently holds a twenty-one (21) year lease over Lot 1826, Portion of 36 Ellen Street, Fremantle with a further term of twenty-one (21) years option on the lease that will expire in 2044.

#### FINANCIAL IMPLICATIONS

Provision is made for rates concessions in the annual budget each year; 2021/22 shows the estimated budgeted rates concession is \$222,407, 2020/21 concessions granted totalled \$237,953.

#### LEGAL IMPLICATIONS

Local Government Act 1995;  
6.47. Concessions

*Subject to the Rates and Charges (Rebates and Deferrals) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive\* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

\* *Absolute majority required.*

## CONSULTATION

Nil

## OFFICER COMMENT

The Centre was granted full concessions for both the 2019/20 and 2020/21 financial years, being rated as two separate properties and two separate Clubs:

### *Fremantle Lawn Tennis Club Incorporated (PID 14710)*

Financial Year	Rates Levied	Concession Granted	Rates Balance	Annual Cap
2019/20	\$4,157	\$4,157	\$Nil	N/A
2020/21	\$4,222	\$4,222	\$Nil	\$20,000

### *Fremantle Bowling Club Incorporated (PID 2577)*

Financial Year	Rates Levied	Concession Granted	Rates Balance	Annual Cap
2019/20	\$9,035	\$7,556	\$1,479	N/A
2020/21	\$10,143	\$7,661	\$2,482	\$20,000

Due to building improvements, the Gross Rateable Value increased for PID 2577 and backdated to 1<sup>st</sup> March 2020 which resulted in additional rates charges for the 2019/20 and 2020/21 financial years, over and above the approved concessions. These additional rates are the amounts showing as Rates Balance and are currently outstanding and accruing additional charges.

The two properties and Clubs have now been amalgamated into Fremantle Park Sport and Community Centre and have been granted a concession of \$14,933 for the 2021/22 financial year (PID 1026809). The Centre operates on a not for profit model and survives on volunteers in addition to these exemptions. Given the current and past lockdowns, the Centre has also been forced to cancel some large events as well as ongoing planned social and sporting events which has created big gaps in their revenue stream.

### Current Rate Concessions

Generally, Council has provided rate concessions to not for profit community groups who provide a valuable local service for our community and make up part of the cultural fabric of our community. The majority of these have been not for profit sporting groups who hold leases with the City and whilst being membership-based organisations, provide for the health and wellbeing of our community.

### Maximum Rate Concession

When considering the budget for the 2020/21 financial year, Council commented on ensuring that there is a reasonable cap applied to these concessions moving forward. Whilst support for these groups is essential, discussion during budget deliberations was

themed around ensuring there was an equal balance to this support and a reasonable level of support.

In the first instance this cap was applied as a financial cap with a figure of \$20,000 being set as the maximum level of concession to be granted to any single property/group. A further review of this situation approved applying a staged decrease to the maximum cap in future years, being decrements of \$5,000 over the next two years, resulting in a maximum concession of \$15,000 for 2021/22 and \$10,000 for 2022/23. The additional concession being sought for Fremantle Park Sport and Community Centre would still place both years concessions below the caps for the both the relevant years and also below the current financial year cap.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

### **COMMITTEE RECOMMENDATION ITEM FPOL2108-8** **(Officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Hannah Fitzhardinge**

**Council approve an additional rates concession of \$3,961 for the rates owed by the Fremantle Park Sport and Community Centre (Property ID 1026809) for the 2019/20 and 2020/21 financial years.**

### **AMENDMENT 1**

**Moved: Cr Rachel Pemberton**

**Seconded: Cr Jenny Archibald**

**Amend the committee recommendation to include an additional part 2 as follows:**

- 2. Note that officers are currently developing an approach to the City receiving the appropriate level of recognition from community groups and organisations who receive rates and/or rental concessions, with the approach to be implemented prior to the end of 2021 and applicable to all community organisations that have already received a rates concession for the 2021/22 financial year.***

**Amendment carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

### **Reason for change:**

To clarify that councils' intent is to treat rates concessions for sporting/community orgs are treated in a similar manner to sponsorships and suitable acknowledgement is given. The

reason for this is to ensure transparency and accountability about all the organisations in our community that get such financial support.

**COUNCIL DECISION ITEM FPOL2108-8**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Hannah Fitzhardinge**

**Council:**

1. **Approve an additional rates concession of \$3,961 for the rates owed by the Fremantle Park Sport and Community Centre (Property ID 1026809) for the 2019/20 and 2020/21 financial years.**
2. ***Note that officers are currently developing an approach to the City receiving the appropriate level of recognition from community groups and organisations who receive rates and/or rental concessions, with the approach to be implemented prior to the end of 2021 and applicable to all community organisations that have already received a rates concession for the 2021/22 financial year.***

**Carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## FPOL2108-9 HILTON UNDERGROUND POWER PROJECT – CONTRACT VARIATION

Meeting date: 11 August 2021  
 Responsible officer: Manager Infrastructure Engineering  
 Decision making authority: Council  
 Agenda attachments: Nil  
 Additional information: Nil

### SUMMARY

At the Ordinary Meeting of Council dated 28 October 2020, Council supported the delivery of the underground power project in Hilton and the Chief Executive Officer subsequently signed a co-funding agreement with Western Power.

On the 29 June 2021, following Western Powers' detailed tender process for the delivery of the underground power works, the officers received a variation request from Western Power to increase Councils overall contribution by \$161,071.

For the project to proceed, this report recommends that Council approve the variation request from Western Power.

### BACKGROUND

At the Ordinary Meeting of Council dated 28 October 2020, Council adopted the following recommendation;

**COUNCIL DECISION ITEM FPOL2010-11**  
 (Committee recommendation, as amended)

Moved: Mayor, Brad Pettitt

Seconded: Cr Hannah Fitzhardinge

**Council:**

1. Support the delivery of the underground power project in Hilton within the project boundary area and authorise the Chief Executive Officer to sign a co-funding agreement with Western Power.
2. Note the following contributions will be included in the annual budget for the required financial year, as outlined below:

	Amount	Payment due	Financial Year
Contribution 1	\$395,000	28 March 2022	2021-22
Contribution 2	\$395,000	28 August 2022	2022-23
Contribution 3	\$322,515	28 January 2023	2022-23

3. Agree to apply an annual service charge *over a period of no less than 7 years* to properties within the project boundary area *which receive a new underground service*, for recovery of the residential consumer mains connection costs, for consideration as part of the annual budget process.

**Carried by absolute majority: 12/0**

Mayor Brad Pettitt, Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,  
 Cr Hannah Fitzhardinge, Cr Frank Mofflin, Cr Doug Thompson, Cr Bryn Jones,  
 Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

The Co-Funding Agreement was executed by the Chief Executive Officer in March 2021. Schedule 1 of the agreement for the project budget was tabled as below;

3	Clauses 1.1, 3(a) to 3(d)	Project Budget	Estimated Western Power Contribution	\$7,391,116
			Estimated LGA Contribution (City of Fremantle)	\$1,101,500
			<b>Project Budget</b>	<b>\$8,492,616</b>

4	Clauses 1.1, 3(c)	Revised LGA Cash Call Schedule	<b>Payment No.</b>	<b>Due Date</b>	<b>Amount</b>
			1	28.03.2022	\$395,000
			2	28.08.2022	\$395,000
			3	28.01.2023	\$311,500
			<b>Total</b>		<b>\$1,101,500</b>

The above budget was at the time based on Western Power's estimated figures. At the Ordinary Meeting of Council on 23 June 2021, Council adopted a budget for the provision of payment 1 (\$395,000) required during the 2021/22 financial year as follows;

#### 11. Reserve Funds

- a) Adopt the newly created Cash in Lieu of Public Open Space Reserve and
- b) Repurpose \$395,000 of funds held in the Parking Dividend Equalisation Reserve by utilising these monies to fund contribution 1 for P-12019 Design and Construct - Hilton - Underground Power in 2021/2022 year

On 29 June 2021, officers received a request for a variation to the Co-Funding Agreement from Western Power as below;

#### 2. Variations

The Parties agree that Schedule 1 (Agreement Details) of the Co-Funding Agreement is varied as follows:

- (a) the information set out in the 'Detail' column of Item 3 is deleted in its entirety and replaced with the following information:

Western Power Contribution	\$10,350,076
City of Fremantle Contribution	\$1,262,571
City of Cockburn Contribution	\$11,015
<b>Total (Project Budget)</b>	<b>\$11,273,586</b>

This request from Western Power was received following completion of their tender process and increased the budget for the City's contribution by \$161,071 and Western Power's contribution by \$2,958,960.

#### FINANCIAL IMPLICATIONS

The table below shows the revised City of Fremantle's cash call schedule;

Payment No.	Due Date	Amount
1	28.03.2022	\$395,000
2	28.08.2022	\$395,000
3	28.01.2023	\$311,500 + \$161,071
<b>Total</b>		<b>\$1,262,571</b>

Officers have requested a deferred payment for the additional cost and Western Power have agreed to back end it to the City's third and final payment in 2023. This way, the additional cost will not affect the budget already adopted for the project this financial year (2021/22).

## **LEGAL IMPLICATIONS**

The City of Fremantle have entered into a Co-Funding Agreement with Western Power.

## **CONSULTATION**

Consultation is being managed by Western Power and has already commenced. Delivery and Construction works are expected to start in early 2022. Officers are currently working with Western Power to facilitate the consultation process.

## **OFFICER COMMENT**

Western Power have confirmed that the cost increases to the project (since their original estimates within the Co-Funding Agreement) are due to the following;

- Higher than expected market rates.
- COVID-19.
- Unforeseen Asbestos removal.
- Unforeseen cap rock/hard digging conditions.

As identified in FPOL2010-11 on 14 October 2020, cost variances within the project were expected to be within +/-10%. The current increase to the City's contribution is calculated at +13.49% of the allocation within the Co-Funding Agreement. This is significantly lower than Western Power's 40.03% increase and results in an overall improved cost split. The reason for the disproportionate increase is due to the difference in project scope between the City's contribution and Western Powers' contribution – effectively the majority of the unforeseen cap rock/hard digging conditions will occur in Western Powers' scope.

Since the increase to the City's contribution exceeds the limits within the expected variance of the Co Funding Agreement, it requires approval from Council.

Officers have sought assurances from Western Power there won't be subsequent increases in costs to Council's contribution for the project. Whilst Western Power have been unable to guarantee this, they have confirmed that given the provisions of the tender and lump sum style contract, the risk of this occurring is very low.

Despite the increases in estimated project costs, officers feel that Western Powers' Network Renewal Undergrounding Program Pilot (NRUPP) proposal for Hilton still provides very good value for money.

Should Council approve the variation of expenditure, the Chief Executive Officer will be required to sign the deed of variation. Western Power will only proceed to contract award upon formal acceptance of the updated agreement.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

### COUNCIL DECISION ITEM FPOL2108-9

Moved: Cr Andrew Sullivan

Seconded: Cr Sam Wainwright

#### Council:

1. Authorise the Chief Executive Officer to sign the variation to the Co-Funding Agreement with Western Power that includes a budget increase of \$161,071 for the underground power project in Hilton.
2. Note the following revised contributions will be included in the annual budget for the required financial year, as outlined below:

	Amount	Payment due	Financial Year
Contribution 1	\$395,000	28 March 2022	2021-22
Contribution 2	\$395,000	28 August 2022	2022-23
Contribution 3	\$472,571	28 January 2023	2022-23
<b>Total</b>	<b>\$1,262,571</b>		

**Carried: 10/0**

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
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**FPOL2108-10 ORGANISATIONAL COUNCIL POLICY REVIEW – STRATEGIC PLANNING, GOVERNANCE AND PEOPLE AND CULTURE**

**Meeting date:** 11 August 2021  
**Responsible officer:** Manager Governance  
**Decision making authority:** Council  
**Attachments:** 1. Amended Policies  
**Additional information:** Nil

**SUMMARY**

A key role of Council is to make policies to guide its decision making, as specified in clause 2.7 of the *Local Government Act 1995*. Council has 83 policies, a number of which have not been reviewed for some time. A staged review of all policies has commenced to ensure that these continue to represent the position of Council and to identify desirable and / or necessary updates. The purpose of this report is to consider policies relating to the governance, people and culture and strategic planning business units, as part of this review.

This report recommends that Council adopt the recommendations listed in the table included in the ‘officer comment’ section of this report, noting that the following policies are recommended for deletion:

1. Fremantle Heritage Conservation Grants Policy
2. Late Night Entertainment Venues Serving Alcohol Policy (but retain D.B.U.6 as a Local Planning Policy pending further review)
3. Procedures for the Recording & Assessment of Places of Heritage Value
4. Telecommunication Policy (but retain D.B.M 9 as a Local Planning Policy pending further review)

**BACKGROUND**

Policies are (in their ideal form) clear, simple statements of how an organisation plans to conduct its services, actions or business. In local government policies reflect the leadership and decision-making role of Council and are a way for Council to give expression to preferred solutions to problems or matters of concern. Policies are in turn a guide for officers and elected members when making decisions, although they are not procedural in nature. They are implemented by way of administration policies, procedures and processes.

This report is part of a program where a number of reports will be presented to Council over the next 12 months, to update the City's Policies. The purpose of this program is to simplify the City's policies and create stronger alignment across the City's Divisions.

Clause 2.7 of the *Local Government Act 1995* make provision for Council to adopt policies to guide its decision making. These exist in addition to strategies, action plans, budgets, operational policies and procedures, and instruments (including policies) adopted under the *Planning and Development Act 2005*.

Council has approximately 83 policies (not including those made under the Planning and Development Act), a number of which have not been reviewed for some time. As part of its general administration and in the interests of good governance, a staged review of policies has commenced to ensure that these continue to represent the position of Council and to identify any desirable / necessary updates. The proposed approach is to undertake a preliminary review of policies by area to establish whether a policy is:

1. Current, requiring no amendments.
2. Largely current, requiring minor updates only.
3. Requiring minor updates and future review
4. Not current, recommended for deletion.
5. Requiring future review.

### OFFICER COMMENT

A review of the 31 policies sitting under the Strategic Planning, Governance and People and Culture Teams has been undertaken and recommendations are included below.

The regular review and update of Council Policy contributes to Council's objective to "maintain high standards of corporate governance" (Strategic Community Plan) and addresses the auditor recommendation to:

- "Introduce a periodic City-wide policy review to:
- minimise the risk of policies becoming outdated;
  - ensure consistency of formatting between policies; and
  - promote culture where employees bring all proposed policy amendments to the attention of council."

<b>Policies considered to be current, no amendments recommended:</b>	
<b>1. Council Decision Making During Electoral Period Policy</b>	Adopted: 29/01/2020 Last Reviewed:
This policy is still current. The template will be updated.	<b>Recommendation: Adopt as unchanged.</b>
<b>2. Recording and Livestreaming of Meetings Policy</b>	Adopted: 25/10/2020 Last Reviewed: -
This policy was adopted recently.	<b>Recommendation: Adopt as unchanged.</b>
<b>3. Granting and Exercising Freedom of Entry Policy</b>	Adopted: 12/12/2018 Last Reviewed: -
This policy is still current. The template will be updated.	<b>Recommendation: Adopt as unchanged.</b>
<b>4. Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination 2021 Policy</b>	Adopted: 24/4/2021 Last Reviewed: -

This policy was adopted recently. The template will be updated.	<b>Recommendation: Adopt as unchanged.</b>
<b>5. Payments to Terminating Employees Policy</b>	Adopted: 26/9/2018 Last Reviewed:
This policy is still current. The template will be updated.	<b>Recommendation: Adopt as unchanged.</b>
<b>6. Car Share Policy</b>	Adopted: 23/7/2014 Last Reviewed: 27/11/19
Policy recently reviewed and updated. Limited market demand apparent. The template will be updated.	<b>Recommendation: Adopt as unchanged.</b>
<b>7. Community Engagement Policy</b>	Adopted: 15/12/2010 Last Reviewed: 27/3/2019
Policy recently reviewed and updated. Opportunities exist to further consider a broader strategic approach (including non-decision-focused engagement) and operational application however policy direction considered current. Update footer to note original adoption date.	<b>Recommendation: Adopt as unchanged.</b>
<b>8. Sustainable Events Policy</b>	Adopted: 28/11/2018 Last Reviewed:
Full review following 2-year trial complete 23 June 2021.	<b>Recommendation: Retain policy</b>
<b>9. Designation of Senior Employees Policy</b>	Adopted: 13/9/2017 Last Reviewed: -
Council are required to designate senior employees under section 5.37(1) of the Local Government Act 1995.	<b>Recommendation: Retain policy</b>

<b>Policies that are largely current, recommended for minor amendment:</b>		
<b>1. Annual General Meeting of Electors / Special Meeting of Electors Policy</b>	Adopted: 23/8/2017 Last Reviewed:	
This policy is still current. Minor amendments recommended below include corrections to legislative references, updated language, in addition to any relevant reformatting and corrections to spelling and/or grammatical errors.	<b>Recommendation: Adopt policy with the following minor amendments:</b>	
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Policy scope	"Local Government (Administration) Regulations <del>1995</del> 1996"	To align with the legislation.
	"Section 5.28 of the Act requires the City to hold a special meeting of electors after a request from 100 or more electors or 5% of the number of electors (whichever is the lesser) or 1/3 of the council members. The request is to specify the matters to be discussed and is to be in the prescribed form. The request is to be sent to the Mayor. The	

	<p><del>M</del>meeting is to be held no more than 35 days after the request is received. <del>and at least 14 days' notice date, place and purpose must be given."</del></p> <p>"Section 5.29 of the Act requires the CEO to convene an electors' meeting by giving at least 14 days' local public notice and each council member at least 14 days' notice of the date, time, place and purpose of the meeting."</p> <p>"Regulation <del>15</del> 18 of the regulations specifies that other than the first order of business as set out in regulation 15 and the voting requirements as set out in regulation 17, the procedure to be followed at an Electors Meeting is to be determined by the person presiding at the meeting."</p>	
<p>Notice and timing of meeting (a)</p>	<p>"a. The date for the Annual General Meeting of Electors will be set at the time of acceptance of the annual report for the previous year. <del>The intent is to hold the Annual General Meeting of Electors in November where possible."</del></p>	<p>This is the City's intent; however, it is not necessary to declare this intent in a policy. Holding the meeting in November is difficult to achieve as the City must wait for the annual financial statements to be prepared and signed off by the Office of the Auditor General.</p>
<p>Notice and timing of meeting (c)</p>	<p>"c. <b>Local</b> public notice of the Annual General Meeting of Electors will be given 28 days' prior to the meeting, <b>where practicable</b>, which is double the statutory requirement."</p>	<p>Addition of "local" - to align with the definition of Local public notice in the Act.</p> <p>Addition of "where practicable" - to allow for instances when it is not possible to give 28 days' notice.</p>
<p>Notice and timing of meeting (d)</p>	<p>"d. <b>Local</b> public notice will be given <del>by displaying a notice on the library and on administration building notice boards, by putting a notice in accordance with the Local Government Act 1995 on the City's website and regularly advertising and on social media and by advising and</del> precinct groups <b>will be notified</b> of the upcoming meeting."</p>	<p>Due to recent changes to the <i>Local Government Act 1995</i> related to requirements for giving local public notice, the City must display the notice on its website, and choose 3 other prescribed ways of giving notice.</p>

Format of meeting (d)	“d. Electors meetings will be open to all members of the public. However, only electors may move or second motions and vote <del>or speak</del> at meetings.”	The presiding member can determine whether attendees who are not electors may speak. Some matters presented at Special electors’ meetings may impact the broader community, and the presiding member may like to give non-electors an opportunity to speak on the matter, even though they are unable to vote.
Format of meeting (e)	“e. <del>All</del> attendees will be asked to sign <del>the an</del> attendance register at the entry to the <del>Chambers</del> meeting, provide their name and address and confirm whether they are electors <del>for</del> of the district. The City of Fremantle will accept this declaration at face value and will not require further evidence”	Change the word chamber to meeting as the meeting may be held in a venue that is not the official chamber, and may cause confusion. Minor wording changes to improve readability.
Order of proceedings (h)	<del>“nyoongar acknowledgement</del> welcome statement“	Update language
Clause 6	Remove <del>“6. Consideration of Motions moved at Electors Meetings Motions moved at Electors Meetings will be considered by Council at a Special Meeting of Council. Those motions moved at the Electors Meeting will be considered expansively during this meeting. The details of the Special Meeting of Council will be determined at the Ordinary Meeting of Council following the Electors Meeting.”</del>	Section 5.33 of the Act states: (1) All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable — (a) at the first ordinary council meeting after that meeting; or (b) at a special meeting called for that purpose, whichever happens first.

<b>2. Appointment of Acting Chief Executive Officer Policy</b>		Adopted: 23/8/ 2017 Last Reviewed:
This policy is still current. One minor amendment is recommended below, in addition to any relevant reformatting and corrections to spelling and/or grammatical errors.		<b>Recommendation: Adopt policy with the following minor amendments:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Policy statement	Add statement “ <b>The Chief Executive Officer will advise elected members of an Acting Chief Executive Officer</b> ”.	This point was included in the recently deleted delegation “Appointment of Acting Chief Executive Officer.”
<b>3. Electoral Activities and Signage Policy</b>		Adopted: 24/1/ 2018 Last Reviewed: -
This policy is still current. One amendment is recommended to remove an unnecessary listed definition, in addition to any relevant reformatting and corrections to spelling and/or grammatical errors.		<b>Recommendation: Adopt policy with the following minor amendments:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Definitions and abbreviations	Remove “ <del><b>Municipal Building means any building that is owned or held under a management order of control of the City, and includes any recreation centre, library or alike.</b></del> ”	This is not referenced in the policy.
Definitions and abbreviations	“ <b>Election Signs</b> - means a notice on public display which encourages a person to vote for a particular political candidate or gives information or instructions in a written or symbolic form for a candidate or party in the election, and that complies with the requirements of section 187 of the <i>Electoral Act 1907</i> — <del>“<b>Authorisation of Election Campaign Material</b>”</del> in regard to the authorisation of electoral signage.”	This is not the name of the section referenced.
<b>4. Execution of Documents Policy</b>		Adopted: 26/6/2019 Last Reviewed: -
This policy is still current. One amendment is recommended to align with amended legislation, in addition to any relevant reformatting and corrections to spelling and/or grammatical errors.		<b>Recommendation: Adopt policy with the following minor amendments:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Policy scope	Add “ <b>under section 9.49A(3) of the Act, the common seal is to be affixed to a document in the presence of the Mayor and the CEO, each of whom is to sign the document to attest that the common seal was so affixed.</b> ”	This is legislated for all documents requiring the common seal.

Category 1A Documents	Remove “ <del>These documents will be executed by having the common seal affixed under the authorisation of Council with the affixing of the seal in the presence of and being attested to by the Mayor and CEO, or pursuant to s9.49A(3)(b) of the Act, the Mayor and a senior employee authorised by the CEO to do so.</del> ”	s9.49(3)(b) was amended in 2019 and no longer allows for the CEO to authorise a senior employee to sign documents attesting that the common seal was affixed.
<b>5. Flying of Flags Policy</b>		Adopted: 26/6/2019 Last Reviewed: -
This policy is still current. The amendments recommended are to improve the structure of the policy, in addition to any relevant reformatting and corrections to spelling and/or grammatical errors.		<b>Recommendation: Adopt policy with the following minor amendments:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Principles	Move to policy scope Re-word: “This policy is to provide operational guidelines and identify the protocols used for flying flags under the City of Fremantle’s care and control.”	This is to improve policy structure.
4	Delete “ <del>Flag protocols state that flags must not be flown if they are damaged, faded or dilapidated.</del> ”	This is repeated in rule h. “The flag should not be flown when in a damaged, faded or dilapidated condition.”
Kings Square reference	“ <del>Kings Square</del> Walyalup Koort”	Renaming of Kings Square (pending final approval)
<b>6. Internal Groups Policy</b>		Adopted: 28/3/2018 Last Reviewed: -
This policy is still current but requires minor amendments to update the language in the Internal Group Framework and the model terms of reference to align with the City’s Council: Committees and Groups Register.		<b>Recommendation: Adopt policy with the following minor amendments:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Internal Group Framework	Remove Participant selection column Rename “ <del>participants</del> ” to “membership”	Participant selection is outlined in the policy Update language
Terms of reference	Renumbering Rename “ <del>Formation of Group</del> ” to “Membership” Rename “ <del>Chairperson</del> ” to “Presiding Member”	Update format and language to align with the Council: Committee and Groups Register

<b>7. Nuclear Free Fremantle Policy</b>		Adopted: 23/10/2000 Last Reviewed: 27/10/2003
<b>Policy requires minor update</b> This policy outlines Council's position on nuclear issues, and desire to remain nuclear free (excepting the responsible use of radio-isotopes in hospitals). Its content is considered largely current, though it incorporates some outdated reference to events and superseded local planning scheme which should be updated / corrected.		<b>Recommendation:</b> <b>Retain policy, update template and make the following minor amendments:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
2. No nuclear power stations may be built within the municipality	Reword to "Council does not support the construction of nuclear power stations within the municipality"	More accurate reflection of Council position.
3. No uranium, nuclear waste or other material connected with the nuclear power industry may be stored or transported in or through the municipality	Reword to "Council would object to uranium, nuclear waste or other material connected with the nuclear power industry being stored or transported in or through the municipality"	More accurate reflection of Council position
6. Council incorporates its nuclear free statement into Town Planning Scheme No. 3 or City Planning Scheme No. 4.	Delete reference to <del>Town Planning Scheme No.3</del> and correct reference to <b>Local Planning Scheme No. 4</b> . Reword clause to state that "Local Planning Scheme No. 4 includes provisions that preclude Council from approving 'nuclear activity' on zoned land within the municipality".	Town Planning Scheme No. 3 has been rescinded so should not be referenced in the policy. Reflects current status and name of Local Planning Scheme No.4, and current provisions.
10. Development Control	Delete clause " <del>10. Development control Development of industries or facilities utilising nuclear energy is currently controlled through the provisions of City of Fremantle Town Planning Scheme No.3. Provisions 21 and 33 of councils current Town Planning Scheme No.3 (gazetted December 1987) prohibit council giving approval to the use and storage of uranium, nuclear waste or other radioactive materials connected with the</del> "	References superseded provisions of the rescinded Town Planning Scheme No. 3. Only land use controls apply under current planning scheme; referenced in revised wording of Clause 6 above.



	<p><del>nuclear power industry, and nuclear power station.</del></p> <p><del>Clause 33:</del> <del>"The Council shall not grant planning consent to the establishment of a noxious or hazardous use."</del></p> <p><del>Clause 21:</del> <del>"hazardous use" means a use including an industry which by reason of the processes involved, the method of manufacture, the nature of the materials used or produced or the activities carried on creates a hazard to the health or welfare, and includes the use and storage of uranium, nuclear waste or other radioactive materials connected with the nuclear power industry, and nuclear power station."</del></p> <p><del>Clause 34:</del> <del>"Notwithstanding Clause 33, the Council may grant consent to the relocation of a noxious and/or hazardous use to a new location subject to a condition requiring the discontinuance of the use at the site vacated without the payment of compensation, and shall, prior to granting consent, follow the advertising procedures of Clause 83."</del></p>	
11. Environmental Health	Delete clause <del>"11. Environmental Health Council's environmental health staff are available to advise the community on the issue."</del>	Not a policy position: simply indicates that the City's Health staff can provide information to the community.
<b>8. Strategic Planning Framework Policy</b>		Adopted: 25/4/2018 Last Reviewed: -
<p><b>Policy requires minor update</b> Policy is recent but requires minor update to make administrative corrections.</p>		<p><b>Recommendation:</b> <b>Retain policy and make the following minor amendments:</b></p>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
Table	<ul style="list-style-type: none"> <li>• Replace references to '<del>Environmental Sustainability</del>' with '<del>Environmental Responsibility</del>'</li> <li>• Replace references to '<del>Transport</del>' to '<del>Transport and Connectivity</del>'</li> <li>• Replace references to '<del>Capacity</del>' with '<del>Capability</del>'</li> </ul>	Minor naming corrections to align with terminology in Strategic Community Plan 2015-2025.

	<ul style="list-style-type: none"> <li>Replace references to '<del>fixed core strategies</del>' with 'Key Strategies'</li> </ul>	Apply consistent term throughout policy.
	<ul style="list-style-type: none"> <li>Rename 'action types' as 'Policy, Project, Ongoing Activity, Advocacy'</li> </ul>	Make clearer provision for common action types.

**Policies recommended for minor update and future review:**

<b>1. Heritage Places Reserve Policy</b>	Adopted: 18/3/ 2002 Last Reviewed: 3/2005
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<p>This policy outlines the establishment and operation of the Council's Heritage Places Reserve, and the annual allocation of funds to it, through which heritage properties are acquired and/or conserved. Funds may be allocated to non-saleable heritage properties (such as the Town Hall) for significant conservation works, or saleable properties (such as Victoria Hall), the proceeds from which would then be reinvested to support further works and/or acquisitions. The policy would benefit from a full review taking into account current capacity, priorities and experience, and a broader review of Council's approach to reserves.</p> <p>Interim updates to replace reference to the Heritage Advisory Committee (which is no longer in operation) with the Heritage Coordinator would address this current anomaly.</p>	<p><b>Recommendation:</b> <b>Review policy in the context of a broader review of reserves. Make interim update as follows:</b></p>
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Section	Change	Reason
1, 4 & 5	Replace references to the <del>Heritage Advisory Committee</del> (not current) with the <b>Heritage Coordinator</b>	Heritage Advisory Committee not currently in existence. Heritage Coordinator has knowledge and expertise to provide advice on heritage significance and priorities pending more comprehensive review of policy.

<b>2. Outdoor Eating Policy (Tables and Chairs) (Interim Policy)</b>	Adopted: 15/6/1998 Last Reviewed: -
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<p><b>Policy requires review:</b> Undertake comprehensive review of the policy, potentially in conjunction with Verge Gardens policy.</p>	<p><b>Recommendation:</b> <b>Review policy. In the interim, update policy template and minor amendments proposed as follows:</b></p>
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Section	Change	Reason
Name	Change name to ' <b>Alfresco Dining</b> '	More accurate and contemporary

		nomenclature, consistent with naming of current local law.
Throughout	Replace all references to ' <del>Outdoor Dining Local Law</del> ' with ' <del>Al fresco Dining Local Law</del> '	Correct name reference.
<b>3. Precincts Policy</b>		Adopted: Last Reviewed: 18/4/2018
Policy operating effectively to a point; however, role and scope of precinct groups is sometimes challenged as overly narrow. Administrative processes outlined in the policy require update, and wording could be improved throughout. Separation of policy and procedural content is desirable in the longer term.		<b>Undertaken minor amendments as follows:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
1. Policy Statement	"The City of Fremantle will make assistance available to any of the 11 precinct groups, <del>which cover the geographical area of Fremantle as laid out in the map below,</del> where they operate in compliance with this policy, <del>which cover the geographical area of Fremantle as laid out in the map below"</del>	Improve wording
3. Activation and deactivation	<p><del>"1. A precinct will become automatically deactivated when there are no publicly open meetings held in a 12 month period.</del></p> <p>1. A precinct is deemed active where its group has met within the previous 12 months, nominated a precinct convener and operates in accordance with this policy.</p> <p>2. <del>A deactivated</del> An inactive precinct can be re-activated by application in writing to the City of Fremantle and the conduct of a meeting within 6 months of that communication to establish a convener. <del>Funding will be provided as though the precinct were active, for a 6 month period, to allow for an inaugural meeting to be held and the establishment of a convener for the group. If no convener is established within the 6 month period the Precinct will revert to its deactivated state.</del></p> <p>3. <del>Administration access to Freospace (see definitions) can also be made available for a 6 month period to support the re-</del></p>	Simplifies wording around active vs inactive groups, and the process for reactivation, in recognition that lulls can occur in operation. Superseded reference to Freospace proposed to be deleted.

	<del>activation of a precinct group.</del>	
4. Membership	<p><del>3. Membership</del> <b>Participation</b></p> <p>Precincts must provide for open, cost- and commitment-free <del>membership attendance</del> where any interested community member is welcome to participate.”</p>	Better reflects intent and operation of precinct groups as open forums, rather than membership-based groups.
5. Administration	<p>“1. Each Precinct <b>convener</b> is responsible for maintaining up to date contact details with the community engagement team including methods for community members to contact the group. <del>to update the contact details for their precinct contact details and name of their convener with the community engagement team once a year.</del></p> <p>2. All published material, including any meeting notes and minutes, produced by a precinct, are to be <b>sent to the community engagement team</b> <del>made publicly available</del> within 14 working days of distribution or from when a meeting is held <b>and will be made publicly available on the My Say Freo precincts page.</b></p> <p>3. Each precinct group can decide:</p> <ul style="list-style-type: none"> <li>• How to appoint their convener</li> <li>• The length of term and how many terms a convener can be appointed for</li> <li>• Who <del>will be</del> the precinct contact person <b>will be</b> and <del>action</del> <b>how</b> correspondence received <b>will be actioned</b></li> <li>• What the meeting schedule will be</li> <li>• If and how meetings will be recorded, for example, meeting notes or minutes</li> <li>• How best to share information with regular <b>attendees and promote</b></li> </ul>	<p>Better reflects practical operation of precincts following cessation of Freospace.</p> <p>Improve clarity of wording</p>

	meetings precinct members, for example by email, social media or through 'Freospace' (see definitions)"	
7. Financial support	<p>"1. The City may support precinct groups to a maximum value of \$850 per financial year in the following way by either meeting the costs of or reimbursing costs incurred for:</p> <ul style="list-style-type: none"> <li>• Venue hire</li> <li>• Printing costs and distribution, for meeting fliers to promote a special precinct meeting of community activity.</li> <li>• Meeting refreshments (the City will not pay for alcohol)</li> <li>• Office supplies related to meeting organisation and administration"</li> </ul>	Improve wording and explicitly clarify inclusion of office supplies as a legitimate precinct expense
	<del>"4. Precinct budget information can be made available to precincts on request."</del>	This is a statement of fact rather than policy and so is not required
8. Reimbursements	<p>"1. Cash reimbursements for precinct expenses can be made by and will be paid to the Precinct Convenor.</p> <p>2. All cash reimbursement expenses must be supported by a tax invoice receipt and be made within 3 months of the expenditure.</p> <p><del>1. Cash reimbursement is available to cover expenses up to \$50 when: • payments are made by cash or EFTPOS and a tax invoice has been provided • a receipt and contact details of the person making the claim has been provided within 3 months of the expenditure.</del></p> <p><del>2. Application for reimbursement over \$50 must be made, in writing within 3 months of expenditure, accompanied by a copy of the invoice through the community engagement team."</del></p>	Streamline reimbursements through convenor to simplify process and allow compliance with audit requirements without requiring pre-approval of all expenditure.
10. Customer requests	<del>"The City has a customer service centre to manage all enquiries received by the City in the ordinary course of business. Precincts and their members can also</del>	Suggest remove as this is general information not policy information

	<del>direct their enquiries to this centre in the normal way."</del>	
13. Community engagement team	<del>"For further information, complaints, compliments and questions, please contact: The Community Engagement Team can be contacted: T (08) 9432 9999 E communityengagement@fremantle.wa.gov.au"</del>	Contact details for team are factual, not policy. The contact information for the City is available on the website (and is provided to each precinct convenor / contact upon their commencement).
Definitions and abbreviations	Delete reference to and definition of Freospace. Replace with: <b>"MySay Freo Precincts page - A dedicated page on the City's community engagement portal, My Say Freo, which makes precinct information available to the public, including contact details, meeting dates and agendas and minutes."</b>	Reflect replacement of obsolete Freospace website.
<b>Policy and Procedures for the Dedication, Upgrade or Closure of Rights of Way</b>		Adopted: 17/3/03 Last Reviewed: 2/2018
<b>Policy would benefit from review.</b> This policy's name describes its purpose and content. Much of the direction remains sound however review to confirm some detailed aspects, to reference contemporary WAPC policy and to address widening of ROWs is recommended when resources are available. Removal of procedural information (and its incorporation in a separate document) is also recommended to ensure the document operates effectively as a policy, can remain up to date and aligns with contemporary policy standards.		<b>Recommendation:</b> <b>Review policy to update and separate procedure from policy. Undertaken minor amendments in interim as follows:</b>
<b>Section</b>	<b>Change</b>	<b>Reason</b>
2.1.1	Delete clause d: <del>"the proposal is supported by a minimum of 50% of all adjoining owners"</del>	Assessment of applications is subject to the provisions of the planning scheme: where a site is zoned for development, has legal right to use the right of way, the right of way is of a standard suitable for use (see preceding clauses) and the development proposal complies with other requirements of the scheme, there is no statutory basis to seek the comment of the adjoining landowners. The Western Australian Planning Commission requires all lots to have access to a dedicated street in any event.

<b>Policies considered not current/obsolete, recommended for deletion:</b>	
<b>10. Fremantle Heritage Conservation Grants Policy</b>	Adopted: Approx. 2010 Last Reviewed: -
<b>Policy obsolete:</b> This policy is an operational policy regarding the operation and administration of the heritage grants program established in 2010/11. This program is no longer in effect, with no budget provision currently available for local heritage grants; the policy consequently serves no purpose. In the event of reestablishment of a heritage grants program, it would be appropriate to develop an updated policy framework for this.	<b>Recommendation: Delete policy.</b>
<b>11. Late Night Entertainment Venues Serving Alcohol Policy</b>	Adopted: 22/9/1997 Last Reviewed: -
<b>Policy duplicated and out of date:</b> Policy contains references to legislation, venues and zoning which have been superseded. A number of provisions are procedural whilst others no longer reflect contemporary planning practice (e.g. conditioning planning approval requiring compliance with separate legislation). Much of the policy content regarding the assessment of proposals is predominantly reflective of scheme objectives and now-common planning practice and so its deletion could be considered how pending more comprehensive review, its retention as a local planning policy is recommended.	<b>Recommendation: Delete as a Council Policy. Review Local Planning Policy</b>
<b>12. Procedures for the Recording &amp; Assessment of Places of Heritage Value</b>	Adopted: 21/7/1986 Last Reviewed: 1999
<b>Policy obsolete</b> This policy outlines the procedure for assessment and registration of places of heritage value, guiding the leading edge work the City was then doing. It is now outdated (predating the Heritage Act 2018 and its predecessor, the Heritage of Western Australia Act 1990) and most of its content has been subsequently addressed and expanded on in the Acts, guidelines published by the Department of Planning, Lands and Heritage and state and local planning policies. The content is largely superseded by these and the various heritage policies adopted under the local planning scheme (notably LPP 1.6 – Heritage Assessments and LPP 2.6 – Procedure for Amending the Municipal Heritage Inventory and Heritage List) – which are themselves subject to a parallel review and update.	<b>Recommendation: Delete Policy</b>
<b>13. Telecommunications Policy</b>	Adopted: 23/7/2001 Last Reviewed: -
<b>Policy duplicated. Requires review.</b> The policy was prepared to guide assessment of telecommunications proposals and is duplicated as local	<b>Recommendation: Delete as a Council Policy. Review Local Planning</b>

planning policy D.B.M.9. The policy refers to the previous Town Planning Scheme and has been partially superseded by State Planning Policy 5.2 'Telecommunications Infrastructure'.	<b>Policy to update and remove superseded content.</b>
<b>Policies recommended for future review:</b>	
<b>1. Sister Cities Policy</b>	Adopted: 21 March 1988 Last Reviewed: -
This policy no longer aligns with the Council direction on International Relationships. When the International Relations Working Group reconvenes, it will look at developing a new policy which will replace the Sister Cities Policy.	<b>Recommendation: Note that a future review will be undertaken.</b>
<b>2. Meeting Procedures Policy</b>	Adopted: 28 February 2018 Last Reviewed: 22 August 2018
Following the introduction of <i>the Local Government (Model Code of Conduct) Regulations 2021</i> , elected members have expressed an interest in considering the adoption of a Meeting Procedures Local Law. This policy will be considered in that broader review.	<b>Recommendation: Note that a future review will be undertaken.</b>
<b>Policies noted for future review after election:</b>	
<p>The following policies will be reviewed following the ordinary election to allow for consideration by the new Council:</p> <ol style="list-style-type: none"> <li>1. Elected Member Professional Development Policy</li> <li>2. Council Members, Committee Members and Candidates Code of Conduct 2021 Policy</li> <li>3. Elected Member Allowances and Reimbursements Policy</li> <li>4. Elected Member and Chief Executive Officer Attendance at Events Policy</li> </ol>	

Copies of each policy in their current form are available on the City's website, and any proposed amendments to policies are shown in the above table and are shown in the attachment to this report with red and green text, indicating red for removal and green for inclusion.

All final policies will also be updated in line with current City templates and any spelling, formatting or grammatical inconsistencies will be corrected.

## FINANCIAL IMPLICATIONS

Nil.

## LEGAL IMPLICATIONS

Clause 2.7 of the *Local Government Act 1995* make provision for Council to adopt policies to guide its decision making.

## CONSULTATION



Consultation is not statutorily required or considered necessary for the minor amendments made during this part of the review.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority required

### **COMMITTEE RECOMMENDATION ITEM FPOL2108-10** **(Officer's recommendation)**

**Moved: Cr Hannah Fitzhardinge**

**Seconded: Cr Adin Lang**

Council:

1. Approve the following policies to remain unchanged:
  - a. Council Decision Making During Electoral Period Policy
  - b. Recording and Livestreaming of Meetings Policy
  - c. Granting and Exercising Freedom of Entry Policy
  - d. CEO Recruitment and Selection, Performance Review and Termination 2021 Policy
  - e. Payments to Terminating Employees Policy
  - f. Car Share Policy
  - g. Community Engagement Policy
  - h. Sustainable Events Policy
  - i. Designation of Senior Employees Policy
2. Adopt the minor amendments to the policies below (as shown in attachment 1):
  - a. Annual General Meeting of Electors / Special Meeting of Electors:
  - b. Appointment of Acting Chief Executive Officer Policy
  - c. Electoral Activities and Signage Policy
  - d. Execution of Documents Policy
  - e. Flying of Flags Policy
  - f. Internal Groups Policy
  - g. Nuclear Free Fremantle Policy
  - h. Precincts Policy
  - i. Strategic Planning Framework Policy
3. Adopt the minor amendments to the policies shown below (as shown in attachment 1), and note that a future comprehensive review will also be undertaken:
  - a. Heritage Places Reserve Policy
  - b. Outdoor Eating Policy (Table and Chairs)
  - c. Policy and Procedure for the Dedication, Upgrade or Closure of Rights of Way
4. Delete the following policies:
  - a. Fremantle Heritage Conservation Grants Policy
  - b. Late Night Entertainment Venues Serving Alcohol Policy (but retain D.B.U.6 as a Local Planning Policy pending further review)
  - c. Procedures for the Recording & Assessment of Places of Heritage Value Policy
  - d. Telecommunication Policy (but retain D.B.M 9 as a Local Planning Policy pending further review)

Note that a future comprehensive review will be undertaken of the following policies:

- a. Sister Cities Policy
- b. Meeting Procedures Policy
- c. Elected Member Professional Development
- d. Council Members, Committee Members and Candidates Code of Conduct 2021
- e. Elected Member Allowances and Reimbursements
- f. Elected Member and Chief Executive Officer Attendance at Events

**Carried en bloc: 7/0**

Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright, Cr Marija Vujcic

Cr Andrew Sullivan moved part 4 a of the officers amended committee recommendation as follows:

**COUNCIL DECISION ITEM FPOL2108-10**  
**(Amended committee recommendation)**

Moved: Cr Andrew Sullivan

Seconded: Cr Jenny Archibald

**Council:**

4. Delete the following policy:
  - a. Fremantle Heritage Conservation Grants Policy

**Carried: 9/1**

**For**

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**Against**

Cr Marija Vujcic

Cr Andrew Sullivan moved the officers amended committee recommendation (excluding part 4 a.) as follows:

**COUNCIL DECISION ITEM FPOL2108-10**  
**(Amended committee recommendation)**

Moved: Cr Andrew Sullivan

Seconded: Cr Jenny Archibald

**Council:**

1. Approve the following policies to remain unchanged:
  - a. Council Decision Making During Electoral Period Policy
  - b. Recording and Livestreaming of Meetings Policy
  - c. Granting and Exercising Freedom of Entry Policy
  - d. CEO Recruitment and Selection, Performance Review and Termination 2021 Policy
  - e. Payments to Terminating Employees Policy

- f. Car Share Policy
- g. Community Engagement Policy
- h. Sustainable Events Policy

**2. Adopt the minor amendments to the policies below (as shown in attachment 1):**

- a. Annual General Meeting of Electors / Special Meeting of Electors:
- b. Appointment of Acting Chief Executive Officer Policy
- c. Electoral Activities and Signage Policy
- d. Execution of Documents Policy
- e. Flying of Flags Policy
- f. Internal Groups Policy
- g. Nuclear Free Fremantle Policy
- h. Precincts Policy
- i. Strategic Planning Framework Policy

**3. Adopt the minor amendments to the policies shown below (as shown in attachment 1), and note that a future comprehensive review will also be undertaken:**

- a. Heritage Places Reserve Policy
- b. Outdoor Eating Policy (Table and Chairs)
- c. Policy and Procedure for the Dedication, Upgrade or Closure of Rights of Way

**4. Delete the following policies:**

- b. Late Night Entertainment Venues Serving Alcohol Policy (but retain D.B.U.6 as a Local Planning Policy pending further review)
- c. Procedures for the Recording & Assessment of Places of Heritage Value Policy
- d. Telecommunication Policy (but retain D.B.M 9 as a Local Planning Policy pending further review)
- e. *Designation of Senior Employees Policy*

**Note that a future comprehensive review will be undertaken of the following policies:**

- a. Sister Cities Policy
- b. Meeting Procedures Policy
- c. Elected Member Professional Development
- d. Council Members, Committee Members and Candidates Code of Conduct 2021
- e. Elected Member Allowances and Reimbursements
- f. Elected Member and Chief Executive Officer Attendance at Events

**Carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

**Reason for change:**

Following the FPOL Committee meeting, legal advice was received that recommended deleting the 'Designation of Senior Employees Policy' as this matter can be dealt with under the Local Government Act 1995 and parts of the policy is inconsistent with the Act. Therefore, the committee recommendation was amended to move the 'Designation of Senior Employees policy' from part 1 to part 4, to be deleted.

## **FPOL2108-11 FINES ENFORCEMENT REGISTRY (FER) WRITE OFFS**

<b>Meeting date:</b>	<b>11 August 2021</b>
<b>Responsible officer:</b>	Manager Field Services
<b>Decision making authority:</b>	Council
<b>Confidential Attachments:</b>	1. FER List of write-offs, schedule number: 101515, 101502, 101635, 101598, 101696, 101707 101807 & 101864
<b>Additional information:</b>	Nil

### **SUMMARY**

The City of Fremantle issues parking fines to drivers of vehicles that are in breach of the Parking Local Law. Any fines that are not paid to the City within 84 days are referred to the Fines Enforcement Registry (FER) which is a statutory body within the Department of Justice. FER is the sole provider of the service and enforces fines imposed in WA courts and those arising from unpaid infringement notices.

FER has recently advised the City that they would like to write off fines that it considers unenforceable as a result of factors including deceased, bankruptcy, being uneconomical due to the small amount owing, having insufficient details in order to pursue and time elapsed since the registration of the infringement. In order to do this the City is required to agree to this amount being written off as the fines were originally raised by the City.

FER is requesting that the City agrees to writing off \$258,552.45 of unpaid fines and collection costs, with some dating back to 2011. In order for FER to write off this amount the City has to agree to forgo the original modified penalties of the infringement notices, plus statutory fees chargeable by the City during the statutory enforcement process. The value of this is \$62,161.60. These amounts were never included in the City's balance sheet and no impact will be made on council's financial position.

The remaining amount of \$196,390.85 is the additional fees associated with the cost of registering the cases for enforcement. These fees were raised by FER as part of their statutory enforcement process and are income that would have been received by FER rather than the City.

This means that of the \$258,552.45 of unpaid fines and collection costs, \$62,191.60 are fees that will not be collected by the City and \$196,390.85 are fees that will not be collected by FER.

The City makes an average \$1.8 million from parking infringements each year, which includes \$610,000 recovered from FER. This equates to 34% of the total parking infringement income. \$62,191.60 is only around 3.4% of the total parking income earned in an average year.

**This report recommends that Council agrees to the Fines Enforcement Registry writing off \$258,552.45 in unpaid fines and associated recovery costs as described in Fines Enforcement Registry's schedules 101515, 101502, 101635, 101598, 101696, 101707, 101807 & 101864 as shown in confidential attachments.**

## **BACKGROUND**

The City of Fremantle uses the FER to assist in the recovery of unpaid parking fines. This registry is the sole provider of the service which is able to cancel driver and vehicle licences and undertake recovery action. This service comes at a cost which can be greater than the fine itself and these costs are recoverable once the alleged offender is located.

The City uses data provided by the Department of Transport to identify the registered owner of vehicles when enforcing unpaid penalties. This data is used to provide written notification to owners, using regulatory final demand notices and subsequent registration with FER to assist in the recovery of unpaid parking fines.

Each year, FER identifies those registrations for which it has exhausted all avenues of enforcement and removes those records from the Registry upon agreement from the City. Consequently, writing-off the debts by FER ends further recovery on those records.

## **FINANCIAL IMPLICATIONS**

The amounts stated in the advice from FER are not included on Council's balance sheet as debtors. The City records any money recovered as revenue in the year it is recovered and as a result no impact will be made upon Council's financial statement.

## **LEGAL IMPLICATIONS**

The operation of the Fines Enforcement Registry is provided for by *Fines Penalties and Infringement Notice Enforcement Act 1994*

## **CONSULTATION**

Nil

## **OFFICER COMMENT**

FER has advised the City that it is requesting permission to write off \$258,552.45 as unrecoverable. Of this amount, approximately \$62,161 is associated with the original modified penalty of the infringement notice, plus statutory fees chargeable by the City during the enforcement process. The remainder is additional fees raised by FER associated with the cost of registering the cases for enforcement. Some registrations date back to 2011 and include a number of deceased people, companies that are no longer registered and cases which have been registered for 4 years or more where FER considers there is no prospect of the recovery of the funds.

FER has exhausted all avenues of the recovery for these registered infringement notices. It is the Officers recommendation that the debts are written off given the recovery difficulties and ongoing costs.

The list of affected records is shown under separate confidential cover in order to regard privacy considerations.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute majority required

### **COUNCIL DECISION ITEM FPOL2108-11**

**(Officer recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

**Council approve the write-off of debt for the sum of \$258,552.45 (comprising of \$62,161.60 of unpaid infringement notices and \$196,390.85 of associated enforcement costs) in unpaid fines and associated recovery costs outlined within the Department of Justice's Fines Enforcement Registry's schedules 101515, 101502, 101635, 101598, 101696, 101707, 101807 and 101864.**

**Carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## FPOL2108-12 ANNUAL EVENT SPONSORSHIP

**Meeting Date:** 11 August 2021  
**Responsible Officer:** Director Community Development  
**Decision Making Authority:** Council  
**Attachments:** 1. Grants and Sponsorship Policy

### SUMMARY

The purpose of this report is to seek approval to provide sponsorship funding to recipients that annually apply for sponsorship funding, but now sit outside of the Grants and Sponsorship Policy scope.

This report recommends that Council approve a phased funding approach to provide the same level of annual funding to the recipients in 2021/22, and to reduce the level of funding the City provides over a three-year period.

### BACKGROUND

The Grants and Sponsorships policy was adopted by Council on 12 May 2021.

The policy provides a consolidated approach to the management of financial assistance requests across the City.

The policy outlines the framework to manage one-off grant, sponsorship or in-kind funding requests that will further the actions and the achievement of the City's strategic objectives.

As a result, the ongoing funding of annual events sits outside of the policy scope and is required to be submitted to Council for assessment and approval.

Through the event sponsorship program, annual events are defined as events that are held in the City of Fremantle for five years or more. The City has financially supported six annual events across a 16-year period.

### FINANCIAL IMPLICATIONS

Officer recommendation can be accommodated under existing base operating budget through the event sponsorship program.

The City has previously provided funding in the vicinity of \$196,876.21 for externally run annual events.

It is intended that the future support of these annual events will be reduced over a period of three years: year 1 – 100% of annual sponsorship commitment, year 2 – 75% of annual sponsorship commitment, year 3 – 50% of annual sponsorship commitment. It is envisaged that funding would not be provided under this arrangement in year 4.



Annual events have received the following ongoing support:

Event / Activity	Standard Annual Commitment	Support received (cash and in-kind)	Status
Blessing of the Fleet Fishing Fleet Festival	\$15,484.62 cash sponsorship, depending on traffic management and fireworks costs	\$30,899.21 in cash sponsorship across 2016 – 2020	Applied for funding for October 2021 event
Maria SS Del Tindari street procession	\$4,500 cash sponsorship	\$18,000 in cash sponsorship across 2016 – 2020	Event unlikely to continue in 2021 due to COVID restrictions but is set to be held in 2022
Lily Street Bake Off community event	\$1,430.00 cash sponsorship	\$4,830 in cash sponsorship and donations across 2016 – 2020	Event set to be held in 2021
Long Table Dinner community event	\$5,000 cash sponsorship (Has ranged between \$1,000 - \$20,000 across its six years)	\$41,000 in cash sponsorship across 2017 – 2020	Event set to be held in 2021
Coast Fish & Sips Seafood Festival	\$1,075 in-kind sponsorship. 50% of venue hire fees	\$39,047 in fee waiver across 2017 – 2019	Event set to be held in 2021
Fremantle Chamber Orchestra	100% subsidy of Town Hall venue hire. \$1,225 per concert (up to five concerts per year). \$6,125 annually for five concerts.	\$61,619.80 in fee waiver and grant funding across 2005 – 2019	Applied for free venue hire for 2021 for up to five concerts

## LEGAL IMPLICATIONS

All sponsorship recipients are required to enter into a funding agreement with the City. It is intended that any agreement entered into would be for a maximum term of three years and that the level of funding provided by the City would be reduced gradually over that time.

## CONSULTATION

Nil

## OFFICER COMMENT

Whilst these annual events sit outside the policy, their profile and history with the City makes them an integral part of the City's events offering from both a community and cultural perspective which makes them worth entering into a sponsorship agreement.

The Officer recommendation addresses the need for these events to be supported in 2021 and provides them with sufficient notice to seek funding opportunities through other avenues moving forward. It reduces their reliance on the City and encourages them to become more sustainable.

Not funding these annual events in 2021 does not allow for sufficient time for these event organisers to process the impact of not receiving the City's annual funding and could damage the event moving forward.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required.

## OFFICER'S RECOMMENDATION

Council authorise officers to enter into a three-year funding agreement with the six events included in this report that sit outside of the City's Grants and Sponsorship Policy, with the following level of support:

Event name	Financial year	Sponsorship amount and type
Blessing of the Fleet Fishing Fleet Festival	Year 1 (2021-22)	\$15,484.62 cash
	Year 2 (2022-23)	\$11,613.45 cash
	Year 3 (2023-24)	\$7,742.30 cash
	Year 4 (2024-25)	\$0 cash
Maria SS Del Tindari street procession	Year 1 (2021-22)	\$4,500 cash
	Year 2 (2022-23)	\$3,375 cash
	Year 3 (2023-24)	\$2,250 cash
	Year 4 (2024-25)	\$0 cash
Lily Street Bake Off	Year 1 (2021-22)	\$1,430 cash
	Year 2 (2022-23)	\$1,072.50 cash
	Year 3 (2023-24)	\$715 cash
	Year 4 (2024-25)	\$0 cash
Long Table Dinner	Year 1 (2021-22)	\$5,000 cash
	Year 2 (2022-23)	\$3,750 cash
	Year 3 (2023-24)	\$2,500 cash
	Year 4 (2024-25)	\$0 cash
Coast Fish & Sips Seafood Festival	Year 1 (2021-22)	\$1,075 in-kind
	Year 2 (2022-23)	\$806.25 cash
	Year 3 (2023-24)	\$537.50 cash
	Year 4 (2024-25)	\$0 cash

Fremantle Chamber Orchestra	Year 1 (2021-22)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 2 (2022-23)	75% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 3 (2023-24)	50% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 4 (2024-25)	No subsidy

### AMENDMENT 1

Moved: Cr Sam Wainwright

Seconded: Cr Adin Lang

Amend part 1 and add a new part 2 and 3 to the officer's recommendation, to remove the words in red strikethrough and add the words shown in green italics, as follows:

Council:

1. Authorise officers to enter into a ~~three-year~~ funding agreement with the six events included in this report that sit outside of the City's Grants and Sponsorship Policy, *as outlined in the following table:*

Event name	Financial year	Sponsorship amount and type
Blessing of the Fleet Fishing Fleet Festival	Year 1 (2021-22)	\$15,484.62 cash
	Year 2 (2022-23)	\$11,613.45 cash
	Year 3 (2023-24)	\$7,742.30 cash
	Year 4 (2024-25)	\$0 cash
Maria SS Del Tindari street procession	Year 1 (2021-22)	\$4,500 cash
	Year 2 (2022-23)	<del>\$3,375 cash</del> <i>\$4,500 cash</i>
	Year 3 (2023-24)	<del>\$2,250 cash</del> <i>\$4,500 cash</i>
	<del>Year 4 (2024-25)</del>	<del>\$0 cash</del>
Lily Street Bake Off	Year 1 (2021-22)	\$1,430 cash
	Year 2 (2022-23)	<del>\$1,072.50 cash</del> <i>\$1,430 cash</i>
	Year 3 (2023-24)	<del>\$715 cash</del> <i>\$1,430 cash</i>
	<del>Year 4 (2024-25)</del>	<del>\$0 cash</del>
Long Table Dinner	Year 1 (2021-22)	\$5,000 cash
	Year 2 (2022-23)	<del>\$3,750 cash</del> <i>\$5,000 cash</i>
	Year 3 (2023-24)	<del>\$2,500 cash</del> <i>\$5,000 cash</i>
	<del>Year 4 (2024-25)</del>	<del>\$0 cash</del>
	Year 1 (2021-22)	\$1,075 in-kind

Event name	Financial year	Sponsorship amount and type
Coast Fish & Sips Seafood Festival	Year 2 (2022-23)	\$806.25 cash
	Year 3 (2023-24)	\$537.50 cash
	<del>Year 4 (2024-25)</del>	<del>\$0 cash</del>
Fremantle Chamber Orchestra	Year 1 (2021-22)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 2 (2022-23)	<del>75%</del> 100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 3 (2023-24)	<del>50%</del> 100% subsidy of Town Hall venue hire fees for up to 5 concerts
	<del>Year 4 (2024-25)</del>	<del>No subsidy</del>

2. *Notes that the Fremantle Chamber Orchestra is more like a sporting club, cultural institution or other enduring community organisation that puts on events rather than being "an event" as described by the Grants and Sponsorship Policy.*
3. *At the end of the funding agreement period will;*
  - (a) *decide whether to continue funding the Maria SS Del Tindari street procession, Lily Street Bakeoff and Long Table Dinner, and if so under what terms;*
  - (b) *consider longer term options for supporting the Fremantle Chamber Orchestra, including assistance in accessing other sources of funding, and requests officer(s) prepare a report to assist with this process.*

**Amendment carried: 7/0**

Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright, Cr Marija Vujcic

**Reason for change:**

To ensure a reasonable level of financial assistance for those non-commercial events that are deemed to add community value and are worthy of continued support.

**AMENDMENT 2**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Amend part 1 for Blessing of the Fleet to read as follows:

Event name	Financial year	Sponsorship amount and type
Blessing of the Fleet Fishing Fleet Festival	Year 1 (2021-22)	\$15,484.62 cash
	Year 2 (2022-23)	<del>\$11,613.45 cash</del> \$15,484.62 cash
	Year 3 (2023-24)	<del>\$7,742.30 cash</del> \$15,484.62 cash
	<del>Year 4 (2024-25)</del>	<del>\$0 cash</del>

Amendment carried: 6/1

For

Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Marija Vujcic  
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright,

Against

Cr Andrew Sullivan

**AMENDMENT 3**

Moved: Cr Jenny Archibald

Seconded: Cr Doug Thompson

Remove the Lily Street Bake-Off event from the funding table, to be treated as a 'Street Party'.

Amendment carried: 6/1

For

Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright,

Against

Cr Marija Vujcic

**COMMITTEE RECOMMENDATION ITEM FPOL2108-12**  
**(Officer's recommendation as amended)**

**Moved: Cr Hannah Fitzhardinge**

**Seconded: Cr Jenny Archibald**

Council:

1. Authorise officers to enter into a funding agreement with the six events included in this report that sit outside of the City's Grants and Sponsorship Policy, *as outlined in the following table:*

Event name	Financial year	Sponsorship amount and type
Blessing of the Fleet Fishing Fleet Festival	Year 1 (2021-22)	\$15,484.62 cash
	Year 2 (2022-23)	\$15,484.62 cash
	Year 3 (2023-24)	\$15,484.62 cash
Maria SS Del Tindari street procession	Year 1 (2021-22)	\$4,500 cash
	Year 2 (2022-23)	\$4,500 cash
	Year 3 (2023-24)	\$4,500 cash
Long Table Dinner	Year 1 (2021-22)	\$5,000 cash
	Year 2 (2022-23)	\$5,000 cash
	Year 3 (2023-24)	\$5,000 cash
Coast Fish & Sips Seafood Festival	Year 1 (2021-22)	\$1,075 in-kind
	Year 2 (2022-23)	\$806.25 cash
	Year 3 (2023-24)	\$537.50 cash
Fremantle Chamber Orchestra	Year 1 (2021-22)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 2 (2022-23)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 3 (2023-24)	100% subsidy of Town Hall venue hire fees for up to 5 concerts

2. *Notes that the Fremantle Chamber Orchestra is more like a sporting club, cultural institution or other enduring community organisation that puts on events rather than being "an event" as described by the Grants and Sponsorship Policy.*
3. *At the end of the funding agreement period will;*
  - (a) *decide whether to continue funding the Maria SS Del Tindari street procession, and Long Table Dinner, and if so under what terms;*

- (b) consider longer term options for supporting the Fremantle Chamber Orchestra, including assistance in accessing other sources of funding, and requests officer(s) prepare a report to assist with this process.

**Carried: 7/0**

Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright, Cr Marija Vujcic

Cr Andrew Sullivan moved the officers amended committee recommendation, as follows:

**AMENDED COMMITTEE RECOMMENDATION**

Moved: Cr Andrew Sullivan

Seconded: Cr Jenny Archibald

Council:

1. Authorise officers to enter into a funding agreement with the **six five** events included in this report that sit outside of the City's Grants and Sponsorship Policy, as outlined in the following table:

Event name	Financial year	Sponsorship amount and type
Blessing of the Fleet Fishing Fleet Festival	Year 1 (2021-22)	\$15,484.62 cash
	Year 2 (2022-23)	\$15,484.62 cash
	Year 3 (2023-24)	\$15,484.62 cash
Maria SS Del Tindari street procession	Year 1 (2021-22)	\$4,500 cash
	Year 2 (2022-23)	\$4,500 cash
	Year 3 (2023-24)	\$4,500 cash
Long Table Dinner	Year 1 (2021-22)	\$5,000 cash
	Year 2 (2022-23)	\$5,000 cash
	Year 3 (2023-24)	\$5,000 cash
Coast Fish & Sips Seafood Festival	Year 1 (2021-22)	\$1,075 in-kind
	Year 2 (2022-23)	\$806.25 cash
	Year 3 (2023-24)	\$537.50 cash
Fremantle Chamber Orchestra	Year 1 (2021-22)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 2 (2022-23)	100% subsidy of Town Hall venue hire fees for up to 5 concerts

Event name	Financial year	Sponsorship amount and type
	Year 3 (2023-24)	100% subsidy of Town Hall venue hire fees for up to 5 concerts

2. Notes that the Fremantle Chamber Orchestra is more like a sporting club, cultural institution or other enduring community organisation that puts on events rather than being "an event" as described by the Grants and Sponsorship Policy.
3. At the end of the funding agreement period will;
  - (a) decide whether to continue funding the Maria SS Del Tindari street procession, and Long Table Dinner, and if so under what terms;
  - (b) consider longer term options for supporting the Fremantle Chamber Orchestra, including assistance in accessing other sources of funding, and requests officer(s) prepare a report to assist with this process.
4. *Notes that all funding recipients will still need to adhere to the Grants and Sponsorship Policy. This includes the provision of a funding agreement whereby recipients will be required to provide an acquittal outlining the key benefits of the sponsorship support on an annual basis.*

**Reason for change:**

The amended committee recommendation correctly reflects the amendments made at the FPOL Committee meeting. It includes an additional part 4 proposed by Cr Doug Thompson and was intended to be moved with the amendment made by Cr Sam Wainwright.

**AMENDMENT 1**

Moved: Cr Andrew Sullivan

Seconded: Cr Frank Mofflin

3. ***At Will, prior to*** the end of the funding agreement period ***will:***
  - (a) ***Decide consider*** whether to continue funding the ***five listed events Maria SS Del Tindari street procession, and Long Table Dinner,*** and if so under what terms;
  - (b) consider longer term options for supporting the Fremantle Chamber Orchestra, including assistance in accessing other sources of funding, and request officer(s) prepare a report to assist with this process; ***and***

Carried: 10/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang



Cr Andrew Sullivan moved part 3 (c) of Amendment 1, as follows:

**AMENDMENT 2**

Moved: Cr Andrew Sullivan

Seconded: Cr Frank Mofflin

- (c) *liaise with the organisers of the Blessing of the Fleet to ascertain options for either excluding the fireworks from their programme or to seek alternative sponsorship for this \$10,000 component.*

Carried: 8/2

For

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Frank Mofflin, Cr Doug Thompson,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Marija Vujcic

Against

Cr Andrew Sullivan, Cr Sam Wainwright

**Reason for change:**

To ensure reviews of the five listed sponsorships occur prior to the expiry of the three year period to ensure organisers have ample notice to plan future events based on their available funding, if any. To investigate the opportunity to remove the most expensive and contentious component of the Blessing of the Fleet, being the fireworks, or to seek alternative sponsorship for this component.

**COUNCIL DECISION ITEM FPOL2108-12**

Moved: Cr Andrew Sullivan

Seconded: Cr Jenny Archibald

**Council:**

1. Authorise officers to enter into a funding agreement with the *five* events included in this report that sit outside of the City's Grants and Sponsorship Policy, as outlined in the following table:

Event name	Financial year	Sponsorship amount and type
Blessing of the Fleet Fishing Fleet Festival	Year 1 (2021-22)	\$15,484.62 cash
	Year 2 (2022-23)	\$15,484.62 cash
	Year 3 (2023-24)	\$15,484.62 cash
Maria SS Del Tindari street procession	Year 1 (2021-22)	\$4,500 cash
	Year 2 (2022-23)	\$4,500 cash
	Year 3 (2023-24)	\$4,500 cash
Long Table Dinner	Year 1 (2021-22)	\$5,000 cash
	Year 2 (2022-23)	\$5,000 cash

Event name	Financial year	Sponsorship amount and type
	Year 3 (2023-24)	\$5,000 cash
Coast Fish & Sips Seafood Festival	Year 1 (2021-22)	\$1,075 in-kind
	Year 2 (2022-23)	\$806.25 cash
	Year 3 (2023-24)	\$537.50 cash
Fremantle Chamber Orchestra	Year 1 (2021-22)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 2 (2022-23)	100% subsidy of Town Hall venue hire fees for up to 5 concerts
	Year 3 (2023-24)	100% subsidy of Town Hall venue hire fees for up to 5 concerts

2. Notes that the Fremantle Chamber Orchestra is more like a sporting club, cultural institution or other enduring community organisation that puts on events rather than being "an event" as described by the Grants and Sponsorship Policy.
3. *Will, prior to the end of the funding agreement period:*
  - (a) *consider whether to continue funding the five listed events and if so under what terms;*
  - (b) *consider longer term options for supporting the Fremantle Chamber Orchestra, including assistance in accessing other sources of funding, and request officer(s) prepare a report to assist with this process; and*
  - (c) *liaise with the organisers of the Blessing of the Fleet to ascertain options for either excluding the fireworks from their programme or to seek alternative sponsorship for this \$10,000 component.*
4. *Notes that all funding recipients will still need to adhere to the Grants and Sponsorship Policy. This includes the provision of a funding agreement whereby recipients will be required to provide an acquittal outlining the key benefits of the sponsorship support on an annual basis.*

Carried: 10/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**ITEMS APPROVED “EN BLOC”**

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

**COUNCIL DECISION**

Moved: Cr Andrew Sullivan

Seconded: Cr Doug Thompson

The following items be adopted en bloc as recommended:

**FPOL2108-13      MEMORANDUM OF UNDERSTANDING FOR FREMANTLE  
LIBRARY CONNECT**

**FPOL2108-14      AMENDMENT TO FEES AND CHARGES 2021/2022**

**Carried en bloc: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## **FPOL2108-13 MEMORANDUM OF UNDERSTANDING FOR FREMANTLE LIBRARY CONNECT**

**Meeting date:** 11 August 2021  
**Responsible officer:** Manager Customer Experience and Learning  
**Decision making authority:** Council  
**Attachments:** 1. Memorandum of Understanding Between St Patricks Community Support Centre and City of Fremantle

### **SUMMARY**

The Library Connect project was launched as a one-year pilot project in late September 2020 as a partnership between St Patrick's Community Support Centre and City of Fremantle. It is an innovative program that sees a community support worker based at the Fremantle Library, offering support, advice and referrals as an alternate access point for persons experiencing financial difficulties, housing stress, loss of employment, hardship and social isolation.

This report recommends that Council:

- 1. Endorses the Memorandum of Understanding (MOU) (Attachment 1) between the City of Fremantle and St Patrick's Community Support Centre and continues to support and co-fund the Library Connect program as outlined in the MOU.**
- 2. Approve a budget variation for the amount of \$41 000 from the Library budget to fund the annual contribution for Library Connect.**

### **BACKGROUND**

The Library Connect project is a collaboration between St Pat's and the City of Fremantle, which commenced in September 2020. A pilot project and the first of its kind in WA, St Pat's have employed a community support worker that is embedded in Fremantle Library, to connect with people experiencing hardship (including people experiencing homelessness or at risk of homelessness).

The support worker role provides initial support and advice, as well as connection and referrals to other services, including for financial and housing issues and emergency relief. The Library Connect project also provides both formal and informal training, support, and capacity building for City of Fremantle Library staff on a range of topics, including working with people who have experienced trauma.

The Library Connect project is designed to offer support in a community setting, with public libraries being identified as providing a safe and inclusive space for a broad cross section of the community.

The project also aims to offer early intervention and support for people who are 'newly vulnerable' or are experiencing financial, housing and other distress in the Fremantle area.

Homelessness is a growing issue in both Western Australia and in Fremantle. Current year to date figures State-wide (as per Shelter WA) shows that 9,005 people are experiencing homelessness across the state per night. There are 14,000 applicants on social housing waitlists with an average wait time of 2.5 years. 66% or 2 out of 3 requests for accommodation via homelessness services go unmet.

In Fremantle, for June 2021, 199 people are experiencing homelessness. 59 of those are considered chronically homeless (chronic homelessness is attributed to a person that has been in and out of various accommodation for 6 months or more) and 140 people were sleeping rough.

The Western Australian Council of Social Service (WACOSS) reported that the COVID-19 pandemic had resulted in increased numbers of people finding themselves unemployed, at risk of homelessness or facing extreme hardships for the first time in their lives.

The Library Connect project is supported by a robust evaluation framework developed by the Home2Health research team at the School of Population and Global Health of UWA, and a comprehensive data collection plan has been developed to support this evaluation. The main issues experienced by people supported by the project so far have included financial difficulties, housing affordability stress, and a lack of support to manage these issues. It is also of note that people have presented with issues resulting from COVID-19, including loss of employment, financial difficulties, and social isolation.

The project has proven very successful as demonstrated by its direct contact with 424 people in need. Most interactions are from women and significant numbers of Aboriginal people, and people from CALD backgrounds. Data below shows the range of demographics and the issues that were presented and supported. To date the project has provided 366 instances of support and referral and issued over \$18,000 (St Pats funding) in emergency relief.

Demographic	Totals	Percentage
Male	150	35%
Female	274	65%
ATSI	75	19%
CALD	95	37%

The range of services provided include, among others:  
Referrals to health services, GP's, community legal services, housing providers, financial counsellors and other local community agencies.

Advocacy with Real Estate/ Rental Agencies, housing providers and landlords, Centrelink, employers, utility companies, education institutions, migrant services and other government and non-government services.

Emergency payments for rental arrears or to secure tenancy/prevent evictions, car registrations, food vouchers, transport vouchers, medical bills/scripts  
Guidance, information, and general support on a variety of matters.

The aim is to reach people facing disadvantage and in need as early as possible, and through practical supports and interventions assist them to avert crisis (or a deepening of

their crisis), identify options to overcome their situation, and ideally support them to build their capacity, resilience, and independence.

In the time the program has been operating, clients supported by Library Connect have reported significant outcomes including securing housing and employment, as well as feeling more confident they have the tools to navigate their challenges. A number have also indicated that Library Connect has filled a gap where they felt there were no other avenues for support. Significantly, we have had indication that the service has provided an opportunity for women facing family and domestic violence to discretely and safely seek assistance, given the worker is embedded in the library.

**FINANCIAL IMPLICATIONS**

The first 12-month pilot of the Library Connect project was funded through philanthropic donation secured by St Patrick’s Community Support Centre. The funding covered staff costs for a 0.6FTE social worker, administration costs and an evaluation project delivered by the Home2Health team from UWA’s School of Population and Global Health:

In order to build the project’s ongoing sustainability, Fremantle Library Connect, will be a co-funded arrangement between St Patrick’s and City of Fremantle for the next three years. City of Fremantle will provide an annual contribution of 50% of the salary for the portion of hours (27) that the social worker is onsite in the Fremantle Library. This is the equivalent of \$41,000. The City will also provide support for the program around the on-location supervision of service delivery staff and provision of access to facilities required to operate the service. The annual contribution is cost neutral for City of Fremantle as this amount is an un-used portion of vacated staff position that won’t be backfilled for the duration of this program. A budget variation from the staff establishment of Lifelong learning (the total amount of the contribution) to the Community Development grants and sponsorship will be required.

St Patricks will provide or secure the remainder, up to an estimated \$127,450, for the program. St Patricks retains the overall financial management, along with intellectual property rights (materials, branding and other aspects arising from the program.)

The community worker will be onsite in the Fremantle Library for 27 hours per week.

Tues: 1-7pm	5.5hours with 30min break
Wednesday: 10-7	8.5 with 30min break
Thurs:1-7pm	5.5hours with 30min break
Sat: 9-2pm	5 hours no break (costed at 7.5hours to allow for loading)
<b>Total</b>	<b>24.5 hours/week (costed at 27hrs/week)</b>

In addition, the City applied for a State Library of Western Australia’s Priority Allocation grant (\$13,500) to cover the next 12 months of the evaluation. The grant application was successful.

## **LEGAL IMPLICATIONS**

The partnership between the City of Fremantle and St Patrick's on Library Connect is defined through a Memorandum of Understanding which outlines the program details, the primary agreement, roles and responsibilities of both organisations and a commitment to strong programme of governance and decision-making.

## **CONSULTATION**

The City of Fremantle and St Patrick's held a co-design process that invited feedback from existing library users, staff and clients of both organisations and other interested community members and sector agencies. There were two workshops that involved people with lived experience of homelessness, community members, City of Fremantle and St Patrick's staff and other industry stakeholders.

There is also an established steering committee that meet regularly and has representation from St Patrick's, City of Fremantle, library management, and an independent researcher from the evaluating team at UWA. Reporting to this committee is an active reference group including St Patrick's and library staff, a researcher and a lived experience advocate. The steering group supports the continuance of the program both at Fremantle as well as more widely if this proves achievable.

## **OFFICER COMMENT**

The City of Fremantle's Strategic Community Plan 2015-2025 was reviewed and updated in 2019. A strategic focus area of the plan is Health and Happiness, which includes two relevant outcomes for Library Connect:

- Fremantle is a welcoming, safe and caring place that celebrates and actively supports diversity.
- Partner with community to build capacity for social inclusion, connectivity and capital.

The Library Connect program is closely aligned with key City plans and acknowledges that Local Government has an important role to play in contributing to the collective approach to solve homelessness. This project has demonstrated that it is an effective way to intervene with vulnerable members of the community before their situation is at a crisis point. There are many benefits from this program for the community, for library staff, for library patrons and to those experiencing hardship.

The evaluation by UWA included interviews and focus group with library and council staff and project stakeholders which further shows the value of the project.

The following main themes have emerged from the program:

- Having a support service available in a safe and familiar space, particularly for people who are experiencing disadvantage for the first time;
- The value of having a support service that is available when other community services aren't currently available (for example, the Library Connect service can

provide emergency relief on weekends. Once the new library opens the service hours will extend into early evening);

- A neutral safe space for people to go who may not feel comfortable accessing traditional relief/crisis services. Particularly for women in FDV situations, who can say just going to library and bring their children;
- The library connect worker having success with getting/retaining housing for families that are about to be evicted and securing employment;
- A significant impact of the project specifically for women who are experiencing hardship, particularly women with children. Children can read a library book while mum meets with the Library connect worker – and the children don't have to hear the conversation; and
- The benefit for library staff of having the Library Connect worker available, with the time, skills, and training to support them with managing and debriefing when there are client-related incidents.

Some key quotes from clients are provided below:

“Ivy and her 2 young children were regular users of the library. After encountering the Social Worker a few times, she decided to reach out for help. It was the first time that she was asking services for help. Following the death of her partner, she was struggling with grief, anxiety, depression, bills and rental costs and parenting of her two young girls. The Social Worker was able to assist with food vouchers, referrals to financial counselling, advice on engaging with mental health and counselling and parenting support”

“John (46) was referred from Centrelink. He recently returned to WA from SA to join his wife and kids who returned when COVID started in 2020. Unfortunately, the relationship had broken down causing severe mental distress and hospitalisation and leaving him at risk of homelessness. Although a permanent resident, John discovered that he was not entitled to government benefits, so LC SW provided advocacy and a referral to Fremantle Community Legal to appeal the Centrelink decision enabling John to receive an income under a special benefit. The CW linked him with a GP for mental Healthcare Plan and assisted him in find short term accommodation. Good, clothing, phone credit and transport vouchers were also provided. John also comes regularly to the library now to use the services and socialise”

At the core of Library Connect, a support worker engages with and connects with people, providing support for vulnerable people experiencing a range of hardships connecting them to services and support in a safe and welcoming environment, providing advice, referrals and support on the ground where it is needed.

As a testament to the project's success to date as well as industry interest in the project, conversations are also underway to extend this project with several other metropolitan local governments, and then potentially across the State.

To this end, the State Library WA, is in discussions with St Pats, proposing to partner with them to jointly provide a backbone organisation, providing central services, training and professional development to the network of end of train line libraries in wider Perth (e.g. Perth, Joondalup, Midland, Armadale and Mandurah Libraries along with



Fremantle), and coordination for each foundational community service partner. Funding options are currently being considered for this proposal.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute majority required

### **COUNCIL DECISION ITEM FPOL2108-13** **(Officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

#### **Council:**

- 1. Endorse the Memorandum of Understanding (MOU) (Attachment 1) between the City of Fremantle and St Patrick's Community Support Centre and continues to support and co-fund the Library Connect program as outlined in the MOU.**
- 2. Approve a budget variation for the amount of \$41,000 from the Library budget to fund the annual contribution for Library Connect.**

**Carried en bloc: 10/0**  
**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,**  
**Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,**  
**Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## **FPOL2108-14 AMENDMENT TO FEES AND CHARGES 2021/2022**

**Meeting date:** 11 August 2021  
**Responsible officer:** A/Manager Finance  
**Decision making authority:** Council  
**Agenda attachments:** Nil  
**Additional information:** Nil

### **SUMMARY**

**This report is to consider the adoption of fees not included in the Fees and Charges schedule of the 2021/2022 Budget and to amend fees and charges for the 2021/2022 financial year.**

**This report recommends that Council advertise its intent to adopt the new and amended fees and charges as an addendum to the fees and charges adopted with the 2021/2022 Budget.**

### **BACKGROUND**

At its Ordinary Meeting of Council held on Wednesday, 23 June 2021 Council adopted the 2021/2022 Annual Budget, including the City's Fees and Charges for 2021/2022.

Spectator fees at the Leisure Centre have been historically tied to the fee per hour charged at the Leisure Centre Car Park (No. 14) since patrons who use the Leisure Centre Car Park (No.14) and purchase a parking ticket are given a refund towards their entry fee. The refund provided is for the amount of the parking ticket purchased, not exceeding the cost of admission.

Due to a late change in relation to parking fees, the 2021/2022 Fees and Charges schedule was adopted with the Spectator Fees at the Fremantle Leisure Centre unchanged from the prior year.

It is recommended that the Spectator Fees be amended to reflect the same rate of \$2.50 per hour as is applicable for Leisure Centre Car Park (No. 14). The proposed amendments are to take effect from 1 September 2021.

### **FINANCIAL IMPLICATIONS**

The adoption of this change to the 2021/2022 Spectator Fees will not materially impact the City's budgeted income position.

### **LEGAL IMPLICATIONS**

The Local Government Act 1995 states:

*Section 6.16 Imposition of fees and charges*

(3) *Fees and charges are to be imposed when adopting the annual budget but may be /20*

- (a) *imposed\* during a financial year; and*
- (b) *amended\* from time to time during a financial year.*

*\* Absolute majority required*

**Section 6.19**                      *Local government to give notice of fees and charges*

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*

- (a) *Its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

**CONSULTATION**

NIL

**OFFICER COMMENT**

Spectator fees at the Leisure Centre have been historically tied to the fee per hour charged at the Leisure Centre Car Park (No. 14) since Leisure Centre Patrons may use same day proof of payment for parking in Car Park (No. 14) to offset admission fees to the Leisure Centre.

It has been identified that the Fremantle Leisure Centre Spectator fees and the Leisure Centre Car Park (No.14) fees do not align, which has resulted in a discrepancy in the Leisure Centre’s admissions process.

By amending the spectator fee to align with the minimum parking fee, it will ensure equity for spectators who use the parking facility and spectators not using the parking facility.

Provided below is the proposed amendment to the Fremantle Leisure Centre Spectator fees:

<b>Fee Name and Description</b>	<b>Adopted Fee (incl. GST)</b>	<b>Proposed Amended Fee (incl. GST)</b>
<u>Swimming Fees</u>		
Spectator	\$2.40 per person	\$2.50 per person
Spectator 10 Visit Pass	\$21.60 per person	\$22.50 per person
Spectator 20 Visit Pass	\$42.00 per person	\$43.75 per person
Spectator 30 Visit Pass	\$61.20 per person	\$63.75 per person

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute majority required

**COUNCIL DECISION ITEM FPOL2108-14**  
**(Officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

**Council:**

- 1. Adopt the amended fees as detailed in the following table:**

<b>Fee Name and Description</b>	<b>Adopted Fee (incl. GST)</b>	<b>Proposed Amended Fee (incl. GST)</b>
<b>Swimming Fees</b>		
Spectator	\$2.40 per person	\$2.50 per person
Spectator 10 Visit Pass	\$21.60 per person	\$22.50 per person
Spectator 20 Visit Pass	\$42.00 per person	\$43.75 per person
Spectator 30 Visit Pass	\$61.20 per person	\$63.75 per person

- 2. Advertise its intent to adopt the amended fees and charges as an addendum to the fees and charges adopted with the 2021/2022 Budget.**

**Carried en bloc: 10/0**  
Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**Cr Rachel Pemberton left the meeting at 7.11 pm.**

## **FPOL2108-15 BUDGET AMENDMENTS - JULY 2021**

**Meeting date:** 11 August 2021  
**Responsible officer:** Manager Finance  
**Decision making authority:** Council  
**Agenda attachments:** Nil  
**Additional information:** Nil

### **SUMMARY**

**To adopt various budget amendments to the 2021/2022 budget account numbers as detailed below in accordance with the Budget Management Policy. The budget amendments have nil effect to the overall budget.**

**This report recommends that Council approves the required budget amendments to the adopted budget for 2021/22 as outlined in the report.**

### **BACKGROUND**

In accordance with the Budget Management Policy this report provides details of proposed amendments to the 2021/2022 budget on a monthly basis to Council (via FPOL) to adopt budget amendments to:

1. Consider an additional purpose or grant acceptance or release of quarantined funds;
2. Reflect any expenditure above the budget amount agreed by the CEO in the previous month, and to adjust other accounts to accommodate the value of these.
3. Make amendments to the carried forward budget to reflect the final position at the end of financial year.

### **FINANCIAL IMPLICATIONS**

The financial implications are detailed in this report.

### **LEGAL IMPLICATIONS**

#### ***Local Government Act 1995:***

#### **Section 6.2 (1)**

The Council is required to prepare and adopt, by Absolute Majority, an annual budget for its municipal fund by 31<sup>st</sup> August each year.

#### **Section 6.8 (1) and (2)**

The Council cannot incur expenditure from its municipal fund for a purpose for which no expenditure estimate is included in the annual budget (known as an 'additional purpose') except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
- (b) is authorised in advance by resolution by Absolute Majority; or
- (c) is authorised in advance by the mayor or president in an emergency.

Where expenditure has been incurred;

- (a) under S 6.8 (1) (a) it is required to be included in the annual budget for that financial year; and
- (b) under S 6.8 (1) (c), it is to be reported to the next ordinary meeting of the council.

**Local Government (Financial Management) Regulations 1996:**

**Regulation 33A**

A formal review of the annual budget is to be presented and adopted by Council, by Absolute Majority, between 1<sup>st</sup> January and 31<sup>st</sup> March each year.

**CONSULTATION**

There are no community engagement implications as a result of this report.

**OFFICER COMMENT**

The following amendments to budget account numbers contained within the adopted budget for 2021/2022 are submitted to Council for approval and outlined below:

**1. Budget amendments for proposed expenditure for an additional purpose**

The proposed budget amendments below are for expenditure for an additional purpose to be determined by Council as required by S6.8 (1) (b) of the Act. The decision will amend the budget by creating a new budget account number to accommodate that proposed expenditure, and by transferring the required funds from one or more existing accounts to the new account.

Item	Account #	Account Details	2021/22 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
N/A						

**2. Budget amendments for proposed expenditure for a purpose identified within the budget for which there are insufficient funds allocated**

CEO has the delegated authority under the Budget Management Policy to incur expenditure for a purpose identified within the budget for which there is insufficient funds allocated, where:

- a) The proposed expenditure is a maximum of 5% or \$50,000 (whichever is the lesser) above the budgeted amount; and

- b) There are sufficient funds equivalent to the value proposed to be sent allocated to other budget line items within the overall budget, and which, in the opinion of the CEO, are not expected to be spent during that financial year.

The budget amendments below are to reflect any expenditure above the budget amount agreed by the CEO during the previous month, and to adjust other accounts to accommodate the value of those.

Item	Account Details	Account #	Account Classification Income (I) / Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
2.1	<b>Reallocation of Budget - Policy Change 'Grants &amp; Sponsorship'</b>						
<b>Adjustments are proposed to be made to the following accounts in response to a change in the City of Fremantle's "Grant &amp; Sponsorship" policy that was formally adopted by Council (FPOL 2105-7) at its meeting 25 May 2021.</b>							
	Support the mayor and councillors - Sponsorship exp	100003.5961	E	(51,500)	0	11,500	(40,000)
	• Support Fremantle Surf Lifesaving Club - Sponsorship exp	100770.5961	E	0	0	(8,500)	(8,500)
	• Support Leeuwin Ocean Adventures - Sponsorship exp	100771.5961	E	0	0	(5,000)	(5,000)
	• Support youth engagement and participation - Contracts general	100464.6823	E	(50,000)	0	2,000	(48,000)
	Conduct place activation activities - Sponsorship - exp	100092.5961	E	(325,000)	0	325,000	0
	• Support South Fremantle Football Club - Sponsorship exp	100776.5961	E	0	0	(275,000)	(275,000)
	• Support Fremantle Football Club - Sponsorship exp	100777.5961	E	0	0	(50,000)	(50,000)
	Coordinate external event enquiries and bookings - Sponsorship exp	100412.5861	E	(100,800)	0	100,800	0
	• Allocate street party funding - Sponsorship exp	100773.5961	E	0	0	(25,000)	(25,000)
	• Allocate community events funding - Sponsorship exp	100774.5961	E	0	0	(25,000)	(25,000)

• Allocate annual community events funding - Sponsorship exp	100775.5961	E	0	0	(50,800)	(50,800)
Allocate community development funding - Sponsorship exp	100467.5961	E	(84,000)	0	84,000	0
• Allocate community development funding -Grants exp	100467.5932	E	0	0	(60,000)	(60,000)
• Allocate community development funding - Donations and rebates	100467.5934	E	0	0	(5,000)	(5,000)
• Conduct seniors programs and activities - Individual assistance exp	100459.5933	E	0	0	(4,000)	(4,000)
• Allocate quick response Grants - Grants exp	100772.5932	E	0	0	(15,000)	(15,000)
Allocate youth sports Grant funding - Sponsorship exp	100469.5961	E	(20,000)	0	20,000	0
• Allocate youth sports Grant funding - Individual assistance exp	100469.5933	E	0	0	(20,000)	(20,000)
Lead community development directorate - Sponsorship exp	100471.5961	E	(50,000)	0	50,000	0
• Lead community development directorate - Donations and rebates	100471.5934	E	0	0	(6,800)	(6,800)
• Support 20 Homes 20 Lives - Sponsorship exp	100769.5961	E	0	0	(43,200)	(43,200)
Operate Fremantle library - Sponsorship exp	100482.5961	E	(20,000)	0	20,000	0
• Support TAG Hungerford Award - Sponsorship exp	100767.5961	E	0	0	(20,000)	(20,000)



Allocate arts development funding - Sponsorship exp	100528.5961	E	(50,000)	0	50,000	0
• Allocate arts development funding - Grants exp	100528.5932	E	0	0	(50,000)	(50,000)
Operate community legal centre - Sponsorship exp	100548.5961	E	(1,000)	0	1,000	0
• Operate community legal centre - Contracts general	100548.6823	E	0	0	(1,000)	(1,000)
Operate and maintain 'donate without doubt' collection point - Sponsorship Exp	100611.5961	E	(2,000)	0	2,000	0
• Operate and maintain 'donate without doubt' collection point - Donations and rebates	100611.5934	E	0	0	(2,000)	(2,000)
Support youth engagement and participation - Contracts general	100464.6823	E	(50,000)	0	10,000	(40,000)
• Allocate Imagine Futures Grant funding - Individual assistance exp	100768.5933	E	0	0	(10,000)	(10,000)

Item	Account Details	Account #	Account Classification Income (I)/ Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
2.2	<p><u>Library Connect Program</u></p> <p>A collaborative project between the not-for-profit St Patrick's Community Support Centre &amp; City of Fremantle. The program utilises the Fremantle Library as an intervention setting for identifying and supporting people experiencing hardship. St Patrick's partners with the City of Fremantle to embed a Community Support Worker in the City of Fremantle library.</p> <p>The City of Fremantle has entered into a three (3) year Memorandum of Understanding (MOU) with St Patrick's commencing 30 September 2021 for continuation of the above program. Under this agreement, the City will contribute towards 50% of the salary costs associated with the Social Work for their time at the City of Fremantle Library. The cost to the City of Fremantle is estimated at \$41,000 per annum.</p> <p>The City will also provide support for the program related to on-location supervision of service delivery staff and provision of access to facilities required to operate the service. The City has been successful in its</p>						

application to the State Library of Western Australia for a grant of \$13,500 to cover the next 12 months of this support. This grant will go direct to the St Patrick's Community Support Centre. Adjustments are proposed to be made to the following accounts in response to continuation of the Library Connect Program.

Lead Community Development Directorate - Sponsorship	100471.5961	E	(50,000)	0	(41,000)	(91,000)
Operate Fremantle Library	100482.7111	E	(928,652)	0	41,000	(887,652)

### 3. Carried forward projects estimate budget amendments

The budget amendments below are to adjust the carried forward project estimates and to amend the carried forward budget to reflect the final position at the end of financial year.

Item	Account Details	Account #	Account Class Income (I) Expense (E)	2021/22 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
3.1	<p><u>Unspent Municipal Fund Projects</u> Adjustments are proposed to be made for the following projects due to a variance in the amount estimated as being available to carry forward for the budget and the actual amount at the year end.</p> <p>The carry forward projects with an adjustment to unspent municipal funds for 20-21 are as follows:</p> <ul style="list-style-type: none"> <li>• P-10180 Prepare an Urban Forest Strategy (One Planet)</li> <li>• P-10186 Plan - Community Facilities Plan</li> <li>• P-10294 Design and construct-Public Realm</li> <li>• P-10780 Contribution-Fremantle Foundation</li> <li>• P-10964 Restoration-Town Hall internal</li> <li>• P-11641 Purchase-Time-lapse photography</li> <li>• P-11680 Design and construct-Kings Square Playspace</li> <li>• P-11698 Plan-AIP Consultation and Review</li> <li>• P-11736 Plan-Kings Square Communications</li> <li>• P-11823 Design and construct-Port Beach coastal adaptation</li> <li>• P-11944 Design and construct - Notre Dame - Façade</li> <li>• P-11949 Resurface R2R - Bannister Street</li> <li>• P-11952 Design and construct – Hampton Road – Drainage</li> <li>• P-11954 Event - Building Digital Skills</li> <li>• P-11968 Purchase - Leisure Centre - Pool blankets</li> <li>• P-11977 Design and construct - CBS Crossing</li> <li>• P-11978 Purchase - Proclamation Tree Plaque</li> <li>• P-12044 Deliver - Promote Fremantle Video</li> </ul>						
	P-10180 Prepare an Urban Forest Strategy (One Planet)	200174.1606	E	0	0	551	551
		200174.3915	I	0	(551)	0	(551)
	P-10186 Plan - Community Facilities Plan	200159.3915	I	0	7,919	0	7,919
		200159.6824	E	0	0	(7,919)	(7,919)
	P-10294 - Design and construct-Public Realm	300049.3915	I	0	5,598	0	5,598
		300049.1606	E	0	0	(5,598)	(5,598)
		200328.3915	I	0	3,636	0	3,636

P-10780 Contribution- Fremantle Foundation	200328.5961	E	0	0	(3,636)	(3,636)
P-10964 Restoration- Town Hall internal	300032.1606 300032.3915	E I	0 0	0 21,650	(21,650) 0	(21,650) 21,650
P-11641 Purchase- Time-lapse photography	200436.3915 200436.6823	I E	3,863 (3,863)	1,393 0	0 (1,393)	5,256 (5,256)
P-11680 Design and construct-Kings Square Playspace	300051.1606 300051.3915	E I	(342,000) 0	0 (146,922)	146,922 0	(195,078) 146,922
P-11698 Plan-AIP Consultation and Review	200484.3915 200484.6823	I E	0 0	2,194 0	0 (2,194)	2,194 (2,194)
P-11736 Plan-Kings Square Communications	200447.3915 200447.6823	I E	8,861 (8,861)	(5,000) 0	0 5,000	3,861 (3,861)
P-11823 Design and construct-Port Beach coastal adaptation	300110.3915 300110.4211	I I	0 2,993,415	(94,680) 94,680	0 0	(94,680) 3,088,095
P-11944 Design and construct - Notre Dame - Façade	300167.1606 300167.3915	E I	0 0	0 7,552	(7,552) 0	(7,552) 7,552
P-11949 - Resurface R2R - Bannister Street	300176.1606 300176.3915	E I	0 0	0 4,952	(4,952) 0	(4,952) 4,952
P-11952 - Design and construct – Hampton Road – Drainage	300174.1606 300174.3915	E I	(68,000) 68,000	0 (551)	551 0	(67,449) 67,449
P-11954 Event - Building Digital Skills	200491.3915 200491.6823	I E	13,135 (3,135)	(1,770) 0	0 1,770	11,365 (1,365)
P-11968 Purchase - Leisure Centre - Pool blankets	300193.1606 300193.3915	E I	(80,000) 80,000	0 14,000	(14,000) 0	(94,000) 94,000
P-11977 - Design and construct - CBS Crossing	300201.4214 300201.3915	I I	0 0	28,000 (28,000)	0 0	28,000 (28,000)
P-11978 Purchase - Proclamation Tree Plaque	300202.1606 300202.3915	E E	0 0	0 0	(8,000) 8,000	(8,000) 8,000
P-12044 Deliver - Promote Fremantle Video	200794.3915 200794.4318 200794.6823	I I E	0 0 0	5,000 5,000 0	0 0 (10,000)	5,000 5,000 (10,000)

Item	Account Details	Account #	Account Classification Income (I) / Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease) (Decrease)	Expenditure (Increase)/ Decrease Decrease	2021/22 Amended Budget
3.2	<u>Unspent Grant Fund Projects</u>						
	Adjustments are proposed to be made for the following projects due to a variance in the amount estimated as being available to carry forward for the budget and the actual amount at the year end.						
	Carry forward projects with an adjustment to unspent grant funds for 21-22 are:						
	MP - Age Friendly Communities -Together Again Cafe Project						
	<ul style="list-style-type: none"> <li>• P-10260 Program - Arthur Head - Wall stabilisation</li> <li>• P-10273 Purchase-FOGO bins</li> <li>• P-10848 Program-In Cahoots art exhibition</li> <li>• P-11708 Plan-Coastal monitoring</li> <li>• P-11729 Program-Reveal Aboriginal Artist 2020</li> <li>• P-11819 Design and construct - Dick Lawrence - Playspace</li> <li>• P-11838 Design and construct-Kings Square change facility</li> <li>• P-11882 Design and construct - Fremantle Golf Course</li> <li>• P-11904 Design and construct- Gilbert Fraser - Lighting</li> <li>• P-11915 Road safety - South Tce - Node 2</li> <li>• P-11945 Program-Reveal Aboriginal Artist 2021</li> <li>• P-11955 Software - Legal Centre</li> <li>• P-11958 Install - Fremantle Park - Book a Court</li> <li>• P-11963 Better Bins Plus - Go FOGO</li> <li>• P-11970 Program - Northbank Foreshore Stabilisation (Stage 2)</li> <li>• P-11973 Deliver - Entrepreneurs Program - Expert in Residence-Contract Exp - General</li> <li>• P-11980 Design and construct - Western Power Streetlight</li> <li>• P-11983 Design and Construct - Leighton Beach Access</li> <li>• P-12016 Road safety - Ord St - Bike lane</li> <li>• P-12027 Design and construct - Griffiths Park - Upgrade</li> <li>• P-12029 Road safety - McCombe Ave - Bike lane</li> <li>• P-12046 Plan - South Beach Heritage</li> <li>• P-12049 Footpath - Duffield Ave</li> <li>• P-12058 Design and construct - Booyeembara Park - Bike trail</li> </ul>						
	MP - Age Friendly Communities - Together Again Cafe Project	200493.4399	I	9,135	2,218	0	11,353
		200493.6823	E	(9,135)	0	(2,218)	(11,353)
	P-10260 Program - Arthur Head - Wall stabilisation	300168.1606	E	(500,000)	0	(25,744)	(525,744)
		300168.4299	I	500,000	25,744	0	525,744
	P-10273 Purchase-FOGO bins	200457.4299	E	0	0	44,210	44,210
		200457.6823	E	0	0	(44,210)	(44,210)
	P-10848 Program-In Cahoots art exhibition	200344.4399	I	111,384	(662)	0	110,722
		200344.6823	E	(111,384)	0	662	(110,722)
	P-11708 Plan-Coastal monitoring	200466.3915	I	0	(17,128)	0	(17,128)
		200466.4327	I	10,530	(10,530)	0	0
		200466.4399	I	0	2,848	0	2,848
		200466.6823	E	(34,530)	0	24,810	(9,720)
	200466.6824		0	0	0	0	
	200488.4399	I	20,000	(1,102)	0	18,898	

P-11729 Program-Reveal Aboriginal Artist 2020	200488.6823	E	(20,000)	0	1,102	(18,898)
P-11819 Design and construct - Dick Lawrence - Playspace	300198.4219	I	180,000	(90,000)	0	90,000
	300198.4299	I	0	90,000	0	90,000
P-11838 Design and construct- Kings Square change facility	300113.1606	E	0	0	(150,000)	(150,000)
	300113.4299	I	0	150,000	0	150,000
P-11882 Design and construct - Fremantle Golf Course	300157.1606	E	(3,618,042)	0	(309,219)	(3,927,261)
	300157.3915	I	0	(450,000)	0	(450,000)
	300157.4217	I	1,040,925	(1,040,925)	0	0
	300157.4299	I	2,127,117	1,800,144	0	3,927,261
P-11904 Design and construct- Gilbert Fraser - Lighting	300186.1606	E	0	0	(278,120)	(278,120)
	300186.3915	I	0	22,940	0	22,940
	300186.4225	I	0	60,498	0	60,498
	300186.4299	I	0	194,682	0	194,682
P-11915 Road safety - South Tce - Node 2	300210.4219	I	268,000	(134,000)	0	134,000
	300210.4299	I	0	134,000	0	134,000
P-11945 Program-Reveal Aboriginal Artist 2021	200789.4315	I	0	66,109	0	66,109
	200789.6823	E	0	0	(69,034)	(69,034)
	200789.4399	I	0	2,925	0	2,925
P-11955 Software - Legal Centre	200490.4399	I	15,572	(249)	0	15,323
	200490.6823	E	(15,572)	0	249	(15,323)
P-11958 Install - Fremantle Park - Book a Court	300182.1606	E	0	0	(2,206)	(2,206)
	300182.4299	I	0	2,206	0	2,206
P-11963 Better Bins Plus - Go FOGO	200791.4326	I	89,361	(89,361)	0	0
	200791.4399	I	9,464	96,791	0	106,255
	200791.6823	E	(98,825)	0	(7,430)	(106,255)
P-11970 Program - Northbank Foreshore Stabilisation (Stage 2)	200793.4399	I	0	14,202	0	14,202
	200793.4399	I	0	14,202	0	14,202
	200793.6823	E	(14,202)	0	(14,202)	(28,404)
	200793.6823	E	14,202	0	(14,202)	(28,404)
P-11973 Deliver - Entrepreneurs Program - Expert in Residence- Contract Exp - General	200494.4399	I	21,250	34,370	0	55,620
	200494.6823	E	(21,250)	0	21,250	0
	200494.6824	E	0	0	(55,620)	(55,620)
P-11980 Design and construct - Western Power Streetlight	200150.4313	I	0	60,000	0	60,000
	200150.4399	I	0	52,940	0	52,940
	200150.6823	E	0	0	(112,940)	(112,940)
P11983 - Design and Construct - Leighton Beach Access	300271.1606	E	0	0	(50,000)	(50,000)
	300271.4227	I	0	25,182	0	25,182
	300271.4299	I	0	24,818	0	24,818
	300241.4219	I	60,000	(30,000)	0	30,000

P-12016 Road safety - Ord St - Bike lane	300241.4299	I	0	30,000	0	30,000
P-12027 Design and construct - Griffiths Park - Upgrade	300251.4219	I	100,000	(50,000)	0	50,000
	300251.4299	I	0	50,000	0	50,000
	300272.4219	I	15,000	(7,500)	0	7,500
	300272.4299	I	0	7,500	0	7,500
	300273.4219	I	132,000	(66,000)	0	66,000
	300273.4299	I	0	66,000	0	66,000
P-12029 Road safety - McCombe Ave - Bike lane	300240.4219	I	55,000	(27,500)	0	27,500
	300240.4299	I	0	27,500	0	27,500
P-12046 Plan - South Beach Heritage	200495.4399	I	0	20,000	0	20,000
	200495.6824	E	0	0	(20,000)	(20,000)
P-12049 Footpath - Duffield Ave	300263.4219	I	60,000	(30,000)	0	30,000
	300263.4299	I	0	30,000	0	30,000
P-12058 Design and construct - Booyeembara Park - Bike trail	300265.4223 (I)	I	460,000	(300,000)	0	160,000
	300265.4299 (I)	I	0	300,000	0	300,000

Item	Account Details	Account #	Account Classification Income (I) Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease) (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget	
3.3	<b>Reserve Funded Projects</b>							
	Adjustments are proposed to be made for the following projects due to a variance in the amount estimated as being available to carry forward for the budget and the actual amount at the year end.							
	Carry forward projects with an adjustment to reserve funds for 21-22 are as follows:							
	<ul style="list-style-type: none"> <li>• P- 10898 Relocation – AV Equipment &amp; Installation (KS)</li> <li>• P- 11943 - Construct - Town Hall- Fire upgrade</li> <li>• P- 10295 Design and construct-Kings Square Public Realm</li> <li>• P- 11687 Install Public Art Kings Square</li> <li>• P- 11843 Design and construct- Markets Building Services</li> <li>• P- 11878 -Design and construct- Kings Square - Windows</li> </ul>							
		P- 10898 Relocation – AV Equipment & Installation (KS)	300101.1606	E	(250,000)	0	(103,524)	(353,524)
			300101.3923	I	250,000	103,524	0	353,524
		P- 11943 - Construct - Town Hall- Fire upgrade	300166.1606	E	(50,000)	0	(20,587)	(70,587)
			300166.3923	I	50,000	20,587	0	70,587
		P-10295 Design and construct-Kings Square Public Realm	300085.1606	E	(500,000)	0	(510,149)	(1,010,149)
			300085.3923	I	500,000	510,149	0	1,010,149
	P-11687 Install Public Art Kings Square	300088.1606	E	(55,200)	0	(5,000)	(60,200)	
		300088.3923	I	55,200	5,000	0	60,200	
		300121.1606	E	(51,215)	0	(26,818)	(78,033)	

P-11843 Design and construct-Markets Building Services	300121.3923	I	51,215	26,818	0	78,033
P-11878 -Design and construct-Kings Square - Windows	300162.1606	E	(144,624)	0	6,675	(137,949)
	300162.3923	I	144,624	(6,675)	0	137,949

End of financial year adjustments for 30 June 2021 are still ongoing, therefore further budget amendments for carried forward projects will be presented to Council next month. Once completed, the final overall effect on the end of year surplus, unspent grant funds and reserve funds movements for carried forward projects will be reported to Council through the budget amendment report.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

### **COUNCIL DECISION ITEM FPOL2108-15** **(Officer's recommendation)**

Moved: Cr Andrew Sullivan

Seconded: Cr Frank Mofflin

**Council approve the required budget amendments to the adopted budget for 2021/2022 as outlined below:**

Item	Account Details	Account #	Account Classification Income (I) Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease) (Decrease)	Expenditure (Increase)/ Decrease Decrease	2021/22 Amended Budget
2.1	<b>Reallocation of Budget - Policy Change 'Grants &amp; Sponsorship'</b>						
	Adjustments are proposed to be made to the following accounts in response to a change in the City of Fremantle's "Grant & Sponsorship" policy that was formally adopted by Council (FPOL 2105-7) at its meeting 25 May 2021.						
	Support the mayor and councillors - Sponsorship exp	100003.5961	E	(51,500)	0	11,500	(40,000)
	• Support Fremantle Surf Lifesaving Club - Sponsorship Exp	100770.5961	E	0	0	(8,500)	(8,500)
	• Support Leeuwin Ocean Adventures - Sponsorship exp	100771.5961	E	0	0	(5,000)	(5,000)
	• Support youth engagement and participation - Contracts general	100464.6823	E	(50,000)	0	2,000	(48,000)
	Conduct place activation activities - Sponsorship - exp	100092.5961	E	(325,000)	0	325,000	0

• Support South Fremantle Football Club - Sponsorship exp	100776.5961	E	0	0	(275,000)	(275,000)
• Support Fremantle Football Club - Sponsorship exp	100777.5961	E	0	0	(50,000)	(50,000)
Coordinate external event enquiries and bookings - Sponsorship exp	100412.5861	E	(100,800)	0	100,800	0
• Allocate street party funding - Sponsorship exp	100773.5961	E	0	0	(25,000)	(25,000)
• Allocate community events funding - Sponsorship exp	100774.5961	E	0	0	(25,000)	(25,000)
• Allocate annual community evens funding - Sponsorship exp	100775.5961	E	0	0	(50,800)	(50,800)
Allocate community development funding - Sponsorship exp	100467.5961	E	(84,000)	0	84,000	0
• Allocate community development funding -Grants exp	100467.5932	E	0	0	(60,000)	(60,000)
• Allocate community development funding - Donations and rebates	100467.5934	E	0	0	(5,000)	(5,000)
• Conduct seniors programs and activities - Individual assistance exp	100459.5933	E	0	0	(4,000)	(4,000)
• Allocate quick response Grants - Grants exp	100772.5932	E	0	0	(15,000)	(15,000)
Allocate youth sports Grant funding - Sponsorship exp	100469.5961	E	(20,000)	0	20,000	0
• Allocate youth sports Grant funding - Individual assistance exp	100469.5933	E	0	0	(20,000)	(20,000)
Lead community development directorate - Sponsorship exp	100471.5961	E	(50,000)	0	50,000	0
• Lead community development directorate - Donations and rebates	100471.5934	E	0	0	(6,800)	(6,800)



• Support 20 Homes 20 Lives - Sponsorship exp	100769.5961	E	0	0	(43,200)	(43,200)
Operate Fremantle library - Sponsorship exp	100482.5961	E	(20,000)	0	20,000	0
• Support TAG Hungerford Award - Sponsorship exp	100767.5961	E	0	0	(20,000)	(20,000)
Allocate arts development funding - Sponsorship exp	100528.5961	E	(50,000)	0	50,000	0
• Allocate arts development funding - Grants exp	100528.5932	E	0	0	(50,000)	(50,000)
Operate community legal centre - Sponsorship exp	100548.5961	E	(1,000)	0	1,000	0
• Operate community legal centre - Contracts general	100548.6823	E	0	0	(1,000)	(1,000)
Operate and maintain 'donate without doubt' collection point - Sponsorship Exp	100611.5961	E	(2,000)	0	2,000	0
• Operate and maintain 'donate without doubt' collection point - Donations and rebates	100611.5934	E	0	0	(2,000)	(2,000)
Support youth engagement and participation - Contracts general	100464.6823	E	(50,000)	0	10,000	(40,000)
• Allocate Imagine Futures Grant funding - Individual assistance exp	100768.5933	E	0	0	(10,000)	(10,000)

Item	Account Details	Account #	Account Classification Income (I) Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
2.2	<p><u>Library Connect Program</u></p> <p>A collaborative project between the not-for-profit St Patrick's Community Support Centre &amp; City of Fremantle. The program utilises the Fremantle Library as an intervention setting for identifying and supporting people experiencing hardship. St Patrick's partners with the City of Fremantle to embed a Community Support Worker in the City of Fremantle library.</p> <p>The City of Fremantle has entered into a three (3) year Memorandum of Understanding (MOU) with St Patrick's commencing 30 September 2021 for continuation of the above program. Under this agreement, the City will contribute towards 50% of the salary costs associated with the Social Work for their time at the City of Fremantle Library. The cost to the City of Fremantle is estimated at \$41,000 per annum.</p> <p>The City will also provide support for the program related to on-location supervision of service delivery staff and provision of access to facilities required to operate the service. The City has been successful in its application to the State Library of Western Australia for a grant of \$13,500 to cover the next 12 months of this support. This grant will go direct to the St Patrick's Community Support Centre. Adjustments are proposed to be made to the following accounts in response to continuation of the Library Connect Program.</p>						
	Lead Community Development Directorate Sponsorship	100471.5961	E	(50,000)	0	(41,000)	(91,000)
	Operate Fremantle Library	100482.7111	E	(928,652)	0	41,000	(887,652)

Item	Account Details	Account #	Account Classification Income (I) / Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
3.1	<p><u>Unspent Municipal Fund Projects</u></p> <p>Adjustments are proposed to be made for the following projects due to a variance in the amount estimated as being available to carry forward for the budget and the actual amount at the year end.</p> <p>The carry forward projects with an adjustment to unspent municipal funds for 20-21 are as follows:</p> <ul style="list-style-type: none"> <li>• P-10180 Prepare an Urban Forest Strategy (One Planet)</li> <li>• P-10186 Plan - Community Facilities Plan</li> <li>• P-10294 - Design and construct-Public Realm</li> <li>• P-10780 Contribution-Fremantle Foundation</li> <li>• P-10964 Restoration-Town Hall internal</li> <li>• P-11641 Purchase-Time-lapse photography</li> <li>• P-11680 Design and construct-Kings Square Playspace</li> <li>• P-11698 Plan-AIP Consultation and Review</li> <li>• P-11736 Plan-Kings Square Communications</li> <li>• P-11823 Design and construct-Port Beach coastal adaptation</li> <li>• P-11944 Design and construct - Notre Dame - Façade</li> <li>• P-11949 - Resurface R2R - Bannister Street</li> <li>• P-11952 - Design and construct – Hampton Road – Drainage</li> <li>• P-11954 Event - Building Digital Skills</li> <li>• P-11968 Purchase - Leisure Centre - Pool blankets</li> <li>• P-11977 - Design and construct - CBS Crossing</li> <li>• P-11978 Purchase - Proclamation Tree Plaque</li> <li>• P-12044 Deliver - Promote Fremantle Video</li> </ul>						
		200174.1606	E	0	0	551	551

P-10180 Prepare an Urban Forest Strategy (One Planet)	200174.3915	I	0	(551)	0	(551)
P-10186 Plan - Community Facilities Plan	200159.3915	I	0	7,919	0	7,919
	200159.6824	E	0	0	(7,919)	(7,919)
P-10294 - Design and construct-Public Realm	300049.3915	I	0	5,598	0	5,598
	300049.1606	E	0	0	(5,598)	(5,598)
P-10780 Contribution-Fremantle Foundation	200328.3915	I	0	3,636	0	3,636
	200328.5961	E	0	0	(3,636)	(3,636)
P-10964 Restoration-Town Hall internal	300032.1606	E	0	0	(21,650)	(21,650)
	300032.3915	I	0	21,650	0	21,650
P-11641 Purchase-Time-lapse photography	200436.3915	I	3,863	1,393	0	5,256
	200436.6823	E	(3,863)	0	(1,393)	(5,256)
P-11680 Design and construct-Kings Square Playspace	300051.1606	E	(342,000)	0	146,922	(195,078)
	300051.3915	I	0	(146,922)	0	146,922
P-11698 Plan-AIP Consultation and Review	200484.3915	I	0	2,194	0	2,194
	200484.6823	E	0	0	(2,194)	(2,194)
P-11736 Plan-Kings Square Communications	200447.3915	I	8,861	(5,000)	0	3,861
	200447.6823	E	(8,861)	0	5,000	(3,861)
P-11823 Design and construct-Port Beach coastal adaptation	300110.3915	I	0	(94,680)	0	(94,680)
	300110.4211	I	2,993,415	94,680	0	3,088,095
P-11944 Design and construct - Notre Dame - Façade	300167.1606	E	0	0	(7,552)	(7,552)
	300167.3915	I	0	7,552	0	7,552
P-11949 - Resurface R2R - Bannister Street	300176.1606	E	0	0	(4,952)	(4,952)
	300176.3915	I	0	4,952	0	4,952
P-11952 - Design and construct – Hampton Road – Drainage	300174.1606	E	(68,000)	0	551	(67,449)
	300174.3915	I	68,000	(551)	0	67,449
P-11954 Event - Building Digital Skills	200491.3915	I	13,135	(1,770)	0	11,365
	200491.6823	E	(3,135)	0	1,770	(1,365)
P-11968 Purchase - Leisure Centre - Pool blankets	300193.1606	E	(80,000)	0	(14,000)	(94,000)
	300193.3915	I	80,000	14,000	0	94,000
P-11977 - Design and construct - CBS Crossing	300201.4214	I	0	28,000	0	28,000
	300201.3915	I	0	(28,000)	0	(28,000)
P-11978 Purchase - Proclamation Tree Plaque	300202.1606	E	0	0	(8,000)	(8,000)
	300202.3915	E	0	0	8,000	8,000
P-12044 Deliver - Promote Fremantle Video	200794.3915	I	0	5,000	0	5,000
	200794.4318	I	0	5,000	0	5,000
	200794.6823	E	0	0	(10,000)	(10,000)

Item	Account Details	Account #	Account Classification Income (I) / Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease) (Decrease)	Expenditure (Increase)/ Decrease Decrease	2021/22 Amended Budget
3.2	<u>Unspent Grant Fund Projects</u>						
	Adjustments are proposed to be made for the following projects due to a variance in the amount estimated as being available to carry forward for the budget and the actual amount at the year end.						
	Carry forward projects with an adjustment to unspent grant funds for 21-22 are:						
	MP - Age Friendly Communities -Together Again Cafe Project						
	• P-10260 Program - Arthur Head - Wall stabilisation						
	• P-10273 Purchase-FOGO bins						
	• P-10848 Program-In Cahoots art exhibition						
	• P-11708 Plan-Coastal monitoring						
	• P-11729 Program-Reveal Aboriginal Artist 2020						
	• P-11819 Design and construct - Dick Lawrence - Playspace						
	• P-11838 Design and construct-Kings Square change facility						
	• P-11882 Design and construct - Fremantle Golf Course						
	• P-11904 Design and construct- Gilbert Fraser - Lighting						
	• P-11915 Road safety - South Tce - Node 2						
	• P-11945 Program-Reveal Aboriginal Artist 2021						
	• P-11955 Software - Legal Centre						
	• P-11958 Install - Fremantle Park - Book a Court						
	• P-11963 Better Bins Plus - Go FOGO						
	• P-11970 Program - Northbank Foreshore Stabilisation (Stage 2						
	• P-11973 Deliver - Entrepreneurs Program - Expert in Residence-Contract Exp - General						
• P-11980 Design and construct - Western Power Streetlight							
• P11983 - Design and Construct - Leighton Beach Access							
• P-12016 Road safety - Ord St - Bike lane							
• P-12027 Design and construct - Griffiths Park - Upgrade							
• P-12029 Road safety - McCombe Ave - Bike lane							
• P-12046 Plan - South Beach Heritage							
• P-12049 Footpath - Duffield Ave							
• P-12058 Design and construct - Booyeembara Park - Bike trail							
	MP - Age Friendly Communities - Together Again Cafe Project	200493.4399	I	9,135	2,218	0	11,353
		200493.6823	E	(9,135)	0	(2,218)	(11,353)
	P-10260 Program - Arthur Head - Wall stabilisation	300168.1606	E	(500,000)	0	(25,744)	(525,744)
		300168.4299	I	500,000	25,744	0	525,744
	P-10273 Purchase-FOGO bins	200457.4299	E	0	0	44,210	44,210
		200457.6823	E	0	0	(44,210)	(44,210)
	P-10848 Program-In Cahoots art exhibition	200344.4399	I	111,384	(662)	0	110,722
		200344.6823	E	(111,384)	0	662	(110,722)
	P-11708 Plan-Coastal monitoring	200466.3915	I	0	(17,128)	0	(17,128)
		200466.4327	I	10,530	(10,530)	0	0
		200466.4399	I	0	2,848	0	2,848
		200466.6823	E	(34,530)	0	24,810	(9,720)
		200466.6824		0	0	0	0
		200488.4399	I	20,000	(1,102)	0	18,898

P-11729 Program-Reveal Aboriginal Artist 2020	200488.6823	E	(20,000)	0	1,102	(18,898)
P-11819 Design and construct - Dick Lawrence - Playspace	300198.4219	I	180,000	(90,000)	0	90,000
	300198.4299	I	0	90,000	0	90,000
P-11838 Design and construct- Kings Square change facility	300113.1606	E	0	0	(150,000)	(150,000)
	300113.4299	I	0	150,000	0	150,000
P-11882 Design and construct - Fremantle Golf Course	300157.1606	E	(3,618,042)	0	(309,219)	(3,927,261)
	300157.3915	I	0	(450,000)	0	(450,000)
	300157.4217	I	1,040,925	(1,040,925)	0	0
	300157.4299	I	2,127,117	1,800,144	0	3,927,261
P-11904 Design and construct- Gilbert Fraser - Lighting	300186.1606	E	0	0	(278,120)	(278,120)
	300186.3915	I	0	22,940	0	22,940
	300186.4225	I	0	60,498	0	60,498
	300186.4299	I	0	194,682	0	194,682
P-11915 Road safety - South Tce - Node 2	300210.4219	I	268,000	(134,000)	0	134,000
	300210.4299	I	0	134,000	0	134,000
P-11945 Program-Reveal Aboriginal Artist 2021	200789.4315	I	0	66,109	0	66,109
	200789.6823	E	0	0	(69,034)	(69,034)
	200789.4399	I	0	2,925	0	2,925
P-11955 Software - Legal Centre	200490.4399	I	15,572	(249)	0	15,323
	200490.6823	E	(15,572)	0	249	(15,323)
P-11958 Install - Fremantle Park - Book a Court	300182.1606	E	0	0	(2,206)	(2,206)
	300182.4299	I	0	2,206	0	2,206
P-11963 Better Bins Plus - Go FOGO	200791.4326	I	89,361	(89,361)	0	0
	200791.4399	I	9,464	96,791	0	106,255
	200791.6823	E	(98,825)	0	(7,430)	(106,255)
P-11970 Program - Northbank Foreshore Stabilisation (Stage 2)	200793.4399	I	0	14,202	0	14,202
	200793.4399	I	0	14,202	0	14,202
	200793.6823	E	(14,202)	0	(14,202)	(28,404)
	200793.6823	E	14,202	0	(14,202)	(28,404)
P-11973 Deliver - Entrepreneurs Program - Expert in Residence- Contract Exp - General	200494.4399	I	21,250	34,370	0	55,620
	200494.6823	E	(21,250)	0	21,250	0
	200494.6824	E	0	0	(55,620)	(55,620)
P-11980 Design and construct - Western Power Streetlight	200150.4313	I	0	60,000	0	60,000
	200150.4399	I	0	52,940	0	52,940
	200150.6823	E	0	0	(112,940)	(112,940)
P11983 - Design and Construct - Leighton Beach Access	300271.1606	E	0	0	(50,000)	(50,000)
	300271.4227	I	0	25,182	0	25,182
	300271.4299	I	0	24,818	0	24,818
	300241.4219	I	60,000	(30,000)	0	30,000

P-12016 Road safety - Ord St - Bike lane	300241.4299	I	0	30,000	0	30,000
P-12027 Design and construct - Griffiths Park - Upgrade	300251.4219	I	100,000	(50,000)	0	50,000
	300251.4299	I	0	50,000	0	50,000
	300272.4219	I	15,000	(7,500)	0	7,500
	300272.4299	I	0	7,500	0	7,500
	300273.4219	I	132,000	(66,000)	0	66,000
	300273.4299	I	0	66,000	0	66,000
P-12029 Road safety - McCombe Ave - Bike lane	300240.4219	I	55,000	(27,500)	0	27,500
	300240.4299	I	0	27,500	0	27,500
P-12046 Plan - South Beach Heritage	200495.4399	I	0	20,000	0	20,000
	200495.6824	E	0	0	(20,000)	(20,000)
P-12049 Footpath - Duffield Ave	300263.4219	I	60,000	(30,000)	0	30,000
	300263.4299	I	0	30,000	0	30,000
P-12058 Design and construct - Booyeembara Park - Bike trail	300265.4223 (I)	I	460,000	(300,000)	0	160,000
	300265.4299 (I)	I	0	300,000	0	300,000

Item	Account Details	Account #	Account Classification Income (I) Expenditure (E)	2021/22 Adopted Budget	Revenue Income / (Decrease)	Expenditure (Increase)/ Decrease	2021/22 Amended Budget
3.3	<u>Reserve Funded Projects</u>						
	Adjustments are proposed to be made for the following projects due to a variance in the amount estimated as being available to carry forward for the budget and the actual amount at the year end.						
	Carry forward projects with an adjustment to reserve funds for 21-22 are as follows:						
	<ul style="list-style-type: none"> <li>• P- 10898 Relocation – AV Equipment &amp; Installation (KS)</li> <li>• P- 11943 - Construct - Town Hall- Fire upgrade</li> <li>• P-10295 Design and construct-Kings Square Public Realm</li> <li>• P-11687 Install Public Art Kings Square</li> <li>• P-11843 Design and construct- Markets Building Services</li> <li>• P-11878 -Design and construct- Kings Square - Windows</li> </ul>						
	P- 10898 Relocation – AV Equipment & Installation (KS)	300101.1606	E	(250,000)	0	(103,524)	(353,524)
		300101.3923	I	250,000	103,524	0	353,524
	P- 11943 - Construct - Town Hall- Fire upgrade	300166.1606	E	(50,000)	0	(20,587)	(70,587)
		300166.3923	I	50,000	20,587	0	70,587
	P-10295 Design and construct-Kings Square Public Realm	300085.1606	E	(500,000)	0	(510,149)	(1,010,149)
		300085.3923	I	500,000	510,149	0	1,010,149
P-11687 Install Public Art Kings Square	300088.1606	E	(55,200)	0	(5,000)	(60,200)	
	300088.3923	I	55,200	5,000	0	60,200	

P-11843 Design and construct-Markets Building Services	300121.1606	E	(51,215)	0	(26,818)	(78,033)
	300121.3923	I	51,215	26,818	0	78,033
P-11878 -Design and construct-Kings Square - Windows	300162.1606	E	(144,624)	0	6,675	(137,949)
	300162.3923	I	144,624	(6,675)	0	137,949

**Carried: 8/1**

**For**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Adin Lang**

**Against**

**Cr Marija Vujcic**

**Cr Rachel Pemberton returned to the meeting at 7.12 pm.**

**FPOL2108-17 ELECTED MEMBER MOTION – SPEED BUMPS ON SOUTH TERRACE – CR MARIJA VUJCIC**

**Meeting date:** 11 August 2021  
**Responsible officer:** Chief Executive Officer  
**Decision making authority:** Council  
**Agenda attachments:** South Terrace – Proposed Works

**ELECTED MEMBER SUMMARY**

The speed limit along South Terrace, from South Street to Duoro Road is reduced to 40kph.

The reason for their original installation, more than 3 years ago, was that the City of Fremantle wanted to reduce the speed limit along busy South Terrace in South Fremantle after a push from the local community.

The speed humps were installed as a temporary measure, to convince Main Roads WA that a 40 km/h speed limit should be introduced, and, on the 11 November 2020, Council agreed to create a 40km/h speed zone pending the creation of a signage plan.

The design of current speed humps is not fit for purpose. The speed humps are particularly intrusive for road users, i.e. cars, bike riders and pedestrians. Bike riders and vehicles swerve to avoid the high humps and the possible damage to bikes and vehicles. There have been some narrow misses with pedestrians and bike riders.

South Terrace is no longer a road that facilitates speeding for the majority of vehicle users. The road is now a multi-use road that accommodates parked cars, pedestrian islands and bike lanes. There has truly been a calming of the road to 40kph and less.

The preparation of signage plans and engagement with the community to advertise the speed zoning changes has now been completed and the new speed reduced zone is in place with the signage fully installed.

We consulted with the community and we also gave the community an undertaking that the speed humps would be removed. Mission accomplished, we now need to honour the second part of the undertaking. One does not see along other metropolitan roads that have a sign with 60kph and then a speed hump just for good measure. In the event that the speed limit is exceeded that we have a remedy, speed cameras and fines.

Therefore, it is time to remove the speed bumps without any further delay and as has been requested by several community members since their installation.



## **OFFICER COMMENT**

It is important to note that speed limits and associated signage are ultimately determined and approved by Main Roads WA (MRWA) and the posted limit (signage) reflects the road environment and the speed of the 85<sup>th</sup> percentile of traffic. The process does not rely on the posted speed signage slowing the traffic.

The local community have raised concerns in respect to traffic speed and safety, and the impact on public amenity / activation on South Terrace over a sustained period.

Officers have previously developed high-level plans for a series of permanent raised plateaus (nodes) to reduce traffic speed and improve the amenity of the area; however, it has been acknowledged that the costs to deliver the scheme (as a whole) were proving prohibitive and continuing to delay approval and implementation.

Noting resident and community concerns in respect to the traffic / safety issues, officers revised their approach in 2016, and proposed interim road treatments (temporary speed cushions) to slow the traffic in lieu of the more permanent solution. This would also allow a viable application to MRWA for a reduced posted speed limit.

This approach was implemented in early 2017 and was subsequently followed up with the installation of the first node at the intersection of Little Lefroy Lane and Sydney Street in 2018.

Officers have undertaken assessments of traffic speed following the implementation of the temporary speed cushions - this has highlighted that the temporary speed cushions have been successful in creating a speed environment of 40-42km/h on South Terrace north of King William Street and South of Jenkins Street.

The pre-installation speed was approximately 48km/h for the area near the first node at Little Lefroy Lane.

The removal of the temporary cushions in relation to the construction of node 1 has maintained the 40-42km/h speed environment looking at data from 2019 (after completion of node 1).

The successful reduction in the vehicular speeds on South Terrace was used as evidence to formally apply to MRWA to reduce the posted speed limit to 40km/hr (this being more reflective of the changed environment and 85<sup>th</sup> percentile speeds).

The application to MRWA (as endorsed by Council on 11 November 2020 (FPOL2011-1)) was successful as an area wide speed limit in April 2021.

New signage and the implementation of the revised limit was completed in July 2021.

It is important to note that the new posted speed limit of 40km/h reflects the modified environment – this includes traffic calming devices (both nodes and temporary speed cushions).

The agreed approach has been for officers to progress to design and implement the remaining five raised nodes as part of a phased program of works, this being subject to Council budget allocations. As the nodes are subsequently installed the intention remains to progressively remove the temporary speed cushions.

Council have adopted a budget of \$268,000 this financial year to complete South Terrace node 2 at the intersection of Jenkin Street (noting that the City already completed the drainage works for node 2 in 2019, costing \$100,000). The completion of node 2 will permanently replace four more of the temporary speed cushions.

The approximate value of each permanent node installation ranges from \$362,000 (node 2 Budget) to \$427,131 (Actual cost of node 1). Budget for the remaining four permanent nodes is included in the Councils current Draft 10-year financial plan and will be subject to Council approval. See attachment for proposed works on South Terrace.

Officers do not endorse or support the motion to remove the temporary speed cushions, because:

- The temporary cushions are very effective in calming the traffic on South Terrace
- There is a planned replacement program with permanent nodes – this will maintain the ‘calmed’ environment during the transitional period
- Officers made the application to MRWA for a reduced posted limit based on the effect of these treatments – noting the posted speed reflects the 85<sup>th</sup> percentile speed
- Officers would be concerned that should Council now remove the temporary cushions (immediately following MRWA’s implementation of the posted speed reductions), there will be a justifiable negative reaction and lack of trust from MRWA moving forward
- At Finance Policy Operations and Legislation Committee on 11 March 2020 (FPOL2003-2), Council resolved that officers develop proposals for additional temporary speed cushions in the area of Scott Street and Orient Street
  - This motion contradicts Council’s position for the use of temporary speed cushions

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**ELECTED MEMBER MOTION**

**Moved: Cr Marija Vujcic**

**Seconded: Cr Andrew Sullivan**

Council remove the speed bumps on South Terrace by the end of September 2021.

**Lost: 1/6  
 For  
 Cr Marija Vujcic  
 Against  
 Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
 Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright**

**COUNCIL DECISION ITEM FPOL2108-17**  
**(Committee recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Sam Wainwright**

**Council:**

- 1. Note that the implementation of the new streetscape nodes to South Terrace allows the gradual removal of the temporary speed cushions and that when node 2 at the intersection of Jenkin Street commences this year, it will allow the removal of four of the temporary speed cushions.**
- 2. Request that subject to condition, officers store and reuse the temporary speed cushions on removal.**
- 3. Consider prioritising the implementation of South Terrace node 3 at the intersection of Scott Street as part of the 2022/2023 financial year budget process, as this will allow removal of more temporary speed cushions.**
- 4. Request officers:**
  - a. Continue to monitor the effectiveness of the temporary speed cushions and where possible eliminate any opportunities where vehicles are able to swerve and avoid the speed cushions.**
  - b. Seek opportunities to accelerate the implementation program and provide an update on the City's project webpage that explains the proposed implementation program for future nodes.**

**Carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## **FPOL2108-18 ELECTED MEMBER MOTION – OLYMPICS FESTIVAL**

**Meeting date:** 11 August 2021  
**Responsible officer:** Chief Executive Officer  
**Decision making authority:** Council  
**Agenda attachments:** Nil.

### **ELECTED MEMBER SUMMARY**

It is expected that other Australian cities will begin to announce their celebrations to recognise their locally connected Olympians participating in the Tokyo Games.

I would like Fremantle to be the first City to declare a celebration to recognise our Olympians both past and present.

### **OFFICER COMMENT**

The City recognises the amazing contribution of all 51 West Australians that have competed in the 2020 Tokyo Olympics and notes that three of those athletes are from Fremantle and a further 18 have ties to Fremantle.

A celebration on a similar scale to the City's Anzac Day commemorations including the street parade and complementing events, would cost approximately \$50,000. To increase this offering to create a festival type celebration with decorated floats and programmed entertainment would cost an estimated \$150,000.

Brookfield Place in Perth was selected as the main live site for the 2020 Tokyo Olympics. There have been a series of activities held in that location throughout the Olympics. It is likely that there will be a state driven commemoration in Perth at this site to celebrate the conclusion of the Olympics, and the return of the West Australian athletes.

Officers will investigate alternate ways to recognise the Fremantle athletes for their achievements.

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

Simple Majority Required

### **ELECTED MEMBER MOTION**

**Moved: Cr Marija Vujcic**                      **Seconded: Cr Doug Thompson**

Council declares its intention for the City of Fremantle to host an Olympics Festival to celebrate the outstanding success of our Fremantle connected athletes at the Tokyo Olympics.

This Festival will include:

- a. inviting Fremantle connected athletes Olympians past and present; and
- b. a Street Parade including floats and entertainment; and
- c. suitable traffic control measures to generate maximum pedestrian participation along the route.

**Lost: 1/6**

**For**

Cr Marija Vujcic,

**Against**

Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
Cr Doug Thompson, Cr Sam Wainwright, Cr Adin Lang

**COUNCIL DECISION ITEM FPOL2108-18**

**(Committee recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Jenny Archibald**

**Request the Chief Executive Officer to investigate options to recognise the achievements of Fremantle connected athletes at the Tokyo Olympics games.**

**Carried: 9/1**

**For**

Cr Jenny Archibald, Cr Hannah Fitzhardinge, Cr Sam Wainwright,  
Cr Andrew Sullivan, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Marija Vujcic

**Against**

Cr Geoff Graham

*Following consideration at the Finance, Policy, Operations and Legislation Committee meeting it was determined that the following report is no longer required to be kept under confidential cover. The report has been amended to redact any third-party information that may be considered confidential.*

## **FPOL2108-19 SALE OF 7-9 QUARRY STREET, FREMANTLE**

<b>Meeting date:</b>	14 July 2021
<b>Responsible officer:</b>	A/Director City Business
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Contract of Sale 7-9 Quarry Street - <b>Confidential Attachment</b> 2. Proposed Design 7-9 Quarry Street - <b>Confidential Attachment</b> 3. 7-9 Quarry Street valuation report – <b>Confidential Attachment</b>
<b>Additional information:</b>	Nil

### **SUMMARY**

**The purpose of this report is to consider a revised offer being presented for the purchase of 7-9 Quarry Street.**

**An offer from Locus Development Group was presented to council for approval in April 2021 which Council declined. Locus Development Group have since submitted a revised offer.**

**This report recommends that Council authorise the Chief Executive Officer to accept the revised offer received from Locus Development Group.**

### **BACKGROUND**

Subject to the conditions set by the Finance, Policy, Operations and Legislation Committee (FPOL) on 9 December 2020, the Expression of Interest for sale of 7-15 Quarry Street, Fremantle closed at 2.00pm Friday 29 January 2021. The City received five offers for the property.

At the FPOL meeting on 10 February 2021 officers presented the five offers received as part of that process and identified two of those offers as being suitable for further negotiation (FPOL2102-5). The FPOL committee resolved to:

1. Receive information relating to the offers submitted as part of the Expression of Interest process for the sale of 7-9 Quarry Street Fremantle
2. Request the Chief Executive Officer to carry out further negotiations with proponents who submitted as part of the Expression of Interest process for the sale of 7-9 Quarry Street Fremantle noting that:
  - a. Negotiations with proponents are to be prioritised based on the highest sales price offer received
  - b. Only one proponent is to be negotiated with at any given time

- c. Any negotiated position reached between the City and a prospective buyer will require consideration and approval from council before a sale can be finalised.

Following this resolution officers commenced further negotiations with the proponent who submitted the highest sales price offer, being Locus Development Group. The negotiated position reached was presented to council for consideration in April 2021 (FPOL2104-14), and Council declined the offer.

Locus Development Group have since submitted a revised offer to the City which includes a higher sales price and updated design concept.

## **FINANCIAL IMPLICATIONS**

Council adopted a budget of \$5,000,000 for the sale of 7-15 Quarry Street in the 2020/21 budget. A market valuation determined a value at \$6,200,000 (ex-GST). This valuation was originally provided in November 2019 and updated in October 2020 with no change.

FPOL Committee adopted \$6,200,000 for the reserve of the property on 14 October 2020. The sales purchase price associated with the negotiated offer presented to council in April 2021 (\$5,500,000 inc GST) did not meet the adopted reserve of \$6,200,000 ex GST.

The revised offer received from Locus Development Group in May 2021 was \$5,615,000 inc GST. An increase of \$115,000 from their previous offer.

As part of due diligence and given the current uncertainty associated with the property market, and continuing market feedback from prospective buyers relating to the impacts of labour and materials shortages in the building industry, officers requested another update to the existing valuation in July 2021.

The most recent 2021 update to the valuation also sought to clarify any impact on value that the finalised zoning of mixed-use R80 may have had on the property value. The previous valuation was carried out assuming an R-AC3 zoning, given the re-zoning process was still underway at the time.

As at 29 July 2021 the property was revalued at \$5,375,000 ex GST. After factoring in GST considerations as per the GST margin scheme, Locus Developments revised offer comes within \$43,000 of the most recent valuation.

## **LEGAL IMPLICATIONS**

Under section 3.58 of the *Local Government Act 1995* a local government can dispose of a property to the highest bidder at a public option or under a public tender to the most acceptable tenderer.

If sale by either public auction or tender is unsuccessful, a local government, having met its obligation under the *Local Government Act 1995*, may proceed with alternate methods to sell the property.

Local Government can dispose by alternate methods up to six (6) months from the public process if the public process does not yield a result.

The City carried out a public auction on 2<sup>nd</sup> November 2020 which yielded no results. The city then delivered a public EOI process which closed on the 29<sup>th</sup> January 2021.

Locus Development Group's initial offer was received as part of the 29 January public EOI process and declined in April 2021. Locus Development Group's revised offer was received on 28<sup>th</sup> May 2021 which falls within a 6-month period from the most recent public process.

The City had a contract for sale drawn up by legal advisers to be used for a successful sale. This document was provided to all parties submitting an expression of interest.

## **CONSULTATION**

Officers commenced advertising of 7-15 Quarry Street, Fremantle on [realcommercial.com](http://realcommercial.com) and [realestate.com.au](http://realestate.com.au) as 'coming soon' to gauge the interest in the market in August 2020.

After Council approved sales conditions in October a greater campaign process was implemented leading up to the auction. The following advertising methods were used for this purpose:

- Advertisement on [realcommercial.com](http://realcommercial.com) and [realestate.com.au](http://realestate.com.au)
- Sales prospectus
- City's website and appropriate social media channels
- Google Adwords
- advertisement in the West Australian and Financial Review
- Economic Development database of prospective developers

Officers continued to use the methods listed above when marketing the property for sale by expression of interest.

Following authorisation to commence further negotiations with the proponent who submitted the highest sales price offer, officers engaged in a negotiation process with Locus Development Group.

As per the FPOL2102-5 resolution in February 2021, negotiations with proponents were to be prioritised based on the highest sales price offer received.

After the offer from Locus Development Group was declined by Council in April 2021 (being the highest offer received), officers approached the proponent who provided the second highest offer. After consultation with this proponent officers were unable to reach an agreed position.

Following this, officers recommenced negotiations with Locus Development Group after receiving their revised offer due to it being the highest sales price offered.



## **OFFICER COMMENT**

The original offer received by Locus Development Group as part of the EOI process was as follows:

- Purchase price offer of \$5,200,000 inc GST
- Deposit of \$100,000
- Settlement 270 days from acceptance of contract
- Offer subject to the removal of the public access requirements

This offer was not compliant with the sales conditions associated with the EOI process. After a period of negotiation with Locus Development Group, the following position was reached:

- Purchase price offer of \$5,500,000 inc GST
- Settlement 12 months from Offer Acceptance (or earlier at the discretion of Locus).
- Public Access Way to be located along the southern boundary of the site, and be approx. 3 m wide, and be closed/locked between the hours of 6pm and 7am.
- Offer includes any Developer Contributions required under any City of Fremantle statutory policies
- Proposed plans include a 1.2 Plot Ratio sitting within the 4-storey building mass and setbacks

Council declined this offer in April 2021 based on officer's recommendation.

### **Revised Offer**

Following the decline of the previous offer in April 2021, a revised offer has been submitted to officers by Locus Development Group in May 2021:

- Purchase Price \$5,615,000 inc GST (as per GST Margin Scheme)
- Deposit of \$100,000 from Contract Execution
- Settlement 12 months from Contract Execution (or earlier as agreed)
- Conditions Subject to Planning Approval from JDAP (within 9 months)
- City of Fremantle will sign all necessary applications as the land owner prior to settlement of the Land. Eg: Planning Applications, Fence BPs etc.

The revised design intent includes incorporating a strong diversity in product and price, addressing Fremantle Park frontage and respecting the existing two storey streetscape along Quarry Street and adjoining single dwelling homes (including heritage significant buildings).

A blend of one, two and three-bedroom apartments are being proposed, priced from \$390,000 to \$950,000. These intend to deliver cross ventilation, views of the Public Open Space (POS) and Fremantle Harbour glimpses.

Furthermore, Locus Development Group suggests the 3x2x2 Town homes on Quarry street deliver a "rare product" to Fremantle, and the "Sky Homes" with a Mezzanine level

from Level 4 provide an aspirational product for young families seeking to reside in the City.

This diversity intends to result in a broad mix of residents, a diverse community and a sense of place.

Throughout the proceeding 8-12 months, Locus Development group will progress with the creation of the marketing collateral for the project and seek to formally launch the sales campaign to coincide with Summer.

Although the Public Access Way (PAW) design is not finalised, Locus Development Group have enclosed their design intent to deliver a suitable outcome. The proposed location of the PAW is on the southern side given the desire to retain and manage the heritage-listed wall, reduce building/shadowing impact to the adjoining home and design constraints that prevent alternative locations.

The proposed concept plans, and proposed design intent for the Public Access Way (PAW) have been provided as attachments.

Officers have determined that two options currently exist in relation to resolving the sale of 7-9 Quarry Street. These include selling the property now or postponing the sale with the intent to allow for further growth in sales price as the property market adjusts. The two options have been further analysed below.

#### **Option 1 – Sell property now by accepting current offer**

The current offer falls short of the amount determined in the original valuation of the property (November 2019 and updated in October 2020) which was \$6,200,000. However, a more recent update to the valuation of the property (July 2021) placed the value at \$5,375,000. The current offer falls within \$43,000 of the most recent valuation.

The benefits associated with selling the property now may include but are not limited to:

- Reducing the lead time in establishing up to an additional 51 apartments (and associated economic benefits) in the East End precinct.
- Reducing the lead time in ability to collect rates for the property. The proposal associated with the current offer is estimated to generate an average of between \$45,000 and \$65,000 in rates per annum.

The risks associated with selling the property now may include but are not limited to:

- Market changes may drive growth in the potential sales price meaning that selling now would result in a poorer sales price than if the sale was postponed.

## **Option 2 – Postpone sale to await more favourable market conditions**

The potential benefits/scenarios associated with declining the current offer and postponing the sale may include but are not limited to:

- The property increases in value due to market changes and the City achieves a sales price closer to the higher end of the original 2019/2020 valuation.

The potential risks/scenarios associated with declining the current offer and postponing the sale may include but are not limited to:

- Building costs may continue to increase over the next 6-12 months driving the potential sales price lower than what has been offered.
- Given most of the current growth and available stimulus relates to single dwelling homes, growth in the apartment market may slow, stagnate or even decline.
- For every year the development of the site is delayed there is a potential opportunity cost of between \$45,000 and \$65,000 per annum in relation to rates revenue.
- For every year the development of the site is delayed the lead time on achieving economic benefit associated with additional population in the East End is also delayed.

### **Further considerations relating to options**

The following information provides some further consideration around the implications associated with pursuing each option.

#### **Original vs Current Valuation**

While market feedback from prospective purchasers has consistently indicated that price expectations have been too high due to sales conditions, the original valuation did take in to account the sales conditions that have been imposed on the property.

Notwithstanding this, it should be noted that the original valuation assumed a zoning of R-AC3 however the site was zoned R80 after the initial valuation process was completed. High-level planning advice suggests that R-AC3 has a higher development potential including a higher permitted plot ratio and impacts on height and setbacks.

The most recent valuation (July 2021) was updated to reflect the finalised mixed-use R80 zoning, and this did appear along with a series of other significant market driven factors to play some role in the reduced valuation received of \$5,375,000 ex GST.

#### **Economic Impact of Additional Dwellings**

Based on high level modelling carried out using Economy Id. the following table provides an estimate of potential economic impact associated with the current proposal.

<b>Additional dwellings</b>	<b>Additional residents</b>	<b>Economic impact p.a. (Fremantle)</b>	<b>Jobs created (Fremantle)</b>
34	68	1,101,600	16.05
50	100	1,620,000	23.60

These numbers are based on the following assumptions:

- Generic multipliers from Economy .ID
- Residential figures are approximations, mostly conservative
- Assumption of 2 people per dwelling in-line with convention
- Very high-level estimates primarily used for internal purposes

### Market Conditions

The CBRE Asia Pacific Real Estate Market Outlook 2021 does forecast growth in the market however it will not be uniform, with houses continuing to outperform units. For Perth the estimated growth in houses is between 9% and 12%, and the estimated growth in units is much lower at between 5% and 7%.

According to REIWA median land price in Fremantle has declined since 2019. Despite a significant increase in sales volume in 2021, the median price has experienced a decline in growth of -26.8% over the last 12 months, and -6.9% over the past 5 years. The decline in median price may be attributable to the ever-increasing supply being added to outer suburbs, which has increased again significantly in the wake of housing stimulus being made available in 2020.

While the declining land price may increase demand for the Quarry Street property in to the future, it may also result in a lower sales price if median land sales prices continue to decline as they have been.

The majority of market commentary suggests building costs will continue to rise in Australia due to a number of factors. The Arcadis International Construction Costs Report ranks six Australian cities within its global list of 100. In commenting on the report, the Property Council of Australia flagged Perth as being the biggest mover among Australian Cities, rising five places to 45<sup>th</sup> while Brisbane fell four places to 42<sup>nd</sup> and Melbourne remained level at 41<sup>st</sup> in the global rankings.

Arcadis predicts that costs will rise steadily over the medium term, driven by labour shortages caused by border closures, expanded investment in social infrastructure, increased material costs and greater construction demand from the private sector.

Despite slower growth in the units segment of the housing market, the cost of construction may continue to rise in line with growth associated with the broader market, making it increasingly difficult for apartment developers to achieve the yield required, particularly if current trends in declining median land sales prices change and start to rise again.

## Summary

Based on the two options being considered and high level commentary associated with market conditions, while officers are recommending the acceptance of the current offer, it should be noted that current market forces such as increasing building costs and lower forecast growth for units, apartments and land prices is creating significant uncertainty within the market. Given the current market uncertainty there are few economists, valuers or property experts willing to provide an informed prediction on future market conditions.

At this point the only certainty would rest with the potential economic benefits of 50 additional dwellings in the East End, and the financial benefits of reducing the lead times around receiving sales proceeds and rates revenue.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

### **COMMITTEE RECOMMENDATION ITEM FPOL2108-19** **(Officer's recommendation)**

**Moved: Cr Hannah Fitzhardinge**

**Seconded: Cr Jenny Archibald**

**Council authorise the Chief Executive Officer to progress the sale of 7-9 Quarry Street by accepting the current offer from Locus Development Group at the sales price of \$5,615,000 inc. GST with the GST Margin Scheme being applicable.**

**Carried: 6/1**

**For**

**Cr Hannah Fitzhardinge, Cr Jenny Archibald, Cr Andrew Sullivan,  
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright,**

**Against**

**Cr Marija Vujcic**

## **ALTERNATIVE RECOMMENDATION**

**Moved: Cr Marija Vujcic**

**Seconded: Cr Geoff Graham**

**Council defer the sale of 7-9 Quarry Street, Fremantle until after the local government election 2021.**

### **Reason for alternative recommendation:**

The ratepayers and residents interests would be best served given that there will be a new Mayor and 6 new elected members. This is a significant sale of city asset and requires this action.

Cr Doug Thompson foreshadowed and moved the following amendment to Cr Vujcic's alternative recommendation:

**AMENDMENT 1**

Moved: Cr Doug Thompson

Seconded: Cr Rachel Pemberton

Council

1. *Acknowledge that the intent to sell the City's property at 7-15 Quarry Street has been proposed since July 2019 and that a public auction process and public expressions of interest process was delivered in order to progress the sale.*
2. *Note further timeframes of 14 days for advertising will be required to progress the proposed sale in line with section 3.58 of the Local Government Act.*
3. Council defer the sale of 7-9 Quarry Street, Fremantle until after the local government election 2021, *in order to satisfy the requirements of the Council Decision Making During Electoral Period Policy.*
4. *Note any submissions received during the advertising period will be brought back to council for consideration.*

Amendment carried: 8/2

For

Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Rachel Pemberton, Cr Adin Lang, Cr Marija Vujcic

Against

Cr Jenny Archibald, Cr Andrew Sullivan

**COUNCIL DECISION ITEM FPOL2108-19**

(Alternative recommendation, as amended)

Moved: Cr Marija Vujcic

Seconded: Cr Geoff Graham

Council

1. Acknowledge that the intent to sell the City's property at 7-15 Quarry Street has been proposed since July 2019 and that a public auction process and public expressions of interest process was delivered in order to progress the sale.
2. Note further timeframes of 14 days for advertising will be required to progress the proposed sale in line with section 3.58 of the Local Government Act.

- 3. Council defer the sale of 7-9 Quarry Street, Fremantle until after the local government election 2021, in order to satisfy the requirements of the Council Decision Making During Electoral Period Policy.**
- 4. Note any submissions received during the advertising period will be brought back to council for consideration.**

**Carried: 6/4**

**For**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Adin Lang, Cr Marija Vujcic**

**Against**

**Cr Hannah Fitzhardinge, Cr Sam Wainwright,  
Cr Frank Mofflin, Cr Rachel Pemberton**

### 11.3 Audit and Risk Management Committee 18 August 2021

#### ITEMS APPROVED “EN BLOC”

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

#### COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

The following items be adopted en bloc as recommended:

ARMC2108-2	PURCHASING POLICY EXEMPTIONS June 2021
ARMC2108-4	TENDERS AWARDED UNDER DELEGATION JUNE 2021
ARMC2108-5	INFORMATION REPORT – AUGUST 2021

Carried en bloc: 10/0  
Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang



## **ARMC2108-2 PURCHASING POLICY EXEMPTIONS JUNE 2021**

**Meeting date:** 18 August 2021  
**Responsible officer:** Manager Finance  
**Decision making authority:** Council  
**Attachments:** 1. Purchasing Policy Exemption Details June 2021  
**Additional information:** Nil

### **SUMMARY**

The purpose of this report is to inform Council of purchases made by the City that were exempt to the requirements of the purchasing policy, during the period June 2021.

This report recommends that Council receive the Purchasing Policy Exemptions report for June 2021.

### **BACKGROUND**

At the Ordinary Council Meeting of 25 November 2020, Council adopted a new purchasing policy. The policy contains a list of tender exemptions (exempt under Regulation 11(2) of the *Local Government (Functions and General) Regulations 1996*) and policy exemptions. Under this policy all exemptions used by the City are to be reported to the Audit and Risk Management Committee.

### **FINANCIAL IMPLICATIONS**

Nil

### **LEGAL IMPLICATIONS**

Nil

### **CONSULTATION**

Nil

### **OFFICER COMMENT**

The total value of spending exempt from the City of Fremantle Purchasing Policy was \$55,595.00 for the month of June 2021.

The value of exemptions by category is:

<b>Exemption Category</b>	<b>Value</b>
Specialist Consultancy / Legal Advice and OEM Exemptions	\$20,000.00
Artist Exemptions	\$35,595.00
<b>Total</b>	<b>\$55,595.00</b>

Details regarding individual exemptions can be found in Attachment 1.

The process for requesting artist exemptions was amended to require exemptions before contracts or purchase orders are awarded. This has resulted in artistic fees required for the Fremantle Festival 2021:10 Nights in Port scheduled for July 2021 and the Revealed Festival of March / April 2021, being agreed and paid for in advance. All costs were budgeted and approved at the 8 July 2020 Special Council Meeting. Costs for the Revealed Festival are 100% grant funded.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

### **COUNCIL DECISION ITEM ARMC2108-2** **(Officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Geoff Graham**

**Council receive the information report on purchasing policy exemptions for June 2021.**

**Carried en bloc: 10/0**  
**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,**  
**Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,**  
**Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## ARMC2108-4 TENDERS AWARDED UNDER DELEGATION JUNE 2021

Meeting date: 18 August 2021  
 Responsible officer: Manager Finance  
 Decision making authority: Council  
 Attachments: Nil  
 Additional information: Nil

### SUMMARY

The purpose of this report is to summarise tenders awarded under delegation by various delegated officers and committees, during the period June 2021.

This report recommends that Council receive the report on tenders awarded under delegation in June 2021.

### BACKGROUND

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

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

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

### FINANCIAL IMPLICATIONS

All tenders were awarded within budget approved at Council on 8 July 2021.

### LEGAL IMPLICATIONS

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

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

### CONSULTATION

Nil

## OFFICER COMMENT

Below is a list of tenders awarded under delegation in June 2021

### June 2021

Tender Description	Awarded By	Contractor(s)	Contract Value
FCC576/21 – Design & Construct Gilbert Fraser Lighting	CEO Delegation	Prestige Jointing and Electrical	\$276,796.00

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

### **COUNCIL DECISION ITEM ARMC2108-4** (Officer's recommendation)

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

**Council receive the report on tenders awarded under delegation in June 2021.**

**Carried: 10/0**

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

## ARMC2108-5 INFORMATION REPORT – AUGUST 2021

### REPORT ON ELECTED MEMBER TRAINING FROM 1 JULY 2020 UNTIL 30 JUNE 2021

**Responsible officer:** Manager Governance  
**Attachments:** 1. Report on Elected Member Training 2020-2021  
**Additional information:** Nil

In June 2019, new provisions were introduced into the *Local Government Act 1995* relating to training and development for elected members.

Section 5.127 of the *Local Government Act 1995* requires local governments to prepare a report on the training completed by elected members for each financial year, which is then to be published on the City's official website.

The attached report contains the professional development completed by current elected members for the 2020-2021 financial year.

### STATUS REPORT OF COUNCIL MOTIONS – 1 MARCH 2021 TO 30 JUNE 2021

**Responsible officer:** Manager Governance  
**Attachments:** 1. Status Report of Council motions – 1 March 2021 to 30 June 2021  
**Additional information:** Nil

Best practice principles support the recording and reporting of actions taken on Council decisions to ensure they are implemented, and that the actions are completed in a timely manner.

Where possible, Council decisions are actioned as soon as practicable after a Council meeting; however, there are projects or circumstances that mean some decisions take longer to implement than others. The City keeps a register of all final decisions made at Council and Committee meetings.

The City's motions register does not capture ongoing progress of projects and related activities, only how the initial decision has been, or will be, actioned. For instance, the register will record the adoption of a plan and the actions needed to disseminate and publish that plan, however the register will not include how the actions included in the plan are implemented, only that the plan was adopted appropriately.

The attached register excerpt provides the status of the actions taken by responsible officers in response to all final decisions of council. It has been organised into separate parts for ease of understanding and reference, as attached:

#### **Part 1. Motions incomplete and ongoing in reporting period**

The motions included in this section are those decisions that have not yet been fully actioned. Progress comments or explanations are provided.

**Part 2. Development Application motions completed in reporting period**

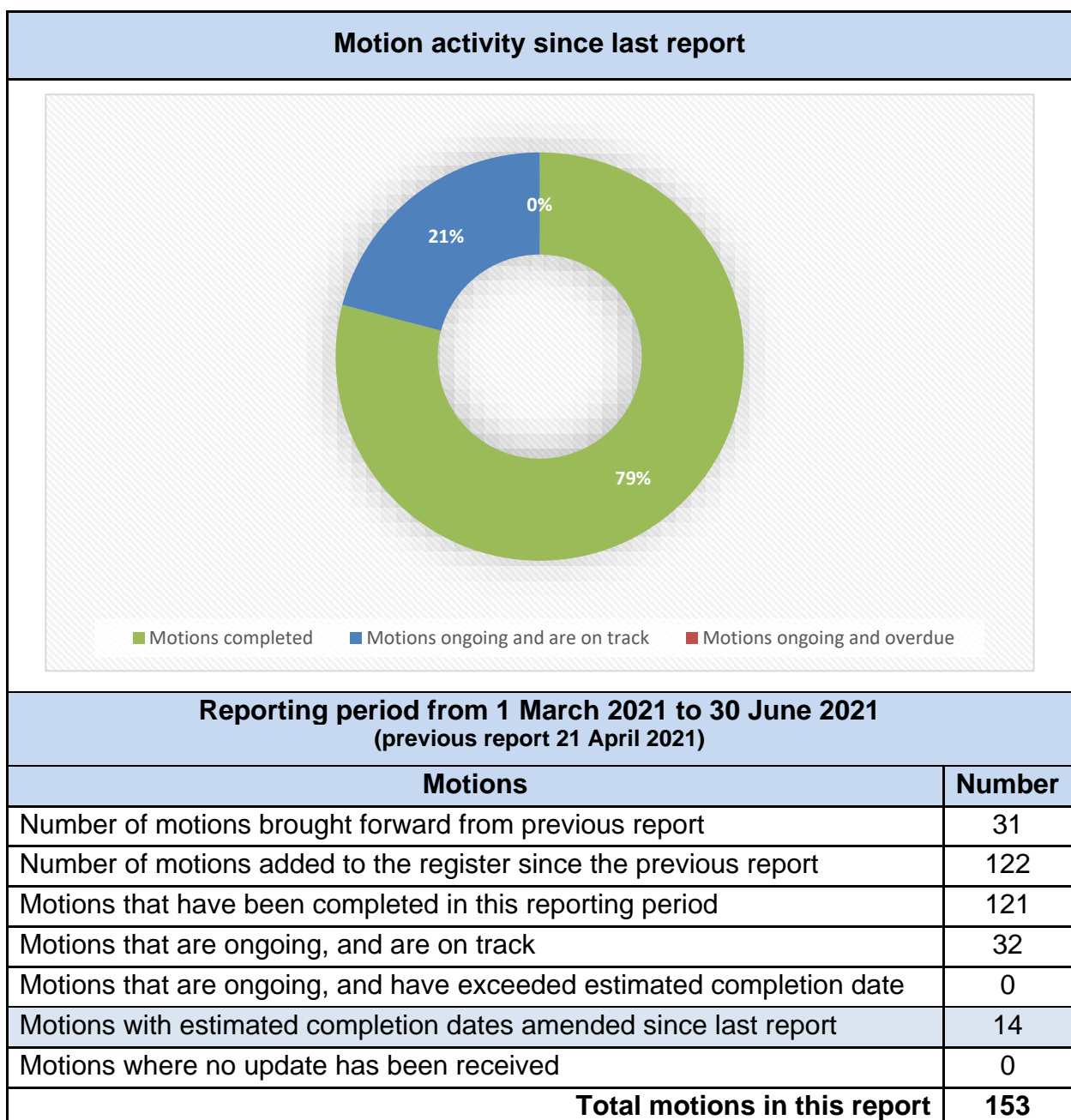
The motions included in this section are those decisions about Development Applications (DA's) that have been completed. They have been grouped for ease of reference only.

**Part 3. Motions other than DA's completed in reporting period**

The motions included in this section are all other decisions made by Council (except DA's that have been completed, captured above at part 2).

**Part 4. Motions where no action was required in reporting period**

The motions included in this section are from those reports that were provided to Council for information only.



## STATUS REPORT OF AUDIT ACTIONS TO 30 JUNE 2021

<b>Responsible officer:</b>	Manager Governance
<b>Attachments:</b>	1. Audit actions progress report to 30 June 2021 2. Information systems audit actions progress report to 30 June 2021 ( <i>Confidential attachment under separate cover</i> )
<b>Additional information:</b>	Nil

This report presents the City's central register that captures the progress of all recommended actions agreed to be undertaken by the City as suggested or recommended in an audit or review report.

Information from an audit or review report is inputted into the Audit Actions Register (the register) including recommendations/suggested actions, the responsible officer and the initial comment provided by the responsible Manager/Director to the auditor/reviewer.

When an item is given a rating (as agreed by the City) of "high" or "extreme", the item will be added to the Corporate Risk Register.

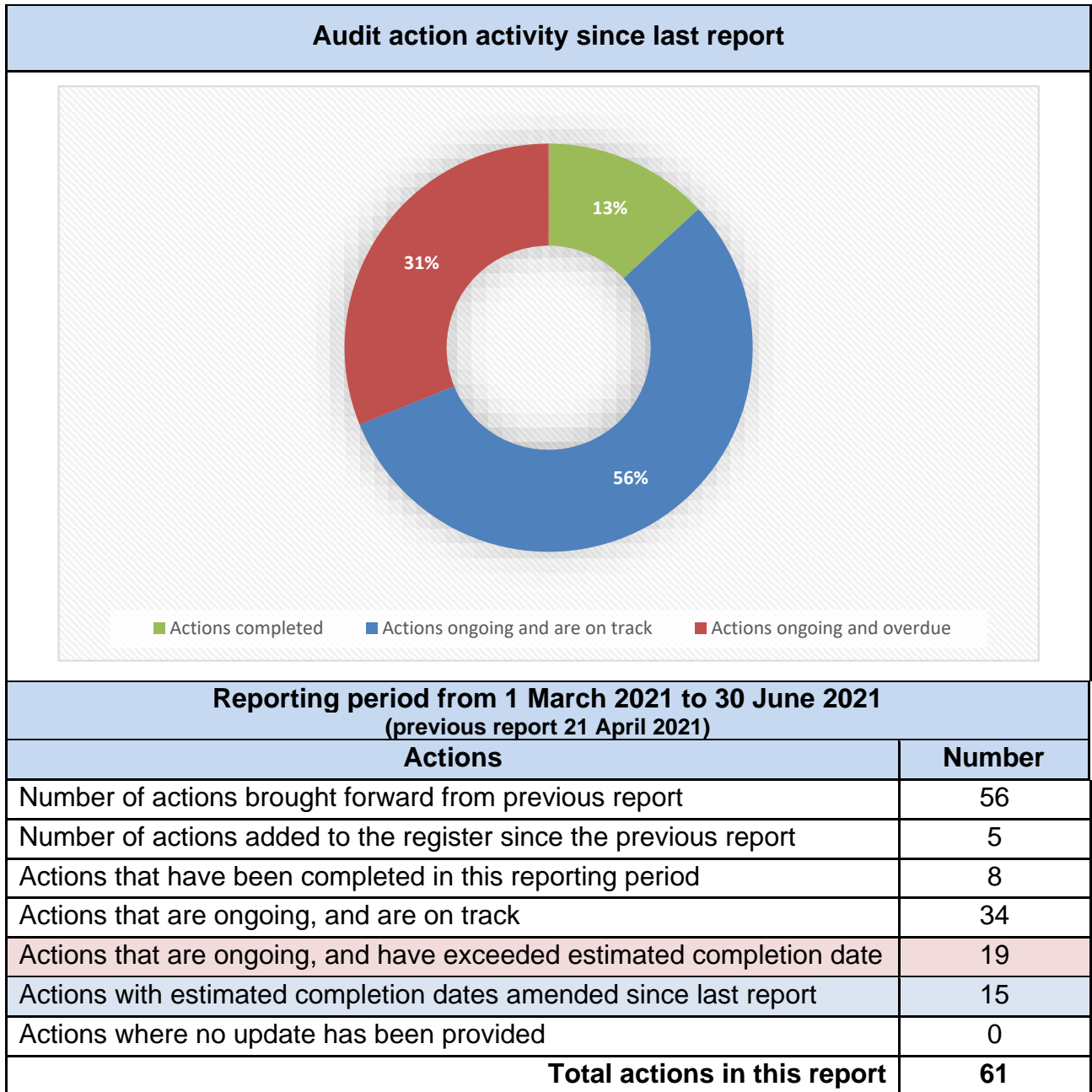
The attached report provides a summary of the progress the City has made in response to the recommendations/suggested actions in an audit or review findings report.

The Office of the Auditor General, when reporting on the findings of its Information Technology Systems audit, ensured that information relating to specific local governments was not provided. This was to protect local governments that had been identified as having potential security weaknesses.

The City of Fremantle will continue to support the OAG's decision by presenting the Information Technology Systems audit actions in the confidential attachments under separate cover.

The audits or reviews in this progress report are:

- Systems and Procedures Review
  - Internal Control
  - Risk Management
- Regulation of Consumer Food Safety
- Financial Management Review
- Interim Audit – Finance
- Interim Audit – Information Systems
- Annual Financial Statements



**OFFICER'S RECOMMENDATION**

Council receive the following information reports for August 2021:

1. Report on Elected Member Training from 1 July 2020 until 30 June 2021.
2. Status report of Council motions – 1 March 2021 to 30 June 2021.
3. Status report of audit actions to 30 June 2021.



**COUNCIL DECISION ITEM ARMC2108-5**  
**(Committee recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Geoff Graham**

**Council receive the following information reports for August 2021:**

- 1. Report on Elected Member Training from 1 July 2020 until 30 June 2021, removing reference to attendance at the Waste to Energy Forum from Cr Mofflin's professional development in attachment 1:**

Cr Frank Mofflin	Council Member Essentials – Meeting Procedures	10/09/2020	WALGA	eLearning
Cr Frank Mofflin	Council Member Essentials – Understanding Financial Reports and Budgets	10/09/2020	WALGA	eLearning
Cr Frank Mofflin	Waste to Energy Forum	08/10/2020	Southern Metropolitan Regional Council	Tompkins on Swan
Cr Frank Mofflin	Tourism Bound Event	18/11/2020	Tourism Western Australia	Perth Convention and Exhibition Centre

- 2. Status report of council motions – 1 March 2021 to 30 June 2021.**
- 3. Status report of audit actions to 30 June 2021.**

**Carried en bloc: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

## ARMC2108-1 WALYALUP CIVIC CENTRE – PROJECT UPDATE REPORT

<b>Meeting date:</b>	18 August 2021
<b>Responsible officer:</b>	Director Infrastructure
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Risk Register Summary (July)
<b>Additional information:</b>	Nil

### SUMMARY

This report provides an update in respect to current progress with works on site at the Walyalup Civic Centre. The report also includes details with current issues and provides a summary of costs as they relate to the building construction, including costs associated with the Liquidation of Pindan Pty Ltd.

The report recommends that Council:

**Receive the project update and note the progress, management of current issues, program / timing and costs.**

### BACKGROUND

On Wednesday 19 May 2021, the City received notification that Pindan Construction Pty Ltd had been placed into liquidation.

As of this date the following main areas / components of the works remain to be completed:

- External façade / building envelop works.
- Roofing works and PV array installation.
- General interior fit out works, inc carpet installation, painting, cabinetry works and cleaning.
- Exterior works, i.e. paving installation works, soft landscaping works, cleaning, defect inspections.
- Final testing, witnessing, and commissioning works.

Following the liquidation event, the City moved quickly to manage risk in respect to the effective and timely completion of the project; to that end the City directly employed Pindan site project team (4 key staff). This was felt to be a critical move to ensure project continuity and preserve construction knowledge and contractor relationships.

The next stage for the City was to agree and adopt a suitable and acceptable delivery model and approach for the completion of works.

At the Special Council meeting of 8 June 2021 officers sought approval to:

- Continue the engagement of contractors (previously contracted to Pindan Ltd PTY) under sole source supply arrangements

- Formally terminate the Construction Contract with Pindan Pty Ltd at the appropriate time.
- Delegate to the CEO to authorise project expenditure to complete the project works up to the available value of the retained performance bonds (\$3,673,056.40).
- Approve officers progress with a Managing Contractor arrangement for the oversight of completion of the project works and to immediately commence the tender process on this basis.

Council unanimously approved the following recommendation – this included a requirement that the project continue to be monitored through regular updates to the City’s Audit and Risk Committee via the following recommendation:

**COUNCIL DECISION ITEM SC2106-1**  
**(Amended officer’s recommendation)**

**Moved: Cr Andrew Sullivan      Seconded: Cr Bryn Jones**

**Council**

1. **Note the City’s legal advice in respect to the direct engagement of contractors, previously contracted to Pindan Ltd PTY, as Sole Source suppliers.**
2. **Note the advice from the probity auditor in respect to the City’s approach and engagement of contractors for the completion of Walyalup Civic Centre construction contract.**
3. **As a result of the unique nature and current status of the project, approve Sole Source supply arrangements under Regulation 11 (2)(f) of the Local Government (Function and General) Regulations 1996, for the engagement of contractors as detailed in confidential Attachment 1, to complete the project works as *the City has good reason to believe that no other contractor would be prepared to assume the obligations to carry out and complete the works of any current subcontractor, assuming liability for what has been done, at the price that remains payable under the terms of the existing subcontract and taking over existing warranties required under the existing contract.***
4. **Approve CEO delegation to formally terminate the Construction Contract with Pindan Pty Ltd at the appropriate time.**
5. **Approve CEO delegation to authorise project expenditure to complete the project works up to the available value of the retained performance bonds (\$3,673,056.40).**
6. **Approve officers progress with a Managing Contractor arrangement for the oversight of completion of the project works and to immediately commence the tender process on this basis.**
7. ***Request that the Walyalup Civic Centre project continue to be monitored through regular updates to the City’s Audit and Risk Committee.***

**Carried: 11/0**

**Cr Geoff Graham, Cr Hannah Fitzhardinge, Cr Sam Wainwright,  
Cr Su Groome, Cr Frank Mofflin, Cr Doug Thompson, Cr Bryn Jones,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

As a result of the above resolution, the City's inhouse Project Team novated all the novation deed contractors to the City of Fremantle and reviewed and agreed the remaining scope of works to be completed.

The team also engaged the required 'non-novated' contractors to progress and complete the works as previously agreed (via Pindan Pty Ltd).

In addition to this the in-house team remained active on site through labourers and certain licensed contractors – mainly to execute fit out assembly works and to clean and clear the building / site in preparation for the final stages of work. The team also progressed some urgent works to the building to protect it from damage from the weather.

Following a public tender process, the Finance, Policy, Operations and Legislation Committee of 14 July 2021 accepted the tender for Managing Contractor Services from the CDI Group. The CDI Group were assessed as a particularly suitable Managing Contractor to facilitate the completion of the remaining works for the Walyalup Civic Centre project.

The City executed a formal contract with the CDI Group and re-commenced main construction works week commencing 19 July 2021.

## **FINANCIAL IMPLICATIONS**

The City's budget and costs status as of 11 August is summarised below.

<b>Construction Summary</b>	
Contract Sum (Original award)	\$41,461,128
Adjusted Contract Sum (inc. certified variations)	\$42,616,834
Paid to date (June 2021)	\$40,451,025
Remaining Cost to Complete (Paid v Forecast Cost)	\$4,836,233
<b>FORECAST - Construction Cost to Complete</b>	<b>\$45,287,258</b>
<b>Available Construction Budget</b>	
Initial Contract	\$ 41,461,128
Contingency - 5% (\$600k moved to Town Hall works)	\$ 1,500,000
Changing Places (Grant)	\$ 120,000
Total	\$ 43,081,128
Insurance Bonds	\$ 3,600,000
<b>Construction Works Budget</b>	<b>\$ 46,681,128</b>
<i>balance</i>	<i>\$ 1,393,870</i>

## **LEGAL IMPLICATIONS**

Nil

## **CONSULTATION**

Nil

## **OFFICER COMMENT**

### Project Update

The project team (4 ex-Pindan) have has been subject to staff changes, with two staff leaving (Site Supervisor and Site Manager) – these have since been replaced. The replacement staff are well qualified and experienced and have fitted in well.

The team continue to lead the construction works on site.

The WCC Project Team have confirmed that the total value of trade packages procured to date equates to 99% of the total trade value.

The CDI Group are now fully engaged and active on site. They have now completed a full site review and are actively engaged in their role.

### Key progress / works areas:

- Facades
- Soffits and canopy's
- Window openings
- Roof – steel works complete, coverings progressing
- Glazing / doors
- Chillers initiated
- Gas connected and primed, boilers initiated
- A/C initiated / testing commenced
- Deep clean under way in all internal areas
- Colgan has completed Town Hall fire suppression works (await final commissioning)

Currently, the only overseas item remaining is the courtyard stone arriving from China. This is expected on site at the end of August 2021.

### Key Issues:

- Weather / rain delays
  - The unusual amount on prolonged and consistent rain has restricted external roofing and façade works.
- Old basement area:
  - High rainfall and subsequent high-water table have created some problems with water ingress in the old (retained) basement area holding the Westernpower transformer / substation.
    - The team have been liaising with Westernpower and the electrical consultants and treatment options have been tried.
    - Works over the last two weeks have significantly improved the issue.

- The team continue to monitor the situation and are preparing plans for effective future management.
- Access restrictions
  - The poor weather has also resulted in delays in completing the playground – completing painting & cobbles. This has restricted delivery access and necessitated some rescheduling.
- Site labour
  - Labourers are increasingly difficult to engage and retain in the (current labour market), however, resources have been brought in and CDI have been successful in supporting / resourcing in this area.
- Façade assembly
  - The complexities with the construction of the final façade panels and missing glazing have proved challenging for the offsite assembly yard. An Australian source for glass has now been secured (that can match the specifications) and deliveries are now progressing.

#### Statutory Approvals

- The Building Permit has been successfully transferred from Pindan Pty Ltd to the CDI group.

#### Design matters

- Early preparatory snagging and design compliance pre-surveys have commenced.
- Façade design and offsite fabrication is progressing well.

#### Insurances

- The City has secured the necessary building / contract works insurances.
- The CDI group have provided the required evidence of their insurance provisions.

#### Health and Safety

- The CDI group have completed a Health and Safety review of the site using their consultant, no significant issues were highlighted. They have now implemented / overlaid the CDI Health & Safety Plan.

#### Risk management

- The Risk Register continues to be reviewed and has been updated and is included in appendix 1.

#### Program

- The poor weather and prolonged rain have restricted progress on the façade and roof installation works, this is unfortunately now affecting the critical path.

It is currently estimated that, subject to weather - Practical Completion should now occur at the end of October 2021, this to be followed by library fit out works and IT commissioning by City Staff.

Occupation and building opening is now programmed for November 2021.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

## OFFICER'S RECOMMENDATION

Moved: Cr Adin Lang

Seconded: Cr Andrew Sullivan

Council receive the update report and note the current project status.

## AMENDMENT

Moved: Cr Doug Thompson

Seconded: Cr Adin Lang

Amend the officer's recommendation to read as follows:

Council **note and** receive the updated report **to the Audit and Risk Management Committee** and note the current project status.

Amendment carried: 5/1

For

Cr Andrew Sullivan, Cr Adin Lang, Cr Frank Mofflin,  
Cr Doug Thompson, Mr Phillip Draber

Against

Cr Marija Vujcic

## COUNCIL DECISION ITEM ARMC2108-1 (Committee recommendation)

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

Council *note and* receive the updated report *to the Audit and Risk Management Committee* and note the current project status.

Carried: 9/1

For

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic

## ARMC2108-3 OVERDUE DEBTORS REPORT AS AT 30 JUNE 2021

<b>Meeting date:</b>	18 August 2021
<b>Responsible officer:</b>	Manager Finance
<b>Decision making authority:</b>	Council
<b>Agenda attachments:</b>	1. Summary of Overdue Debts above Threshold 2. Commercial Property COVID-19 Rent Waivers ( <i>confidential attachments under separate cover</i> )
<b>Additional information:</b>	Nil

### SUMMARY

**This debtors report with confidential attachments is provided to the Audit and Risk Management Committee together with details of overdue debts that exceed a threshold value of \$10,000.**

**This report recommends that Council receive the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value exceeding \$10,000 as at 30 June 2021.**

### BACKGROUND

The report provides details to the Audit and Risk Management Committee (ARMC) on overdue debtors. The following information is provided on a quarterly basis:

- The amount of total debt outstanding for the period aged from current to over 90 days overdue with a comparison to the same period for the previous year.
- The value of debt that is in excess of ninety (90) days overdue and the combined value of those debt(s) which exceed \$10,000.
- All records of the uses of 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.
- A confidential report containing the individual debtor information in relation to the outstanding debtors exceeding 90 days with a combined value exceeding \$10,000 with comments, background and a comparison to the previous quarters report.
- Debtor day ratio - the average number of days required for the City to receive payment from its customers for invoices issued to them.

Further to the usual details provided in this report, at the meeting of the 16 June ARMC council requested that:

- Officers bring back to the Audit and Risk Management Committee a profile of the value of waivers on commercial property over the last two years (FY20/21 & FY19/20) to see what the (essentially COVID) impact on the City of Fremantle has been in relation to the commercial properties.
- Officers provide a finalised list of commercial property waivers to the next Audit and Risk Management Committee.



This information has been provided as part of this report via the confidential attachment under separate cover.

## 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 2020 an amount of \$584,675 was held as an allowance for impairment of receivables. At mid-year budget review, an additional \$250,000 allowance was made for impairment of receivables. As at the 30 June 2021, the current allowance held as impairment is \$170,969 with \$663,706 being written off in the 20/21 financial year. During this financial year the following reportable write-offs and waivers have been processed against this account:

Total Write-offs	\$419 GST Exempt
Total Waivers	<u>\$663,287</u> + GST
	<b>\$663,706</b>

Since the last report, 5 occurrences of delegated authority to waive or write off debts valued at \$1,000 or above per debtor by officers has occurred. Currently no debtor has been identified for potential write-off/waiver.

### Summary of Sundry Debtor's Debts Written-off

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

### Summary of Rates Debtors Debts Written-off

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

### Summary of Sundry Debtor's Debts Waived

Debtor Name	Amount Waived Excl GST	Description
The Italian Club Fremantle	\$4,548.99	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Clancy's Fish Pub	\$20,608.07	Rent Waiver due to COVID 19- 30/03/2020 to 30/06/2020
Port Jarrah Furniture Fremantle Gallery	\$24,882.10	Rent Waiver due to COVID 19- 30/03/2020 to 31/03/2021

<b>Debtor Name</b>	<b>Amount Waived Excl GST</b>	<b>Description</b>
Tom Edward Fay	\$6,247.39	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Kiodogo Art Institute	\$16,460.78	Rent Waiver due to COVID 19 - 30/03/2020 to 31/12/2020
Bakpak Freo Pty Ltd	\$75,291.99	Rent Waiver due to COVID 19- 30/03/2020 to 31/03/2021
Royal Fremantle Golf Course Pty Ltd	\$10,546.22	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Dome Fremantle	\$95,953.91	Rent Waiver due to COVID 19- 30/03/2020 to 31/03/2021
Fremantle Markets Pty Ltd	\$76,434.86	Rent Waiver due to COVID 19- 25/03/2020 to 30/04/2020
Fremantle Volunteer Heritage Guides Association Inc	\$545.81	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Fremantle Arts Centre Café	\$10,194.62	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Moore & Moore Food & Drink	\$16,554.31	Rent Waiver due to COVID 19- 30/03/2020 to 31/03/2021
Gino's Café Pty Ltd	\$76,910.07	Rent Waiver due to COVID 19- 30/03/2020 to 31/03/2021
Mr Glen Martin Cowans	\$6,008.24	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Van Thang Doan	\$8,369.97	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
David Giles Art Gallery	\$7,056.29	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Australian Touristic Attractions Pty Ltd	\$20,734.55	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Art on the Move	\$7,621.40	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Rebecca Michelle Baumann	\$1,534.79	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Coolchest Pty Ltd	\$11,470.56	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Bird Books Pty Ltd	\$12,634.37	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Beach Partnerships T/A COAST Port Beach	\$108,258.34	Rent Waiver due to COVID 19- 30/03/2020 to 31/03/2021

Debtor Name	Amount Waived Excl GST	Description
Tanya Schultz	\$2,102.46	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
George Ricca Enterprises Pty Ltd	\$3,780.91	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Sierra Orenda Pty Ltd	\$24,892.81	Rent Waiver due to COVID 19- 30/03/2020 to 30/09/2020
Jina Lee	\$4,838.71	Rent Waiver due to COVID 19- 30/03/2020 to 31/01/2021
Rose Megirian	\$2,492.52	Rent Waiver due to COVID 19- 30/03/2020 to 31/01/2021
VARIOUS	\$6,731.00	Various debts not related to COVID and less than reportable amount
	<b>\$663,706</b>	

## LEGAL IMPLICATIONS

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

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

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

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

Any amount in excess of 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

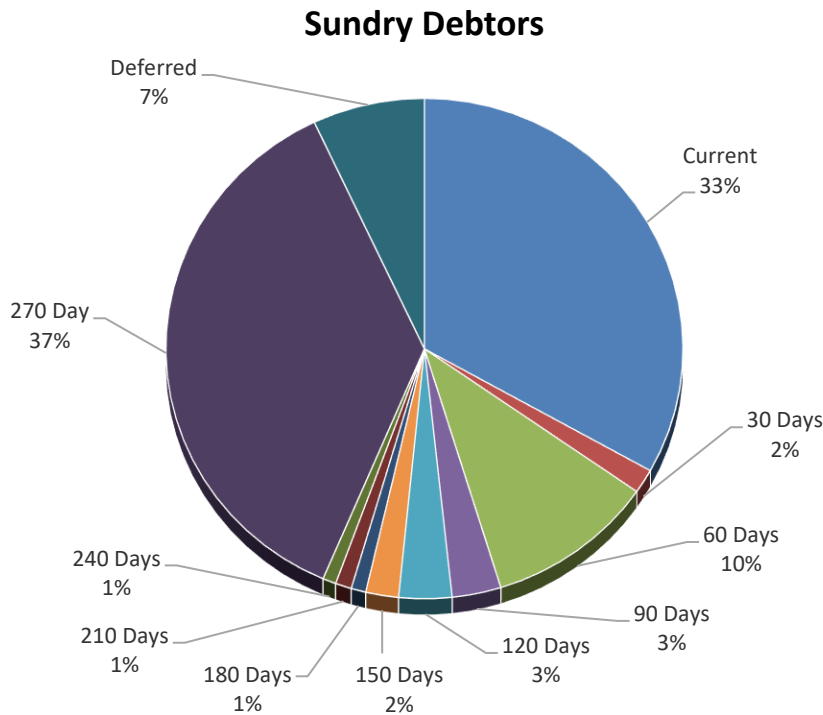
Nil

**OFFICER COMMENT**

The total of debtors outstanding as at 30 June 2021 is \$892,054. A breakdown of aged debt for the current period compared to prior year for the same period is tabled below.

Period Ending June	Current	30 Days	60 Days	90+ Days	Total
July 20 – June 21	33%	1%	11%	55%	100%
	295,306	14,010	94,098	488,640	892,054
July 20 – June 21 Excl. Commercial Properties	36%	4%	12%	48%	100%
	195,646	21,919	65,745	258,936	542,247
July 19 – June 20	314,423	202,330	131,585	550,918	1,199,256

Of the total debt balance, the amount outstanding for 90+ days is \$488,640 or 55%. Below is a graph of the aged debt balances as at 30 June 2021.



Compared to the report of overdue debtors as at 31 May 2021, presented to Audit and Risk Management Committee at the 16 June 2021 meeting, the total value of outstanding debtors has decreased by \$397,640.

Outstanding debt over 90 days has decreased from 618k at the end of the previous quarter to 488k. The number of overdue debtors above the reporting threshold of \$10,000 and 90 days is 9 with a total value of \$415,597 and of this, \$51,158 is deferred and subject to an agreed payment arrangement to secure payment in full by 30 June 2023.

In accordance with delegated authority, any debts over 50,000 will be submitted to Audit and Risk Management Committee for approval and all recorded use of delegated authority by Chief Executive Officer, Directors and Managers will be reported to Audit and Risk Management Committee.

The confidential attachment contains debtor information in relation to the \$415,597 of outstanding debtors exceeding 90 days with a combined value exceeding 10,000 with comments and background.

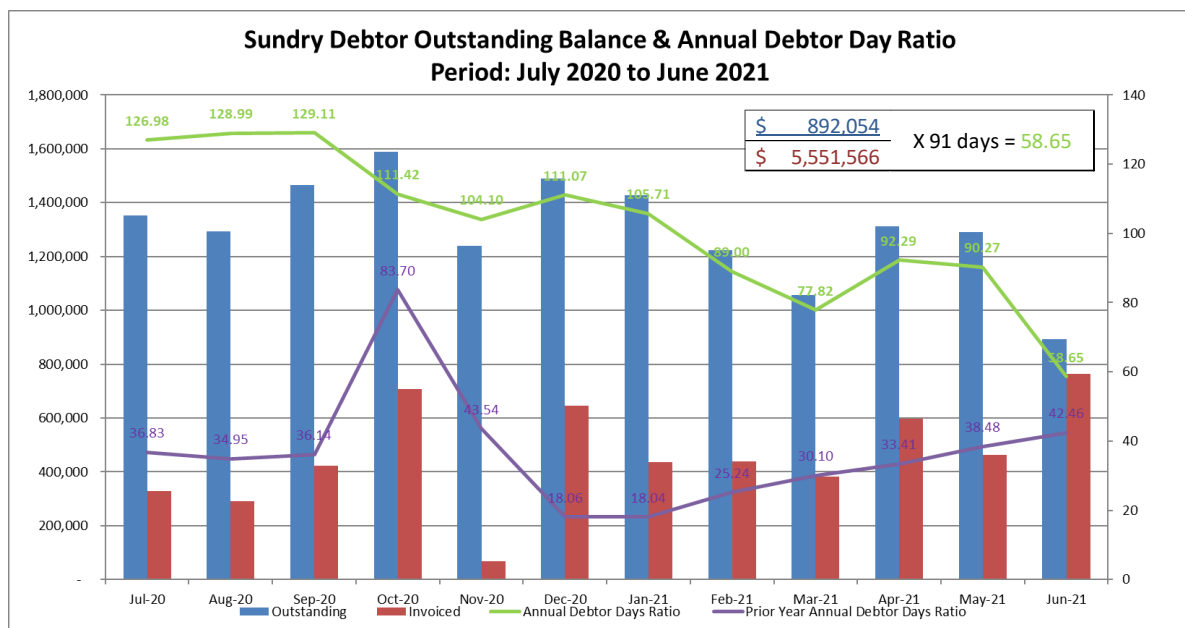
### Debtors Outstanding

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

The calculation of the ratio considers the total amount outstanding at the end of the period over the total amount invoiced to that period for the financial year by the total number of days from 1 July to the end of the period. See calculation in graph below.

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

At July 2020, 1,067,654 of invoices raised in 2019/20 were outstanding resulting in outstanding debt exceeding the amount invoiced during July 2020. Identified write-offs/waivers amounted to 663k and have resulted primarily from the City’s commercially leased properties.



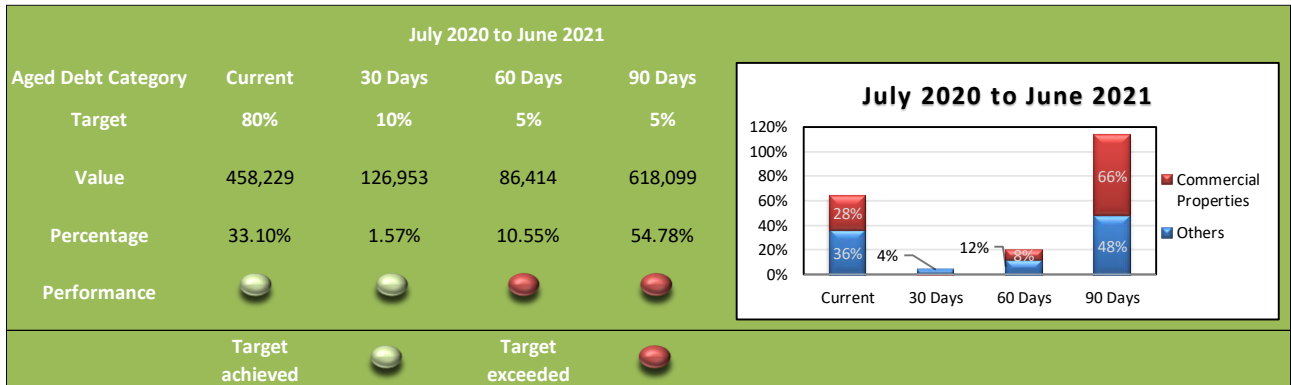
At reporting date, the debtor day ratio was 58.65 an increase from the prior reporting period. Of outstanding debt, 33% related to current invoices that were not yet due.

### Key Performance Indicators

The Audit Risk Management Committee recommended a performance measure be included to provide a reporting date ‘snapshot’ of performance against agreed indicators.

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

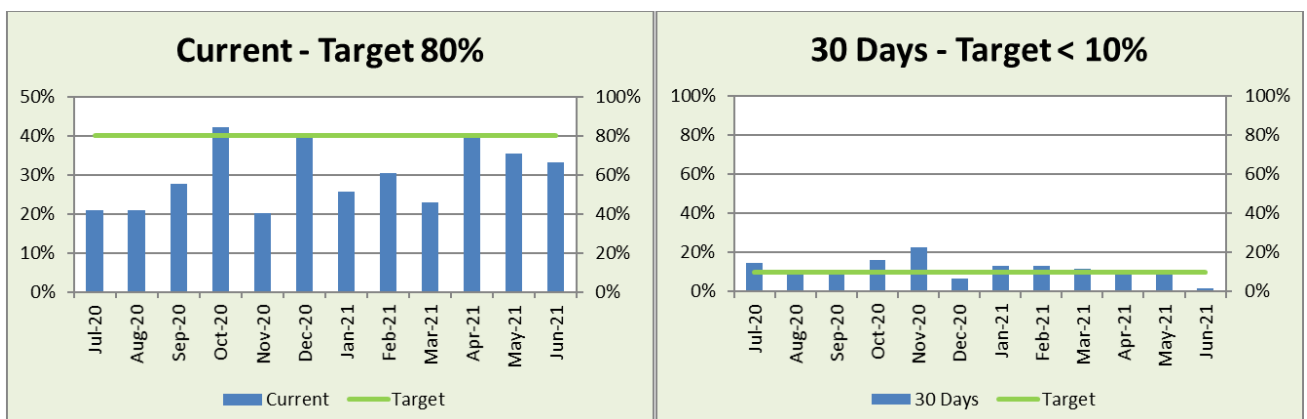
Key Performance Targets				
Current	30 Days	60 Days	90 Days	Total
80%+	<= 10%	<=5%	<=5%	100%

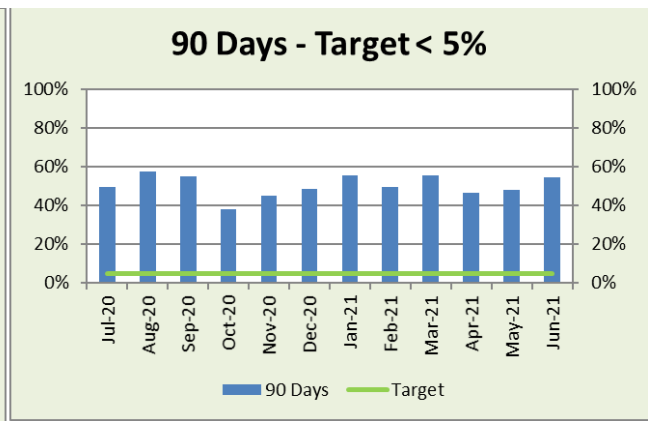
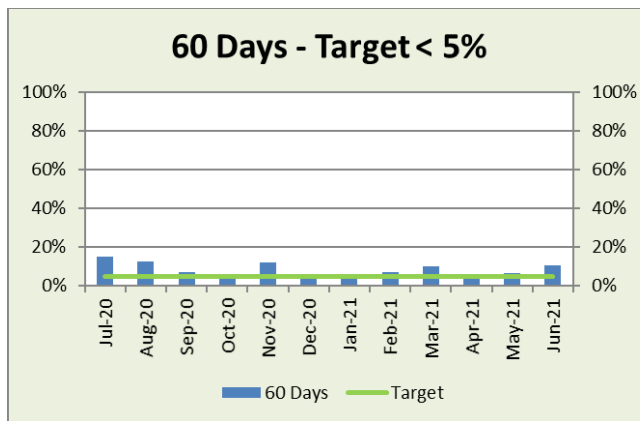


Of total overdue debt, Commercial Properties account for 39% (\$349,808) and 66% of these debts extend 90 days & beyond. Deferred payment arrangements are currently in place for \$62,099 or 18% of total overdue Commercial debts. City officers are liaising with all commercial tenants to provide assistance, including payment arrangements, where appropriate.

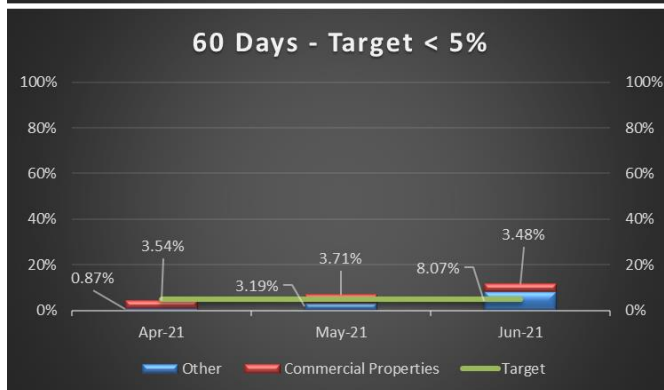
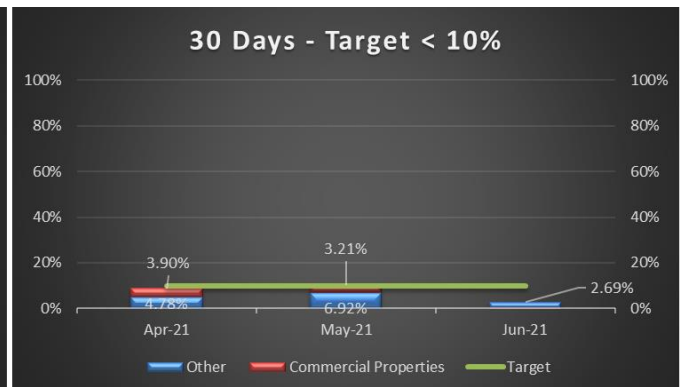
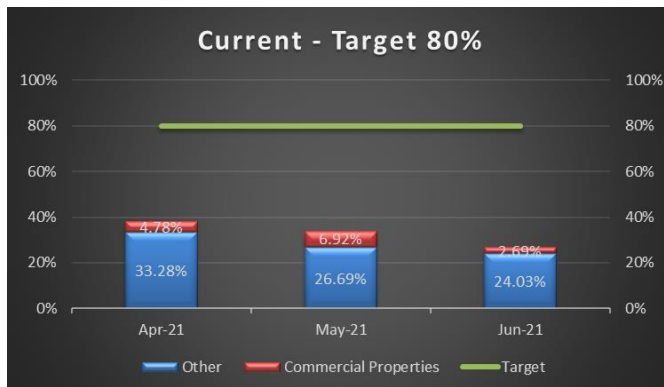
The following charts demonstrate performance against the recommended target for each aged debt category by period to reporting date for this financial year. As discussed above, much of the longer-term debt relates to the commercial tenants during the COVID shutdown period.

*Summary by total debtors by days*





Summary by debtor type by days



Impact of COVID on Commercial Property

In response to COVID19, the State Government created legislation and guidelines aimed at protecting commercial tenants who may have been subject to financial duress as a result of the pandemic.

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

During the emergency period (April 2020 – September 2021) landlords were required to provide waivers of up to 100%. The waivers during this period were to be provided commensurate with any loss that could be demonstrated by the business as a result to COVID-19.

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

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 \$429,579 only **\$52,918** remains outstanding, with all debtors currently successfully paying this back via direct debit arrangements.

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

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

## **OFFICER'S RECOMMENDATION**

**Moved: Cr Adin Lang**

**Seconded: Cr Frank Mofflin**

**Council receive:**

- 1. the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value exceeding \$10,000 as at 30 June 2021.**
- 2. the confidential attachment providing information of the value of waivers provided to commercial properties over the last two years (FY20/21 & FY19/20).**

## **AMENDMENT**

**Moved: Cr Doug Thompson**

**Seconded: Cr Adin Lang**

**Amend the officer's recommendation to include an additional part 3, to read as follows:**

**Council **receive:****

- 1. **Receive** the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value exceeding \$10,000 as at 30 June 2021.**
- 2. **Receive** the confidential attachment providing information of the value of waivers provided to commercial properties over the last two years (FY20/21 & FY19/20).**



- Note that all of the commercial tenancy related rent waivers presented in this report are in relation to the City's adherence to State Government COVID-19 legislation and guidelines, and that the amount waived for each tenant was determined based on the level of financial loss that could be demonstrated via the tenants financial statements.**

**Amendment carried: 5/1**

**For**

Cr Andrew Sullivan, Cr Adin Lang, Cr Frank Mofflin,  
Cr Doug Thompson, Mr Phillip Draber

**Against**

Cr Marija Vujcic

**COUNCIL DECISION ITEM ARMC2108-3**

**(Committee recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Jenny Archibald**

**Council:**

- 1. Receive the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value exceeding \$10,000 as at 30 June 2021.**
- 2. Receive the confidential attachment providing information of the value of waivers provided to commercial properties over the last two years (FY20/21 & FY19/20).**
- 3. Note that all of the commercial tenancy related rent waivers presented in this report are in relation to the City's adherence to State Government COVID-19 legislation and guidelines, and that the amount waived for each tenant was determined based on the level of financial loss that could be demonstrated via the tenants financial statements.**

**Carried: 9/1**

**For**

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**Against**

Cr Marija Vujcic

## 12. Reports and recommendations from officers

### ITEMS APPROVED “EN BLOC”

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

### COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Doug Thompson

The following items be adopted en bloc as recommended:

C2108-2	SCHEDULE OF PAYMENTS July 2021
C2108-3	STATEMENT OF INVESTMENTS – JULY 2021

**Carried en bloc: 10/0**  
Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**C2108-2 SCHEDULE OF PAYMENTS JULY 2021**

<b>Meeting date:</b>	25 August 2021
<b>Responsible officer:</b>	A/Manager Finance
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	Schedule of payments and listing Purchase Card Transactions <b><i>Attachments viewed electronically</i></b>
<b>Additional information:</b>	Nil

**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 July 2021, as required by the *Local Government (Financial Management) Regulations 1996*.

**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 July 2021, is provided within Attachment 1 and 2.

**FINANCIAL IMPLICATIONS**

A total of \$7,369,802.41 in payments were made this month 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; and*
      - (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 July 2021 by payment type, with full details of the accounts paid contained within Attachment 1.

<b>Payment Type</b>	<b>Amount (\$)</b>
Cheque / EFT / Direct Debit	\$5,004,945.39
Purchase card transactions	\$43,475.06
Salary / Wages / Superannuation	\$2,313,081.96
Other payments ( <i>as outlined in Attachment 1</i> )	\$8,300.00
<b>Total</b>	<b>\$7,369,802.41</b>

Contained within Attachment 2 is a detailed listing of the purchase card transactions for the month ending July 2021.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

### **COUNCIL DECISION ITEM C2108-2** **(Officer recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

#### **Council:**

- 1. Accept the list of payments made under delegated authority, totalling \$7,369,802.41 for the month ending July 2021, as contained within Attachment 1.**
- 2. Accept the detailed transaction listing of credit card expenditure, for the month ending July 2021, as contained within Attachment 2.**

**Carried en bloc: 10/0**  
Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

## **C2108-3 STATEMENT OF INVESTMENTS – JULY 2021**

<b>Meeting date:</b>	25 August 2021
<b>Responsible officer:</b>	A/Manager Finance
<b>Decision making authority:</b>	Council
<b>Attachments:</b>	1. Investment Report – 31 July 2021
<b>Additional information:</b>	Nil

### **SUMMARY**

**This report outlines the investment of surplus funds for the month ending 31 July 2021 and provides information on these investments for Council consideration.**

**This report recommends that Council receive the Investment Report for the month ended 31 July 2021, as provided in Attachment 1.**

**The investment report provides a snapshot of the City’s investment portfolio and includes:**

- **Portfolio details as at July 2021;**
- **Portfolio counterparty credit framework;**
- **Portfolio liquidity with term to maturity;**
- **Portfolio fossil fuel summary;**
- **Interest income earned for the month;**
- **Investing activities for the month;**

### **BACKGROUND**

In accordance with the Investment Policy adopted by Council, the City of Fremantle (the City) 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 in appropriately rated and liquid investments, until such time as the City requires the money for expenditure.

The City has committed to carbon neutrality and to this end seeks to ensure its financial investments consider the reduction of fossil fuels and our One Planet Fremantle Strategy.

To this end the City will review and manage its investment portfolio to identify financial institutions which support either direct or indirect support of fossil fuel companies and has limited these investments in these institutions to the minimum whilst maintaining compliance with the investment policy.

## FINANCIAL IMPLICATIONS

To date actual investment interest earned is \$12,604 against a year-to-date budget of \$12,604 and full year adopted budget of \$200,000.

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 0.32% for the month of 31 July 2021.

The City's actual portfolio return in the last 12 months is 0.50%, which compares favourably to the benchmark Bloomberg AusBond Bill Index reference rate of 0.05% (refer 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 oversight by the Australian Prudential Regulation Authority (APRA).

## CONSULTATION

Nil

## OFFICER COMMENT

A comprehensive Investment Report for the month ending 31 July 2021 can be viewed in Attachment 1 of this agenda item. A summary of the investment report is provided below.

### 1. Portfolio details as at 31 July 2021

At period end, the City's investment portfolio totalled \$37.18m. The market value was \$37.21m, which takes into account accrued interest.

The investment portfolio is made up:

Cash Investments (<= 3 months)	\$11.68m
Term Deposits (> 3 months)	\$25.50m
<b>TOTAL</b>	<b>\$37.18m</b>

Of which:

Unrestricted cash	\$24.50m
Restricted cash (Reserve Funds)	\$12.06m
Restricted cash (Trust Funds)	\$ 0.62m
<b>TOTAL</b>	<b>\$37.18m</b>

The current amount of \$24.50m held as unrestricted cash represents 31.50% of the total adopted budget for operating revenue (\$77.76m)

## 2. Portfolio counterparty credit framework (as at 31 July 2021)

The City’s Investment policy determines the maximum amount to be invested in any one financial institution or bank 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. The recently adopted counterparty credit framework is as 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.

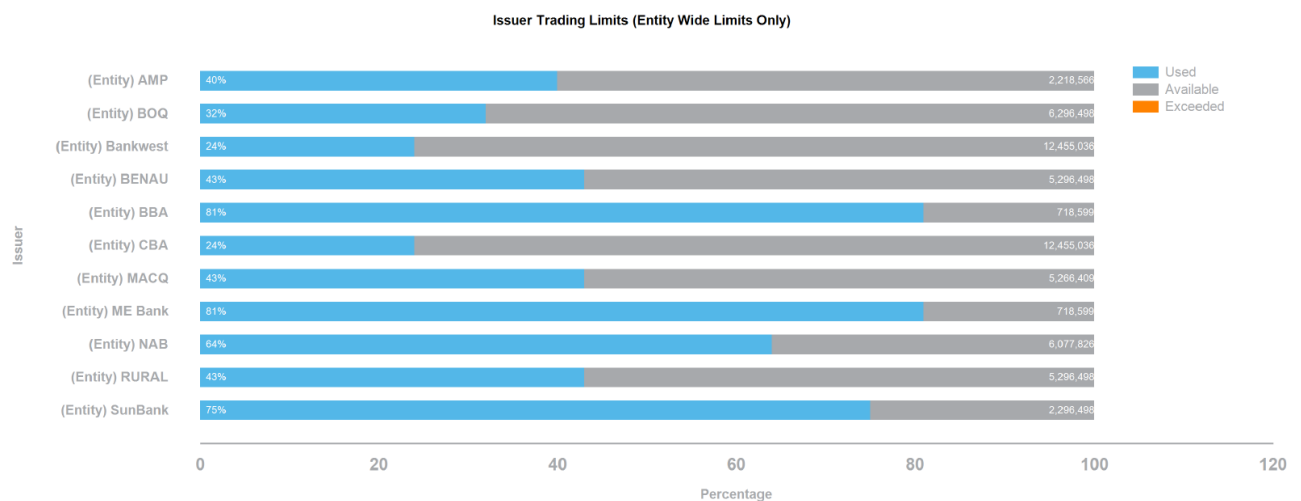
Credit quality	Maximum % of total investments
Tier 1 (excl. AAA government) AAA to AA-	45%
Tier 2 A+ to A-	25%
Tier 3 BBB+ to BBB-	10%
Tier 4 Unrated	(\$1m)

The following graphs provide details of the funds invested at the end of this month as per the City’s investment portfolio relative to the threshold allowed by the investment policy.

### Portfolio Credit Framework Limits As At 31 July 2021

Tier	Portfolio Allocation \$	Portfolio Allocation %	Tier Maximum Allocation	Tier Used %	Tier Available %	Tier Exceeded %
Tier 1	14,655,870.14	39.41%	100.00%	39.41%	60.59%	0.00%
Tier 2	18,030,121.42	48.49%	60.00%	48.49%	11.51%	0.00%
Tier 3	4,500,000.00	12.10%	35.00%	12.10%	22.90%	0.00%
Tier 4	0.00	0.00%	15.00%	0.00%	15.00%	0.00%
	<b>37,185,991.56</b>					

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



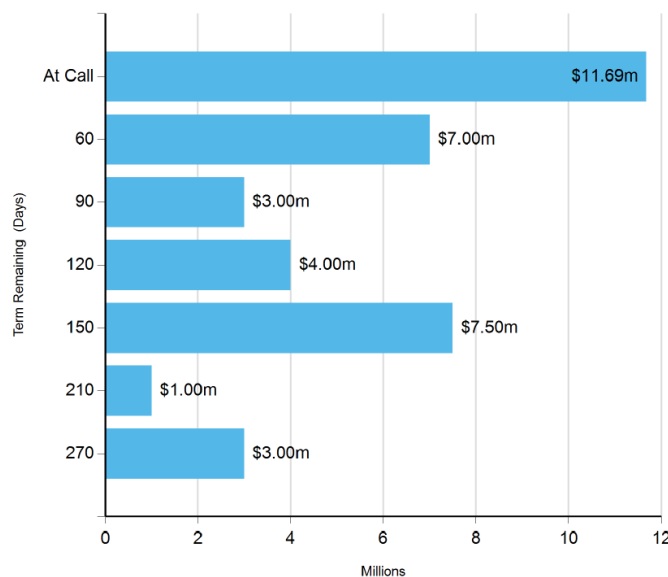
As reported in the above graphs at 31 July 2021, the portfolio was compliant with the issuer trading limit.

### 3. Portfolio Liquidity Indicator (as at 31 July 2021)

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

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.

Face Value by Term Remaining



### 4. Portfolio Summary by Fossil Fuels Lending ADIs (As at 31 July 2021)


At the end of this month, \$14m (37.6%) of the portfolio was invested in “Green Investments”; authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels (Non-Fossil Fuel lending ADI’s).


In order to address 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 to allow some greater flexibility. Since December 2020 investments have been made in accordance with the revised policy to increase in the percentage invested in “Green Investments”. However, it has been challenging for the City to invest in banks deemed “green” as these banks are full on liquidity and therefore are not issuing new term deposits.



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



 Non Fossil Fuel Lending ADIs (37.6%)

 Fossil Fuel Lending ADIs (62.4%)

**5. Interest Income for Matured Investments (For 1 July 2021 to 31 July 2021)**

During the month of July 2021 \$5,753 of interest income was earned from matured investments (refer Attachment 1 point 9).

**6. Investing Activities (For 1 July 2021 to 30 July 2021)**

During the month no new investment activity was undertaken.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

**COUNCIL DECISION ITEM C2108-3**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

**Council receive the Investment Report for the month ending 31 July 2021, as provided in Attachment 1.**

**Carried en bloc: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

**C2108-1 MONTHLY FINANCIAL REPORT - JULY 2021**

**Meeting date:** 25 August 2021  
**Responsible officer:** A/Manager Finance  
**Decision making authority:** Council  
**Attachments:** 1. Monthly Financial Report – 31 July 2021  
**Additional information:** Nil

**SUMMARY**

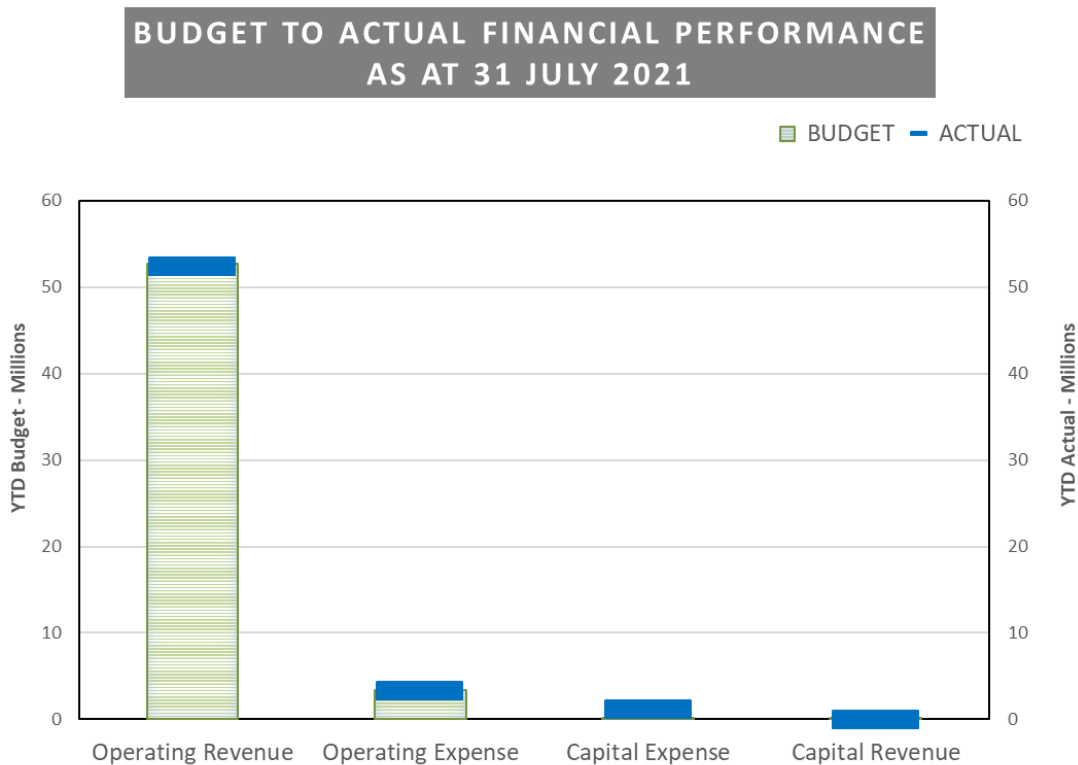
The monthly financial report for the period ending 31 July 2021 has been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

This report provides an analysis of financial performance for July 2021 based on the following statements:

- Statement of Comprehensive Income by Nature & Type and by Program;
- Rate Setting Statement by Nature & Type and by Directorate; and
- Statement of Financial Position with Net Current Assets

**BACKGROUND**

The following graph and table provide a high-level summary of Council’s year to date financial performance as at 31 July 2021.



Description	YTD Budget \$M	YTD Actual \$M	Variance \$M	Variance % %	+/-
<b>Opening Surplus</b>	4.36	13.50	9.14	209.44%	
<b>OPERATING</b>					
Rate Revenue	50.12	50.12	0.00	0.00%	
Revenue	2.57	2.30	(0.27)	(10.73%)	
Expenses	(3.37)	(3.43)	(0.06)	(1.71%)	
Non-Cash Adj.	0.01	0.03	0.02		
	49.33	49.02	(0.31)	-0.63%	
<b>CAPITAL</b>					
Revenue	0.08	0.11	0.03	37.84%	
Expenses	(0.21)	(1.20)	(0.99)	(462.57%)	
Financing	(0.60)	(0.34)	0.26	42.75%	
Reserve Transfers	0.01	(0.05)	(0.06)	(457.34%)	
	(0.72)	(1.48)	(0.76)	105.56%	
<b>Closing Surplus</b>	52.97	61.04	8.07	15.21%	

As detailed in the Statement of Comprehensive Income by Nature and Type operating income and expenses have mainly varied to the anticipated budget in the following categories:

Income	Variance	
Rates (including Annual Levy)	0	
Service Charges	804	
Operating Grants, Subsidies & Contributions	(312,295)	
Fees and Charges	7,744	
Interest Earnings	0	
Profit on Sale	0	
Other Revenue	27,714	
<b>Total Operating Income</b>	<b>(276,034)</b>	
Expenses	Variance	
Employee Costs	238,038	
Materials and Contracts (including Agency Labour)	(236,531)	
Depreciation Expenditure	2,510	
Interest Expenses	339	
Utility Charges	6,360	
Insurance Expenses	59	
Loss on Sale of Assets	0	
Other Expenditure	(68,513)	
<b>Total Operating Expenses</b>	<b>(333,770)</b>	

Further explanation of material variances, excluding rates income and employee variance, is included under officers' comments.

## FINANCIAL IMPLICATIONS

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

## LEGAL IMPLICATIONS

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

## CONSULTATION

Nil

## OFFICER COMMENT

The overall performance for the City of Fremantle for the period ended 31 July 2021 resulted in an additional \$8,059,973 surplus being identified in the year to date position over anticipated, which is mainly as a result of: -

### Increase in anticipated year to date position

- Increased carry forward funds from FY20/21 of \$9,138,585. This reported opening position is a draft position as presented at the time of preparation of this report and is subject to change on account of end of year closing journals, accruals etc. A final opening position figure for FY20/21 will be determined upon completion of the City's external audit and reported in a future budget review report to Council;
- Reduced operating lease expenditure to date of \$254,709.

### Reduction in anticipated year to date position






- Reduced operating grant income of (\$312,295) received against budget;
- Increased operating expenditure of (\$57,738); and
- Increased capital expenditure - Land & Buildings (\$985,446).

## Explanation of Material Variances

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 in FY2020/21 for reporting material variances as 10% or \$100,000, whichever is greater (Item SC2007-2 refers Council meeting on 8 July 2020).

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 Rate Setting Statement by Nature and Type:

Description	Variance Amount	Comment
<b>Net current assets at start of financial year</b>	<b>9,138,585</b>	<b>▲ 209%</b>
<b>Major Variances:</b>		
Fees and Charges	2,425,327	Permanent variance - Favourable variance primarily attributed to increased: <ul style="list-style-type: none"> <li>▪ Art centre memberships &amp; commissions +\$516k</li> <li>▪ Car park fees +\$369k</li> <li>▪ Fremantle Leisure Centre +\$600k</li> <li>▪ Health licences +\$164k</li> <li>▪ Property leases +\$712k</li> <li>▪ Statutory planning fees +\$141k</li> </ul>
Other Revenue	4,210,886	Permanent variance - This favourable variance is primarily attributed to: <ul style="list-style-type: none"> <li>▪ Recovery of Pindan bonds +\$3.67m</li> <li>▪ Containers for Change income +\$378k not included in original budget (income associated with this initiative is offset by operation costs).</li> </ul>
Expenditure from Operating Activities	858,693	Permanent variance - Favourable variance largely related to employee cost savings.
Capital Grants and Subsidies/Contributions for the development of Assets	(3,311,150)	Accounting variance - Grant funds are recorded in accordance with accounting standard AASB 15 Revenue from Contracts with Customers. Under this standard, income is only recognised when contract performance obligations are fulfilled.  The reduction in capital grants shown here is offset by reduced capital expenditure on grant funded projects.
Proceeds from Disposal of Assets	(4,964,010)	Permanent variance - Unfavourable due to disposal of Quarry Street not realised in FY20/21 (\$5m).  Variance to budget impacted favourably by: <ul style="list-style-type: none"> <li>▪ Proceeds on disposal of Road Sweeper variance to budget \$20k (\$80k budget v. \$100k actual).</li> <li>▪ Disposal of Iveco Compactor \$16k, not included in FY20/21 original budget.</li> </ul>
Capital Expenditure	6,298,827	Permanent variance - Attributed primarily to the following projects: <ul style="list-style-type: none"> <li>▪ Underspend on Walyalup Koort capital works due to builder liquidation &amp; project delays;</li> <li>▪ Fremantle Golf Course project timing variance (\$3.6m);</li> <li>▪ Fremantle Park Carpark (\$450k);</li> <li>▪ Arthur Head Wall stabilisation (\$525k); and</li> <li>▪ Infrastructure Recovery project (\$465k).</li> </ul>
Reserve Transfers To - Capital	5,772,519	Permanent variance - Attributed to: <ul style="list-style-type: none"> <li>▪ Disposal of Quarry street not realised in FY21 and therefore no transfer of funds to reserve as originally budgeted.</li> <li>▪ Transfer of \$710k of funds from Trust bank account to Public Open Space Reserve in accordance with revised accounting standards.</li> </ul>

Description	Variance Amount	Comment
Reserve Transfers From - Capital	(2,902,303)	Permanent variance - Primarily attributed to an underspend on Walyalup Koort capital works in FY20/21 due to builder liquidation & project delays. Funding of the project from the Investment Reserve did not occur to the level originally budgeted.
General Rates Income	1,186,799	Permanent variance - Favourable variance related to FY20/21 Interim rate income budget \$200k v. \$1.4m actual.
<b>Operating Grants, Subsidies and Contributions</b>	<b>(312,295)</b>	 <b>75%</b>
<b>Major Variances:</b>		
P100551 Provide general practice community law advice	63,000	Timing variance – Grant funds received earlier than budgeted.
MOU Notre Dame	(34,855)	Accounting variance – Grant funds received in FY20/21. End of year processing underway to record unspent portion of grant in accordance with accounting standard AASB 15 Revenue from Contracts with Customers. Under this standard, income is only recognised when contract performance obligations are fulfilled.
Conduct Wardanji festival	(43,330)	
P12029. Events and Initiatives to reconnect vulnerable people	(97,892)	
P-10848 Program-In Cahoots art exhibition	(111,384)	
<b>Materials and Contracts</b>	<b>236,531</b>	 <b>32%</b>
<b>Major Variances:</b>		
Maintain waste collection bins	29,894	Timing variance – YTD budget exceeds actual. Budget phasing to be adjusted.
Collect and disposal - general waste (2 Bin)	135,331	
<b>Capital Grants and Subsidies/Contributions for the development of Assets</b>	<b>31,543</b>	 <b>38%</b>
<b>Major Variances:</b>		
P-11977 - Design and construct - CBS Crossing	32,932	Timing variance - Project completed in FY20/21, capital grant funds received in FY21/22. Grant funds to be allocated to FY21.
<b>Capital Expense Purchase – Community Land &amp; Buildings</b>	<b>(985,446)</b>	
<b>Major Variances:</b>		
P-11882 Design and construct - Fremantle Golf Course	(28,221)	Timing variance – YTD actual exceeds budget. Budget phasing to be adjusted.
P-11814 Building development - Consultants Council Administration	(45,579)	Timing variance – YTD actual exceeds budget. Budget phasing to be adjusted.
P-10297 Construct-Walyalup Civic Centre & Library (KS)	(943,721)	Timing variance – YTD actual exceeds budget. Budget phasing to be adjusted.
<b>Financing Activities</b>	<b>254,709</b>	 <b>99%</b>
Repayment of operating leases	254,709	Timing variance – YTD budget exceeds actual. Budget phasing to be adjusted.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

### **COUNCIL DECISION ITEM C2108-1** (Officer recommendation)

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Doug Thompson**

**Council receive the Monthly Financial Report, 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 31 July 2021.**

**Carried: 9/1**

**For**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

**Against**

**Cr Marija Vujcic**

**13. Motions of which previous notice has been given**

Nil

**14. Urgent business**

Nil

**15. Late items**

Nil

**16. Confidential business**

**PROCEDURAL MOTION**

The following procedural motion was moved:

**COUNCIL DECISION**

Moved: Cr Andrew Sullivan

Seconded: Cr Doug Thompson

**That the meeting be moved behind closed doors to consider the confidential item/s on the agenda.**

**Carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

**Members of the public were requested to vacate the meeting.**



**ARMC2108-6      18 STRANG STREET, BEACONSFIELD – PLANNING AND  
BUILDING COMPLIANCE MATTERS**

**Meeting date:** 18 August 2021  
**Responsible officer:** Manager Field Services  
**Decision making authority:** Council  
**Attachments:** Nil  
**Additional information:** Nil

**REASON FOR CONFIDENTIALITY**

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

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

**COUNCIL DECISION ITEM ARMC2108-6**  
**(Officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Hannah Fitzhardinge**

**Council receive the report on planning and building compliance matters relating to No. 18 Strang Street, Beaconsfield.**

**Carried: 10/0**

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

**ARMC2108-7 EMERGING ISSUES REPORT - AUGUST 2021**

**Meeting date:** 18 August 2021  
**Responsible officer:** Director City Business  
**Decision making authority:** Council  
**Attachments:** Nil  
**Additional information:** Nil

**REASON FOR CONFIDENTIALITY**

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

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

**COUNCIL DECISION ITEM ARMC2108-7**  
**(Officer's recommendation)**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Hannah Fitzhardinge**

**Council receive the emerging issues report for August 2021.**

**Carried: 10/0**

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**PROCEDURAL MOTION**

The following procedural motion was moved:

**COUNCIL DECISION**

**Moved: Cr Andrew Sullivan**

**Seconded: Cr Sam Wainwright**

**That the meeting come out from behind closed doors.**

**Carried: 10/0**

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,  
Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**17. Closure**

The Presiding Member declared the meeting closed at 8.05pm.