



# MINUTES

## Council Meeting

---

Tuesday, 15 May 2018 at 6.37pm

### **Disclaimer**

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 I) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Town of East Fremantle expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

### **Copyright**

The Town wishes to advise that any plans or documents contained within the Minutes may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.



---

## CONTENTS

1.	OFFICIAL OPENING	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
3.1	Attendance	1
3.2	Apologies	1
3.3	Approved Leave of Absence	1
4.	DISCLOSURES OF INTEREST	1
4.1	Financial	1
4.2	Proximity	1
4.3	Impartiality	2
4.3.1	MB Ref 17.1 East Fremantle Oval Precinct Revitalisation	2
5.	PUBLIC QUESTION TIME	2
5.1	Responses to previous questions from members of the public taken on notice	2
5.2	Public Question Time	2
6.	PRESENTATIONS/DEPUTATIONS	2
6.1	Presentations	2
6.2	Deputations	2
7.	APPLICATIONS FOR LEAVE OF ABSENCE	2
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
8.1	Ordinary Meeting of Council (17 April 2018)	2
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
10.	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS	2
11.	REPORTS AND RECOMMENDATIONS OF COMMITTEES	3
11.1	Town Planning Committee Meeting (1 May 2018)	3
12.	REPORTS	5
12.1	PLANNING REPORTS	5
12.1.1	Application for partial closure of unused portion of road reserve in Canning Highway and Stirling Highway	5
12.2	FINANCE REPORTS	9
12.2.1	Monthly Financial Activity Statement 30 April 2018	9
12.2.2	Accounts for Payment – April 2018	12
12.2.3	Notice of Intention to Impose Differential Rates 2018/19, Elected Member Fees and Allowances and 2018/19 Schedule of Fees and Charges	14

---

12.2.4	Community Assistance Grants and Sponsorship Program – 2018-2019 Request Approvals	22
12.2.5	Library Services	25
12.3	GOVERNANCE REPORTS	29
12.3.1	Public Art On Loan	29
12.3.2	Annual Leave - Chief Executive Officer	33
12.3.3	Town of East Fremantle Reconciliation Action Plan	35
13.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	39
14.	NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING	39
14.1	Cr M McPhail - Streetscape Manual	39
15.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	40
16.	NEW BUSINESS OF AN URGENT NATURE	40
17.	MATTERS BEHIND CLOSED DOORS	40
17.1	Revitalisation of the East Fremantle Oval Precinct – 01-2017/18 Tender Acceptance	40
18.	CLOSURE	41

---

---

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY, 15 MAY 2018.**

**1. OFFICIAL OPENING**

The Presiding Member opened the meeting at 6.37pm

**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 C Collinson	
Cr J Harrington	
Cr A McPhail	
Cr M McPhail	
Cr D Nardi	
Cr A Natale	
Cr T Watkins	
Cr A White	

The following staff were in attendance:

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

There were two members of the public in attendance.

**3.2 Apologies**

Nil.

**3.3 Approved Leave of Absence**

Nil.

**4. DISCLOSURES OF INTEREST**

**4.1 Financial**

Nil.

**4.2 Proximity**

Nil.

**4.3 Impartiality**

**4.3.1 MB Ref 17.1 East Fremantle Oval Precinct Revitalisation**

*Mayor O'Neill stated that as a consequence of residing opposite the Oval there may be a perception that his impartiality on the matter may be affected. He declared he would consider the matter on its merits in terms of the benefit to the Town and vote accordingly.*

**5. PUBLIC QUESTION TIME**

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

Nil.

**5.2 Public Question Time**

**5.2.1 C Gepp 5/18 Coolgardie Avenue**

Ms Gepp noted the comment regarding investments to non-fossil fuel institutions in the Monthly Financial Statements and queried when Council's Investment Policy was amended to accommodate investing funds to these institutions and how this came about?

The CEO provided a brief explanation however advised that the questions would be taken on notice and Ms Gepp would be advised in writing and the response would appear in the next Council agenda.

**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 (17 April 2018)**

**8.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 010518**

**Moved Cr Nardi, seconded Cr White**

**That the minutes of the Ordinary meeting of Council held on Tuesday, 17 April 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.

---

**11. REPORTS AND RECOMMENDATIONS OF COMMITTEES**

**11.1 Town Planning Committee Meeting (1 May 2018)**

<b>File ref</b>	C/MTP1
<b>Prepared by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	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 1 May 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.

**11.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 020518**

**Moved Cr Collinson, seconded Cr Nardi**

**That the unconfirmed Minutes of the Town Planning Committee Meeting held on 1 May 2018 be received.**

**(CARRIED UNANIMOUSLY)**



---

## 12. REPORTS

### 12.1 PLANNING REPORTS

#### 12.1.1 Application for partial closure of unused portion of road reserve in Canning Highway and Stirling Highway

<b>Applicant/Owner</b>	Veris/ Main Roads Western Australia
<b>File ref</b>	P/CAN101, P/CAN
<b>Prepared by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Supervised by</b>	Gary Tuffin, Chief Executive officer
<b>Voting requirements</b>	Simple Majority
<b>Meeting date</b>	15 May 2018
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Letter of application

#### **Purpose**

This report considers an application for the closure of a portion of public road reserve Lot 2427 on Diagram DP160869 located adjoining the Old Post Office building on the corner of Canning Highway and Stirling Highway.

#### **Executive Summary**

Veris on behalf of Main Roads WA (MRWA) requested the Town of East Fremantle to commence and support this application for road closure at the Old Post Office. Veris has requested Council progress this application with the Department of Planning, Lands and Heritage (DPLH), as per section 58 of the Land Administration Act 1997 (LAA) and regulation 9 of the Land Administration Regulations 1998.

It is recommended that the request be supported, and that the CEO be requested to commence the process for the partial road closure of this subject area of land.

#### **Background**

This matter has not previously been considered by Council.

#### **Consultation**

Under the LAA, the proposed road closure is advertised in the local paper with a 35 day comment period. During this period relevant stakeholders, public authorities and the public are to be contacted for their comment.

#### **Statutory Environment**

The statutory procedure for road closure is identified in the following provisions of the *Land Administration Act*. Once the road has been closed and the land becomes "Unallocated Crown Land", the land can then be amalgamated into the Old Post Office (Lot 4247) through the normal subdivision process.

#### LAND ADMINISTRATION ACT 1997 – SECT 58

##### 58. Closing Road

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.

- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3)—*
  - (a) *by order grant the request; or*
  - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
  - (c) *refuse the request.*
- (5) *If the Minister grants a request under subsection (4) —*
  - (a) *the road concerned is closed on and from the day on which the relevant order is registered; and*
  - (b) *any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road —*
  - (a) *becomes unallocated Crown land; or*
  - (b) *if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.*

*[Section 58 amended by No. 59 of 2000 s. 18(1)<sup>9</sup>*

#### **Policy Implications**

There is no policy of the Council that has a bearing on the matter.

#### **Financial Implications**

Nil

#### **Statutory Implications**

Nil

#### **Strategic Implications**

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

##### *Built Environment*

*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.*

#### Natural Environment

*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.*
- 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**

Site inspection undertaken on 28 November 2017 and 4 May 2018

#### **Comment**

The subject land currently is grassed but generally is un-kept and unused. The area currently serves no useful public purpose. The proposed road closure of and its amalgamation with the adjacent lot (Old Post Office) will allow access to the side of the building for maintenance and will ensure the building is located wholly within the separate lot. This section of closed road will be amalgamated into Lot 4247 and sold with the Old Post Office.

Lot 4247 is the location of the Old East Fremantle Post Office. The building on site is the original post office and is of significant heritage value being on both the State and National inventory. At present the site is owned by the MRWA who have resolved to put the lot and building on the market as an unrequired asset. In order to ensure the heritage building is properly protected, after sale, a feature survey was conducted to determine the exact position of the building relative to the cadastral boundary. This investigation found that the eaves of the building extended over the north and western boundary of the subject lot into both Stirling Highway and Canning Highway road reservations. In order to ensure the Post Office building is properly protected within its own lot it was determined that a portion of road at the corner of both highways (Lot 2427) be closed and then incorporated into the Old Post Office (Lot 4247).

The application will be advertised to MRWA, the Water Corporation of WA, Western Power and other state service authorities, other relevant stakeholders and the public.

It is considered the proposal has merit and should be supported conditional upon the applicant bearing all costs associated with the proposed closure and amalgamation.

**12.1.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 030518**

Moved Cr Collinson, seconded Cr Watkins

That Council support the application for the proposed closure of a portion of Canning and Stirling Highway (Lot 2427) intersection and amalgamation with the Old Post Office (Lot 4247) as indicated on the proposed plan of subdivision dated 16 November 2017 for the purpose of public advertising subject to the following conditions:

1. All costs associated with the proposed closure of Lot 2427 located at the corner of Canning and Stirling Highway to be borne by the applicant.
2. All costs associated with the proposed amalgamation of Lot 2427 and Lot 4247 to be borne by the applicant.
3. The application be advertised in accordance with the provisions of the Land Administration Act 1997 (sec58).

(CARRIED UNANIMOUSLY)

---

## 12.2 FINANCE REPORTS

### 12.2.1 Monthly Financial Activity Statement 30 April 2018

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Natalie McGill, Acting Manager Administration and Finance
<b>Supervised by</b>	Peter Kocian, Interim Executive Manager Corporate Services
<b>Meeting Date:</b>	15 May 2018
<b>Voting requirements</b>	Absolute Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Monthly Financial Activity Statement

#### **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 30 April 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 30 April 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 April 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 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

Site inspection undertaken: Not applicable

### Comment

The following is a summary of information on the attached financial reports:

#### Revised Budget Forecast

The current revised budget forecast for the 30 June 2018 indicates a balanced budget.

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

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

Operating Revenue 101%; is \$82,500 more than the YTD budget. (Favourable)

Operating Expenditure 89%; is \$1,070,000 less than the YTD budget. (Favourable)

After non-cash adjustments, the total operating cash forecast is \$1,364,000 more than the YTD budget (Favourable).

#### Capital Programs YTD Progress Summaries

Annual Timeline 75% of year elapsed.

Land & Buildings 84% expended.

Infrastructure Assets 64% expended.

Plant & Equipment 99% expended.

Furniture & Equipment 81% expended.

Capital expenditure is \$1,022,000 less than the YTD budget (Favourable) which represents 23% of the capital programs to be completed.

More detailed commentary on all variances is provided in the appended Financial Activity Statement.

Waste Reserve

The Town of East Fremantle has been successful with a \$101,910 grant under the State Government's Better Bins Kerbside Collection Program. The objective of the grant is to part-fund the implementation of the three bin system, being a general waste bin, co-mingled recycling bin and green waste/food organics bin. There are a number of grant conditions that apply with regards to community education, staff training, data collection, and bin tagging program.

In order to support the delivery and funding of waste services in outward years, it is recommended that Council establish a Waste Reserve. The purposes of Reserves are generally to reduce business risk with regards to a change in operations, improve financial management, maximise strategic opportunities and meet asset management requirements. The establishment of a Waste Reserve would meet all of these objectives.

The 2017/18 Budget includes an approved transfer of \$150,000 into the Strategic Plan and Infrastructure Reserve to fund waste initiatives. The Town has also invoiced the State Government for an initial grant payment of \$50,000 ex GST. Should Council approve the establishment of a Waste Reserve, a budget variation will be sought seeking to transfer \$200,000 into this Reserve before 30 June.

Reserve Accounts are established in accordance with section 6.11 of the *Local Government Act 1995* and must be resolved by an Absolute Majority decision.

**12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040518**

Moved Cr Collinson, seconded Cr Natale

That Council:

1. receive the Financial Activity Statement for the period ending 31 March 2018.
2. pursuant to section 6.11 of the *Local Government Act 1995*, establish a Waste Reserve with the purpose of funding waste services as determined in the Annual Budget.
3. pursuant to section 6.8 of the *Local Government Act 1995*, amends the 2017/18 Budget as follows resulting in a nil change in net current assets as at 30 June 2018:

Account Description	Current Budget	Amended Budget	Change in Net Current Assets
Transfer to Strategic Plan and Infrastructure Reserve	(\$163,753)	(\$13,753)	\$150,000
Better Bins Kerbside Collection Grant	\$0	\$50,000	\$50,000
Transfer to Waste Reserve	\$0	(\$200,000)	(\$200,000)
	<b>Change in Budget Position</b>		<b>\$0</b>

(CARRIED BY AN ABSOLUTE MAJORITY 9:0)

### 12.2.2 Accounts for Payment – April 2018

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Natalie McGill, Acting Manager Finance & Administration
<b>Supervised by</b>	Peter Kocian, Acting Executive Manager Corporate Services
<b>Meeting Date</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Monthly List of Payments – April 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 April 2018.

It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 April to 30 April 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*.

**12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050518**

**Moved Cr White, seconded Cr A McPhail**

**That the list of accounts paid for the period 1 April to 30 April 2018 be received, as per the following summary table:**

APRIL 2017		
Voucher No	Account	Amount
5150 – 5154	Municipal (Cheques)	7,508.57
EFT25649 – EFT25800	Electronic Transfer Funds	\$616,724.33
Payroll	Electronic Transfer Funds	\$253,203.26
Superannuation	Electronic Transfer Funds	\$40,358.59
Credit Card	Corporate Credit Card	\$3,270.80
	<b>Total Payments</b>	<b>\$921,065.55</b>

**(CARRIED UNANIMOUSLY)**

### 12.2.3 Notice of Intention to Impose Differential Rates 2018/19, Elected Member Fees and Allowances and 2018/19 Schedule of Fees and Charges

<b>File ref</b>	F/ABT1
<b>Prepared by</b>	Peter Kocian, Acting Executive Manager Corporate Services
<b>Supervised by</b>	Gary Tuffin, CEO
<b>Meeting Date</b>	15 May 2018
<b>Voting requirements</b>	Absolute Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Statement of Rating Objects and Reasons</li><li>2. 2018/19 Rates Model</li><li>3. 2018-19 Schedule of Fees and Charges</li></ol>

#### Purpose

This report recommends endorsement by Council for advertising of the proposed differential rates and minimum payments, for which public submissions are sought over a period of not less than 21 days, prior to Council adopting the differential rates.

Council is also requested to consider Elected Member Fees and Allowances for 2018/19 and the Schedule of Fees and Charges.

#### Executive Summary

Under Section 6.36 of the *Local Government Act 1995*, before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c), a local government is required to give local public notice of its intention to do so including an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days of the notice.

It is recommended that Council resolves to endorse the following differential rates and minimum payments with a general yield increase of 2.5% across all rating categories and calls for public submissions under Section 6.36 of the *Local Government Act 1995*.

Rate Category	Proposed Rate in \$	Proposed Minimum Payment
Residential	6.831 cents	\$1,080
Commercial	10.3738 cents	\$1,615

#### Background

This year's budget preparation has occurred on a dual budget emphasis of planning for an extended future whilst giving consideration to the current economic climate. The executive group have sought to implement prioritised operating objectives and forward capital works programs based upon asset condition assessments using reasonable funding estimations. As a result the draft budget is based upon a general yield increase from rates of 2.5% across all rating categories. This compares to a 4.15% increase in 2016/17 and 2.0% in 2017/18.

Differential rates proposed to achieve a rate yield of 2.5% are shown in the following table, with the full model appended as Attachment 2:

**2.5% Increase in Rate Yield and Minimum Payment**

Total Props	GRV Value - Non-Minimum	GRV Value - Minimum	Total Value	Min Amt	GRV %	Non Minimum Rates	Props on Min	Min Rates	Actual Rates to Raise
3267	90,581,990	3,563,980	94,145,970	1,080	6.8310	6,187,656	265	286,200	6,473,856
126	10,902,838	135,755	11,038,593	1,615	10.3738	1,131,039	10	16,150	1,147,189
5	1,530,350	0	1,530,350	1,615	10.3738	158,755	0	0	158,755
						7,477,450		302,350	7,779,800

When examining the draft budget and considering adding projects not currently provided for or amending existing projects, elected members should be mindful of the following considerations that affect rates:

- a 1% movement in rates generally is approximately \$77,000;
- a 1% movement in Residential rates is approximately \$64,000;
- a 1% movement in Commercial rates is approximately \$13,000.

### Consultation

Council workshops were conducted on the 26 April and 2 May 2018.

### Statutory Environment

Section 6.33 and 6.36 of the *Local Government Act 1995* reads:

#### 6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
  - (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*;
  - (b) a purpose for which the land is held or used as determined by the local government;
  - (c) whether or not the land is vacant land; or
  - (d) any other characteristic or combination of characteristics prescribed.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

6.36. *Local government to give notice of certain rates*

- (1) *Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.*
- (2) *A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).*
- (3) *A notice referred to in subsection (1) —*
  - (a) *may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;*
  - (b) *is to contain —*
    - (i) *details of each rate or minimum payment the local government intends to impose;*
    - (ii) *an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and*
    - (iii) *any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and*
  - (c) *is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.*
- (4) *The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.*
- (5) *Where a local government —*
  - (a) *in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or*
  - (b) *proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),**it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.*

Section 6.17 of the *Local Government Act 1995* refers to setting the level of Fees and Charges and states in part:

*In determining the amount of a fee and charge for a service or for goods a local government is required to take into consideration the following factors-*

- (a) *the cost to the local government of providing the service or goods;*
- (b) *the importance of the service or goods to the community; and*
- (c) *the price at which the service or goods could be provided by an alternative provider*

Section 6.16 – 6.19 of the *Local Government Act 1995* is relevant to the setting of fees and charges.

Section 7B(2) of the *Salaries and Allowances Act 1995* requires the Salaries and Allowances Tribunal each year to determine the setting of fees, allowances and reimbursement of expenses to be paid under the *Local Government Act* to Elected Members.

Sections 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995* provide the fees and allowances applicable to Elected Members, Mayor or President and Deputy Mayor or President.

The *Local Government (Administration) Regulations 1996* prescribe further details on limits and extent of fees, allowances and expenses for reimbursement:

- Regulation 30 Meeting Attendance Fees
- Regulation 31 Expenses to be reimbursed
- Regulation 32 Expenses that may be approved for reimbursement
- Regulation 33 Annual local government allowance for mayors or presidents
- Regulation 33A Annual local government allowance for deputies
- Regulation 34 Annual attendance fees

Section 5.63 (1) of the *Local Government Act 1995* specifically excludes the need to declare a financial interest where matters; have an interest in common to a significant number of ratepayers/electors; relate to the imposition of any rate, charge or fee; relate to a fee, reimbursement of an expense or an allowance payable to elected members.

#### **Policy Implications**

Nil.

#### **Financial Implications**

As outlined, the proposed differential rates increase of 2.5% will yield an amount of \$7.78m million, which is estimated to meet the requirements of the current draft budget shortfall.

#### **Strategic Implications**

This draft budget follows the general principles as set down in the 2017 updated Strategic Plan.

#### **Site Inspection**

Site inspection undertaken: Not applicable

#### **Comment**

##### Rates:

Rate Revenue is a substantial source of discretionary revenue for the Town, accounting for approximately 75% of total operating revenue. As such, the overall objective of the Town's rating strategy is to provide for the net funding requirements of the Town's services, activities, financing costs and the current and future capital requirements of the Town as outlined in the Strategic Community Plan, Corporate Business Plan and Long-Term Financial Plan.

Section 6.32 (1) of the *Local Government Act 1995* states that when adopting the annual budget a Local Government, in order to make up the budget deficiency, is to impose a general rate and minimum payment on rateable land. In adopting its annual budget, the Council must also consider its Strategic Community Plan and Corporate Business Plan under section 5.56 of the Act.

The basis for the proposed 2.5% increase in rate yield is mainly attributed to the following cost-drivers:

- The Local Government Cost Index is forecast to increase by 1.8% in 2018/19 with a WA Wage Price Index of 1.75% and further increases in electricity and street light tariffs;
- The cost of waste disposal is forecast to increase by \$87,000 due to the disposal costs for recyclables increasing from \$15/t to \$65/t. This equates to a funding requirement of more

than 1% of rate revenue given that the cost of waste services is contained within the general rate.

The Town is also forecasting a reduction in revenue from fees and charges due to the softening of building construction, equating to an estimated \$70,000 or a further 1% increase in rates to offset the reduction. In addition, grant fund payments under the State Road Funds to Local Government Agreement will further reduce in 2018/19, and Royalties for Regions will be re-directed to State Government services. A reduction in external revenue sources exacerbates the funding reliance on rates to meet the cost of service delivery to the community.

The Town is committed to cost restraint and identifying operational efficiencies where possible, whilst still maintaining the current level of service. Main service areas include:

- Community Amenities – 21% of operating expenditure
- Recreation and Culture – 30% of operating expenditure
- Transport – 23% of operating expenditure

The above service areas include waste services (\$1.6m operating), public open space and active recreation facilities (\$2.6m operating) and transport infrastructure maintenance such as roads and footpaths (\$2m operating). These amounts do include depreciation expense representing a significant asset management challenge.

#### Minimum Payment

Minimum payments have been increased in line with differential rate increases to a level of \$1,080 for Residential (LY \$1,055), and Commercial \$1,615 (LY \$1,575). Minimum payments affect 8% of Residential properties and 8% of Commercial properties. The level of minimum payment is considered appropriate as recognition of the minimum benefit received from works and services provided which includes an estimated waste collection and disposal benefit of approximately \$500 per residential property.

#### Domestic Waste Charges Included

It is noted that general rates for 3,267 domestic premises are inclusive of the refuse & recycling collection charges and ratepayers are also provided with a tip pass valued at \$55.00. For Commercial properties the waste and recycling service charge is added separately where collection services are provided.

With the provision of weekly rubbish and recycling services, we are estimating collection of 1,106 tonnes of recycling (yellow top bin), 2,414 tonnes of general waste (green top bin) and 200 tonnes of bulk green waste from three kerbside pickups.

#### Fees and Charges:

Council is requested to adopt the 2018/19 Schedule of Fees and Charges, and advertise the Schedule prior to the implementation date of 1 July 2018.

The Schedule of Fees and Charges has been reviewed by the Administration and was discussed at a Council Workshop on 25 April 2018. The Local Government Cost Index forecast for 2018/19 is 1.8%, and as a base-line this index has been applied to all non-statutory fees.

The Town has considered the following guiding principles when setting the level of fees and charges:

- Private Benefit – the service benefits particular users without any broader benefits to the community. Full cost recovery is expected.
- Public Benefit – the service provides broad community benefit. Nil to partial cost recovery.
- Shared Benefit – the service provides both community benefits and a private benefit. Partial cost recovery is expected.

The application of these principles to specific service areas is summarised as follows:

SERVICE	PRINCIPLE	COST RECOVERY
Administration	Private	100%
Ranger	Private	100%
Health Services	Private	100%
Planning Services	Private	100%
Waste	Private	100%
Community Halls	Private	Partial
Sports Ovals and Facilities	Private	Partial
Community Bus	Private	100%
Engineering Services	Private	100%
Building Services	Private	100%

#### Elected Member Fees and Allowances:

The Salaries and Allowances Tribunal is required each year to determine:

- The amount of fees, or the minimum and maximum amounts of fees, to be paid under the *Local Government Act 1995* to elected members for attendance at meetings;
- The amount of expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the *Local Government Act 1995* to elected members;
- The amount of allowances or the minimum and maximum amounts of allowances, to be paid under the *Local Government Act 1995* to elected members.

Elected Members are entitled to the following fees and allowances:

1. Meeting Attendance Fees – either an annual allowance or per meeting fee for attendance at Council and Committee Meetings;
2. Annual Allowance for Mayor – paid in addition to meeting attendance fees and recognises a range of factors including; the leadership role of the Mayor, the statutory functions for which the Mayor is accountable, the ceremonial and civic duties required of the Mayor and the relative ‘size’ of the local government;
3. Annual Allowance for Deputy Mayor – 25% of the mayoral allowance;
4. Information Communication Technology – either an annual allowance (maximum \$3,500) or reimbursement of rental charges for one telephone and one facsimile machine.

Council is required to set a fee within the prescribed range set by the Tribunal. The most recent determination of the Tribunal was made on the 10 April 2018 and comes into operation on 1 July 2018. The Tribunal determined that there was to be no increase in the prescribed ranges listed below (Town of East Fremantle is a Band 3 Local Government):

Meeting Attendance Fees:

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$24,360	\$31,364	\$24,360	\$47,046
2	\$14,718	\$23,000	\$14,718	\$30,841
3	\$7,612	\$16,205	\$7,612	\$25,091
4	\$3,553	\$9,410	\$3,553	\$19,341

Annual Allowance for Mayor:

For a mayor or president		
Band	Minimum	Maximum
1	\$50,750	\$88,864
2	\$15,225	\$62,727
3	\$1,015	\$36,591
4	\$508	\$19,864

Fees and Allowances for the 2017/18 financial year:

Description	17/18 Budget	% Prescribed Maximum
Annual Meeting Attendance Fee – Mayor	\$25,000	99%
Annual Meeting Attendance Fee – Elected Members	\$15,500	96%
Annual Allowance – Mayor	\$15,600	43%
Annual Allowance – Deputy Mayor	\$3,900	43%
Annual Information Communication and Technology Allowance	\$3,000	86%



**12.2.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 060518**

Moved Cr Nardi, seconded Cr White

That Council:

1. endorse the Statement of Rating Objects and Reasons as per Attachment 1.
2. endorse a 2.5% increase in the total rate yield for 2018/19 budget purposes, which will derive \$7,779,800 in rate revenue.
3. endorse the following differential rates with a general yield increase of 2.5% across all rating categories and calls for public submissions pursuant to section 6.36 of the *Local Government Act 1995*:

Rate Category	Proposed Rate in \$	Proposed Minimum Payment
Residential	6.831 cents	\$1,080
Commercial	10.3738 cents	\$1,615

4. pursuant to section 6.16 of the Local Government Act 1995, adopts the 2018/19 Schedule of Fees and Charges as per Attachment 3.
5. requests the Chief Executive Officer give local public notice of the Schedule of Fees and Charges, pursuant to section 6.19 of the Local Government Act 1995, with an implementation date of 1 July 2018.
6. pursuant to sections 5.98, 5.99, 5.99A of the *Local Government Act 1995* and regulations 33, 33A 34, 34A and 34AA of the *Local Government (Administration) Regulations 1996* adopts the following annual amounts for elected member fees and allowances for the 2018/19 financial year:

Annual Meeting Attendance Fee – Mayor	\$25,000
Annual Meeting Attendance Fee – Elected Members	\$15,500
Annual Allowance - Mayor	\$25,000
Annual Allowance – Deputy Mayor	\$6,250
Annual Information Communication and Technology Allowance	\$3,000

(CARRIED BY AN ABSOLUTE MAJORITY 9:0)

#### 12.2.4 Community Assistance Grants and Sponsorship Program – 2018-2019 Request Approvals

<b>File ref</b>	A/CFG1
<b>Prepared by</b>	Karen Dore, Economic and Community Development Officer
<b>Supervised by</b>	Peter Kocian, Acting Executive Manager Corporate Services
<b>Meeting Date</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Community Grants Advisory Group Minutes dated 16/04/18

#### Purpose

Council is requested to consider endorsing the recommendation from the Community Grants Advisory Group meeting, held on the 16 April 2018, to approve the eight (8) proposed Community Assistance Grants 2018-2019 requests.

#### Executive Summary

The Community Grants Advisory Group met on 16 April 2018 to assess eight (8) submissions received under the Community Assistance Grants (CAG) Program, 2018-2019.

Group	Purpose	Amount requested
Dads of Richmond Kids	Event Sponsorship – The Richmond Cup (annual event)	500.00
East Fremantle Croquet Club	Infrastructure Improvement – Air Conditioning System (new)	1,000.00
East Fremantle Lawn Tennis Club	Infrastructure Improvement – Court Fencing (new)	1,940.00
East Freo Farm	Event Sponsorship – Sustainability Workshops (new event)	1,920.00
Fremantle City Football Club	Equipment – Junior Size, Folding Goals (new)	4,620.00
Hurricane Dragon Boat & Outrigger Canoe Club	Equipment – Junior Paddles (new)	999.28
Lions' of East Fremantle	Equipment – Gazebo / BBQ (replacement)	861.00
Richmond Primary School P&C	Event Sponsorship – Let's Ride (new event)	1,800.00
<b>TOTAL</b>		<b>\$13,640.28</b>

The Advisory Group members, being Mayor Jim O'Neill, Cr Andrew McPhail, community members Suzi Nelson and John Chisholm and Chief Executive Officer Gary Tuffin discussed all eight (8) submissions and recommended that the following five (5) requests be funded as requested.

Group	Amount requested
Dads of Richmond Kids	500.00
East Fremantle Croquet Club	1,000.00
East Fremantle Lawn Tennis Club	1,940.00
Hurricane Dragon Boat & Outrigger Canoe Club	999.28
Lions' of East Fremantle	861.00
<b>SUB-TOTAL</b>	<b>\$5,300.28</b>

The remaining three (3) applicants were required to amend and resubmit their applications, and upon resubmission are recommended to be funded as follows.

Group	Amount requested
East Freo Farm	1,200.00
Fremantle City Football Club	1,540.00
Richmond Primary School P&C (Community Movie Night)	1,200.00
<b>SUB-TOTAL</b>	<b>\$3,940.00</b>
<b>TOTAL OF ALL RECOMMENDED APPLICATIONS</b>	<b>\$9,240.28</b>

### Background

The Community Grants and Sponsorship Policy and the Community Assistance Grants Program were adopted by Council in June 2016 to provide an orderly and consistent way of dealing with small funding requests on an annual basis. The program was introduced for the first time in 2016-2017 financial year and the following allocations have been made to date:

- 2016-2017 \$9,305.00
- 2017-2018 \$9,699.00

For 2018-2019 eight (8) submissions, totalling \$13,640.28 were received.

### Consultation

On 20 February 2018 twenty nine (29) local community and sporting groups were emailed information, including guidelines and an application form, regarding the opportunity to apply for funds. An invitation to attend an information session / grant writing workshop on Wednesday 14 March 2018 was included.

A further two (2) emails were sent during March and April. The information was also circulated, on multiple occasions, through the Town's E-Newsletter, website and Facebook page.

### Statutory Environment

Not applicable.

### Policy Implications

*1.2.2 Community Grants and Sponsorship*

### Financial Implications

Should Council endorse the recommendation of the Community Assistance Grants Advisory Group, an allocation of \$20,000.00 would be required in the 2018-2019 budget.

### Strategic Implications

Community Strategic Plan 2017-2027:

#### **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.

**Comment**

All members of the Community Assistance Grants Advisory Committee were fully agreeable to the following recommendation.

**12.2.4 OFFICER/COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION 070518**

**Moved Cr Nardi, seconded Cr A McPhail**

**That Council:**

- 1. fund the following grant applications;**
  - \$ 500.00 Dads of Richmond Kids
  - \$ 1,000.00 East Fremantle Croquet Club
  - \$ 1,940.00 East Fremantle Lawn Tennis Club
  - \$ 1,200.00 East Freo Farm
  - \$ 1,540.00 Fremantle City Football Club
  - \$ 999.28 Hurricane Dragon Boat and Outrigger Canoe Club
  - \$ 861.00 Lions' of East Fremantle
  - \$ 1,200.00 Richmond Primary School P&C
- 2. allocate \$20,000.00 in the 2018-2019 budget, to cover the successful submissions including an allocation of \$10,759.72 for a second round of Community Assistance Grants during 2018-2019;**
- 3. advise all applicants of the outcomes.**

**(CARRIED UNANIMOUSLY)**

### 12.2.5 Library Services

<b>File ref</b>	H/HRW3
<b>Prepared by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

#### **Purpose**

Council is requested to consider the ongoing financial support to the City of Fremantle for shared public library arrangements and what contribution will be provided for the 2018/19 financial year.

#### **Executive Summary**

The Town does not have a public library service, nor does it contribute financially to any other local government libraries. However, historically the Town has made an annual financial contribution to the City of Fremantle for library services. It is understood that this payment was made to assist the City with the operational costs of providing a public library.

The City of Fremantle has recently requested that the Town consider continuing its “voluntary contribution” for 2018/19 for the provision of library services at its current level of \$200,000.

The Town is not compelled to make any payment to allow its residents to use the Fremantle library or any public library. Whilst there may well have been very good justification in the past for making such a payment it is no longer considered appropriate or equitable.

#### **Background**

It is understood that the Town has never provided library services in its own right, and therefore an arrangement (agreement) was entered into with the City of Fremantle to assist them with the operation of their library services.

To formalise the arrangement an agreement was entered into by both parties. The current agreement between the City and Town expired a number of years ago with the understanding that a new agreement would be put in place for continued service provision. Services provided include the provision of access to a library, toy library and history services to the Town of East Fremantle by the City of Fremantle.

The Fremantle library provides early childhood literacy services to the East Fremantle community through the East Fremantle Child Health New Parent Groups in which we provide advice about library services, early literacy programs and distribute Better Beginnings early literacy materials to children and families. The City also provides access to the “*Its All About Rhyme*” program to this group.

The City currently stores and provides access to the Town’s local history resources including books, oral histories, images and council minutes dating to 1903. It has been recently advised that this service will be restricted for the next few years whilst the City’s new Administration building (including library space) is constructed.

The current contribution paid by the Town for Library services is not considered normal practice, as it is very common for East Fremantle residents to use other libraries of neighbouring local governments without the requirement for a contribution by the Town.

### **Consultation**

City of Fremantle  
City of Melville  
All Councillors - Budget Workshop (2/05/18)

### **Statutory Environment**

*Local Government Act 1995 2.7. Role of council*

- (1) *The council —*
- (a) *governs the local government's affairs; and*
  - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
- (a) *oversee the allocation of the local government's finances and resources;*
- and*
- (b) *determine the local government's policies.*

### **Policy Implications**

There are no policy implications in considering this item.

### **Financial Implications**

The Town's financial contribution to the City of Fremantle over the last three (3) financial years for use of public library services:

Year	Contribution
2015/16	\$239,000
2016/17	\$240,000
2017/18	\$200,000

Note in the current financial year (2017/18), the Town reduced its annual contribution by \$40,000 to \$200,000.

Furthermore, please note this payment is a "*voluntary contribution*" that the Town is not required to pay.

### Historical services

It is likely that if the annual contribution is to cease in 2019/20, the Town will need to either relocate its historical records to another facility, or request a fee for service from the City of Fremantle for their retention. It is recommended in the first instance that the City be requested to provide a fee for service for the ongoing retention and access to the Town's historical records.

### **Strategic Implications**

Town of East Fremantle Strategic Community Plan 2017-2027:

#### **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**

###### **1.1.3 Facilitate or partner to ensure a range of quality services are provided at a local level**

- 1.1.4 *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*

**Site Inspection**

Not applicable

**Comment**

Membership

According to Fremantle Library Annual Reports, library membership by East Fremantle residents over recent years is as follows:

As at 30 June	Membership
2013	1932
2014	1199
2015	1415
2016	1428
2017	1414

Following a request for the number of “active” East Fremantle library members the following information has been obtained from the Cities of Fremantle and Melville:

**(CITY OF FREMANTLE LIBRARY)**

**Current Active Users** - *Active members are considered to be those who borrow a physical item at least once a quarter.*

**724** residents from East Fremantle (As at end of 2016/17 financial year)

**Toy Library** - 63 from East Fremantle (As at end of 2016/17 financial year)

**(CITY OF MELVILLE LIBRARIES x 5)**

**Current Active Users** - *Active members over 2 years*

**1,125** residents from East Fremantle (As at 1 April-30 June 2017 quarter)

Broken up as follows:

- |                           |              |
|---------------------------|--------------|
| 1. AH Bracks Library      | 1000         |
| 2. Bullcreek Library      | 11           |
| 3. Canning Bridge Library | 15           |
| 4. Civic Square Library   | 70           |
| 5. Willagee Library       | 29           |
|                           | <b>1,125</b> |

Whilst the Town is keen to continue to work in partnership with the City of Fremantle, it is felt that this contribution is no longer appropriate, and perhaps these funds (or portion) could be better used for the development of other shared services with the City.

In light of the time of year (2018/19 Budget process), it is believed it would not be fair or reasonable to fully withdraw from the services without providing adequate notice (12 months). Therefore, it is recommended that the Town reduce the payment by a further \$50,000 (2018/19), and provide written notice of our intention to withdraw the contribution in total for 2019/20. Therefore, total proposed contribution for 2018/19 would be \$150,000, and \$ nil for 2019/20.

The suggested action to withdraw the payment has not arisen from any dissatisfaction with the services or the City, but rather due to the Town's Budget constraints, and because the payment is no longer considered appropriate or equitable given we do not provide a financial (cash) contribution to any other local government library service.

#### 12.2.5 OFFICER RECOMMENDATION

**That Council:**

1. reduce the contribution by \$50,000, reducing the total payment in 2018/19 to \$150,000
2. make no further payments after 2018/19 financial year.
3. seek a fee for service proposal for the continuation of the Historical services for 2019/20.
4. advise the City of Fremantle of (1) (2) and (3) in writing

*Moved Cr M McPhail, seconded Cr Harrington  
The adoption of the Officer's recommendation.*

#### Amendment

*Moved Cr Watkins, seconded Cr Collinson*

*That part 2 of the proposed recommendation be amended to read as follows:*

2. reconsider making further payments after 2018/2019 financial year.

(LOST 6:3)

The substantive motion was put.

#### 12.2.5 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080518

**Moved Cr M McPhail, seconded Cr Harrington**

**That Council:**

1. reduce the contribution by \$50,000, reducing the total payment in 2018/19 to \$150,000
2. make no further payments after 2018/19 financial year.
3. seek a fee for service proposal for the continuation of the Historical services for 2019/20.
4. advise the City of Fremantle of (1) (2) and (3) in writing.

(CARRIED 8:1)



## 12.3 GOVERNANCE REPORTS

### 12.3.1 Public Art On Loan

<b>File ref</b>	A/ART1
<b>Prepared by</b>	Karen Dore Economic & Community Development Officer
<b>Supervised by</b>	Peter Kocian, Interim Executive Manager Corporate Services
<b>Meeting Date:</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Artwork Loan Agreement, Tony Jones</li><li>2. Safety Review Report, Donald Veal Consultants</li><li>3. Starboard and Port (visual)</li><li>4. LGIS Insurance Quote</li></ol>

#### **Purpose**

Council is requested to consider endorsing the *Public Art On Loan* project and authorise the co-signing of the Artwork Loan Agreement.

#### **Executive Summary**

Following the Town being offered the loan of several pieces of artwork extensive research was undertaken, with reference to community safety and Town liability, to ensure that this *Public Art On Loan* project could be facilitated for the benefit of the community in a responsible manner.

Upon advice from LGIS the Town prepared an Artwork Loan Agreement, which clarifies the responsibilities of each party, including (but not limited to) insurance, installation and deinstallation (including transportation).

#### **Background**

In mid-2017 renowned local artist, Tony Jones, offered to loan the Town of East Fremantle some pieces of artwork to be publicly displayed.

*Tony is a sculptor who works across a wide range of mediums. His artistic vision encompasses cultural and political issues, local history, maritime and aeronautical imagery along with imagined themes.*

*His work is featured in many collections, both private and public as well as commissioned pieces, across WA. Recent projects include – but are not limited to – the Perth Children's Hospital, Bicton Baths, Perry Lakes, Mundaring Weir, Fiona Stanley Hospital and Sculptures by the Sea.*

*Source: [www.tonyjonesartprojects.com](http://www.tonyjonesartprojects.com)*

It is proposed that the two maritime themed pieces, "Port" and "Starboard" (see Attachment 3), be installed in the centre of two Preston Point Road roundabouts which overlook the river – namely those at the Petra Street and Wauhup Road intersections. Separate to the proposed public art project, both roundabouts will be re-landscaped with lower growing native shrubs/groundcover to ensure that visibility is not impeded for vehicles approaching the intersections.

#### **Consultation**

Chief Executive Officer, Gary Tuffin  
Operations Manager, Steve Gallagher

Elected Members

Tony Jones

Donald Veal Consultants

LGIS

Potentially affected residents (refer following)

On 29 March 2019 letters (180) were mailed to residents within the vicinity of the project location. Five (5) submissions were received, summary as follows;

1. Ref: OEM28332 – *supportive of the project, choice of artwork and location.*
2. Ref: IEM65422 – *supportive of the removal of shrubs from the roundabouts, however, not supportive of the location, feels that the placement of the artwork will be a distraction, suggests that they should be placed in a park.*
3. Ref: IEM65433 – *no objection to the project, artwork or location. Suggests ensuring that the new greenery is very low growing.*
4. Ref: IEM64539 – *supportive of the project, choice of artwork and location.*
5. Ref: IEM65521 – *not supportive of the location or art choice. Feels that as the art works represent important navigational symbols it would be confusing to have them placed on a road.*

Each submitter has had their input acknowledged, has been advised of this report and will be advised of the outcome of said report.

### **Statutory Environment**

Nil.

### **Policy Implications**

#### **4.2.6 Public Art Policy**

This proposal meets the principles of the *Public Art Policy* as follows:

- 2.1 Placemaking – *these instalments will enhance the public spaces*
  - 2.2 Site Specific – *with their nautical theme these pieces are responsive to the area*
  - 2.3 Universal Access – *these pieces are universally engaging*
  - 2.4 Local and Unique – *these pieces have been created and loaned by a local artist, and are unique*
  - 2.5 Best Practice – *the pieces will be installed on their bespoke bases under the direction of the artist*
  - 2.6 Collection Management – *these pieces are on loan and will be covered by an MOU*
  - 2.7 Criteria: *each piece will be;*
    - publicly visible
    - an original
    - of high quality
    - durable, sustainable and easy to maintain
    - attractive and stimulating
    - reflecting the nautical nature of the local area
    - monitored for vandalism
- And will not;*
- detract from amenity or safety, as they are in roadways it may not be appropriate for them to be lit at night

### Financial Implications

Should Council endorse the **Public Art On Loan** project an additional insurance premium of \$13.65 would be payable in the 2017-2018 financial year. For future budget considerations an annual amount of ≈\$60.00 would be expected.

The Town of East Fremantle would also be liable for the cost of transporting the pieces, which has been estimated at a cash cost of \$300.00 (equipment hire) along with three (3) hours labour for two (2) Council employees.

### Strategic Implications

Town of East Fremantle Strategic Community Plan 2017-2027

#### **Strategic Priority 1: Social. "A socially connected inclusive and safe community"**

- 1.1.1 Strengthen the sense of place and belonging through inclusive community interaction and participation
- 1.3.3 Enrich identity, culture and heritage through programs, events and celebrations

#### **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**

- 4.1.2 Plan for improved streetscapes, parks and reserves

### Site Inspection

Further to an initial site inspection undertaken by the Town's Operations Manager, Donald Veal Consultants were engaged to prepare a Safety Review Report (refer to Attachment 2).

Two potential issues were identified, visibility and roadside hazard. The report states:

*Visibility: As the artworks are to be mounted in the central islands of the two roundabouts, and are of a slim design that will not extend beyond the inner kerbing, there is no likelihood of critical sight lines being compromised for any road users.*

*Roadside Hazard: Whilst non-frangible hazards should not be located within any clear zone along any road, unless protected by a suitable crash barrier system, the artworks to be installed are considered frangible, and will also be secured by suitable shear bolts, therefore they should not pose a significant roadside hazard.*

### Comment

Mr Jones' offer presents an exciting, and extremely cost effective, opportunity to enhance two (2) highly visible, well-trafficked locations within the Town.

#### **12.3.1 OFFICER RECOMMENDATION**

That Council:

1. endorse the **Public Art On Loan** project; and
2. authorise the co-signing of the **Artwork Loan Agreement**

*Moved Cr M McPhail, seconded Cr Natale  
The adoption of the Officer's recommendation.*

#### Procedural Motion

*Moved Cr Collinson, seconded Cr Harrington  
That the matter be deferred to the Public Art Panel for consideration.*

LOST 7:2

---

The substantive motion was put.

**12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090518**

**Moved Cr M McPhail, seconded Cr Natale**

**That Council:**

- 1. endorse the *Public Art On Loan* project; and**
- 2. authorise the co-signing of the Artwork Loan Agreement.**

(CARRIED 7:2)

### 12.3.2 Annual Leave - Chief Executive Officer

<b>File ref</b>	A/ST1
<b>Prepared by</b>	Gary Tuffin, Chief Executive Officer
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil.

#### **Purpose**

To inform Council of the Chief Executive Officer's approved annual leave.

#### **Executive Summary**

The Mayor has approved the Chief Executive Officer's request for annual leave for the period 6<sup>th</sup> July to 13<sup>th</sup> July 2018.

Mr Andrew Malone (Executive Manager Regulatory Services) has been appointed as the Acting Chief Executive Officer for these dates.

#### **Background**

An annual leave request form was submitted, and approved by the Mayor in accordance with policy 4.1.1.

#### **Consultation**

Mayor O'Neill

#### **Statutory Environment**

Not applicable.

#### **Policy Implications**

"Policy 4.1.1 - CEO Approval" in part states;

*The Chief Executive Officer shall liaise with, and obtain the approval of the Mayor prior to the taking of any form of leave accrued in accordance with the Chief Executive Officer's contract of employment.*

*Councillors will be advised when leave has been approved and the arrangements for an Acting Chief Executive Officer.*

#### **Delegation DA1 – Acting Chief Executive Officer**

*On making any appointment under this delegation the Chief Executive Officer shall inform the Council of the details of the appointment.*

#### **Financial Implications**

The Acting Chief Executive Officer will be paid higher duties for the period.

#### **Site Inspection**

Not applicable

---

**Comment**

The Mayor has approved the Chief Executive Officer's request for annual leave for the period 6<sup>th</sup> July to 13<sup>th</sup> July 2018.

The Executive Manager Regulatory Services (Mr Andrew Malone) has been appointed as the Acting Chief Executive Officer for this period pursuant to delegation DA1.

**12.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 100518**

**Moved Cr A McPhail, seconded Cr Harrington**

**That Council notes:**

- 1. the Chief Executive Officer's annual leave approval for the period 6<sup>th</sup> July to 13<sup>th</sup> July 2018.**
- 2. the appointment of Mr Andrew Malone (Executive Manager Regulatory Services) as the Acting Chief Executive Officer for the above period.**

**(CARRIED UNANIMOUSLY)**

### 12.3.3 Town of East Fremantle Reconciliation Action Plan

<b>File ref</b>	A/ABA1
<b>Prepared by</b>	Wendy Cooke, Project Coordinator
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date</b>	15 May 2018
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

#### **Purpose**

The purpose of this report is for Council to consider the establishment of a Reconciliation Action Working Group (RAWG) to assist the development of the RAP to guide the Town in its journey towards Reconciliation.

#### **Executive Summary**

The Town of East Fremantle has allocated funds (\$25,000) in the current Budget (2017/18) to facilitate the initial development of a Reconciliation Action Plan (RAP).

Brief investigations has revealed that the following metropolitan local governments have developed a RAP;

- City of Stirling
- City of Vincent (Reflect)
- City of Melville (Reflect),
- City of Belmont
- City of Rockingham

It is intended to establish a RAWG and liaise closely with Reconciliation Australia, who can guide and support the Town and the working group through the process to the development of a Reflect RAP.

#### **Background**

Our nation is home to the oldest continuous living culture in the world which is something we as Australians can all take pride in. The Town recognises the importance of furthering meaningful engagement, mutual respect, creating trust and utilising culturally appropriate practices and protocols to truly understand the needs of local communities. Through a RAP process the Town can continue to build trust and create opportunities to develop positive outcomes.

#### **What is a RAP** (source [www.reconciliation.org.au](http://www.reconciliation.org.au) )

The Reconciliation Action Plan (RAP) program provides a framework for organisations to support the national reconciliation movement. According to information on Reconciliation Australia's website, no matter where an organisation is on its reconciliation journey, there is a RAP to suit.

A RAP is a strategic document that includes practical actions that will drive an organisation's contribution to reconciliation both internally and in the communities in which it operates.

The RAP Program contributes to advancing the five dimensions of reconciliation – *Race Relations; Equality and Equity; Unity; Institutional integrity; Historical Acceptance* - by supporting organisations to develop respectful relationships and create meaningful opportunities with Aboriginal and Torres Strait Islander peoples.

There are four RAP types (Reflect, Innovate, Stretch, Elevate) that set out the minimum elements required to build strong relationships, respect and opportunities within an organisation and community.

### **Reconciliation Australia**

Reconciliation Australia (RA) provides support and assistance to organisations who are committed to making their own unique contribution to reconciliation in Australia by building relationships, showing respect and generating opportunities for all Australians.

A “*Reconciliation Action Plan*” or “*RAP*” is a valued trademark of Reconciliation Australia. RA are proud to share the RAP logo with organisations that work with them through their feedback and quality assurance process to develop a RAP that meets the minimum elements for all RAPs.

### Four Types of RAP

There are four different types of RAPs that can be developed, which are set out below:

**Reflect RAP** – Laying the Foundations for building respectful relationships (12 month RAP). A Reflect RAP clearly sets out the steps that should take place to build relationships with Aboriginal and Torres Strait Islander stakeholders, and implement a RAP for your organisation. Committing to a Reflect RAP would allow the Town to spend time developing relationships, deciding on a vision for reconciliation and exploring our sphere of influence, before committing to specific actions or initiatives. This process will help to produce future RAPs that are meaningful, mutually beneficial and sustainable.

**Innovate RAP** - Trying new approaches (2 year RAP). The Innovate RAP is where an organisation will develop programs and initiatives to pilot or trial. Deciding on an organisation’s unique vision for reconciliation and developing a deeper understanding their sphere of influence plays a critical role in guiding focus and actions for this type of RAP and are key aspects of your organisation’s Innovate RAP.

**Stretch RAP** – Setting measurable targets (3 year RAP). Once an organisation has worked to pilot and test strategies and approaches, it may choose to develop a Stretch RAP. This type of RAP is focused on implementing longer-term strategies, and working towards defined targets and goals. The Stretch RAP expects organisations to embed initiatives into business strategies and become ‘business as usual’.

**Elevate RAP** – Focused attention towards reconciliation (3-4 year RAP). An Elevate RAP is for organisations that have a Stretch RAP in place and are considered leaders in reconciliation. Elevate RAPs require resources and a dedicated effort to incorporate Aboriginal and Torres Strait Islander engagement, employment and community and economic development into your organisation’s core business to contribute towards societal change. They also require greater transparency and accountability through external assessment of their activities.

RA has provided a high-level description of the RAP development process, which needs to occur to receive endorsement

***Working Group:** Ensure you have a working group to oversee the development and implementation of the RAP. This group should be representative of your organisation’s units, including executive level staff and Aboriginal or Torres Strait Islander representatives. Once the working group is formed, they should determine which type of RAP would best suit the organisation.*



**Drafting:** *At the drafting stage, the organisation is working off the template for the type of RAP they are aspiring towards. Once a draft has been developed that includes all the minimum requirements along with any extra goals/targets the draft is sent to Reconciliation Australia (RA) for formal review.*

**Review - [estimate - 3 months]**

*The review process is meant to ensure that the RAP is consistent with RA's framework, and that it meets the endorsement standards.*

*During this process the organisation works closely with their allocated RAP officer to develop a final product which meets Reconciliation Australia's requirements for endorsement.*

*For each round of feedback, we endeavour to return the draft within 2-3 weeks. There can be up to 4-5 rounds of feedback but usually less than this.*

**Endorsement - [estimate - 1-2 weeks]**

*Once the RAP meets all requirements the RAP program manager will do a final review and grant conditional endorsement.*

*There are 2 stages to the endorsement process:*

*Conditional Endorsement: At this stage the endorsement is of the content from the RAP draft, RA/ RAP logos are provided along with our most current brand guide.*

*Full Endorsement: Once an organisation has finalised their RAP, including any design work and the inclusion of RA's logos it should be sent to RA for a final go over. If the content remains unchanged from the conditional endorsement stage, and the logo is incorporated in accordance with RA's branding guidelines then the RAP is given full endorsement and is ready to be launched and implemented. (This process typically takes 1-2days)*

**Launch**

*After the launch, with the approval of the RAP partner the RAP is uploaded on the RA website  
Once the RAP is launched it is time to start making change!*

**Consultation**

A Discussion Paper was presented to the May Council Concept Forum outlining the process involved in the development of a RAP.

**Statutory Environment**

Whilst not a formal committee of council it is recommended that TOR be endorsed to guide the development of the RAP – see attached.

**Policy Implications**

Not applicable.

**Financial Implications**

\$25,000 has been allocated in the 2017/18 Budget. This project will be carried over into the 2018/19 Financial Year, subject to Council endorsement of this item.

**Strategic Implications**

Town of East Fremantle Strategic Community Plan 2017-2027:

**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**

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

**Site Inspection**

Not applicable

**Comment**

The Town's Project Coordinator has been in touch with a RA Western Australia representative who advised they would be available to guide and assist the Town with the development of a Reconciliation Action Plan (RAP).

It is felt at the current time a *Reflect Reconciliation Action Plan* would be an appropriate starting point for the Town on its journey to reconciliation, as via this instrument, the Town will be able to build the foundations for a respectful relationship with Aboriginal and Torres Strait Islander people.

Should Council wish to progress a "*Reflect Reconciliation Action Plan*" it is recommended in line with RA development processes, that a Reconciliation Action Working Group (RAWG) should be established, and it should consist of the following membership;

- Two elected members (Mayor or Deputy Mayor and elected member)
- CEO and/or Representative
- Four community members (including an aboriginal member)

A Draft 'Terms of Reference' for the RAWG have been developed outlining the objectives and role of the group (See attachment).

**12.3.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 110518**

Moved Cr M McPhail, seconded Cr Collinson

That Council:

1. in conjunction with Reconciliation Australia (RA) commence work towards establishing the Town's first "*Reflect Reconciliation Action Plan*".
2. establish a Reconciliation Action Working Group (RAWG) comprising of the following membership;
  - (i) four elected members (Mayor or Deputy Mayor and three other elected members) being Cr M McPhail, Cr Collinson, Cr Harrington & Cr Natale
  - (ii) CEO and/or Representative
  - (iii) four community members (including an aboriginal member)to assist with the development of the *Town of East Fremantle Reflect Reconciliation Action Plan*.
3. adopt the Reconciliation Action Working Group Terms of Reference;
4. authorise the CEO to call for nominations, and to appoint the four community members to the RAWG.

(CARRIED UNANIMOUSLY)

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

Nil.

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

**14.1 Cr M McPhail - Streetscape Manual**

That Council develop a Streetscape Procedure Manual to standardise the Town's management of the public realm within road reserves. In particular, the manual is to consider, amongst other things:

**1. Precincts & Streetscape Hierarchy**

- (i) Classify road reserves within the Town according to a streetscape hierarchy with sub-classifications according to precinct.
- (ii) Precinct classification should consider: streetscape pattern, streetscape history, land use history, character of existing built form, underlying geology & topology.
- (iii) Street Hierarchy should consider: traffic volumes, nature of pedestrian/recreational use, land use, road reserve width.

**2. Footpaths**

- (i) Determine appropriate construction materials for each footpath, considering the relevant precinct and street hierarchy.
- (ii) Determine standard for construction, including driveway crossovers, curbing.

**3. Street Trees**

- (i) Determine suite of appropriate street trees/vegetation for each precinct across the street hierarchy.
- (ii) Standard design solutions for how street trees integrate within footpaths/verges/median strip.
- (iii) Establish a set of principles that guide where street trees should/should not be placed to account for road safety, pre-existing verge structures, view scape, soil conditions, availability of alternative safe public parking.
- (iv) Confirm ideal planting times, maturation period and mature size.

**4. Road Material**

- (i) Determine appropriate road material by street hierarchy and precinct.
- (ii) Identify sections of road that require/have road treatments (e.g. chicanes, speed humps, raised intersections).

**5. Consultation**

Establish minimum consultation requirements for affected residents, including time required for prior notification, how proposed changes are visually communicated, and a process for giving feedback.

***Rationale:***

*The Town spends a significant portion of its budget on footpaths, roadworks, tree planting and other elements that impact upon the public realm. By standardising the materials we use when upgrading our streetscapes, Council provides clarity in an area that has historically been ad hoc. By standardising materials by precinct, Council can better emphasise the unique patchwork of communities and places that have established within the Town. Standardising materials used according to a street hierarchy mean the Town can signal the border between car-dominant streets and pedestrian friendly neighbourhood streets and recreational paths. Establishing a process for consultation and communication means the Town can better resolve design issues before construction occurs. This range of measures, and others identified by officers, will*

*improve the value of our current infrastructure spend and the consistency of what we deliver to our community.*

**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**

**PROCEDURAL MOTION**

Moved Cr White, seconded Cr Harrington

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 9:0)

**17.1 Revitalisation of the East Fremantle Oval Precinct – 01-2017/18 Tender Acceptance**

Elected members considered a Confidential Report.

**17.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 120518**

Moved Cr Collinson, seconded Cr White

That Council:

1. accept the Tender submitted by GHD for \$112,500 (Ex GST) to undertake the Revitalisation of East Fremantle Oval Precinct Project.
2. authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the contract with GHD for the Revitalisation of East Fremantle Oval Precinct Project.
3. advise all tenderers of (1) above.

(CARRIED UNANIMOUSLY)

Elected members expressed appreciation to the CEO and Projects Coordinator for their work in getting this project underway.

**PROCEDURAL MOTION**

Moved Cr M McPhail, seconded Cr Natale

That Council come from behind closed doors.

(CARRIED UNANIMOUSLY)



**18. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 7.36pm.

*I hereby certify that the Minutes of the meeting of the Council of the Town of East Fremantle, held on 15 May 2018, Minute Book reference 1. to 18. were confirmed at the meeting of the Council on*

*19 JUNE 2018*

*[Signature]*  
\_\_\_\_\_  
Presiding Member