



# MINUTES

## Council Meeting

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Tuesday, 20 February 2018 at 6.30pm

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE EAST FREMANTLE YACHT CLUB (RIVER ROOM), PETRA STREET EAST FREMANTLE ON TUESDAY, 20 FEBRUARY 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:

Acting Mayor M McPhail      Presiding Member  
Cr C Collinson  
Cr J Harrington  
Cr A McPhail  
Cr D Nardi  
Cr A Natale  
Cr T Watkins  
Cr A White

The following staff were in attendance:

Mr D Taylor                      Executive Manager Corporate & Community Service  
Mr A Malone                     Executive Manager Regulatory Services  
Ms J May                         Minute Secretary

There were three members of the public in attendance.

**3.2 Apologies**

G. Tuffin

**3.3 Approved Leave of Absence**

Mayor J O'Neill

**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.

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 **Ordinary Meeting of Council (12 December 2017)**

**8.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 010218**

**Moved Cr Nardi, seconded Cr Harrington**

**That the minutes of the Ordinary meeting of Council held on Tuesday, 12 December 2017 be confirmed as a true and correct record of proceedings.**

**(CARRIED UNANIMOUSLY)**

9. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**

9.1 **Return to Town Hall**

The Acting Mayor advised that this would be Council's final meeting at the East Fremantle Yacht Club, following the completion of refurbishments at the Town Hall and thanked Yacht Club staff, especially Michael, for their excellent service over the past eight months. He also sincerely thanked staff for their efforts in continuing to provide excellent service to the East Fremantle community during the office relocation. Elected members' patience during this period was also appreciated.

10. **UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS**

Nil.

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**11. REPORTS AND RECOMMENDATIONS OF COMMITTEES**

**11.1 Town Planning & Building Committee Meeting (6 February 2018)**

<b>File ref</b>	C/MTP1
<b>Prepared by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Town Planning & Building Committee Minutes

**Purpose**

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

**Executive Summary**

The Committee, at its meeting on 6 February 2018, exercised its delegation in four statutory matters.

The draft Local Planning Policy No 3.1.7 Percent for Public Art is considered under 12.1.1 of this agenda.

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

**Consultation**

Town Planning & Building 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 & Building Committee meeting are now presented to Council to be received.

**11.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 020218**

**Moved Cr Collinson, seconded Cr Harrington**

**That the unconfirmed Minutes of the Town Planning & Building Committee Meeting held on 6 February 2018 be received.**

**(CARRIED UNANIMOUSLY)**



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## 12. REPORTS

### 12.1 PLANNING REPORTS

#### 12.1.1 Final Adoption of Local Planning Policy No. 3.1.7 - Percent for Public Art

<b>File ref</b>	C/POL1
<b>Prepared by</b>	Christine Catchpole, Senior Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Policy No. 3.1.7 - Percent for Public Art

#### **Purpose**

For Council to consider the Town Planning Committee (TPC) recommendation (Resolution TP060218) to adopt the Draft LPP No 3.1.7 – Percent for Public Art as outlined in the Report contained within the TPC minutes (Agenda Item 11.1 Attachment 1).

#### **Executive Summary**

The Town Planning Committee at its meeting on 6 February 2018 recommended adopting the officer's recommendation to adopt this draft policy.

(Refer to Town Planning & Building Committee minutes (pp 44-47) to view the full report and Resolution.)

This matter has been referred to Council as the Town Planning Committee does not have delegated authority to determine matters of a strategic nature.

#### **OFFICER RECOMMENDATION**

Moved Cr White, seconded Cr Collinson

That Council:

1. in accordance with Schedule 2, Part 4, cl. 3 of the Planning and Development (Local Planning Schemes) Regulations 2015 proceed with Local Planning Policy No. 3.1.7 - Percent for Art without modification as attached; and
2. in accordance with Schedule 2, Part 4, cl. 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, publish a notice of adoption of Local Planning Policy No. 3.1.7 – Percent for Public Art in a newspaper circulating in the Planning Scheme area.

#### Amendment

Moved Cr Harrington, seconded Cr A McPhail

That the following become point 3 of the motion:

*"A report be prepared that investigates how maintenance costs are accounted for within the Policy."*

(LOST 1:7)

The substantive motion was put.

**12.1.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 030218**

**Moved Cr White, seconded Cr Collinson**

**That Council:**

- 1. in accordance with Schedule 2, Part 4, cl. 3 of the Planning and Development (Local Planning Schemes) Regulations 2015 proceed with Local Planning Policy No. 3.1.7 - Percent for Art without modification as attached; and**
- 2. in accordance with Schedule 2, Part 4, cl. 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, publish a notice of adoption of Local Planning Policy No. 3.1.7 – Percent for Public Art in a newspaper circulating in the Planning Scheme area.**

**(CARRIED UNANIMOUSLY)**

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## 12.2 FINANCE REPORTS

### 12.2.1 Monthly Financial Activity Statement 31 December 2017

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Terry Paparone, Manager Administration and Finance
<b>Supervised by</b>	David Taylor, Executive Manager Corp. and Comm. Services
<b>Meeting Date:</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Monthly Financial Activity Statement for December 2017

#### **Purpose**

For Council to receive the Monthly Financial Activity Statement.

#### **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.

Staff recommend that Council receives the Financial Activity Statement for the period ending 31 December 2017.

#### **Background**

The report comprises the monthly financial results with commentary focusing on comparisons to the year to date budget position.

The monthly Financial Activity Statement for the period ending 31 December 2017 is appended and includes the following:

- Financial Activity Statement
- Notes to the Financial Activity Statement including schedules of investments, rating information and debts written off.
- Capital expenditure Report

The attached Financial Activity Statements 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**

*Local Government Act 1995 (As amended)*

*Local Government (Financial Management) Regulations 1996 (As amended)*

#### **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

The December 2017 Financial Activity Statement shows variances in income and expenditure when compared with year to date draft budget estimates.

There are no proposed changes to the current budget forecast.

All amounts quoted in this report are exclusive 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 following is a summary of information on the attached financial reports:

#### Revised Budget Forecast

The current budget forecast for the 30 June 2018 indicates a breakeven of \$0 which is not represented by any change to date.

#### Operating YTD Actuals (compared to the YTD Budget)

The December 2017 Financial Activity Statement shows variances in income and expenditure when compared with year to date current budget estimates.

Operating Revenue 100%; is \$7,000 less than the YTD budget. (Unfavourable)

Operating Expenditure 80%; is \$1,258,000 less than the YTD budget. (Favourable)

After non-cash adjustments, the total operating cash forecast is \$1,384,000 more than the YTD budget (Favourable).

Operating Revenue is on budget.

The significant areas of favourable variations for operating revenue include:

- *General Purpose Funding*  
There are favourable year to date budget timing variances for; Interim Rates \$48,000, Rates Instalment Administration fees \$28,000 and Rates Instalment Interest Charges \$20,000 which will be monitored.
- *Recreation & Culture*  
The East Fremantle Festival has a favourable year to date budget timing variance amounting to \$20,000 which is attributable to the Lotterywest Grant having been received earlier than anticipated.

- *Transport*  
The Roads to Recovery Grant has a favourable year to date budget timing variance amounting to \$69,000 which will be offset in January.

The significant areas of unfavourable variations for operating revenue include:

- *Recreation & Culture*  
The Riverside Road Mooring Pens has an unfavourable year to date budget timing variance amounting to \$33,000 which is attributable to nine mooring pens being vacant as at the date of this report. Ongoing advertising regarding the availability of mooring pens will continue.

The Swan Yacht Club Self Supporting Loan Repayments has an unfavourable year to date budget timing variance amounting to \$33,000 which is attributable to the loan not being utilised.

- *Transport*  
The Launching Ramp Parking Fees has an unfavourable year to date budget timing variance amounting to \$25,000 which is mainly due to seasonal factors. The account will be monitored.

Operating Expenditure is 20% Favourable to the year to date budget.

The significant areas of favourable variations for operating expenditure include:

- *Governance*  
Communications, Advocacy and Public Relations has a favourable year to date budget timing variance amounting to \$63,000 as the projects are in their early stages.

Employee Costs has a favourable year to date budget timing variance amounting to \$79,000 which will be monitored.

- *Education & Welfare*  
There are favourable year to date budget timing variances for; HACC Salaries \$63,000 and HACC Service Unit Assessment \$26,000 which will be monitored.

- *Community Amenities*  
There are favourable year to date budget timing variances for; Domestic Refuse Collection \$34,000, City of Cockburn Tip Disposal Fees \$20,000, Annual Bulk and Green Waste \$26,000, SMRC Waste Composting Facility \$105,000, SMRC Materials Recovery \$31,000 and SMRC Capital Loan Annual Repayment \$31,000, which is mainly due to invoices received/paid in the following month.

Town Planning Salaries has a favourable year to date budget timing variance amounting to \$20,000 which will be offset during the year.

- *Recreation & Culture*  
East Fremantle Oval has a favourable year to date budget timing variance amounting to \$48,000 which will be monitored.

The Swan Yacht Club has a favourable year to date budget timing variance amounting to \$565,000 which is attributable to the loan not being utilised at present.

- *Transport*  
There are favourable year to date budget timing variances for: Road and Street Maintenance \$29,000 and Kerbing Maintenance \$41,000 which will be offset during the year.

Parking Facilities Employee Costs has a favourable year to date budget timing variance amounting to \$20,000 which will be offset during the year.

The Parking and Traffic Feasibility Study has a favourable year to date budget timing variance amounting to \$25,000 as the project has not commenced.

The significant areas of unfavourable variations for operating expenditure include:

- *Recreation & Culture*  
Preston Point Reserve – East Fremantle Lacrosse ground has an unfavourable year to date budget timing variance amounting to \$24,000 which is mainly attributable to verti-mowing, top dressing and fertilising the ground which will be offset during the year.
- *Transport*  
There are unfavourable year to date budget timing variances for: Verge Maintenance \$51,000, Street Cleaning \$35,000 and Street Tree Pruning \$26,000, which is mainly due to greater emphasis having been placed on these operations as at this time of the year.

All capital activities have been set forward in the budget so that they can be easily monitored in terms of progress.

The majority of Infrastructure projects commenced in November 2017.

Other details can be found in the attached notes to the financial activity statement.

#### Capital Programs YTD Progress Summaries

- Annual Timeline 50% of year elapsed
- Land & Buildings 57% expended
- Infrastructure Assets 22% expended
- Plant & Equipment 95% expended
- Furniture & Equipment 24% expended

Capital expenditure is \$2,553,000 less than the YTD budget (Favourable) which represents 57% of the capital programs to be completed.

#### **12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040218**

**Moved Cr Natale, seconded Cr White**

**That Council receives the Financial Activity Statement for the period ending 31 December 2017.**

**(CARRIED UNANIMOUSLY)**

### 12.2.2 Monthly Financial Activity Statement 31 January 2018

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Terry Paparone, Manager Administration and Finance
<b>Supervised by</b>	David Taylor, Executive Manager Corp. and Comm. Services
<b>Meeting Date:</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Monthly Financial Activity Statement for January 2018

#### **Purpose**

For Council to receive the Monthly Financial Activity Statement.

#### **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.

Staff recommend that Council receives the Financial Activity Statement for the period ending 31 January 2018.

#### **Background**

The report comprises the monthly financial results with commentary focusing on comparisons to the year to date budget position.

The monthly Financial Activity Statement for the period ending 31 January 2018 is appended and includes the following:

- Financial Activity Statement
- Notes to the Financial Activity Statement including schedules of investments, rating information and debts written off.
- Capital expenditure Report

The attached Financial Activity Statements 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**

*Local Government Act 1995 (As amended)*

*Local Government (Financial Management) Regulations 1996 (As amended)*

#### **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

The January 2018 Financial Activity Statement shows variances in income and expenditure when compared with year to date draft budget estimates.

There are no proposed changes to the current budget forecast.

All amounts quoted in this report are exclusive 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 following is a summary of information on the attached financial reports:

#### Revised Budget Forecast

The current budget forecast for the 30 June 2018 indicates a breakeven of \$0 which is not represented by any change to date.

#### Operating YTD Actuals (compared to the YTD Budget)

The January 2018 Financial Activity Statement shows variances in income and expenditure when compared with year to date current budget estimates.

Operating Revenue 100%: is \$45,000 more than the YTD budget. (Favourable)

Operating Expenditure 84%: is \$1,131,000 less than the YTD budget. (Favourable)

After non-cash adjustments, the total operating cash forecast is \$1,335,000 more than the YTD budget (Favourable).

Operating Revenue is on budget.

The significant areas of favourable variations for operating revenue include:

- *General Purpose Funding*  
There are favourable year to date budget timing variances for; Interim Rates \$64,000, Rates Instalment Administration fees \$21,000 and Rates Instalment Interest Charges \$20,000 which will be monitored.
- *Education & Welfare*  
The Home and Community Care Program has a favourable year to date budget timing variance amounting to \$21,000, which is mainly attributable to a HACC Grant supplement which was received. The account should be offset during the year.



- *Recreation & Culture*  
The East Fremantle Festival has a favourable year to date budget timing variance amounting to \$33,000 which is attributable to the Lotterywest Grant having been received earlier than anticipated. The account should be offset during the year.
- *Transport*  
Fines and Penalties has a favourable year to date budget timing variance amounting to \$23,000 which should be offset during the year.
- *Other Property & Services*  
The Department of Community – Local Projects - Local Jobs Funding (Alexandra Road Project) has a favourable year to date budget timing variance amounting to \$30,000. A budget amendment to include the above funding will be submitted to Council at the half year budget review.

The significant areas of unfavourable variations for operating revenue include:

- *Recreation & Culture*  
The Riverside Road Mooring Pens has an unfavourable year to date budget timing variance amounting to \$31,000 which is attributable to ten mooring pens being vacant as at the date of this report. Ongoing advertising regarding the availability of mooring pens will continue. The account will be monitored.  
  
The Swan Yacht Club Self Supporting Loan Repayments has an unfavourable year to date budget timing variance amounting to \$33,000 which is attributable to the loan not being utilised.
- *Transport*  
The Launching Ramp Parking Fees has an unfavourable year to date budget timing variance amounting to \$20,000 which is mainly due to seasonal factors. The account will be monitored.
- *Economic Services*  
There is an unfavourable year to date budget timing variance for the Building and Construction Industry Training Fund Receipts amounting to \$21,000 which will be monitored.

Operating Expenditure is 16% Favourable to the year to date budget.

The significant areas of favourable variations for operating expenditure include:

- *Governance*  
Communications, Advocacy and Public Relations has a favourable year to date budget timing variance amounting to \$69,000 as the projects are in their early stages. The account should be offset during the year.  
  
Employee Costs has a favourable year to date budget timing variance amounting to \$61,000 which will be monitored.
- *Health*  
Swimming Pool Inspection fees has a favourable year to date budget timing variance amounting to \$23,000. This budget item will be re-assessed at the half year budget review.

- *Education & Welfare*

There are favourable year to date budget timing variances for; HACC Salaries \$51,000 and HACC Service Unit Assessment \$29,000 which will be monitored.

The Glyde-In Centre Council Contribution has a favourable year to date budget timing variance amounting to \$25,000 which will be offset in February.

- *Community Amenities*

There are favourable year to date budget timing variances for; Domestic and Commercial Recycling \$30,000, Domestic Refuse Collection \$50,000, Annual Bulk and Green Waste \$26,000, SMRC Waste Composting Facility \$45,000 and SMRC Materials Recovery \$29,000 which is mainly due to invoices received/paid in the following month.

- *Recreation & Culture*

East Fremantle Oval has a favourable year to date budget timing variance amounting to \$52,000 which will be monitored.

The Swan Yacht Club has a favourable year to date budget timing variance amounting to \$565,000 which is attributable to the loan not being utilised.

The East Fremantle Festival has a favourable year to date budget timing variance amounting to \$37,000 which should be offset during the year.

- *Transport*

There are favourable year to date budget timing variances for; Road and Street Maintenance \$32,000, Tree Replacements \$31,000 and Kerbing Maintenance \$39,000 which should be offset during the year.

The Parking and Traffic Feasibility Study has a favourable year to date budget timing variance amounting to \$25,000 as the project has not commenced.

- *Economic Services*

The Building and Construction Industry Training Fund has a favourable year to date budget timing variance amounting to \$22,000 which will be monitored.

The significant areas of unfavourable variations for operating expenditure include:

- *Recreation & Culture*

Preston Pt. Reserve – East Fremantle Lacrosse ground has an unfavourable year to date budget timing variance amounting to \$28,000 which is mainly attributable to verti-mowing, top dressing and fertilising the ground which should be offset during the year.

- *Transport*

There are unfavourable year to date budget timing variances for; Verge Maintenance \$46,000, Street Cleaning \$43,000 and Street Tree Pruning \$31,000, which is mainly due to greater emphasis having been placed on these operations as at this time of the year.

All capital activities have been set forward in the budget so that they can be easily monitored in terms of progress.

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The majority of Infrastructure projects commenced in November 2017.

Other details can be found in the attached notes to the financial activity statement.

Capital Programs YTD Progress Summaries

Annual Timeline 58% of year elapsed

Land & Buildings 79% expended

Infrastructure Assets 39% expended

Plant & Equipment 95% expended

Furniture & Equipment 27% expended

Capital expenditure is \$1,778,000 less than the YTD budget (Favourable) which represents 40% of the capital programs to be completed.

**12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050218**

**Moved Cr M McPhail, seconded Cr Collinson**

**That Council receives the Financial Activity Statement for the period ending 31 January 2018.**

**(CARRIED UNANIMOUSLY)**

### 13.2.3 Accounts for Payment – December 2017/January 2018

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Terry Paparone, Manager Administration and Finance
<b>Supervised by</b>	David Taylor, Acting Chief Executive Officer
<b>Meeting Date</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Monthly List of Payments – December 2017 2. Monthly List of Payments – January 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 months of December 2017 and January 2018.

It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 December 2017 to 31 January 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 F8.1 Ordering of Goods and Services.

#### **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*.

**13.2.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 060218**

Moved Cr Natale, seconded Cr A McPhail

That the list of accounts paid for the period 1 December 2017 to 31 January 2018 be received, as per the following summary table:

DECEMBER 2017		
Voucher No	Account	Amount
5121 – 5130	Municipal (Cheques)	7,139.74
EFT25089 – EFT25235	Electronic Transfer Funds	\$800,314.09
Payroll	Electronic Transfer Funds	\$230,067.57
Superannuation	Electronic Transfer Funds	\$38,011.60
Credit Card	Corporate Credit Card	\$1,817.48
	<b>Total Payments</b>	<b>\$1,077,350.48</b>
JANUARY 2018		
Voucher No	Account	Amount
5131 – 5135	Municipal (Cheques)	\$241.15
EFT25236 – EFT25339	Electronic Transfer Funds	\$1,211,127.97
Payroll	Electronic Transfer Funds	\$350,131.92
Superannuation	Electronic Transfer Funds	\$57,505.94
Credit Card	Corporate Credit Card	\$2,794.54
	<b>Total Payments</b>	<b>\$1,621,801.52</b>

(CARRIED UNANIMOUSLY)

Following a query from Cr Watkins regarding the possibility of reformatting the list of accounts schedule to group particular items eg East Fremantle Festival, it was agreed this should be discussed at the next Concept Forum.

Following a query from Cr A McPhail, the Executive Manager Corporate & Community Services undertook to follow up the 2017 East Fremantle Festival final report from the Festival Coordinator.

#### 12.2.4 Community Assistance Grants and Sponsorship Program – 2017-2018 Round 2 Request Approvals

<b>File ref</b>	A/CGF1
<b>Prepared by</b>	Karen Dore, Economic & Community Development Officer
<b>Supervised by</b>	David Taylor, Executive Manager Corporate & Community Services
<b>Meeting Date</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Community Grants Advisory Group Minutes dated 07/02/18 2. Submission Summary

#### Purpose

The purpose of this report is for Council to consider endorsing the recommendation from the Community Grants Advisory Group meeting, held on the 7 February 2018, to approve the five (5) proposed Community Assistance Grant 2017-2018 Round 2 requests.

#### Executive Summary

The Community Grants Advisory Group met on 7 February 2018 to assess seven (7) submissions received under the Community Assistance Grants (CAG) Program, 2017-2018 Round 2.

Group	Amount requested
Ballet West Academy	1,000.00
East Fremantle Croquet Club	995.00
East Fremantle Junior Football Club	965.00
East Fremantle Women's Football Club	825.00
East Freo Farm	189.10
Hurricane Dragon Boat & Outrigger Canoe Club	1,000.00
Richmond Primary School P&C	700.00
<b>TOTAL</b>	<b>\$5,674.10</b>

The Advisory Group members, being Acting Mayor Michael McPhail, Cr Andrew McPhail, community members, Suzi Nelson and John Chisholm, Acting Chief Executive Officer (David Taylor) and Economic & Community Development Officer (Karen Dore) discussed all seven (7) submissions and recommended that the following five (5) requests should be funded.

Group	Amount requested
East Fremantle Croquet Club	995.00
East Fremantle Junior Football Club	965.00
East Fremantle Women's Football Club	825.00
East Freo Farm	189.10
Hurricane Dragon Boat & Outrigger Canoe Club	1,000.00
<b>TOTAL</b>	<b>\$3,974.10</b>

#### Background

The Community Grants and Sponsorship Policy and the Community Assistance Grants Program were adopted by Council in June 2016. They provide an orderly and consistent way of considering small funding requests on an annual basis.

The Community Assistance Grant Program was introduced in the 2016-2017 financial year. An allocation of \$30,000 was provided in the 2016-2017 budget, with \$20,000 allocated in 2017-2018.

Six (6) submissions, amounting to \$4,225, were approved during Round 1 of the 2017-2018 program, leaving a balance of \$15,775 available for Round 2.

### **Consultation**

On 13 October 2017 twenty nine (29) local community and sporting groups were emailed information, including guidelines and an application form, regarding the opportunity to apply for funds. A further two (2) emails were sent during November and December.

The information was also circulated, on multiple occasions, through the Town's E-Newsletter, website and Facebook page.

### **Statutory Environment**

Not applicable.

### **Financial Implications**

Council allocated \$20,000 in its 2017-2018 budget. \$4,225 of this allocation was utilised during Round 1 of the 2017-2018 program, leaving a balance of \$15,775 available for Round 2.

### **Strategic Implications**

Strategic Priority 1 – Social – A socially connected, inclusive and safe community

#### **1.1 Facilitate appropriate local services for the health and wellbeing of the community**

- 1.1.1 Facilitate or partner to ensure a range of quality services are provided at a local level
- 1.1.2 Strengthen the sense of place and belonging through inclusive community interaction and participation

#### **1.2 Inviting open spaces, meeting places and recreational facilities**

- 1.2.1 Provision of adequate recreational, sporting and social facilities
- 1.2.2 Activate inviting open spaces that encourage social connection

#### **1.3 Strong community connection within a safe and vibrant lifestyle**

- 1.3.1 Partner and educate to build a strong sense of community safety
- 1.3.2 Facilitate opportunities for people to people to develop community connections and foster local pride
- 1.3.3 Enrich identity, culture and heritage through programs, events and celebrations
- 1.3.4 Facilitate community group capacity building

### **Site Inspection**

Not applicable.

### **Triple Bottom Line Assessment**

#### Economic implications

There are no known significant economic implications associated with this proposal.

#### Social implications

Sport and active recreation deliver many personal and community benefits including developing self-esteem, maintaining health and fitness, nurturing talented athletes and contributing to individual enjoyment of life.

Environmental implications

There are no known significant environmental implications associated with this proposal.

**Comment**

The Community Assistance Grants Advisory Group agreed that the submission from the Ballet West Academy did not fit the CAG Guidelines, as they stipulate that: *“Only groups who can demonstrate that they are not-for-profit community organisation will be considered eligible for funding.”*

The Group also agreed that whilst the Richmond Primary School P&C’s healthy initiative was fully supported, the proposed purchase was not supported.

The Town’s Economic & Community Development Officer will contact all applicants to advise of the outcomes of their submissions.

**12.2.4 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070218**

**Moved Cr Nardi, seconded Cr Harrington**

**That Council endorse the recommendation of the Community Grants Advisory Group and fund the following 2017-2018 Round 2 requests:**

- 1. East Fremantle Croquet Club - \$995.00**
- 2. East Fremantle Junior Football Club - \$965.00**
- 3. East Fremantle Women’s Football Club - \$825.00**
- 4. East Freo Farm - \$189.10**
- 5. Hurricane Dragon Boat & Outrigger Canoe Club - \$1,000**

(CARRIED UNANIMOUSLY)



## 12.3 GOVERNANCE REPORTS

### 12.3.1 Proposed Town of East Fremantle Waste Amendment Local Law 2017

<b>File ref</b>	A/LLW1
<b>Prepared by</b>	Janine May, EA to CEO
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date:</b>	20 February 2018
<b>Voting requirements</b>	Absolute Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Submission from Department of Local Government &amp; Communities</li><li>2. Submission from Department of Water and Environmental Regulation</li><li>3. Draft (marked up) Town of East Fremantle Waste Amendment Local Law 2017</li><li>4. Gazettal version Town of East Fremantle Waste Amendment Local Law 2017</li></ol>

#### **Purpose**

To present a draft Waste Amendment Local Law for adoption by Council.

#### **Executive Summary**

The draft local law was advertised for a period of six weeks. No comments were received from the public. The Departments of Local Government and Communities and Water and Environmental Regulation made a number of suggested changes.

The following resolution is therefore recommended:

1. In accordance with section 3.12(4) of the *Local Government Act 1995*, the Town of East Fremantle Waste Amendment Local Law 2017 be adopted, subject to the amendments as 'marked up' on the attachment to the report to Council.
2. In accordance with s3.12(5) of the *Local Government Act 1995*, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government and the Minister for the Environment;
3. After gazettal, in accordance with s3.12(6) of the Local Government Act 1995, local public notice be given —
  - a. stating the title of the local law;
  - b. summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c. advising that copies of the local law may be inspected or obtained from the Town's office.
4. Following gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

#### **Background**

Waste collection and disposal is regulated by the Waste Avoidance and Resource Recovery Act (WARR) which came into force on 1 July 2008. The Town of East Fremantle Waste Local Law was duly

published in the Government Gazette on 31 March 2017, and regulates the collection of municipal waste in the district.

Following a request from the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) that:

- the definition of ‘vectors of disease’ be deleted from clause 1.6 of the local law; and
- an addition be made to the local law to deal with objection and appeal rights.

a draft Waste Amendment Local Law was presented to Council at its meeting of 17 October and endorsed for advertising.

### Consultation

Section 3.12(3) of the *Local Government Act 1995* requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears. The proposed local law was duly advertised for a period of 46 days closing on 6 December 2017.

In addition, as part of the process, local governments are required to send a copy of proposed local laws to the Minister for Local Government, and any other Minister responsible for an area affected by the local law (in this case, Environment).

No comments were received from members of the public. The Departments of Local Government and Communities and Water and Environmental Regulations made a number of suggestions, which are dealt with below:

Comment	Recommended action
<b>DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES</b>	
<p><b>Enacting Acts</b> The enacting Acts should be included in the title of the local law, for example: WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007 LOCAL GOVERNMENT ACT 1995 TOWN OF EAST FREMANTLE WASTE AMENDMENT LOCAL LAW 2017</p>	Agreed.
<p><b>Clause 5.1 inserted</b> It is recommended that in addition to clause 5.1, a ‘Part’ title is inserted before clause 5.1.  It is also recommended that a reference to clause 3.4(2)(a) is included in clause 5.1 as it refers to an approval of the local government. For example:  PART 5 – OBJECTION AND APPEAL  5.1 Objection and appeal right Division 1 of Part 9 of the <i>Local Government Act 1995</i> applies to a decision under this local law to grant, vary or cancel – (a) An approval under clause 2.6(b) (b) An exemption under clause 2.7(2) (c) An authorisation under clause 2.8(b)</p>	<p>Agreed.</p> <p>Agreed.</p>

Comment	Recommended action
<b>DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES</b>	
(d) An approval under clause 2.9(1) (e) An authorisation under clause 3.2(1)(c) (f) An approval under clause 3.2(2) (g) An approval under clause 3.3; and (h) An approval under clause 3.4(2)(a)	
<b>DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION</b>	
<b>Clause 5.1</b> Clause 5.1 should be amended to read: <i>Division 1 of Part 9 of the Local Government Act 1995 applies to a decision under this local law to grant, <u>renew, vary or cancel</u> -</i>	Agreed
Signature Block Signature block should be amended to read: <i>Consented to:</i> <i>Chief Executive Officer</i> <i>Department of Water and Environmental Regulation</i> <i>Dated:</i>	Agreed

The recommended changes to the local law are considered minor.

Council may now make the local law, which will come into effect 14 days after its publication in the Government Gazette.

### Statutory Environment

Section 3.12 of the *Local Government Act 1995* sets out the requirements for making a local law. This proposed local law must be made under the same process as described in s3.12 of the *Local Government Act*, other than that in this case, approval of the CEO of the Waste Authority (Department of Environmental Regulation) is required before the local law is made.

In this regard, approval from the CEO of the Waste Authority was received on 15 January 2018.

### Policy Implications

This proposed local law does not have any direct policy implications itself, however making it will allow the Town to better deal with issues associated with waste collection and disposal.

### Financial Implications

Nil, other than the cost of advertising the draft local law for public comment.

### Strategic Implications

Amending the local law will remove the risk of its being disallowed.

### STRATEGIC PRIORITY 4: Natural Environment

*"Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity."*

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**

The Town of East Fremantle Waste Amendment Local Law 2017, with the suggested changes, is recommended for adoption.

**12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080218**

Moved Cr Nardi, seconded Cr Collinson

That:

1. in accordance with section 3.12(4) of the *Local Government Act 1995*, the Town of East Fremantle Waste Local Law 2016 be adopted, subject to the amendments as 'marked up' on the attachment to the report to Council.
2. in accordance with s3.12(5) of the *Local Government Act 1995*, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government and the Minister for the Environment;
3. after gazettal, in accordance with s3.12(6) of the *Local Government Act 1995*, local public notice be given —
  - a. stating the title of the local law;
  - b. summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c. advising that copies of the local law may be inspected or obtained from the Town's office.
4. following gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

(CARRIED BY AN ABSOLUTE MAJORITY 8:0)

### 12.3.2 2016/17 Elector's Meeting

<b>Applicant</b>	Town of East Fremantle
<b>File ref</b>	C/ELM1
<b>Prepared by</b>	Janine May, EA to Chief Executive Officer
<b>Supervised by</b>	David Taylor, Acting Chief Executive Officer
<b>Date of Meeting</b>	20 February 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Minutes of Annual Electors' Meeting 30/1/18

#### **Purpose**

To present the Minutes of the 2016/17 Annual Electors' Meeting and facilitate consideration of any decisions taken at the meeting.

#### **Executive Summary**

This report documents items raised at the Annual Electors' Meeting and resulting proposed action.

#### **Background**

Council held its Annual Electors' Meeting on Tuesday, 30 January 2018 which was attended by 8 members of the public.

A copy of the minutes were circulated to all elected members on the 13 February 2018.

#### **Statutory Environment**

Under Section 5.33(1) of the *Local Government Act 1995*, all decisions made at an Electors' Meeting "are to be considered at the next ordinary council meeting or, if that is not practicable at the next meeting thereafter".

Section 5.33(2) of the Act provides that *if* the Council makes a decision in response to a decision made at an Electors' Meeting, the reasons for the decision are to be recorded in the minutes.

#### **Policy Implications**

There are no policy implications.

#### **Financial Implications**

There are no financial implications.

#### **Strategic Implications**

STRATEGIC PRIORITY 5: Leadership & Governance

*A proactive approachable Council which values community consultation, transparency and accountability.*

#### **Site Inspection**

N/A

#### **Comment**

Apart from receiving the Minutes of the previous Electors' Meeting and the 2016/2017 Annual Report, there were no additional resolutions passed at this Electors' Meeting. However, Council staff undertook to:

- include the issue of safe crossing of Canning Highway by cyclists and pedestrians in the proposed cycling routes/footpath review of the Town.
- make a further approach to Main Roads WA regarding pedestrian access across Canning Highway at Preston Point Road and Stirling Highway and include Mr Kane's suggestion of a green right turning arrow from Canning Highway into Preston Point Road to relieve traffic congestion.
- install traffic counters in May Street to gauge speed and volume of traffic and investigate parking options for the northern end of the street.
- continue negotiations with City of Fremantle for the use of the City's depot by East Fremantle residents to dispose of electronic waste.
- provide financial information and patronage of Council's movie and comedy nights events.

**12.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090218**

**Moved Cr Harrington, seconded Cr White**

**That the minutes of the Electors' Meeting held on 30 January 2018 be noted.**

**(CARRIED UNANIMOUSLY)**

It was agreed the required actions from the Electors' Meeting be included in the status report for consideration at the next Concept Forum.

Cr Collinson drew attention to the fact the negotiations to use City of Fremantle's depot for disposal of waste items, did not just involve *electronic* waste as noted in the minutes eg paint disposal and other items were also proposed.

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

Nil.

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

**14.1 Cr Natale – FOGO Program**

*“That a report be submitted on what consideration has been given to the ratepayers in regard to the FOGO program.”*

**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**

**17. PROCEDURAL MOTION**

Moved Cr Harrington, seconded Cr Nardi

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)(e)*.

(CARRIED UNANIMOUSLY)

**17.1 Swan Yacht Club – Right of Entry**

Elected members considered a confidential report prepared by the Executive Manager Corporate & Community Services. **CONFIDENTIAL ATTACHMENT**

**17.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 100218**

Moved Cr A McPhail, seconded Cr Watkins

That Council:

1. approve the Right of Entry to Bankwest into the Swan Yacht Club as outlined in the terms of the commercial loan agreement with the Swan Yacht Club based on the following amendments being made;
  - a. the classification of the loan type being determined;
  - b. Condition 3 of the Town of East Fremantle’s Guarantee to Bankwest be amended to delete *“and, if requested by you, we will assist you to the extent we are permitted by law”*;
  - c. the following Condition is added: *“The Town of East Fremantle to be granted the Last Right of Refusal (LRR) of any items offered for sale by Bankwest or the Lessee in the event of default”*;
2. authorise the Chief Executive Officer and the Mayor to sign and affix the Town’s Common Seal to the Right of Entry agreement with Bankwest.

(CARRIED UNANIMOUSLY)

**17. PROCEDURAL MOTION**

Moved Cr A McPhail, seconded Cr White

That Council come from behind closed doors.

(CARRIED UNANIMOUSLY)

**18. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 7.42pm.

*I hereby certify that the Minutes of the meeting of the Council of the Town of East Fremantle, held on **20 February 2018**, Minute Book reference **1. to 18.** were confirmed at the meeting of the Council on*

*20 MARCH 2018*



*Presiding Member*