TOWN OF
EAST FREMANTLE

MINUTES

Unconfirmed Minutes

Council Meeting

Tuesday, 18 September 2018 at 6.32pm

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY, 18 SEPTEMBER 2018.

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.32pm

2. ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Mayor J O'Neill	Presiding Member
Cr J Harrington	
Cr A McPhail	
Cr M McPhail	
Cr D Nardi	
Cr A Natale	
Cr T Watkins	

The following staff were in attendance:

Mr G Tuffin	Chief Executive Officer
Mr A Malone	Executive Manager Regulatory Services
Mr P Kocian	Executive Manager Corporate Services
Mr S Gallaugher	Operations Manager
Ms J May	Minute Secretary

There was one member of the public in attendance.

3.2 Apologies

Cr White

3.3 Approved Leave of Absence

Cr Collinson.

4. DISCLOSURES OF INTEREST

4.1 Financial

Nil.

4.2 Proximity

Nil

4.3 Impartiality

Nil

5. PUBLIC QUESTION TIME

5.1 Responses to previous questions from members of the public taken on notice

Nil.

5.2 Public Question Time

Nil.

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6. PRESENTATIONS/DEPUTATIONS

6.1 Presentations

Nil.

6.2 Deputations

Nil.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (21 August 2018)

8.1 OFFICER RECOMMENDATION

Moved Cr Nardi, seconded Cr Natale

That the minutes of the Ordinary meeting of Council held on Tuesday, 21 August 2018 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

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11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

11.1 Town Planning Committee Meeting (4 September 2018)

File ref	C/MTP1
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Town Planning Committee Minutes

Purpose
To submit the minutes and delegated decisions of the Town Planning Committee for receipt by Council.

Executive Summary
The Committee, at its meeting on 4 September 2018, exercised its delegation in all three statutory matters before it.

There is no further action other than to receive the minutes, including delegated decisions, of that meeting.

Consultation
Town Planning Committee.

Statutory Environment
Nil.

Policy Implications
Nil.

Financial Implications
Nil.

Strategic Implications
Nil.

Site Inspection
Not applicable.

Comment
The unconfirmed minutes of the Town Planning Committee meeting are now presented to Council to be received.

Unconfirmed Minutes

11.1 COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION 010918

Moved Cr Nardi, seconded Cr Natale
That the unconfirmed Minutes of the Town Planning Committee Meeting held on 4 September 2018 be received.

(CARRIED UNANIMOUSLY)

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12. REPORTS

12.1 PLANNING REPORTS

12.1.1 Draft Town of East Fremantle Local Planning Scheme No. 3 - Report of Review

File ref	B/TPR3
Prepared by	Stacey Towne, Urban Project Planner
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Draft Town of East Fremantle Local Planning Scheme No. 3 – Report of Review

Purpose
The purpose of this report is for Council to adopt the draft Town of East Fremantle Local Planning Scheme No. 3 – Report of Review to forward to the Western Australian Planning Commission, in order to satisfy the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Executive Summary
This Scheme Report of Review has been prepared pursuant to Part 6 - Review and consolidation of local planning schemes requirements of the Regulations. The Regulations require a five year interim review of all Western Australian local planning schemes, aiming to create more consistent and uniform schemes across the diverse local government areas and to enable future scheme reviews to be timely and more cost effective.

The Report of Review provides information relating to:
- the date the scheme and any amendments thereto were gazetted;
- the date the scheme was last consolidated;
- an overview of subdivision activity and population changes;
- an overview of the extent to which the scheme has been amended to comply with relevant legislation, region planning scheme or State policy;
- recommendations as to whether the scheme is satisfactory in its existing form, or should be amended, or should be repealed and another scheme prepared in its place; and
- recommendations as to whether the local planning strategy is satisfactory in its existing form, or should be reviewed, or should be repealed and another strategy prepared in its place.

This draft Report of Review concludes that the Town of East Fremantle Local Planning Strategy (the Strategy) is not satisfactory in its present form and should be repealed and another strategy prepared in its place (a review has been underway for some time and is substantially progressed).

As a consequence, it is further recommended that Local Planning Scheme No. 3 (LPS3) be reviewed to implement and facilitate future development envisioned by the new local planning strategy once it has been finalised and to more-closely align provisions with the model scheme provisions for local planning schemes (Schedule 1 of the Regulations).

In the interim, LPS3 could be consolidated to include the Deemed Provisions of the Regulations. These are already automatically incorporated into all local planning schemes and override a number of LPS3 provisions. Including the Deemed Provisions within the body of the text of LPS3 would provide greater clarity and can be relatively easily accommodated within the existing text. This would be considered to be a minor amendment to the scheme and would not require public advertising.

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Background

Planning and Development (Local Planning Schemes) Regulations 2015

Clause 65 of the Regulations requires Local Governments to carry out a review of their local planning schemes within five years of its last review, or as in the case of LPS3, within three years of the date the Regulations came into effect. Instruction from the Department of Planning, Lands and Heritage (DPLH) is that the date from which the review period is to apply is 25 August 2018. The Town is just outside that deadline and the DPLH has been advised of the late report.

Clause 66 of the Regulations sets out the information required to be included within a Report of Review and a draft has been developed for LPS3 accordingly and is attached to the Agenda.

According to the Regulations, a local planning scheme comprises of a scheme map; scheme text; provisions set out in Schedule 2 of the Regulations (Deemed provisions for local planning schemes); and any other supporting plans, maps, diagrams, illustrations and other material. In addition, the Regulations require preparation of a local planning strategy for each local planning scheme that is approved within a local government area.

Town of East Fremantle Local Planning Scheme No. 3

LPS3 was gazetted on 3 December 2004 in accordance with section 87(3) of the *Planning and Development Act 2005* and comprises of the scheme text and the scheme maps. Following its gazettal, LPS3 has maintained its effectiveness through the statutory amendment process as and when required. As of July 2018, thirteen (13) separate amendments have been finalised since gazettal of LPS3 and three amendments are currently being assessed.

There are two complex amendments to LPS3 currently in progress (with the WAPC/Minster for Planning for final approval):

- Amendment No. 14 – Introduction of Special Control Area 1 – No. 91-93 (Lots 418 and 419) Canning Highway, Lot 81 St Peters Road and Lot 423 King Street, East Fremantle; and
- Amendment No. 15 – To Supplement Special Zone – Royal George Hotel Provisions – No. 34 (Lot 303) Duke Street, East Fremantle.

Several stand-alone amendments have been undertaken to ensure LPS3 has remained up to date, current and effective. One large omnibus amendment (Amendment No. 10) was formally initiated in September 2014 however, this was not gazetted for final approval until October 2016 in a substantially modified format.

Furthermore, Schedule 2 of the Regulations (Deemed provisions for local planning schemes) automatically made the following changes to LPS3:

- Superseded provisions contained within Part 2: Local Planning Framework; Part 7: Heritage Protection; Part 9: Applications for Development Approval; Part 10: Procedure for Dealing with Applications; Part 11: Administration and Enforcement; and
- Included additional provisions relating to Terms used; Structure Plans; Activity Centre Plans; Local Development Plans; and Bushfire Risk Management.

LPS3 was based on the Model Scheme Text associated with the former Town Planning Regulations 1967 which have been superseded by the new Regulations. As such, the scheme provisions (other than the Schedule 2 - Deemed provisions for local planning schemes) do not exactly align with the Schedule 1 - Model Provisions for local planning schemes. However, the basic intent is similar.

Local Planning Strategy

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The local planning strategy component which outlines the key strategic directions for future land use, growth and development of the Town of East Fremantle was adopted in 2003 and is no longer considered to be current. As a result, the 2003 strategy has been the subject of review since 2012.

The development of a relevant local planning strategy has been somewhat stymied by delays that have occurred during the statutory planning process, complicated further by the State Government's now defunct proposals for Local Government reform (including amalgamation), changes to the State government planning framework and guidelines, as well as further studies being undertaken by the Town of East Fremantle and others over that period of time.

The Town of East Fremantle had also proposed a number of changes to LPS3 (through omnibus Amendment No. 10) to support the initial drafts of the local planning strategy, however, these were partially rejected by the then Minister for Planning indicating a need to make further adjustments.

A number of years have passed since the inception of the initial draft local planning strategy, and although modifications have been made over that time, a draft strategy advertised in April/May 2016 is not considered to fully represent best planning practice and desired strategic community outcomes. Subsequently, a number of elements within the previous draft strategy require modification and review of the local planning strategy is currently being undertaken.

A local planning strategy is not a statutory document and its implementation takes place through various mechanisms and planning tools, mainly the local planning scheme (through zoning and development provisions) and local planning policies. It therefore stands to reason that a number of amendments to LPS3 will be required in order to support and implement the new local planning strategy once it is finalised.

Population and Subdivision changes since LPS3 gazettal

Assuming consistent growth between the 2001 and 2006 Census, it is estimated that the population of the Town of East Fremantle in December 2004 was approximately 6,580 residents. The Australian Bureau of Statistics Estimated Resident population for the Town of East Fremantle in 2017 is 7,864, which is similar to the 2018 population estimated by .id forecasts of 7,860 persons. Based on this information, it is estimated that the Town of East Fremantle has experienced a population growth of approximately 1,300 persons from the gazettal of LPS3 in December 2004 to present day.

According to the State Lot Activity data available on the Department of Planning, Lands and Heritage website, a total of 161 residential lots have been created (received final approval) since the gazettal of LPS3 in December 2004. In the March quarter of 2018, there were a further 7 residential lots proposed (recently lodged and/or under assessment) and a stock of 23 proposed lots with conditional approval. Should these proposed lots receive final approval in the near future, just less than 200 residential lots would have been created over the past fourteen and a half years or so. Over the same time period, 7 non-residential lots received final approval and there is no current stock of proposed lots being assessed or with conditional approval. This demonstrates a low level of subdivision activity (approximately 13 residential lots per year and one non-residential lot every two years).

The total number of dwellings in the Town of East Fremantle increased by 192 between 2011 and 2016 to 3,283 (average household size of 2.45). Although separate houses dominated dwellings structure (approximately 62% of all dwellings), the Town of East Fremantle has a significantly higher proportion of medium and high density housing (approximately 38%) compared to Greater Perth (25%).

Extent to which LPS3 has been updated to conform to State policy

State overarching planning framework has changed significantly since 2004 with the introduction of the Planning and Development Act 2005 (gazetted April 2006) and commencement of a two-phase planning reform process in 2009.

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Key components that have an impact of the local planning framework relevant to the Town of East Fremantle include:

- Directions 2031 and Beyond (2010) which identifies long term land use planning objectives for the Perth and Peel Region, including the Central sub-regional Planning Framework;
- State Planning Policy 4.2 – Activity Centres for Perth and Peel (2010) – portion of the Petra Street District Centre;
- Perth and Peel @ 3.5 million suite of planning documents (draft 2015 and final 2018), including the Central Sub-regional Planning Framework. Additional dwelling target of 890 required by the year 2050. The Spatial Plan for the Central Sub-regional Planning Framework (2018) shows no station precincts or industrial centres within the Town of East Fremantle, however, it does include part of a District level activity centre (on Petra Street, with part within the City of Melville) and urban corridors along Canning Highway and Marmion Street (with part within the City of Fremantle) which may provide for urban consolidation; and
- *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amendments were undertaken to bring LPS3 scheme text into line with terminology relating to the *Planning and Development Act* and other referenced legislation through Amendment No 10.

Amendment No. 10 as initiated by Council also included proposals to address State planning policy requirements by redefining the extent of the Town Centre, Mixed Use and Special Business zones and increasing residential density within those areas; identifying future development sites by way of Special Control Areas with requirements for structure plans to guide development (including Leeuwin Barracks, former Woodside Hospital site, former Kaleeya Hospital site, Town Centre redevelopment area and the Royal George Hotel site); and increasing R code densities in certain residential areas, including the introduction of dual R codes to balance the provisions of additional dwellings whilst maintaining heritage values.

Amendment No. 10 as initiated by Council was not fully supported by the then Minister for Planning who directed the Town of East Fremantle to make modifications to exclude any changes that were supported by the draft Local Planning Strategy (2013).

Generally, this resulted in:

- Dual coding provisions which would allow for the infill development of certain lots and subdivision bonuses for heritage retention were not approved, thus inhibiting the Town's ability to meet its residential infill targets and reduced the inducements for owners to retain heritage properties.
- No Special Control Area provisions for the Town Centre being approved so that the Town must continue to rely on the Town Centre Design Guidelines Policy to encourage redevelopment, which is not adequately supported by current statutory scheme provisions.
- No Special Control Area provisions being approved for the strategic sites of Leeuwin Barracks, the former Woodside Hospital site, or the former Kaleeya Hospital site so that specific rezoning proposals would then need to be considered for each site, rather than facilitating a more flexible and integrated approach (which could have been achieved using adopted structure planning to set the development standards for each site). These Structure Plans were also considered important for the establishment of Developer Contribution Plans for each of the sites if required.

Amendment No. 10 was modified and granted final approval accordingly (gazetted October 2016).

The Town of East Fremantle has been constantly pro-active in attempting to update LPS3 to conform to State planning policy, particularly in relation to accommodating additional dwelling targets, however, its attempts have had varying degrees of success.

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Following the failure of Amendment No. 10 to fully embrace Council's intentions for increased residential density, Amendment No. 11 was initiated and approved (gazetted June 2017) to increase the density from R12.5 to R17.5 for a portion of the Richmond Precinct and the Richmond Hill Precinct. This has allowed for a slight increase in residential dwelling numbers

As previously mentioned, gazettal of the Regulations automatically included the Schedule 2 Deemed provisions for local planning schemes. LPS3 was based on the Model Scheme Text associated with the former Town Planning Regulations 1967 which have been superseded by the new Regulations. As such, the scheme provisions (other than the Schedule 2 - Deemed provisions for local planning schemes) do not exactly match up with the Schedule 1 - Model Provisions for local planning schemes. However, the basic intent is similar.

Consultation
Nil.

Statutory Environment
Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015

Policy Implications
As a result of forthcoming review of the local planning strategy and LPS3, amendments and/or new local planning policy is likely to be required to address a number of matters in the future.

Financial Implications
Allowances have been made in the 2018/19 budget for review of the local planning strategy and Local Planning Scheme No. 3.

Strategic Implications
The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

<u>Built Environment</u>
Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.
3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.
3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.
3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.
3.3.1 Continue to improve asset management practices.
3.3.2 Optimal management of assets within resource capabilities.
3.3.3 Plan and advocate for improved access and connectivity.

<u>Natural Environment</u>
Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 Conserve, maintain and enhance the Town's open spaces.
4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.
4.1.2 Plan for improved streetscapes parks and reserves.

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4.2 Enhance environmental values and sustainable natural resource use.
4.2.1 Reduce waste through sustainable waste management practices.
4.3 Acknowledge the change in our climate and understand the impact of those changes.
4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Site Inspection
Not applicable

Comment
The Town East Fremantle local planning strategy is not current, however, LPS3 is largely consistent with State and regional planning frameworks. A review process has already commenced for the strategy and is significantly progressed. The new strategy will foreshadow the further updates required to LPS3 and related planning policy instruments.

In order to more closely reflect Schedule 1 - Model provisions for local planning schemes (of the regulations), to include Schedule 2 – Deemed provisions for local planning schemes (of the regulations) and to implement actions recommended in the new local planning strategy, a full review of LPS3 is anticipated. In the interim, the scheme text may be amended subject to Council resources to include the deemed provisions of the Regulations for simplification and clarity.

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12.1.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 020918

Moved Cr Nardi, seconded Cr M McPhail

That Council:

1. **adopts the Town of East Fremantle Local Planning Scheme No. 3 – Report of Review as attached to the Agenda; and**
2. **forwards the adopted Town of East Fremantle Local Planning Scheme No. 3 – Report of Review to the Western Australian Planning Commission with the following recommendations pursuant to Regulation 66 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015:**
   - **(a) The Town of East Fremantle *Local Planning Scheme No. 3* requires review, a new Local Planning Scheme No. 4 should be prepared, and *Local Planning Scheme No. 3* be repealed upon gazettal of the new local planning scheme; and**
   - **(b) The Town of East Fremantle Local Planning Strategy (2003) is not satisfactory in its present form and is currently in the process of review, it should be repealed and a new strategy prepared in its place.**

(CARRIED UNANIMOUSLY)

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12.2 FINANCE REPORTS

12.2.1 Monthly Financial Report (Containing the Statement of Financial Activity) – July and August 2018

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly Financial Report for the Period Ended July and August 2018

Purpose
The purpose of this report is to present to Council the Monthly Financial Report (containing the Statement of Financial Activity) for the months ended July and August 2018.

Executive Summary
To provide timely financial information to Elected Members including regular review of the current forecast. This statement compares actual performance against budget estimates, and summarises operating and capital results in accordance with statutory requirements.

Background
The Town of East Fremantle financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.

As part of the adopted 2018/19 Budget, Council adopted the following thresholds as levels of material variances for financial reporting.

In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2018/19 for reporting material variances shall be:

(a) 10% of the amended budget; or
(b) $10,000 of the amended budget.

whichever is greater. In addition, that the material variance limit be applied to total revenue and expenditure for each Nature and Type classification and capital income and expenditure in the Statement of Financial Activity.

The monthly Financial Reports for the periods ended July and August 2018 is appended and includes the following:

- Statement of Financial Activity
- Notes to the Statement of Financial Activity including:
  - Statement of capital acquisitions and capital funding
  - Significant Accounting Policies
  - Explanation of Material Variances
  - Net Current Funding Position
  - Cash and Investments
  - Budget amendments
  - Receivables
  - Cashed Back Reserves
  - Capital Disposals
  - Rating Information

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- Information on Borrowings
- Grants and Contributions

The attached Monthly Financial Reports are prepared in accordance with the amended *Local Government (Financial Management) Regulations 1996*; together with supporting material to provide Council with easy to understand financial information covering activities undertaken during the financial year.

Consultation
Nil.

Statutory Environment
Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare its Statement of Financial Activity.

Policy Implications
Significant Accounting Policies are adopted by Council on an annual basis. These policies are used in the preparation of the statutory reports submitted to Council.

Financial Implications
Material variances are disclosed in the Statement of Financial Activity.

There are no proposed changes to the current budget forecast.

The statement of financial activity is to be supported by such information as is considered relevant by the local government containing:

- an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- an explanation of each of the material variances; and
- supporting information as is considered relevant by the local government.

Strategic Implications
The matter being put to the Council is not likely to have a direct impact on the strategies of the Council.

4.9 A financially sustainable Town – Provide financial management services to enable the Town to sustainably provide services to the community.

Site Inspection
Not applicable.

Comment
The following is a summary of headline numbers from the attached financial reports:

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	Budget	July Actuals	August Actuals
Opening Surplus	**782,857**	**782,889**	**785,889**
Operating Income	10,430,366	8,157,092	8,402,025
Operating Expenditure	(12,130,190)	(578,860)	(1,683,137)
Capital Expenditure	(2,980,169)	(26,970)	7,798
Capital Income	307,479	0	0
Net Transfers from Reserves	867,277	0	(5,467)
Non-Cash Items	2,722,380	0	417,095
Closing Surplus	**0**	**8,334,119**	**7,924,203**
Unrestricted Cash		1,251,455	4,821,619
Rates Receivables		7,821,267	3,587,692
Restricted Cash		2,082,634	2,088,101

- Rates were levied in the month of July and therefore are reported in the actuals for the month;
- Other activity is only minor as it is only two months into the financial year;
- There are no material variances to report;
- 51% of rates outstanding was collected by the end of August, meaning that the Town has a significant unrestricted cash position, with majority of these funds placed in short term deposits.

12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 030918

Moved Cr A McPhail, seconded Cr Natale

That Council receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the months ended July and August 2018.

(CARRIED UNANIMOUSLY)

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12.2.2 Accounts for Payment – August 2018

File ref	F/FNS2
Prepared by	Terry Paparone, Manager Finance & Administration
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments – August 2018

Purpose
For Council to receive the monthly list of accounts paid.

Executive Summary
To endorse the list of payments made under delegated authority for the month of August 2018.

It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 August to 31 August 2018, as per the summary table.

Background
The Chief Executive Officer has delegated authority to make payments from the Municipal and Trust Accounts in accordance with budget allocations.

The Town provides payments to suppliers by electronic funds transfer, cheque or credit card. Attached is an itemised list of all payments made under delegated authority during the said period.

Consultation
Nil.

Statutory Environment
Regulation 13: *Local Government (Financial Management) Regulations 1996 (as amended)*

Policy Implications
Policy 4.2.4 Purchasing Policy

Financial Implications
Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

Strategic Implications
The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

STRATEGIC PRIORITY 5: Leadership and Governance
A proactive, approachable Council which values community consultation, transparency and accountability.

Site Inspection
Not applicable.

Comment
The attached itemised list of payments is prepared in accordance with Regulation 13 of the amended *Local Government (Financial Management) Regulations 1996.*

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12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040918

Moved Cr A McPhail, seconded Cr Nardi

That the list of accounts paid for the period 1 August to 31 August 2018 be received, as per the following summary table:

AUGUST 2018		
Voucher No	**Account**	**Amount**
5175 – 5179	**Municipal (Cheques)**	**10,803.18**
EFT26292 – EFT26412	**Electronic Transfer Funds**	**$474,070.38**
Payroll	**Electronic Transfer Funds**	**$365,045.90**
Superannuation	**Electronic Transfer Funds**	**$59,980.74**
Credit Card	**Corporate Credit Card**	**$1,888.22**
	Total Payments	**$911,788.42**

(CARRIED UNANIMOUSLY)

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12.2.3 Adoption of Policies – Debt Collection and Infringement Debt Management

File ref:	F/RAT1 & C/POL1
Prepared by:	Jessica Melia, Rates Officer
Supervised by:	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	18 September 2018
Voting requirements:	Simple Majority
Attachments:	1. Policy 4.2.11 Debt Collection 2. Policy 4.2.12 Infringement Debt Management

Purpose
The purpose of this report is for Council to consider adopting two (2) new policies to assist with the management of overdue rates and service charges, sundry debtors and outstanding infringement notices.

Executive Summary
Financial stewardship is one of four Key Result Areas for the Chief Executive Officer, as well as being a statutory responsibility. The adoption of the two presented Policies will ensure that the Town is achieving best practice with regards to debt management.

Background
The Town's informal debt management procedures has been formalised with the attached Policies. The 2017/18 audit highlighted some debts are aged and more than likely unrecoverable. A formal procedure will ensure that potential bad debts are identified early, with an appropriate provision for doubtful debts accounted on the balance sheet.

Statutory Environment
Regulation 5 of the *Local Government (Financial Management) Regulations 1996* outlines the CEO's duties as to financial management of the local government which includes:

- That efficient systems and procedures are to be established for the proper collection of all money owing to the local government.

Policy Implications
Policies 4.2.11 Debt Collection and 4.2.12 Infringement Debt Management are proposed.

Financial Implications
A report will be presented to Council in October recommending the write off of bad debts pursuant to the attached Policies.

Strategic Implications
Town of East Fremantle Strategic Community Plan 2017-2027:

Strategic Priority 5: Leadership and Governance
"A proactive, approachable Council which values community consultation, transparency and accountability."

5.3 Strive for excellence in leadership and governance
5.3.1 Deliver community outcomes through sustainable finance and human resource management.

Comment
The Policies have been developed to provide clarity with regard to how the Town of East Fremantle will carry out debt recovery in a fair and equitable manner, ensuring the processes of the recovery of outstanding debt are simple to administer, cost effective and compliant with all regulatory

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requirements under the *Local Government Act 1995.* The Policies will also ensure all reasonable efforts have been made to recover aged debts, some of which, for practical purposes, will have to be written off.

It is recommended Council adopts Policy No 4.2.11 Debt Collection and Policy 4.2.12 Infringement Debt Management as proposed.

12.2.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050918

Moved Cr Harrington, seconded Cr Nardi

That Council adopts the two Policies as presented:

(i) Policy 4.2.11 Debt Collection

(ii) Policy 4.2.12 Infringement Debt Management.

(CARRIED UNANIMOUSLY)

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17. MATTERS BEHIND CLOSED DOORS

PROCEDURAL MOTION

Moved Mayor O'Neill, seconded Cr Natale
That Council resolve the meeting be closed to the public to discuss item 12.2.4 under the terms of the Local Government Act 1995, Section 5.23(2)(c) & (e).

(CARRIED 6:1)

12.2.4 Implementation of the 3 Bin FOGO Waste Service

File ref	H/HRB6
Prepared by	Steve Gallaugher, Operations Manager
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil.
Attachments	Nil.

The purpose of this report is to seek Council approval to commence the implementation of a domestic three bin Food Organic Garden Organic (FOGO) waste system. The proposed change in the Town's waste service would be provided to approximately 3,397 residential households. Subject to approval, FOGO would be programmed to be implemented early in the 2019/2020 financial year.

Executive Summary

(1) That Council approve:

   (a) implementation of a Food Organic Garden Organic (FOGO) waste service to 3,397 residential households (including 771 residential multiple unit dwellings) in the 2019/2020 financial year.
   (b) the joint procurement process with the City of Melville & Fremantle for new bins for the implementation of a Food Organic Garden Organic waste service for 3,176 residential households (including 550 residential multiple unit dwellings) in the 2018/2019 financial year.

(2) That a further report be provided to Council with the results of the procurement process seeking authorisation to enter into a contract for the supply of the required items.

This report does not consider the issue of FOGO processing, this will be addressed in a future report to Council.

Background

The Town presently provides a two bin residential waste service. This is comprised of Municipal Solid Waste (MSW) and co-mingled recyclable waste both collected weekly. The MSW is made up of general waste including food and garden waste. This is processed through the Southern Metropolitan Regional Council's (SMRC's) waste digesters at Canning Vale and achieves a 50% diversion rate from landfill by producing low grade compost with restricted use. The co-mingled recyclable waste is processed through the SMRC's Material Recovery Facility at Canning Vale which is currently achieving 80% diversion from landfill.

In 2016 the SMRC produced their Strategic Waste Management Plan which incorporated a recommendation for member councils to implement a FOGO waste service. FOGO will improve waste diversion from landfill while providing high grade compost for reuse.

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On 13 December 2016 Council resolved to provide in principle support for the SMRC to carry out the trial of a food organics and garden organics collection system in support of the adopted SMRC regional strategic waste management plan, in the City of Melville.

The trial period operated from 27 October 2017 to 16 July 2018. The trial area was established to represent a variety of different household types and for logistical efficiency, was located within the City of Melville.

It has been reported by the SMRC that:

In the first six months of the trial project, 66.5% of all household waste generated from the trial areas was recovered as compost or recycled into new products, above the State Government target of 65% of all household waste diverted from landfill by 2020.

The findings showed strong support towards the new system with:

- *79% of respondents wanting the 3-bin FOGO system to continue*
- *94% of respondents rating weekly FOGO collections positively*
- *87% of respondents rating fortnightly recycling collections positively*
- *69% of respondents rating fortnightly general waste collections positively*
- *80% of respondents satisfied that they received the right amount of information about the new system*

On behalf of the State Government, the Waste Authority has released several position statements on their waste strategy's objectives and targets, including MSW. Waste separation at source rather than relying on processing and technology to separate and recycle waste is a key objective. To support local governments separate at source they have introduced the Better Bins funding program.

Under the Better Bins grant program the proposed FOGO system attracts a $30 per household for bin purchases, if the project is implemented by 30 June 2020. The Town submitted a grant application based on a three bin FOGO system for 3,397 households in March 2018 and was successful in receiving approval for $101,910. However, as some multiple unit dwellings have been evaluated to be better suited to receive a 240L red lid MSW bin the funding for those services will be lowered to $24 per household. Therefore the adjusted total for the Better Bins grant now sits at $100,584.

Statutory Environment
Section 3.57 of the *Local Government Act 1995 – Tenders for providing goods or services*

Regulation 11 of the *Local Government (Functions & General) Regulations 1996* states;

11. When tenders have to be publicly invited

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150 000 unless subregulation (2) states otherwise.

(2) Tenders <u>do not have to be publicly invited</u> according to the requirements of this Division if —

(a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or

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(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

Policy Implications
Town of East Fremantle's Purchasing Policy No 4.2.4

The CEO has delegated authority to accept tenders/quotations up to $149,999, therefore, it will be necessary for a further report to be presented to Council for authorisation to enter into a contract for the supply of the required items.

Consultation
If the implementation of a FOGO system is approved by Council, the Town and the SMRC will undertake a high profile education program as part of the project. The education program will fully inform residents about the new waste service with the aim to improve separation at source; this is a key component of FOGO as its success is dependent on community understanding and commitment and relies on residents correctly separating their waste.

Financial Implications
The estimated capital project cost of introducing a three-bin system to 3397 residential households in the Town of East Fremantle is estimated at $388,885 (Option 1). The breakdown, including Better Bins grant funding, is detailed below. At the current time Option 1 is the preferred option.

The figures used below in Tables 1 & 2 have been based on the actual costs incurred in the Melville trial (excluding Overheads & 50% maintenance budget reduction)

(Table 1 – Option 1)

Purchase of new 240L Lime Lid FOGO Bin (3,248)	$120,176
Purchase of new 140L Red Lid MSW Bin (3,176)	$106,396
Purchase of new 360L Yellow Lid Recycling Bin (20%)	$38,050
Purchase of 240L Red Lid for MUD's (118)	$1,298
Purchase of Kitchen Caddy (3397)	$17,665
Purchase of Kitchen Caddy Liners (3397)	$25,990
Hot Stamp of all new Bins (6,424)	$3,212
Delivery to households (3248xFR + 72HR)	$38,902
Retrieve and return old MSW bin (3248)	$6,496
Recycling of old bins (3100)	-$9,300
Savings of 50% of annual bin maintenance budget	-$20,000
Estimated program overhead costs (comms, management, education)	$60,000
Total estimated Capital cost	**$388,885**
Better Bin program funding	$100,584
Municipal Capital funding requirement	**$288,301**

As discussed at the Council Forum 11 September 2018, Officers have considered a second option of a lid swap in-lieu of purchasing the new 240L FOGO bin. However due to the previously experienced drop in resident "buy-in" to the FOGO program when previously done at other councils, the risk of higher contamination and additional resident consultation and education by Council employees, it was evaluated as being the lower value option both financially and environmentally. However, a lid swap will be done on all public waste bins and existing MSW bins for larger MUD's that have communal bin storage. As "ownership" of the bin is at a lower level in these cases a lid swap was considered the better option.

The associated costs for the full lid swap (Option 2) have been estimated as follows:

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(Table 2 – Option 2)

Purchase of new 140L Red Lid MSW Bin (3,176)	$106,396
Purchase of new 240L Lime Lid FOGO Bin (325)	$12,025
Purchase of new 360L Yellow Lid Recycling Bin (20%)	$38,050
Purchase of 240L Red Lid for MUD's (266)	$2,926
Purchase of Kitchen Caddy (3397)	$17,665
Purchase of Kitchen Caddy Liners (3397)	$25,990
Hot Stamp of all new Bins (3,338)	$1,669
Delivery to households (2911)	$25,408
Supply and swap MSW Green lid to Lime Lid for FOGO (3248)	$48,720
Estimated program overhead costs (comms, management, education)	$90,000
Total estimated Capital cost	**$368,849**
Better Bin program funding	$100,584
Municipal Capital funding requirement	**$268,265**

As you can see the price evaluation for each option shows a difference of only $20,036. The main thing to consider is the additional $30,000 allowance for estimated program overheads (Option 2). This includes additional management required for the lid swap option and the additional education officer that is estimated to be required for the first few months to manage the expected lower level of acceptance by residents for the program and assist with the issues that could be raised with all the additional variables being added by a lid swap. These include but aren't limited to:

- "My lid doesn't fit as well as it used to?"
- "Why did Melville and Fremantle get new bins and we didn't?"

This budget does not include the additional processing fees that may be incurred with the estimated higher contamination rates under Option 2. As previously mentioned the level of contamination was one of the main concerns when lid changes have been previously utilised as an option in other local governments across Australia. An increase in the level of contamination could produce additional processing fees of up to $5,000/month if the contamination goes over the 10% level, which annually could potentially equate to an additional $40,000 per year to the Town's waste disposal costs. A discount has been applied to this amount based on the assumption the contamination rates should reduce over the first 12 months (full cost $60,000 pa).

It is recommended that the purchasing of the necessary bins and associated materials for the introduction of the FOGO service be undertaken jointly with the City of Fremantle & the City of Melville (SMRC partners).

Should the purchasing of materials attract lower rates than the ones used above from the Melville trial, the difference between options will be less and there will be more funding available for education and consultation to ensure the project runs more efficiently. As it currently stands the recommended option at $388,885 is within our current (2018/19) budget allowance of $400,000.

The estimated annual operational cost increase of operating a three bin system for the proposed 3,397 households within the Town of East Fremantle is $10,000 per annum for bin maintenance. This does not include changes to processing costs.

The overall financial impact of the introduction of the FOGO system is expected to result in a reduction in waste costs due to the expected lower processing costs associated with a FOGO system.

Strategic Implications

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The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

STRATEGIC PRIORITY 4: ***Natural Environment –***

4.2 Enhance environmental values and sustainable natural resource use

4.2.1 Reduce waste through sustainable waste management practices

Site Inspection

Not applicable

Comment

System

The proposed FOGO waste system will include:

- Weekly collection of FOGO waste in a new 240L (lime green lid) bin
- Fortnightly collection of comingled recycling waste in the existing 240L (yellow lid) bin
- Fortnightly collection of general waste in a new 140L (red lid) bin.
- Fortnightly collection of general waste in existing 240L (with new red lid) bin for larger MUD complexes.

The new system and collection frequency will mean that the Town will not be required to adjust it's current waste kerbside collection contract as it remains at two lifts per household per week.

Scope of Implementation

Officers have now reviewed and assessed the implementation of a FOGO three bin system within the Town and have determined that 3397 residential households (including 771 residential multiple unit dwellings) should be included in the initial project implementation.

The project will initially **not** include commercial properties.

Ongoing service review and assessment will be undertaken regarding the three bin system. This will include investigating options to continually improve service to the larger MUD's within the Town. This process will be done in conjunction with the other member councils of the SMRC.

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Time Frames

Subject to Council approval to progress with the implementation of the FOGO system, it is anticipated that officers will progress with the procurement of the additional (new) bins during the 2018/19 financial year and progress with the implementation of the FOGO system in the early part of the 2019/2020 financial year.

The rollout is scheduled to occur over one week. This will enable all the changeovers to be done at the same time making the transition easier to manage and facilitate.

The anticipated milestone dates for the FOGO system project are currently:

Project commitment/funding agreement	September 2018
Finalise operational mode for service delivery	October/November 2018
Begin communications campaign *(Phase 1)*	November 2018
Escalate communications campaign *(Phase 2)*	February 2019
Purchase new bins	April 2019
Approve operational contracts for service delivery	April/May 2019
Red Lid swap for existing 240L Public MSW Bins and larger MUD's	June 2019
FOGO implementation/rollout	July 2019

The SMRC have reported that their MSW processing plant (digesters) are now approaching end of life and will soon require significant funding for refurbishment or replacement. The SMRC have indicated they expect to decommission the MSW waste processing plant, rather than refurbish or replace it, when it reaches the end of its service life. Upon decommissioning, the drop off area for MSW will be refurbished to include a new FOGO facility.

The decommissioning work and installation of a FOGO facility will be a significant project for the SMRC and is currently estimated to occur in June/July 2019. Where the Town (or another member council) has not implemented FOGO by the time the MSW waste processing plant is decommissioned, the Town's MSW may need to be temporarily diverted to landfill.

OFFICER RECOMMENDATION

(1) That Council approve:
   (a) implementation of a Food Organic Garden Organic (FOGO) waste service to 3,397 residential households (including 771 residential multiple unit dwellings) in the 2019/2020 financial year.
   (b) the joint procurement process with the City of Melville & Fremantle for new bins for the implementation of a Food Organic Garden Organic waste service for 3176 residential households (including 550 residential multiple unit dwellings) in the 2018/2019 financial year.

(2) That a further report be provided to Council with the results of the procurement process seeking authorisation to enter into a contract for the supply of the required items.

PROCEDURAL MOTION

Moved Cr M McPhail, seconded Cr Natale

That Council come from behind closed doors. (CARRIED UNANIMOUSLY)

Moved Mayor O'Neill, seconded Cr M McPhail

(1) That Council approve:

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(a) implementation of a Food Organic Garden Organic (FOGO) waste service to 3,397 residential households (including 771 residential multiple unit dwellings) in the 2019/2020 financial year.

(b) the joint procurement process with the City of Melville & Fremantle for new bins for the implementation of a Food Organic Garden Organic waste service for 3176 residential households (including 550 residential multiple unit dwellings) in the 2018/2019 financial year.

(2) That a further report be provided to Council with the results of the procurement process seeking authorisation to enter into a contract for the supply of the required items.

Amendment

Moved Cr Natale, seconded Cr Nardi

That the following be added as part 2 of the proposed motion:

(2) That the procurement documents include a provision that allows up to 120 days for acceptance to allow the FOGO service to be secured.

CARRIED UNANIMOUSLY

The substantive motion as amended was put

12.2.4 COUNCIL RESOLUTION 060918

Moved Mayor O'Neill, seconded Cr M McPhail

(1) That Council approve:

(a) implementation of a Food Organic Garden Organic (FOGO) waste service to 3,397 residential households (including 771 residential multiple unit dwellings) in the 2019/2020 financial year.

(b) the joint procurement process with the City of Melville & Fremantle for new bins for the implementation of a Food Organic Garden Organic waste service for 3176 residential households (including 550 residential multiple unit dwellings) in the 2018/2019 financial year.

(2) That the procurement documents include a provision that allows up to 120 days for acceptance to allow the FOGO service to be secured.

(3) That a further report be provided to Council with the results of the procurement process seeking authorisation to enter into a contract for the supply of the required items.

CARRIED UNANIMOUSLY

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12.3 GOVERNANCE REPORTS

12.3.1 Adoption of Policies – Staff Education and Study Leave Policy

File ref	C/POL1
Prepared by	Linda McNab, HR Coordinator
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil.
Attachments	1. Staff Education and Study Leave Policy

Purpose
The purpose of this report is for Council to consider adopting a policy in relation to Staff Education and Study Leave.

Executive Summary
This policy provides guidance in administering an employee's request for further education and specifies what the Town will reimburse employees for expenses incurred as well as leave allocation while undertaking approved courses of study, as part of their career planning.

Background
Recently the Manager Operations received a request for one of his staff members to be considered for Study Leave and financial assistance to undertake a Certificate IV in Horticulture at South Metropolitan TAFE. Council does not currently have a training and professional development policy to cover this type of training request.

Providing an opportunity to support those staff that wish to undertake further professional development outside normal operational training (short courses) is seen as highly desirable and beneficial to the Town (skilled labour).

Statutory Environment
Not applicable.

Policy Implications
Council does not currently have a policy covering this matter.

Financial Implications
The Policy if adopted provides that:

> All costs, incurred under this Policy will be costed against the Town's training and conference budget and the administration of this Policy and the guidelines that apply to it will be the responsibility of the Executive Management Team, which will ensure that any arrangements entered into, are properly documented recorded and processed.

Strategic Implications
The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

STRATEGIC PRIORITY 5: Leadership & Governance
5.3 Strive for Excellence in Leadership and Governance.

Workforce Plan 2017 – 2018 Priorities and Strategies
Improving skills and providing training that is relevant for the Town and enhances recruitment and retention strategies.

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Site Inspection
Not applicable

Comment
A summary of the proposed Policy is provided below:

Staff Education and Study Leave Policy
The Town of East Fremantle (The Town) is committed to their employee's academic and personal development in order to maintain knowledgeable, efficient workforce as well as assisting with staff retention.

All employees have equal access to training and development opportunities promoted by the Town and/or identified in the staff performance review process.

This policy only applies to Full time and Part time employment. An Employee who is a trainee, apprentice, casual and employees on a temporary contract of 12 months or less will not be eligible to apply.

Employees who receive this assistance from the Town will be required to pay back 100% of the Town's contribution should they leave the Town's employment within 12 months service following the completion of each unit of study.

Council is requested to give consideration to adopting the policy new "Staff Education and Study Leave".

12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070918

Moved Cr Natale, seconded Cr Nardi

That Council adopt the Town of East Fremantle Staff Education and Study Leave Policy.

(CARRIED UNANIMOUSLY)

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12.3.2 Adoption of Policy – Requests for New or Capital Upgrades to Existing Community Buildings

File ref	C/POL1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	18 September 2018
Voting requirements	Simple Majority
Documents tabled	Nil.
Attachments	1. Draft Requests for New or Capital Upgrades to Existing Community Buildings Policy

Purpose
The purpose of this report is for Council to consider adopting the proposed Policy 'Requests for New or Capital Upgrades to Existing Community Buildings'.

Executive Summary
Council currently does not have any Policy guidelines to assess applications for funding from community groups or sporting clubs for the capital upgrade of leased facilities. A new Policy is proposed to provide a coordinated approach to the assessment and approval of requests for new or capital upgrades to existing community buildings.

Background
Council has adopted the Recreation and Community Facilities Strategy (December 2016). This document aims to establish a strategic framework to guide future investment and management of recreation and community assets.

The following key findings have been extrapolated from the Strategy:

- Sport facilities available within the Town cater for AFL, soccer, lacrosse, cricket, lawn bowls, croquet, tennis and marine clubs (yachting/rowing/paddling).
- It was widely viewed that a number of facilities were aging and would soon need refurbishment or redevelopment. Substantial funds will be required to upgrade infrastructure.
- A series of principles are recommended to guide future development of recreation and community facilities:
    1. Priority to be given to infrastructure which meets the needs of the broader East Fremantle community and has higher levels of use and community access.
    2. Priority to be given to developing recreation and community hubs which cater for multiple activities and user groups.
    3. Priority to be given to infrastructure projects which are supported by a master plan, feasibility study and / or business plan.
    4. Priority to be given to the development of flexible, multipurpose, multiuse infrastructure.
    5. Priority to be given to infrastructure which demonstrates financial, environmental and social sustainability.
    6. Priority to be given to upgrading existing infrastructure to ensure it is fit for purpose, rather than developing new facilities, except when infrastructure has reached the end of its useful life.

Statutory Environment
Council is required to determine the local government's Policies pursuant to section 2.7 of the *Local Government Act 1995*.

Policy Implications
The role of Council is defined under section 2.7 of the *Local Government Act 1995*. Council is to govern the local government's affairs and one of the ways Council does this is by establishing Policies.

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Financial Implications
There are no financial implications that are directly linked to this report.

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

5.1 Strengthen organisational accountability and transparency
    5.1.3 Improve the efficiency and effectiveness of services
5.3 Strive for excellence in leadership and governance
    5.3.2 Improve organisational systems with a focus on innovation
    5.3.3 Increased focus on strengthening and fostering a positive customer service experience

Site Inspection
Not applicable

Comment
The Town is aware of a number of proposed upgrades of Council facilities including but not limited to the following:

- East Fremantle Lawn Tennis Club
- Henry Jeffery Oval Clubrooms
- Tricolore Community Centre
- Leeuwin Scout Hall

Effectively, all proposals to upgrade facilities will require external funding or Council support. This will create a competitive environment for funding, which will be exacerbated due to a reduction in State/Federal Government funding programs and/or funding allocations. Council needs to consider a Policy framework that will assist in the prioritisation of these funding efforts, including the allocation of own-source funds.

The Town is currently undertaking the East Fremantle Oval Precinct Revitalisation Project (as recommended in the Recreation and Community Facilities Strategy) to develop a shared vision to maximise community access to the site; and has also recently applied for funding to prepare a Master Plan for the Preston Point Road North Recreation Precinct. This document (the master plan) will further aid the guidance of investment in to the built facilities within this precinct. As such, it is recommended that Council resolve to advise all clubs/groups within this precinct, that the Town will not formally consider funding/project proposals until such time as this Master Plan has been completed, and endorsed by Council.

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12.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080918

Moved Cr Harrington, seconded Cr Nardi

That Council:

1. **adopt the Policy 'Requests for New or Capital Upgrades to Existing Community Buildings' as presented;**
2. **request that the Chief Executive Officer write to all community groups and sporting clubs that occupy Town owned or controlled facilities:**
   - **(a) providing a copy of the adopted Policy;**
   - **(b) advising that the Town will not formally consider or support funding/project proposals within the North Recreation Precinct until such time as the Preston Point Road North Recreation Facilities Master Plan has been completed, with the exception of projects that:**
     - **(i) are fully funded by the club; or**
     - **(ii) the Town's requested contribution has been included in the adopted Budget, or alternatively can be readily funded by the Town's cashed back Reserves (requiring a resolution of Council).**

(CARRIED UNANIMOUSLY)

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13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil.

14. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING
Nil.

15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Nil.

16. NEW BUSINESS OF AN URGENT NATURE
Nil.

17. MATTERS BEHIND CLOSED DOORS (CONTINUED)

PROCEDURAL MOTION

Moved Cr A McPhail, seconded Cr Watkins

That Council resolve the meeting be closed to the public to discuss item 17.1 under the terms of the *Local Government Act 1995, Section 5.23(2)(a).*

(CARRIED UNANIMOUSLY)

17.1 CEO Performance Review
(Confidential Attachment)

17.1 RECOMMENDATION/COUNCIL RESOUTION 090918

Moved Cr M McPhail, seconded Cr Harrington

That Council resolve to:

(1) advise the CEO that he has exceeded expectations in addressing Key Result Areas (KRAs) for the previous 12 months.

(2) adopt the recommendation of the CEO Performance Review Group.

(CARRIED UNANIMOUSLY)

17. PROCEDURAL MOTION

Moved Cr M McPhail, seconded Cr A McPhail

That Council come from behind closed doors. (CARRIED UNANIMOUSLY)

18. CLOSURE
There being no further business, the Presiding Member declared the meeting closed at 7.51pm.

*I hereby certify that the Minutes of the meeting of the **Council** of the Town of East Fremantle, held on **18 September 2018**, Minute Book reference **1.** to **18.** were confirmed at the meeting of the Council on*

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Presiding Member

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