



AGENDA

Council Meeting

Tuesday, 21 July 2020 at 6.30pm

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. 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 (e)) 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.

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Procedure for Deputations, Presentations and Public Question Time at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p>Deputations</p> <p>A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p>Presentations</p> <p>An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.</p>
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Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Mayor or an appropriate Councillor.

Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to three (3) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Mayor may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the *Town of East Fremantle Local Government (Council Meetings) Local Law 2016*:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to three (3) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by **5pm on the day before the meeting and be signed by the author**. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Council will be held at 6.30pm on Tuesday, 21 July 2020 in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.



GARY TUFFIN
Chief Executive Officer

AGENDA

- 1. OFFICIAL OPENING**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging."
- 3. RECORD OF ATTENDANCE**
 - 3.1 Attendance**
 - 3.2 Apologies**
 - 3.3 Approved**
- 4. DISCLOSURES OF INTEREST**
 - 4.1 Financial**
 - 4.2 Proximity**
 - 4.3 Impartiality**
- 5. PUBLIC QUESTION TIME**
 - 5.1 Responses to previous questions from members of the public taken on notice**
Nil.
 - 5.2 Public Question Time**
- 6. PRESENTATIONS/DEPUTATIONS**
 - 6.1 Presentations**
Nil.

6.2 Deputations

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (16 June 2020)

8.1 OFFICER RECOMMENDATION

That the minutes of the Ordinary meeting of Council held on Tuesday, 16 June 2020 be confirmed as a true and correct record of proceedings.

8.2 Special Meeting of Council (30 June 2020)

8.2 OFFICER RECOMMENDATION

That the minutes of the Special meeting of Council held on Tuesday, 30 June 2020 be confirmed as a true and correct record of proceedings.

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

11.1 Town Planning Committee Meeting (7 July 2020)

File ref	C/MTP1
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	21 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Town Planning Committee Minutes

Purpose

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

Executive Summary

The Committee, at its meeting on 7 July 2020, exercised its delegation in five statutory matters where at least four members voted in favour of the Reporting Officer's recommendations.

Consultation

Town Planning Committee.

Statutory Environment

Nil.

Policy 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.

11.1.1 COMMITTEE RECOMMENDATION

That the unconfirmed Minutes of the Town Planning Committee Meeting held on 7 July 2020 be received.

TOWN OF
EAST FREMANTLE



MINUTES

Town Planning Committee

Tuesday, 7 July 2020 at 6.33pm

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.

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MINUTES OF THE ORDINARY MEETING OF THE TOWN PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY 7 JULY 2020.

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

2. ACKNOWLEDGEMENT OF COUNTRY

“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past and present.”

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Cr Collinson *Presiding Member*

Mayor O’Neill

Cr Watkins

Cr Nardi

Cr Natale

The following staff were in attendance:

Mr Malone *Executive Manager Regulatory Services*

Ms Culkin *Minute Secretary*

There were 3 members of the public in attendance.

3.2 Apologies

Cr Harrington

3.3 Leave of Absence

Nil

4. MEMORANDUM OF OUTSTANDING BUSINESS

Nil

5. DISCLOSURES OF INTEREST

5.1 Financial

Nil

5.2 Proximity

Nil

5.3 Impartiality

- 5.3.1** Cr Collinson declared: “As a consequence of the applicant, 16 Marmion Street being known to me as previous work colleague, there may be a perception that my impartiality on the matter may be affected with regard to the determination of this application. I declare that I have considered this matter entirely on its merits and with complete impartiality and objectivity”.

6. PUBLIC QUESTION TIME

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

6.2 Public Question Time
Nil

7. PRESENTATIONS/DEPUTATIONS

7.1 Presentations
Nil

7.2 Deputations
Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Town Planning Committee (2 June 2020)

8.1 OFFICER RECOMMENDATION

Moved Cr Nardi, seconded Natale

That the minutes of the Town Planning Committee meeting held on Tuesday 2 June 2020 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

10. REPORTS OF COMMITTEES

Nil

PROCEDURAL MOTION

Moved Cr Natale, seconded Cr Nardi

That the order of business be changed to allow members of the gallery to speak to specific planning applications.

(CARRIED UNANIMOUSLY)

11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)**11.2 View Terrace No 29 (Lot 252) Proposed change to roof pitch and height - amendment to existing approvals**

Owner	Thomas & Christel Hodgkinson
Applicant	Kensington Design Australia Pty Ltd
File ref	P050/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	7 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The purpose of this report is for Council to consider a planning application for a proposed change to the roof pitch and height to an existing planning approval at No 29 (Lot 252) View Terrace, East Fremantle.

Executive Summary

The applicant is seeking Council approval for the following variation to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Guidelines – Roof Height – 8.1m required, greater than 8.1m provided.

It is considered that the above variation can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R17.5

Site area: 819m²

Previous Decisions of Council and/or History of an Issue or Site

P028/20 – amendments to existing approval – 30 April 2020

P047/17 – alterations and additions – 24 June 2019

P062/15 – studio in front – 4 August 2015

Consultation**Advertising**

The application was advertised to surrounding land owners 22 May 2020 to 5 June 2020. Two submissions were received from the same submitter. These are included below;

Submission	Applicant Response	Officer Response
<p>I find it difficult to understand how an architect would not allow sufficient roof space to accommodate air conditioning ducting and then apply for a 700mm variation above the 8.1m maximum height allowable to accommodate the 'oversight'.</p> <p>Thank you for your email of June 4 2020. In response to your question my email of the 3 June 2020 does not constitute a formal acceptance or rejection of the Application P050/20 but rather an expression of my concerns over the revised plans on the following basis. Planning amendments and further variations- There have been a number of variations to the original plans over a 3 year period (refer to letter to me App No P047/17, File Ref P/VE29, 19 July 2107) and now include the most recent and significant variation to the roof height. Your comment regarding plans not being working drawings is noted. However all variations to date have required additional concessions to be approved by me and I am reluctant to make further concessions. This would include any further variations to the proposed design, including roof materials (previously shown as solar tiles, not colourbond), any further increase to the roof line height by the addition of any solar panels, satellite dishes that would impact the proposed roof-line, or any other variations of any nature. The proposed variations include a significant increase to the elevation at the rear of the property. The height and bulk of the eastern elevation will significantly overshadow my rear garden, and reduce the amenity of this space. Also the plans are unclear to me as to where the proposed new patio will be located.</p> <p>I do not wish to object to the build, however I do request that the issues raised above are considered during the approval process.</p>	<p>Firstly, and importantly, our neighbours at 31 View Terrace reiterated their position that the submission was not an objection to the proposal.</p> <p>The engineering design for the house was not completed until May 2020. The size of the cranked roof beams necessitated the increase of the roof pitch.</p> <p>Until May 2020 we were still working with the engineers to try and achieve the structural design within the approved roof pitch Our neighbour's initial requests in 2017 to minimise the size and number of columns to maximise their views necessitated large cantilevers and cranked beams in the roof.</p> <p>The July 2017 application was the original application (not a variation). During this process it was mutually agreed that columns be removed (as were privacy screens) to maximise our neighbour's views. The roof material has been changed to Colourbond due to costs and concerns regarding lack of local support for the original specified tiled roof.</p> <p>We do propose to install low profile solar panels.</p> <p>The installation of a satellite dish has not been considered at this time.</p> <p>The height and bulk of the eastern wall to our neighbour has not altered from the current approved drawings.</p>	<p>Plans for development applications are often not working drawings. As such the builder or engineer may provide advice to the owner/applicant that changes are necessary to drawings that have received planning approval.</p> <p>In this case a new roof height has been proposed and new development application submitted to ensure the development is in compliance with planning requirements. Development applications are advertised to neighbouring properties so owners can make comment which is taken into account when completing the assessment and report for the proposal. However, the final decision regarding approval of the development application rests with the Town Planning Committee and/or Council.</p> <p>The proposal is for an increase in roof height and a change in roof pitch. References to a patio is an administrative error by the Town on the letter sent for advertising purposes. With regards to overshadowing the method by which this is assessed does not result in any overshadowing to the neighbouring property to the east of the proposed development.</p> <p>The proposed changes to the plans are considered minor compared to the total development. There is no significant increase in overshadowing from the increased roof height to the property to the south.</p> <p>Owners have the right to request variations to previously approved plans of development and the Town has the responsibility of assessing them in accordance with the regulatory framework that the Town of East Fremantle operates within.</p>

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC due to the COVID19 pandemic.

External Consultation

Nil.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial 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.*

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

CommentStatutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
			N/A
Open Space			N/A
Wall height			N/A
Setback of Carport			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
3.7.7 Building Setbacks and Orientation	N/A
3.7.8 Roof Form and Pitch	N/A
3.7.9 Materials and Colours	N/A
3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.17.4 Building Design Requirements	D
3.7.17.4.3 Fremantle Port Buffer Area	N/A

This development application proposes a change in roof pitch and height of the roof on the subject dwelling. One variation is requested to the Residential Design Guidelines in relation to the height of the roof. There are 2 previous approvals in place that have a direct relationship to this development application and in both cases the height of the roof was in excess of 8.1m but less than the current proposal for a roof that reaches just under 9m.

The proposed change in roof height was advertised to the neighbouring properties, and one submission was received which is detailed in the Advertising section with associated response from the applicant and Town officer.

The proposal is recommended for approval subject to conditions.

Roof Height

The proposed roof does not achieve the acceptable development provisions of the Residential Design Guidelines; clause 3.7.17.4.1.2 A1.4 is not met that requires roof heights to be a maximum of 8.1m to the top of a pitched roof.

The height exceeds the maximum 8.1m height provision and is higher than previously approved. In this case the height of the roof will rise to 8.8m.

Two submissions were received from the same submitter that expressed concerns regarding the proposed development. A number of concerns are unrelated to this application including overshadowing and the location of the patio. Overshadowing is not an issue for the submitter's property in terms of how it is calculated for development application assessment purposes (the overshadowing only impacts on the southern property and does not impact on any properties to the east or the west and there is minimal impact to the southern property). The development application relates to a change in the roof height and there is no reference to the installation of a patio. It is the prerogative of the applicant and owner to propose development applications and for the Town to assess the proposals on their merit accordingly.

The proposed roof does achieve performance criteria clause 3.7.17.4.1.3 where new developments, additions and alterations are to be of a compatible form, bulk and scale to traditional development. Whilst higher the roof form will remain relatively consistent to the existing dwelling. The additional height is required for air-conditioning ducting and due to engineering specifications.

In this case the rest of the dwelling is not being changed by the proposed amendments to roof height. There are already existing approvals in place in relation to other development on site (P028/20 – amendments to existing approval – 30 April 2020; P047/17 – alterations and additions – 24 June 2019).

It is noted that the roof changes have been brought about by the need to accommodate “cranked roof beams” to ensure that there is adequate space for the air conditioning infrastructure inside the roof space, as well as a view expressed by the designer that there will be an improvement in the aesthetics of the building. There are minimal impacts on the views of surrounding properties from the change in roof height. The adjoining neighbour to the east will not lose existing views, as currently there are no view corridors over the current dwelling.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variation that has been proposed to the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

- Sally Pearse (architect) and Tom Hodgkinson (owner) spoke in support of the officer's recommendation.

11.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP010720:

Moved Cr Nardi, seconded Cr Natale

That development approval is granted and Council exercises discretion in regard to the following;

- (i) Clause 5.1.3 – Residential Design Guidelines – Roof Height – 8.1m required, greater than 8.1m provided;**

for the roof at No 29 (Lot 252) View Terrace, East Fremantle, in accordance with the plans date stamped received 22 May 2020, subject to the following conditions:

- (1) All conditions included in previous development approvals P047/17 and P028/20 are still applicable in relation to development at 29 View Terrace, East Fremantle.**
- (2) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.**
- (3) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (4) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.**
- (5) The proposed dwelling is not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.**
- (6) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.**
- (7) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.**
- (8) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.**
- (9) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.**
- (10) This planning approval to remain valid for a period of 24 months from date of this approval.**

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.***
- (ii) a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.***
- (iii) it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.***
- (iv) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).***
- (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.***
- (vi) under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".***

(CARRIED UNANIMOUSLY)

Note:

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

11.3 View Terrace No 30 (Lot 269) Proposed alterations and additions

Owner	James Turnbull
Applicant	Modern Ark Layout Design
File ref	P047/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	7 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 30 (Lot 269), East Fremantle.

Executive Summary

The applicant is seeking Council approval for the following variations to the Residential Design Guidelines;

- (ii) Clause 3.7.17.4.1.2 – Residential Design Guidelines – Wall Height – 5.6m required, 6.9m provided; and
- (iii) Clause 3.7.9.3 - Residential Design Guidelines – Roof Materials – compatible and do not detract from existing dwelling required, custom orb /Colorbond provided

It is considered that the above variations can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R17.5

Site area: 769m²

Previous Decisions of Council and/or History of an Issue or Site

Nil

Consultation**Advertising**

The application was advertised to surrounding land owners from 8 to 22 May 2020. Two submissions were received.

Submission	Applicant Response	Officer Response
Submission 1 Whilst we support development of 30 View Terrace we have concerns that we would like addressed and we object to certain elements of the proposed development: 1. There is evidence of water draining into our property at 28 View Terrace as the Ground levels are higher to the 30 View Terrace side by approx. 500mm as that	1. I'll have to make a note on the plans that current retaining wall be inspected by the builder. Would prefer to simply install channel drain along the fence edge to stop water draining onto neighbour's property. We were not planning on adjusting anything along the boundary. We are not planning any extra soil build up and simply	As noted above in the applicant's response there are numerous amendments that have been addressed and amendments made to the plans that respond to the concerns of neighbouring properties. These changes are listed below; <ul style="list-style-type: none"> • Reduction in the depth of the rear balcony to decrease the bulk and scale of the rear of the development. • New channel drains are to be installed along the south western section of the side

<p>House has been built at a later date. The current retaining wall is inadequate and the current fence cannot be used to retain the adjacent property levels. This will need to be addressed if the proposed works proceed. A new Boundary Retaining Wall should be constructed to be at least 100mm higher than the proposed new Floor Levels.</p> <p>2. Referencing drawing A16, the proposed New Study Window does not meet the relevant R-Codes with respect to visual privacy. The proposed window would provide for direct views into our living room, hallway and kitchen, as well as our outdoor area adjacent to the boundary. This element of the proposed development should be rejected and mitigated to afford us privacy.</p> <p>3. Where windows along the Western wall of the house are replaced, these should be replaced with similarly opaque/frosted windows to maintain our visual privacy.</p> <p>4. We are concerned that the height of the West facing section of the proposed Balcony will allow vision directly to our Living Room, portion of our existing balcony and our garden. Whilst the 7.5m offset from the boundary is appreciated, we would ask that the development afford us a degree of privacy, noting that the amenity views afforded by the proposed balcony are to the North West, North and North East.</p> <p>5. We note that on the drawings it is stated that the boundary pegs are gone. For the avoidance of doubt, the marked locations of these removed pegs are not accepted by us. Any works should be preceded by a boundary re-survey at the developer's expense.</p>	<p>replace paving which we'll then install channel drains.</p> <p>2. Study window will have a fixed louvred screen looking up to the sky - you'll see than on the attached sketch.</p> <p>3. All west facing windows are going to be frosted and or 1.6m high above FFL.</p> <p>4. We will provide screen along the far west end of the balcony as marked in red. We are also planning to reduce the balcony depth from 6.1m to 5.5m (by 600mm). The northern end on the west facing balcony is set 7.5m and overlooks their roof and their balcony is screened.</p> <p>5. A re-peg of the site will be done during construction.</p>	<p>boundary shared with 28 View Terrace to reduce stormwater flow into 28 View Terrace.</p> <ul style="list-style-type: none"> • A site inspection will be carried out to assess the condition of the existing retaining walls. • The site will be re-pegged before construction to verify the location of property boundaries. • Louvred screening is to be added to the proposed study window to ensure overlooking onto 28 View Terrace is mitigated. • Additional height will be added to the existing side wall of the balcony such that it is 1.7m high from the FFL to reduce overlooking into the side yard of 28 View Terrace. • Tall trees are to be planted along the northern boundary of the property that is shared with 29 Woodhouse Road and reduce overlooking into the property. • The highlight window on the western side of the proposed master bedroom has been raised to 1.7m from FFL to increase privacy between neighbouring properties.
<p>Submission 2 I object to the proposal. Concerns are as follows; ROOF: Alterations to the roof seem excessive in scale and bulk, and there are concerns with any increase of the building height. POOL:</p>	<p>Roof - we are sitting well below the 8.1m max ridge - cannot lower pitch as it won't tie into existing, we cannot lower ceiling as it would be too low and we cannot pull back the roof as we'd like the entire balcony covered against rain. We'll propose to reduce the balcony by 600mm.</p>	<p>See above.</p>

<p>Proximity of proposed pool to the boundary shared with 29 Woodhouse is of concern due to impact on privacy and aural impact.</p> <p>BALCONY:</p> <p>The proposed balcony seems to be an extension of its own existing width closer to the boundary with 29 Woodhouse. From the plans the proposed closest point seems to be nearly half of the current distance to the boundary.</p> <p>It is clear that there are significant privacy impact concerns. In particular, the proximity and vantage point of such balcony in terms of overlooking the backyard, carport and dwelling house on 29 Woodhouse, and in particular the direct visual corridor of such balcony into the second storey bathroom window and the ground floor bedroom window at the rear of 29 Woodhouse.</p> <p>To put a human perspective on the impact, kindly find attached a photo of what the current balcony of 30 View Terrace looks like from the backyard of 29 Woodhouse. The balcony as it already currently stands offers little visual privacy to the backyard of 29 Woodhouse due to the higher elevation and vantage point offered by the balcony. Should the balcony be extended closer to the boundary, such lack of privacy will be exacerbated.</p> <p>The question is posed: If this were your backyard, would you feel comfortable if the balcony as pictured were extended closer than it is?</p> <p>Not only is the extension of the balcony objected to in terms of its impact on privacy of neighbours, but the scale and bulk of the development at the rear of 30 View Terrace seems excessive as well.</p>	<p>Pool - will most likely stay -we can propose some extra screen on top of existing fence and we will be installing some tall trees</p> <p>Balcony - We can proposed 600mm reduced balcony. Roof most likely to stay as per point above. We can provide extra height to rear fence and tall trees for privacy. You'll see an image taken from the living area looking into 29 Woodhouse rear window. When the balcony slab extends out the slab will screen view out to 29 Woodhouse from the living room.</p> <p>Changes are marked in purple clouds:</p> <p>A03 - Site to be re-pegged, channel drain to west and builder to check condition of retaining wall</p> <p>A10 - same as above + showing permanently fixed louvred screen to study, solid brick screen to west of balcony, north end of balcony down to 5.3m versus 6.1m and roof down to 5m versus 5.4m to reduce bulk</p> <p>A11 - west boundary notes</p> <p>A14 - balcony and roof depth down to 5.3m deep balcony versus 6.1m and roof down to 5m versus 5.4m and trees used to the north to screen some view to Woodhouse neighbour</p> <p>A15 - Screen to the west + trees</p> <p>A16 - Solid rendered brick to west end of balcony shown + screen to study window and master bed window sill to 1.7m high, powder room window frosted</p> <p>A17 - balcony and roof depth reduced</p> <p>A18 - new page showing section through study room permanently fixed louvred screen looking to the sky.</p>	
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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC due to the COVID19 pandemic.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial 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.*

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

Comment**Statutory Assessment**

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Master bedroom & WIR – western boundary	1.1m	3.5m	A
Store – eastern boundary	1m	1.4m	A
Balcony – eastern boundary	1.2m	3.904m	A
Balcony - western boundary	1.2m	7.5m	A
Balcony – southern boundary	1.2m	8.36m	A
Open Space	50%	58%	A
Wall height	5.6m	6.9m	D
Setback of Garage			N/A
Car Parking	2 car bays	2 car bays	A
Site Works	Max 0.5m	No significant changes	A
Visual Privacy	4.5m	1.524m (screening added)	A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	D
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.15.4.3 Fremantle Port Buffer Area	N/A
3.7.17.3 Garages and Carports	A

This development application proposes alterations and additions to an existing dwelling at 30 View Terrace, comprising of the enclosure of the garage, addition of 2 storerooms, extension of rear balcony, addition of a new master bedroom, internal refurbishment and re-arrangement of rooms and terracing and landscaping of the garden area, including the addition of a below ground pool.

The property is not heritage listed and retains much of the existing structure that was built in 1983-84. The owner is proposing changes to the design that utilise the existing approved heights of the dwelling and the significant slope of the site to increase the footprint of the building to the north and the south of the current dwelling. Two variations are requested to the requirements of the Residential Design Guidelines. These variations relate to wall height and changes in the roof materials and privacy setbacks from the eastern boundary. The proposal is recommended for approval subject to conditions.

Wall Height

The dwelling has an existing balcony and this is proposed to be increased in size by approximately 44m². There is a roof above this balcony which exceeds the maximum wall height and this is partly due to the slope and height of the existing lot. According to acceptable development clause 3.7.17.4.1.2 A1.4 of the Residential Design Guidelines the maximum wall height should be 5.6m, but in this case it is proposed to be up to 1.3m above this, at a height of 6.9m.

View corridors are significantly maintained, the proposed additional wall height whilst located further to the rear boundary does not significantly impact on the view corridors to the eastern neighbour. As the height of the structure is within the 8.1 metres it is considered there is no impact to the southern neighbours.

Given that views are a relevant consideration in this area and the style of the proposed design is not unusual in this area, the height above the maximum wall height is not unreasonable and is supported given that the roof is at the maximum roof height of 8.1m as prescribed in acceptable development clause 3.7.17.4.1.3 A1.4 of the Residential Design Guidelines.

Roof Materials

It is proposed to change the existing roof which consists of tiles to a Colorbond/custom orb metal roof. This does not achieve the acceptable development clause 3.7.9.3 A4.1 & A4.2 of the Residential Design Guidelines which requires that matching but distinguishable materials should be utilised. Nonetheless the change in roof materials does achieve performance criteria 3.7.9.3 P4.1 & P4.2. The proposed materials are both compatible with the immediate locality and do not detract from the existing dwelling. There is no impact to adjoining neighbours or the streetscape. As such the change in roof materials can be supported.

Visual Privacy Setbacks

In the original plans the window from the study looks out over the side yard of 28 View Terrace and required a privacy setback of 4.5m from the side boundary in accordance with 5.4.1 C1.1 i, however, it did not achieve this as the setback from the boundary was only 1.524m. However, the applicant agreed to amend the plans to install a privacy screen over the window to limit the ability to look into the neighbour's yard. As a result of this screening the visual privacy setback is no longer an issue and this variation is no longer relevant.

There was also a submission from the property owners directly to the north of this dwelling that claimed that the bulk and scale of development was excessive and resulted in a loss of privacy. The proposed rear balcony is located 8.36m from the rear boundary, well in excess of the 7.5m privacy setback required by

the Residential Design Codes. As such it is also not a planning issue as the minimum requirements have been exceeded. It is noted that the proposed balcony has been reduced in depth from the originally submitted plans in response to the submission and following discussions with the applicant.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

- James Turnbull (owner) spoke in support of the officer's recommendation.

11.3 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP020720:

Moved Cr Nardi, seconded Cr Watkins

That development approval is granted and Council exercises its discretion in regard to the following;

- (i) Clause 3.7.17.4.1.2 – Residential Design Guidelines – Wall Height – 5.6m required, 6.9m provided**
- (ii) Clause 3.7.9.3 - Residential Design Guidelines – Roof Materials – compatible and do not detract from existing dwelling required, custom orb /Colorbond provided**

for alterations and additions at No 30 (Lot 269) View Terrace East Fremantle, in accordance with the plans date stamped received 29 May 2020, subject to the following conditions:

- (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.**
- (2) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (3) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.**
- (4) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.**
- (5) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.**
- (6) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.**
- (7) Any changes to the front fence will require the submission of a development application for the consideration of Council. Front fencing is to comply with the requirements of the Residential Design Guidelines and Council requirements.**

- (8) The verge trees on View Terrace are to be protected during construction works to the satisfaction of the Chief Executive Officer and no pruning or removal of branches of the tree is to be undertaken during or at the completion of construction works.
- (9) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (10) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) ***this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.***
- (ii) ***a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.***
- (iii) ***it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.***
- (iv) ***all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).***
- (v) ***matters relating to dividing fences are subject to the Dividing Fences Act 1961.***

(CARRIED UNANIMOUSLY)

Note:

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

Cr Collinson declared: "As a consequence of the applicant, 16 Marmion Street being known to me as previous work colleague, there may be a perception that my impartiality on the matter may be affected with regard to the determination of this application. I declare that I have considered this matter entirely on its merits and with complete impartiality and objectivity".

11.1 Marmion Street No 16 (Lot 1) Application for development approval of patio subsequent to development

Owner	Cameron & Alexandra Wilson
Applicant	Gerard McCann
File ref	P046/20; P/MAR16
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	7 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Ni

Purpose

The purpose of this report is for Council to consider a planning application for a patio subsequent to development at No 16 (Lot 1) Marmion Street, East Fremantle.

Executive Summary

The patio has been constructed and is seeking approval subsequent to development.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Western Boundary Setbacks – 1m required, 0-.85m provided;
- (ii) Clause 5.1.3 – Residential Design Codes – Eastern Boundary Setbacks – 1.5m required, 0m provided;
- (iii) Clause 5.1.3 – Residential Design Codes – Open Space – 50% required, 40% provided;
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – pitch to match existing dwelling, pitch does not match the existing dwelling; and
- (v) Clause 5.3.1 – Residential Design Codes – Outdoor Living Areas – 2/3 (67%) uncovered required, 35% uncovered provided.

It is considered that the above variations can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R20

Site area: 176m²

Previous Decisions of Council and/or History of an Issue or Site

Nil

ConsultationAdvertising

The application was advertised to surrounding land owners from 14 May to 28 May 2020. No submissions were received from advertising.

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC due to the COVID19 pandemic.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial 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.

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Western boundary	1m	0.85m	D
Northern boundary	1m	1.9m	A
Eastern boundary	1.5m	0m	D
Open Space	50%	60%	D
Outdoor Living Area (Uncovered)	67%	35%	D
Wall Height	6m	<6m	A
Roof Height	9m	<9m	A
Setback of Carport			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/A
Overshadowing			N/A
Drainage		To be conditioned	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
3.7.7 Building Setbacks and Orientation	N/A
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A

3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.16.3 Garages and Carports	N/A
3.7.16.4.3 Fremantle Port Buffer Area	A

This development application is seeking approval of a patio subsequent to development at 16 Marmion Street East Fremantle. The proposal is recommended for approval subject to conditions and is discussed in detail below.

Works were undertaken before planning approval was sought for development on this heritage listed property. The property is a Category A heritage listed property and also a built strata property and 1 of 2 properties in the strata scheme. Like many properties of this age (built circa 1901) it would not comply with contemporary planning requirements in terms of property setbacks, site coverage and open space requirements. Modern planning requirements relating to density coding and the requirements laid down in the Residential Design Codes do not fit well with the existing dwelling. The works are hidden from the street and do not significantly impact on the existing heritage dwelling.

There are multiple variations that are requested to the requirements of the Residential Design Codes and Residential Design Guidelines, including matters relating to lot boundary setbacks, site coverage and open space, roof pitch and outdoor living areas.

Western Boundary Setback

The patio on the western boundary is 5m long, has an average height of 3m (average) and no major openings. It is required to have a setback of 1m in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i and Table 1.

However the patio is setback 0.85m from the western boundary, but achieves the design principles clause 5.1.3 P3.1 for the following reasons;

- There is minimal impact from building bulk on adjoining properties;
- Adequate sunlight and ventilation is provided to the building and open spaces on the site and to adjoining properties; and
- There is minimal overlooking or loss of privacy as a result of the development.

Based on these reasons the reduced boundary setback can be supported.

Eastern Boundary Setback

The patio on the eastern boundary has to be assessed using the total length of the wall of the dwelling, patio, laundry and toilet. It is a total length of 21.67m, has an average height of 3m (average) and no major openings. It is required to have a setback of 1.5m in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 i and Table 1.

A nil setback is provided. The dwelling being heritage was built with minimal or nil setbacks and the proposal continued these setbacks. The patio setback achieves the design principles clause 5.1.3 P3.2 for the following reasons;

- Makes effective use of space for enhanced privacy for the occupants and outdoor living areas;

- There is reduced impact from building bulk on adjoining properties;
- Adequate sunlight and ventilation is provided to the building and open spaces on the site and adjoining properties;
- There is minimal overlooking or loss of privacy as a result of the development;
- Does not have an adverse effect on the amenity of the adjoining property;
- Sunlight to major openings of habitable rooms and outdoor living areas on adjoining properties is not restricted; and
- The proposal does not impact adversely on the heritage of the building and provides an appropriate covered outdoor space to be utilised as ancillary to the dwelling.

On balance there is minimal impact on streetscape. As such the reduced boundary setback can be supported.

Open Space

Under the Residential Design Codes deemed to comply clause 5.1.4 C4 sites within areas with a density coding of R20 are supposed to have a maximum of 50% site coverage and 50% of the site dedicated to open space. In this case 60% of the site is covered by the dwelling, not including the patio which if open sided on 2 sides is not included in the open space calculation (if it was included the site coverage would rise to 70%). As such 40% of the site is open space.

It is recognised that this property was constructed in an era when there was no planning regulation and the planning requirements have been imposed on a building that will have difficulty complying with contemporary planning requirements. As such the reduced open space level can be supported in accordance with design principles clause 5.1.4 P4;

- It provides opportunities for residents to use space external to the dwelling for outdoor pursuits and access within and around the site; and
- It provides space for external fixtures and essential facilities.

Roof Pitch

The roof pitch of the patio is 8 degrees which does not meet the Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1 which requires that additions and alterations match the original roof pitch of the existing dwelling. The roof pitch of the existing dwelling is 34 degrees. Nonetheless the patio roof pitch positively contributes to the existing building and as such meets the performance criteria clause 3.7.8.3 P1 and can be supported.

Outdoor Living Areas

The outdoor living area does not achieve the Residential Design Codes deemed to comply clause 5.3.1 C1.1 which requires at least 2/3 of the outdoor living area to be uncovered. In this case 65% of the outdoor living area is covered and 35% is uncovered.

Although the area that is covered is nearly double the amount permissible under the Residential Design Codes it achieves design principles clause 5.3.1 P1.1 because the spaces are;

- Capable of use in conjunction with a habitable room of the dwelling;
- Open to winter sun and ventilation; and
- Optimises use of the northern aspect of the site.

It is noted that the owner stated that part of the reason for the large patio area was because the neighbouring property to the north at 87 Glyde Street has a large window that overlooks the backyard and reduced the privacy available to 16 Marmion Street. Again this highlights the issues related to contemporary planning regulation which sometimes does not fit well with older and existing dwellings. This is exacerbated by the much lower site level of 16 Marmion compared to 87 Glyde Street. Whereas 16 Marmion Street's lot is cut into the side of the hill that rises up Glyde Street, 87 Glyde Street is built on top of the ridge and as such is much higher. For these reasons the proposed increase in coverage of the outdoor living area is supported.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Design Guidelines are considered acceptable. As such it is recommended that the patio development approval subsequent to development be supported subject to planning conditions.

11.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP030720:

Moved Cr Natale, seconded Cr Nardi

That Council grant approval subsequent to development and discretion is exercised in regard to the following;

- (i) Clause 5.1.3 – Residential Design Codes – Western Boundary Setbacks – 1m required, 0.85m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Eastern Boundary Setbacks – 1.5m required, 0m provided**
- (iii) Clause 5.1.3 – Residential Design Codes – Open Space – 50% required, 40% provided**
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – pitch to match existing dwelling, pitch does not existing dwelling**
- (v) Clause 5.3.1 – Residential Design Codes – Outdoor Living Areas – 2/3 (67%) uncovered required, 35% uncovered provided**

for a patio at No 16 (Lot 1) Marmion Street, East Fremantle, in accordance with the plans date stamped received 11 May 2020, subject to the following conditions:

- (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.**
- (2) The Building Permit shall be in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (3) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.**
- (4) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.**
- (5) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.**
- (6) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage**

to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.

- (7) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (8) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

(CARRIED UNANIMOUSLY)

Note:

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

11.4 George Street No 61 (Lot 6228) Proposed patio

Owner	Town of East Fremantle
Applicant	East Fremantle Primary School
File ref	P054/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	7 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The purpose of this report is for Council to consider a planning application for a proposed patio at No 61 (Lot 6228) George Street, East Fremantle (East Fremantle Kindergarten).

Executive Summary

The applicant is seeking Council approval for a patio on Council owned land. No variations are requested to the General Principles of the George Street Designated Heritage Area.

It is considered that the proposed patio can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Open Space

Site area: 3288m²

Previous Decisions of Council and/or History of an Issue or Site

Nil

ConsultationAdvertising

The application was not advertised to surrounding land owners. The proposed development will be hidden by an existing wall along Hubble Street, has no streetscape impact and has no impact on surrounding residential dwellings.

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC due to the COVID19 pandemic.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Local Planning Policy 3.1.6 George Street Designated Heritage Area

Financial Implications

Funding as part of the Budget Review was approved as a contribution to the proposal.

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.*

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

Comment*Statutory Assessment*

This development application proposes a patio located adjacent and to the rear of the kindergarten building and behind the mural wall at 61 George Street. The kindergarten is located on Council land adjacent to Glasson Park on the corner of Glyde Street and George Street. The patio measures 4.1m wide and 6.8m long with a wall height of 2.2m and a roof height of 3.034m. It consists of a gable roof supported

by 6 upright posts. The patio is located over existing paving slabs. The Town has previously approved a financial contribution to the kindergarten to help pay for the construction of the patio.

The lot is within the George Street Designated Heritage Area and as such the following New Buildings General Principles of this local planning policy are to be used as a measure of assessment. The assessment will address each point individually and state whether the principle is addressed or not by the proposed design and how this is achieved.

New Buildings General Principles

- i. New buildings, as viewed from the street frontage, are to be designed in a contemporary style that is sympathetic in terms of form, bulk, scale, materials and proportions to the Heritage Area.
- ii. New developments are not to replicate traditional building form and should be of a contemporary style without traditional influences, as faux styles devalue authenticity of places. Contemporary requirements associated with new development result in faux heritage not having the same qualities as authentic places (refer to Figure 6 in Appendix 4).
- iii. The design of the streetscape elements are to:
 - a) Be consistent with front boundary building alignments;
 - b) Engage with the street;
 - c) Reflect/interpret the existing vertical rhythms of elements such as party walls, parapet panels and openings;
 - d) Reflect/interpret the existing horizontal rhythms of elements such as parapets, verandahs and awnings; and
 - e) Conceal roof forms behind parapet walls. Parapets to the main street frontage are to be restrained in terms of decorative forms and detailing.
- iv. New developments are to reflect and complement the scale, setbacks, bulk and proportions of existing contributory buildings and streetscape (refer to Figures 7 and 8 in Appendix 4).
- v. New developments are to respect and reflect the established development pattern.
- vi. New developments are not to negatively impact on the streetscape character of the Heritage Area.
- vii. New developments, structures or hardstand (including car parking) should not detract from the setting of the heritage place.
- viii. Where possible existing views of a heritage building(s) from the street should be preserved to acknowledge the contribution heritage places make to the streetscape.
- ix. New buildings or structures should; be designed and located in a way that does not overwhelm or dominate the heritage building(s) which should remain the dominant building(s) on the site, and they should be understated relative to the existing heritage building(s).
- x. Wherever possible, new buildings, structures or hardstand areas (including car parking) should be designed and sited to avoid having a negative impact on original mature landscaping, garden areas, driveways and other landscaping features where they are

considered to form part of the setting of the heritage place, and/or contribute to the heritage significance.

- xi. Where there is a Conservation Plan for a heritage place any proposals for new buildings, structures or hardstand areas (including car parking) should address the policies contained within the Conservation Plan.
- The patio is an open structure with 6 posts supporting the roof. There are no other additions to the patio roof or posts.
 - The patio is a contemporary design without embellishment or architectural adornment.
 - The patio is aligned with the front boundary of Hubble Street like the main kindergarten building and abuts the mural wall attached to the kindergarten building.
 - The development does not engage with the street because the patio is hidden from direct view by a mural wall along the boundary of the lot.
 - Like the surrounding kindergarten playground area the patio is open.
 - The proposed structure is a single storey patio and aligns with the neighbouring building height which is also single storey.
 - The patio is hidden behind the mural wall on the boundary attached to the kindergarten building.
 - As the patio is hidden behind the mural wall and smaller than the adjoining kindergarten building it complements surrounding buildings without being imposing or detracting from heritage dwellings in the street.
 - The location of the patio behind the mural wall ensures that the established development pattern is respected.
 - As the patio is hidden behind the mural wall it does not detract from the streetscape character.
 - As the patio is hidden behind the mural wall it does not detract from the heritage character.
 - The patio does not impact on heritage dwellings and their contribution to the streetscape.
 - The patio does not overwhelm or dominate the surrounding heritage buildings.
 - The patio does not have an impact on landscaping or garden areas as it being constructed above a paved area.
 - There is no conservation plan applying to the kindergarten building.

The patio is hidden behind the existing mural wall facing Sewell Street and is of a size that does not dominate the surrounding dwellings. It is a contemporary structure that will benefit the kindergarten by providing a covered outdoor area adjacent to the kindergarten playground. It is also noted that the patio is being partially funded by a grant from the Town.

Based on the preceding assessment, the proposed development can be supported. There are no variations requested to the George Street Precinct Heritage Area and the proposed patio is fully compliant with this policy document.

Conclusion

Based on the assessment that has been completed and the explanation provided in this report, the proposed development is considered acceptable. It is recommended that the proposed development be supported subject to planning conditions.

11.4 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP040720:

Moved Cr Watkins , seconded Cr Nardi

That development approval is granted for a patio at No 61 (Lot 6228) George Street, East Fremantle, in accordance with the plans date stamped received 26 May 2020, subject to the following conditions:

- (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (2) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (3) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (4) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (5) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (6) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (7) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (8) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*

- (iv) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).***
- (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.***

(CARRIED UNANIMOUSLY)

Note:

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

11.5 Fraser Street Unit 1 No 32 (Lot 1) Proposed Patio

Owner	Linda Phillips
Applicant	Profounder Factory Direct Pty Ltd
File ref	P052/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	7 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The purpose of this report is for Council to consider a planning application for a proposed patio at Unit 1 No 32 (Lot 1) Fraser Street, East Fremantle.

Executive Summary

The applicant is seeking Council approval for the following variations to the Residential Design Codes and the Residential Design Guidelines;

- (i) Clause 5.1.2 – Residential Design Codes – Primary Street Setbacks – 6m required, 4m provided; and
- (ii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 26 to 28 degrees required, 20 degrees provided

It is considered that the above variations can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R17.5

Site area: 91m²

Previous Decisions of Council and/or History of an Issue or Site

Nil

ConsultationAdvertising

The application was advertised to surrounding land owners. One submission was received.

Submissions	Applicant Comment	Officer Comment
The 6m set back in Fraser Street and many other streets in East Fremantle is important in maintaining the ambience and street scape of the area. The set back helps provide a more open environment and front garden space for shrubs and trees to grow, breaking up the built environment of the street and surroundings.	The area of the patio has been amended to be 21.45 square meters to comply with council requirements There is currently a large shade sail that extends from the dwelling towards the road further than the proposed patio, this will be removed and the replacing patio will be smaller	The setback is 6m but this can be varied subject to the submission of a development application for the consideration of the Town. It is recognised that open spaces such as a front yard do provide areas for gardens with trees and shrubs, but owners may choose to pave the area with concrete or bricks or alternatively grow turf without any larger shrubs or trees. Landscaping is ultimately a

<p>There is also the risk that the ‘pergola’ structure will later be enclosed and used as additional accommodation and storage. The proposed pergola structure covers a very large area of 37 square metres. Granting this exemption will lead to further cluttering of the set back areas in East Fremantle. This will also create a precedent for residents seeking permission to build extensions into the set back zone. The property at 1/32 Fraser Street was purchased only a few months ago without a pergola and the knowledge a 6 metre set back rule applies to this property.</p>	<p>The patio design is within the current existing dwelling colour scheme, “Monument” to match the roof and “Ironstone” to match gutters etc. the patio compliments the dwelling with the design and shape. The patio will be made out of colorbond steel.</p>  <p>There is an already existing 1.48m high perimeter brick wall around the outdoor area that extends from the dwelling towards the road. The patio will be well within this perimeter wall and setback 4m from the primary street boundary. This would need Town of East Fremantle approval. This proposed patio is the only outdoor living space available to the dwelling. The outdoor area is North facing and the patio will provide protection from direct sunlight into the dwelling and protect it from the weather</p>	<p>decision for the owner. Likewise residents have the ability to store possessions in their private open space and given that this is the only outdoor area there is a high likelihood that some possessions will be stored in this area.</p> <p>A condition will be included in the recommendation that the patio will not be able to be enclosed or converted into an additional room.</p> <p>As stated in the report this unit is limited by the fact that the front yard is also the only outdoor space and similar units within the complex have previously had patios approved in the front setback area.</p> <p>Following discussions with the applicant the size of the patio has been substantially reduced such that the structure will measure 3.3m deep and 6.5m wide with a total area of 21.45m².</p> <p>Development proposals are assessed according to numerous criteria. Front setbacks are one consideration, however, other factors have to be taken into account from Local planning Scheme No 3, Residential Design Codes and the Residential Design Guidelines.</p>
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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC due to the COVID19 pandemic.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial 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.*

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

Comment**Statutory Assessment**

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6m	4m	D
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Western side	1m	>1m	A
Eastern side	1m	>1m	A
Open Space	50%		
Wall Height	6m	2.3m	A
Roof Height	9m	3.55m	A
Setback of Carport			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
3.7.7 Building Setbacks and Orientation	N/A
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.15.4.3 Fremantle Port Buffer Area	N/A

This development application proposes a patio to be installed in the front yard of the subject property. One variation to the Residential Design Codes and one variation to the Residential Design Guidelines are requested in relation to primary street setback and roof pitch. The proposal is recommended for approval subject to conditions.

Primary Street Setback

The proposed patio is setback 4m from the front boundary where a front street setback of 6m is required in accordance with deemed to comply clause 5.1.2 C2.1 i of the Residential Design Codes.

The property does achieve design principles 5.1.2 P2.1. The patio is setback from the street boundary an appropriate distance to ensure that it;

- Contributes to and is consistent with an established streetscape. It is noted other such structures have been approved for other units within the Strata and therefore provides consistency;
- Provide adequate privacy for the dwelling;
- Provide usable open space for the dwelling. The dwelling is limited to the open space provided, therefore the proposal will facilitate an area of covered space to be utilised in conjunction with habitable rooms, albeit the covered area is located within the front setback area;
- Accommodate site planning requirements such as parking, landscape and utilities; and
- Allow safety clearance for easements for essential service corridors.

It is noted that the patio is located in the only outdoor area that is available to this dwelling unit which is also located in the front setback area. The unit currently has a shade sail located over the same area where the patio is proposed to be constructed.

There are a number of units in the same strata complex located along Coolgardie Avenue that have outdoor living areas located in the front setback area facing the street and have also had patios approved in this area (Unit 6 No 16 Coolgardie Street and Unit 9 No 16 Coolgardie Street).

For these reason the reduced primary street setback of 4m can be supported.

Roof Pitch

The proposed patio has a roof pitch of 20 degrees where a roof pitch of 28 to 36 degrees is required in accordance with the Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1. Performance criteria clause 3.7.8.3 P4 is achieved because the roof form of the new patio complements the traditional form of surrounding development. For this reason the roof pitch can be supported.

Strata Approval

It is also noted that the strata body has approved the proposed development subject to Council approval being achieved.

Advertising

There was one submission in opposition to the proposed patio as previously noted in this report. The comments made by the submitter, in writing and by phone conversation, reinforced the need for the patio to be reduced in size and have an increased setback from the front boundary. It is recognised that the original proposal was a very large structure with a minimal primary street setback of 1m.

Discussions were held with the applicant and it was agreed that amended plans for the patio would be submitted that had a reduced width and depth and an increased setback of 4m from the primary street. These amended plans are the subject of this report.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

11.5 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP050720:

Moved Cr Natale, seconded Cr Watkins

That development approval is granted and discretion is exercised in regard to the following;

- (i) Clause 5.1.2 – Residential Design Codes – Primary Street Setbacks – 6m required, 4m provided
- (ii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 26 to 28 degrees required, 20 degrees provided

for a patio at Unit 1 No 32 (Lot 1) Fraser Street, East Fremantle, in accordance with the plans date stamped received 18 June 2020, subject to the following conditions:

- (1) The patio shall not be enclosed with screening, walls, windows, glass or plastic barriers and shall remain open at all times. Any such proposed change will require the submission of a development application for the consideration of the Town.
- (2) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (3) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (4) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (5) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (6) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (7) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (9) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
 - (ii) a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
 - (iii) it is recommended that the applicant provides a Structural Engineer’s dilapidation report, at the applicant’s expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
 - (iv) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
 - (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (CARRIED UNANIMOUSLY)

Note:

As 4 Committee members voted in favour of the Reporting Officer’s recommendation, pursuant to Council’s decision regarding delegated decision making made on 19 May 2020 this application deemed determined, on behalf of Council, under delegated authority.

12. MATTERS BEHIND CLOSED DOORS
Nil

13. CLOSURE OF MEETING
There being no further business the Presiding Member declared the meeting closed at 6.58 pm.

I hereby certify that the Minutes of the ordinary meeting of the Town Planning Committee of the Town of East Fremantle, held on 7 July 2020, Minute Book reference 1. to 13 were confirmed at the meeting of the Committee on:

.....

Presiding Member

11.2 Audit Committee Meeting (29 June 2020)

File ref	C/MTP1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	21 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Audit Committee Minutes

Purpose

To submit the minutes of the Audit Committee for receipt by Council.

Executive Summary

The Committee, at its meeting on 29 June 2020, received three matters that required no action or endorsement by Council.

Consultation

Audit Committee.

Statutory Environment

Nil.

Policy Implications

Nil.

Strategic Implications

Nil.

Site Inspection

Not applicable.

Comment

The unconfirmed minutes of the Audit Committee meeting are now presented to Council for receipt.

11.2.1 COMMITTEE RECOMMENDATION

That the unconfirmed Minutes of the Audit Committee Meeting held on 29 June 2020 be received.

TOWN OF
EAST FREMANTLE



MINUTES

Audit Committee Meeting

Monday, 29 June 2020 at 6.35pm

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. The Town wishes to advise that any plans or documents contained within this Agenda 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.

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**MINUTES OF THE ORDINARY MEETING OF THE AUDIT COMMITTEE HELD IN THE COUNCIL CHAMBER,
135 CANNING HIGHWAY EAST FREMANTLE ON MONDAY, 29 JUNE 2020.**

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

The Presiding Member opened the meeting at 6.34pm.

2. ACKNOWLEDGEMENT OF COUNTRY

“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging.

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Cr A Natale	Presiding Member
Mayor J O’Neill	
Cr J Harrington	
Cr A McPhail	
Cr M McPhail	
Cr A Watkins	

The following staff were in attendance:

Mr G Tuffin	Chief Executive Officer
Mr P Kocian	Executive Manager Corporate Services
Ms Bron Browning	Minute Secretary

3.2 Apologies

Nil.

3.3 Leave of Absence

Nil.

4. MEMORANDUM OF OUTSTANDING BUSINESS

Nil.

5. DISCLOSURES OF INTEREST

5.1 Financial

Nil.

5.2 Proximity

Nil.

5.3 Impartiality

Nil.

6. PUBLIC QUESTION TIME

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

Nil.

6.2 Public Question Time

Nil.

7. PRESENTATIONS/DEPUTATIONS

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**8.1 Audit Committee (11 March 2020)****8.1 OFFICER RECOMMENDATION**

Moved Cr A McPhail, seconded Cr Watkins

That the minutes of the Audit Committee meeting held on Wednesday, 11 March 2020 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil.

10. REPORTS

10.1 Report to the Audit Committee on the Application of New Accounting Standards for the year ended 30th June 2020.

File ref	F/AUD1
Prepared by	John Mordini, Manager Finance and Administration
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	29 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Moore Stephens – New Accounting Standards impacting the Town of East Fremantle at 1 July 2019.

Purpose

The purpose of this report is to advise the Audit Committee on new accounting standards impacting the financial statements for the year ending 30 June 2020.

Executive Summary

The Town requested Russel Barnes from Moore Stephens to provide general guidance on the application and impact of new accounting standards for the 2020 financial year. There are three accounting standards that are required to be considered. These are as follows:

- AASB 15 Revenue from Contracts with Customers
- AASB 1058 Income of Not for Profit Entities, and
- AASB 16 Leases.

AASB 15 – Revenue from Contracts with Customers

AASB 15 Revenue from Contracts with Customers establishes the accounting principles a local government shall apply in relation to the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer.

The core principle is that an entity will recognise revenue at an amount that reflects the consideration entitled in exchange for transferring goods or services to a customer.

As at the 31st May 2020, the Town had \$84,302 of unspent grant funding on its balance sheet. These funds will be recognised as income when the requirements of the contract are completed. This amount is not considered to have a material impact on the financial statements for the year ending 30th June 2020.

AASB 15 provides a comprehensive framework for revenue recognition using the following five-step model:

Five step revenue recognition model

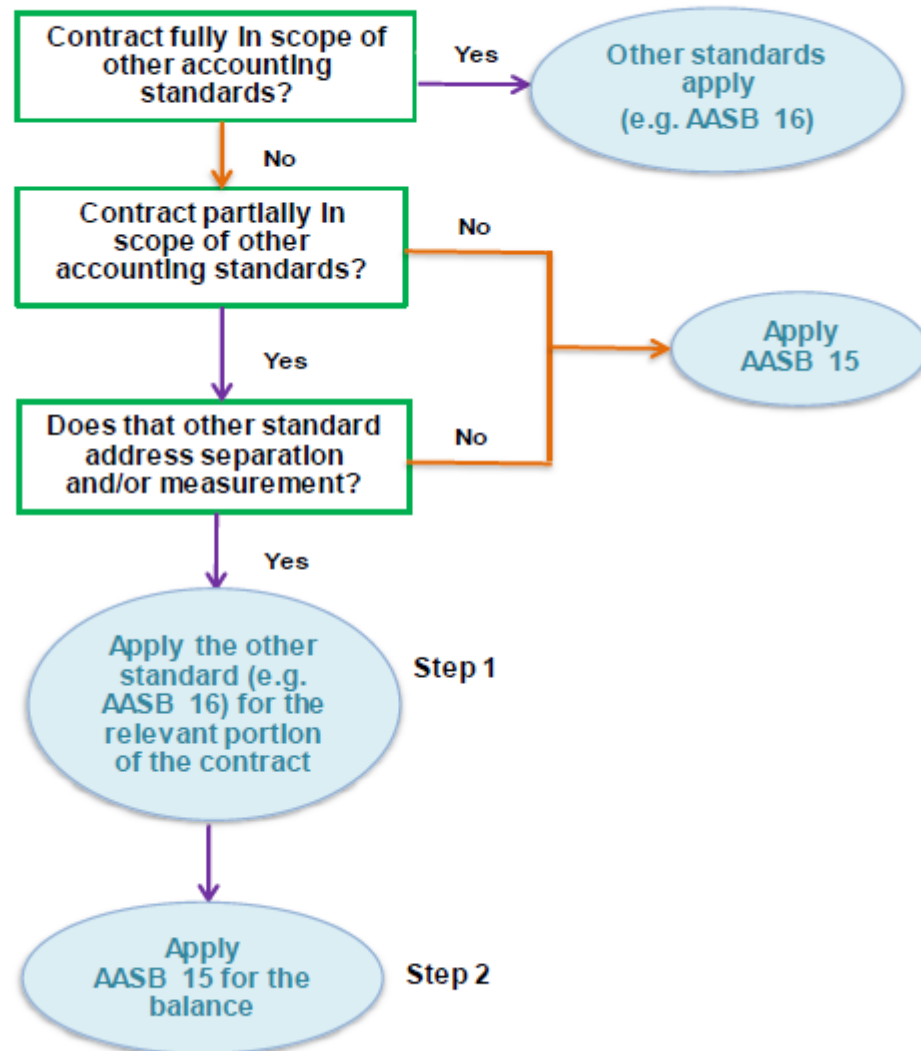


The standard requires a local government to recognise revenue aligned to the transfer of promised goods or services to customers for an amount that reflects the consideration the local government is entitled for those goods or services.

Each contract with a customer needs to be assessed to identify the performance obligations it creates. If there is a mismatch between the timing of performance obligations under a contract and receiving an asset in exchange, for example, cash, or undertaking works and services in advance, then a contract liability or contract asset is created until the performance obligation(s) under the contract are satisfied. Once the performance obligation(s) are satisfied, the associated level of revenue is recognised.

A contract with a customer may partially be in the scope of AASB 15 and partially within the scope of other Standards. In such instances, the Town is required to apply the other standard first, if those standards specify how to separate and/or initially measure one or more parts of the contract. The entity will then apply AASB 15 to the remaining components of the contract.

Decision tree for the application of AASB 15



AASB 1058 – Income of Not for Profit Entities

AASB 1058 Income of Not for Profit Entities applies to local governments and significantly changes income/revenue recognition for local governments.

The purpose of AASB 1058 is to more closely recognise Not for Profit income transactions that are not contracts with customers in accordance with their economic reality. Therefore, AASB 1058 needs to be recognised in conjunction with AASB 15 Revenue from Contracts with Customers.

The application of AASB 1058 will impact the 2019/2020 annual financial statements of the Town. On 1 July 2019, prepaid rates of \$176,653 will be recognised as a financial asset and a related amount as a financial liability and no income recognised by the Town.

When the taxable event occurs (being when the rate in the dollar is struck), the financial liability will be extinguished, and the Town will recognised income for the prepaid rates of \$176,653 that have not been refunded.

As at 31st May, the current balance of the Excess Rates account in the general ledger was \$94,100. This amount will remain in the financial statements as a liability as at 30th June 2020.

AASB 1058 applies to:

- (a) transactions where the consideration to acquire an asset is significantly less than its fair value, principally to enable a not-for-profit entity to further its objectives, i.e. a 'donation transaction'; and
- (b) the receipt of volunteer services

A key feature of AASB 1058 is that it is necessary to first determine whether each transaction, or part of a transaction, falls in the scope of AASB 15 Revenue from Contracts with Customers. Only if AASB 15 does not apply then consider the application of AASB 1058.

The main impacts of AASB 1058 are:

- The timing of income recognition will depend on whether there is any performance obligation or other liability. This will result in better matching of income and related expenses.
- Not For Profit lessees will now recognise peppercorn leases as right-of-use assets at fair value.
- All Not For Profit entities can elect to recognise volunteer services if they can be reliably measured.

To determine if AASB 15 or AASB 1058 applies requires a two-step process.

Step 1

Not For Profit entities should first determine whether a transaction is a contract with a customer under AASB 15.

To be in scope of AASB 15, there should be:

- an 'enforceable contract' – i.e. the contract between two or more parties must create enforceable rights and obligations
- 'sufficiently specific performance obligations' – i.e. the NFP entity's promise to transfer a good or service must be sufficiently specific
- 'underlying goods or services are not retained by the entity' – i.e. the goods or services will be transferred to the customer or to other parties on behalf of the customer (AASB 1058.IE5) and not retained by the entity for its own use.

If all criteria are met, income is recognised under AASB 15 when (or as) the performance obligations under the contract are satisfied. If any of these criteria are not met, then Step 2 applies.

Step 2

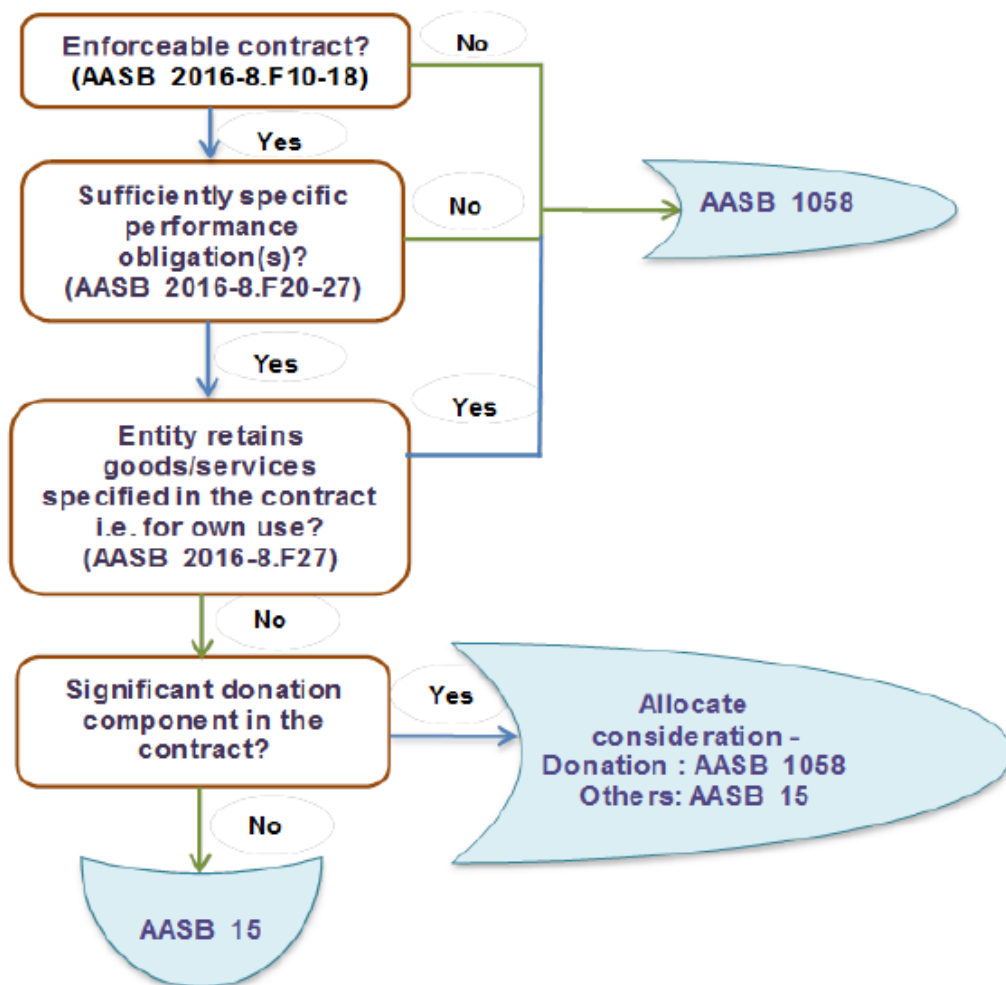
Determine if a volunteer service has been received or there is a significant 'donation' component in the contract. A donation component and thereby a donation transaction exists if:

- the consideration to acquire an asset is significantly less than its fair value; and
- the intent is primarily to enable the NFP entity to further its objectives

AASB 1058 applies if NFP entities enter into 'donation' transactions as above or receive volunteer services.

In circumstances where a contract with a customer contains both a donation and non-donation component, the transaction should be allocated between AASB15 and AASB 1058 to ensure appropriate recognition.

Decision tree for which standard to apply



Specific transactions that fall under the scope of AASB 1058 that the Town will need to consider are as follows:

- Assets received below fair value,
- Transfers received to acquire or construct non-financial assets,
- Prepaid rates,
- Leases entered into at below market rates, and
- Volunteer services.

Assets received below fair value

For an asset received below fair value a local government is required to initially measured the asset at its fair value in accordance with its relevant standard. For example, AASB 9 Financial Instruments (e.g. Cash), AASB 16 Leases, and AASB 117 Property, Plant and Equipment.

An increase in the asset will require an increase in either a liability or recognition of revenue, such as revenue or liability from a contract under AASB 15, a lease liability under AASB 16, a financial liability under AASB 9 or a provision in accordance with AASB 137.

Transfer received to acquire or construct non-financial assets

A transfer received to acquire or construct non-financial assets refers to grant funds received to either buy or construct a non-financial asset, such as a building, for the Council's own use.

With these transactions, the Council is not required to transfer the non-financial asset back to the transferor or other parties. The transaction also occurs under an enforceable agreement.

Once the obligations to create the non-financial asset are satisfied, the difference between the amount received to acquire/construct the non-financial asset and the grant amount received is recognised as income in the profit and loss.

If the obligation has not been fulfilled the grant amount remains as a liability until such time as the Town satisfies its obligation under the initial transfer of the financial asset.

Prepaid rates

Prepaid rates are a financial liability and are not recorded as revenue until the associated taxable event occurs. In local government, the taxable event is when Council determines land values are subject to taxation, when the rate in the dollar is struck.

This differs from the previous treatment where, as per AASB 1004, prepaid rates were recorded as revenue when received.

Leases entered into below market rates

Leases entered into at below market rates (peppercorn leases) requires the Town to measure the lease assets as a "right of use asset", with the lease liability measured at the present value of the minimum lease payments. The difference between the lease asset and liability is recorded as income.

Volunteer services

Volunteer services are services received by an entity from individuals or other entities without charge or for consideration significantly less than the fair value of those services.

Local governments are required to recognise volunteer services received as income when such services would be purchased if they had not been donated, and the fair value of those services can be reliably measured.

In many instances, the economic benefits of volunteer services will be consumed as the services are acquired, and will be expensed immediately. In other cases, the volunteer services could contribute to the development of an asset and therefore be included in the carrying amount of that asset.

AASB 16 – Leases

The Town does not currently have any assets that it leases from third parties. Therefore there is no impact on the 2019/2020 financial statements.

The Town as Lessor has a number of leases in place that are mainly for community infrastructure. Assets underlying the leases are recognised within the Town's financial statements and revenue is recognised when it is due to the Town. No change in accounting practices for these leases are currently required.

For future application should the Town enter into a lease agreement, AASB 16 Leases introduces a single lessee accounting model to the extent that there is no longer a distinction between finance and operating leases. Lessees will now recognise a right-to-use asset and a lease liability onto the 'balance sheet' for all leases.

The Standard contains an exemption for short-term leases (less than 12 months) or leases where the underlying asset is of low value (applying the mandatory level of below \$5,000).

Right-to-use assets shall initially be measured at cost. The cost shall comprise:

- Amount of initial measurement of the lease liability,
- Upfront lease payments less any lease incentives received,
- Any initial direct costs incurred, and
- Any "make-good" costs (best estimate).

Generally, local governments in Western Australia have leases that are currently defined as operating leases.

The most common examples include, although are not limited to:

- Vehicles (usually cars),
- Photocopiers,
- Computers,
- Staff Housing, and
- Phones.

AASB 16 very specifically indicates cars do not qualify as low-value assets.

AASB 16 specifically indicates tablet and personal computers, small items of office furniture and telephones qualify as low-value assets.

The implementation guidance is silent with regards to photocopiers. At this stage, and subject to further guidance, corporate photocopiers would not qualify, as they are not considered small items. They will rather need to be assessed based on their materiality to the local governments' financial statements.

Consultation

Chief Executive Officer

Statutory Environment

Part 6 and Part 7 of the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* applies to financial reporting and audit in local government.

Policy Implications

Nil.

Financial Implications

The adoption of these new accounting standards will have a minimal impact on preparation of the Annual Financial Report for 2019/2020.

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
The application of new accounting standards may impact the net profit or loss of the Town for the year ended 30 th June 2020.	Unlikely (2)	Minor (2)	Low (1-4)	FINANCIAL IMPACT \$10,000 - \$50,000	Control through Audit Committee monitoring and OAG financial statement year-end audit.

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	2
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Strategic Implications

Strategic Priority 5 – Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Comment

The Town has considered the impact that the adoption of new accounting standards will have on the financial report for the 2019/2020 financial year and believe that any impact will be minimal.

10.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A010620

Moved Cr A McPhail, seconded Cr Watkins

That the Audit Committee:

- 1. receive the report for the Application of New Accounting Standards for the year ended 30th June 2020.**
- 2. note that any impact on the adoption of these new accounting standards will be minimal.**

(CARRIED UNANIMOUSLY)

10.2 Procurement Review – Requisitions/Purchase Orders over \$5k

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	29 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none"> 1. Procurement Review (Confidential Attachment) 2. Independent Auditors Report 13 December 2019 3. Minutes Special Council Meeting 4 February 2020

Purpose

The Audit Committee is requested to receive the assessment of all supplier purchases greater than \$5k for the period 1 July 2019 to 22 May 2020, for compliance against Council's Purchasing Policy.

Executive Summary

Between the period 1 July 2019 and 22 May 2020, the Town released 111 purchase orders over \$5k. Full information is provided as confidential attachment 1, and is summarised as follows:

Amount	Purchasing Requirement	No. Purchase Orders	No. Compliant with Purchasing Policy or Exempt i.e. Sole Supplier	% Compliant
Over \$5,001 and up to \$20,000	Attempt to obtain 2 written quotes	73	63	86%
Over \$20,001 and up to \$50,000	Attempt to obtain 3 written quotes	28	24	86%
Over \$50,001 and up to \$150,000	Attempt obtain 3 written quotes under a Request for Quotation	7	7	100%
Over \$150,000	Request for Tender unless exempt	3	3	100%
Total		111	97	

Background

The Independent Auditors Report dated 13 December 2019 (attachment 2) included the following significant audit finding:

For 75% of purchases we sampled below the tender threshold, there was inadequate or no evidence that a sufficient number of quotations was obtained to test the market, and no documentation to explain why other quotes were not sought. This practice increases the likelihood of not receiving value for money in procurement. This could also result in favouring certain suppliers, although our audit did not identify any instances.

In response to the above finding, management provided the following comment, extracted from the minutes of the Special Council Meeting dated 4 February 2020 (attachment 3):

The Town's purchasing policy states that where the value of a purchase is between \$5,001 and \$20,000, efforts should be made to obtain at least two written quotes.

During the Auditor's procurement testing, 6 purchases were identified in this range, out of a sample of 8, where there was insufficient documentation to indicate that the requisite number of quotations had been obtained.

Extended security permissions, including a purchasing requisition system, were implemented in June 2019. Staff are now required to upload evidence of quotations for purchases in excess of \$5,000 against a requisition request, which is converted into a purchase order only after it has been reviewed and approved by a Manager.

The Internal Audit Work Plan for 2020 also proposes that an internal audit of all requisitions over \$5,000 be completed, and presented to the Audit Committee in July 2020. This will ensure a complete sample and identify all instances of non-compliance. Findings will then inform areas for improvement, education, and if deemed appropriate, removal of financial delegation.

Consultation

Finance team

Statutory Environment

Section 5.41 of the *Local Government Act 1995* details the functions of the CEO.

Regulation of the *Local Government (Financial Management) Regulations 1996* details the CEOs duties as to the financial management of the local government.

Regulation 11A of the *Local Government (Functions and General) Regulations 1996* requires local governments to prepare and adopt a Purchasing Policy.

Policy Implications

Council's Purchasing Policy applies.

The following requirements apply for purchases over \$5,001:

Amount (ex GST)	Purchasing Requirement
Over \$5,001 and up to \$20,000	Attempt to obtain 2 written quotes
Over \$20,001 and up to \$50,000	Attempt to obtain 3 written quotes
Over \$50,001 and up to \$250,000 (previously \$150,000)	Attempt obtain 3 written quotes under a Request for Quotation
Over \$250,000	Request for Tender unless exempt

Financial Implications

There are no financial implications relevant to this item.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Non-compliance with Purchasing Policy, giving rise to risk of not receiving value for money or favouring certain suppliers.	Possible (3)	Moderate (3)	Moderate (5-9)	Compliance/ Financial	Treat through regular review/audit

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	9
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

Strategic Implications

- Strategic Priority 5 – Leadership and Governance
- 5.1 Strengthen organisational accountability and transparency
- 5.3 Strive for excellence in leadership and governance

Comment

An internal audit of all purchases greater than \$5k has been completed. Of 111 purchase orders, 97 or 87% demonstrated compliance with Council’s Purchasing Policy by having a copy of the requisite number of quotes uploaded into the financial system or a proper explanation as per the table below.

Of the 14 purchase orders that did not demonstrate compliance with the requisite number of quotes, 10 required 2 quotes and 4 required 3 quotes.

No Purchase Orders	Explanation
64	Compliant
2	Inter-government transaction (i.e. Regional Council)
7	Sole Supplier Exemption
22	Supplier listed on WALGA preferred supplier panel or State Supply Commission Common User Agreement
1	Supplier is sole local provider registered in the Town of East Fremantle
1	Donation/Funding Agreement
14	Non-compliant
111	Total

In order to address the non-compliance, staff education and constructive reinforcement of purchasing requirements will be implemented. The Purchasing Policy may also need to be reviewed to provide greater flexibility to take into account the aforementioned explanations.

10.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A020620

Moved Cr Harrington, seconded Cr Watkins

That the Audit Committee receive the procurement review of all purchases over \$5k, as detailed in the confidential attachment, for assessment of compliance against Council's Purchasing Policy.

(CARRIED UNANIMOUSLY)

10.3 Recurrent Status Report – Risk Management, Internal Controls and Legislative Compliance

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	29 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Status Report

Purpose

It is recommended that the Audit Committee receive a status report on all outstanding matters raised in external audit reports, financial management reviews, performance audits, internal audit reports and any other review relevant to the Audit Committee's Terms of Reference.

Executive Summary

A status report has been prepared reporting against identified issues with respect to audit, risk management, internal controls, procurement matters and legislative compliance. The status report is not an exhaustive listing and will become a living document and updated as issues are identified. It is presented to the Audit Committee to assist in their role to report to Council and provide advice and recommendations on matters relevant to its terms of reference.

Background

The Department of Local Government has published an Operational Guideline on Audit in Local Government. Appendix 3 of this Guideline lists a number of matters that should be presented to an Audit Committee for review and monitoring:

Risk Management:

- Reviewing whether the local government has an effective risk management system;
- Reviewing whether the local government has a current and effective business continuity plan;
- Reviewing areas of potential non-compliance with legislation, regulations and standards and local governments policies;
- Reviewing the following; litigation and claims, misconduct, and significant business risks;
- Obtaining regular risk reports, which identify key risks, the status and the effectiveness of the risk management systems, to ensure that identified risks are monitored and new risks are identified, mitigated and reported;
- Assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance;
- Reviewing the effectiveness of the local governments internal control system with management and the internal and external auditors;
- Assessing whether management has controls in place for unusual types of transactions and/or any potential transactions that might carry more than an acceptable degree of risk;
- Assessing the local government's procurement framework with a focus on the probity and transparency of policies and procedures/processes and whether these are being applied.

Internal Control Systems:

- Separation of roles and functions, processing and authorisation;
- Control of approval of documents, letters and financial records;

- Limit of direct physical access to assets and records;
- Control of computer applications and information system standards;
- Regular maintenance and review of financial control accounts and trial balances;
- Comparison and analysis of financial results with budgeted amounts;
- Report, review and approval of financial payments and reconciliations;
- Comparison of the result of physical cash and inventory counts with accounting records.

Legislative Compliance:

- Monitoring compliance with legislation and regulations;
- Reviewing the annual Compliance Audit Return and reporting to Council the results of that review;
- Reviewing whether the local government has procedures for it to receive, retain and treat complaints, including confidential and anonymous employee complaints;
- Obtaining assurance that adverse trends are identified and review managements plans to deal with these;
- Reviewing management disclosures in financial reports of the effect of significant compliance issues;
- Considering the internal auditors role in assessing compliance and ethics risks in their plan;
- Monitoring the local government's compliance frameworks dealing with relevant external legislation and regulatory requirements.

Consultation

Chief Executive Officer

Manager Finance and Administration

Statutory Environment

Regulation 17 of the *Local Government (Audit) Regulations 1996* requires the CEO to review the appropriateness and effectiveness of a local governments systems and procedures in relation to risk management, internal control and legislative compliance separately or all at the one time, on the provision that each matter is reviewed at least once every three years. The CEO is also required to report the results of that review to Council.

Policy Implications

There are no Council Policies relevant to this item.

Financial Implications

There are no financial implications relevant to this item.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That key findings are not actioned	Possible (3)	Moderate (3)	Moderate (5-9)	Compliance	Control through oversight by the Audit Committee and ensuring adequate budget allocation for resourcing

Risk Matrix

Consequence \ Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	4
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

Strategic Implications

- Strategic Priority 5 – Leadership and Governance
- 5.1 Strengthen organisational accountability and transparency
- 5.3 Strive for excellence in leadership and governance

Comment

The status sheet has been updated accordingly.

The following summary of completion is provided:

Risk Category	No. Issues	Completed	Underway	Not Commenced
High	21	11	9	1
Medium	38	10	26	2
Low	11	6	4	1
	70	27	39	4

10.3 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A030620

Moved Cr M McPhail, seconded Cr A McPhail

That the Audit Committee receives the status report on items relevant to its Terms of Reference.

(CARRIED UNANIMOUSLY)

NB: The Presiding Member and Cr A McPhail thanked the Town staff for their outstanding efforts in working through a number of outstanding items raised in the Auditor’s Report.

11. MATTERS BEHIND CLOSED DOORS

Nil.

12. CLOSURE OF MEETING

Meeting closed at 7.10pm.

*I hereby certify that the Minutes of the ordinary meeting of the **Audit Committee** of the Town of East Fremantle, held on **29 June 2020**, Minute Book reference 1. to 12. were confirmed at the meeting of the Committee on*

.....

Presiding Member

12. REPORTS

12.2 FINANCE

12.2.1 Interim Statement of Financial Activity for Period Ended 30 June 2020

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	21 July 2020
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Statement of Financial Activity 30 June 2020 2. Capital Works Report 26 June 2020 3. Draft Delegation – Financial Hardship Applications

Purpose

The purpose of this report is to present to Council the Monthly Financial Report (containing the Statement of Financial Activity) for the month ended 30 June 2020.

Executive Summary

A Monthly Financial Report workbook has been prepared to provide an overview of key financial activity. Two Statements of Financial Activity are provided, one by program and the other by nature and type. Both of these Statements provide a projection of the closing surplus position as at 30 June 2020.

Background

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

The monthly Financial Report is appended and includes the following:

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

The attached Monthly Financial Report is 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

Management team

Statutory Environment

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

Expenditure from the municipal fund not included in the annual budget must be authorised in advance by an absolute majority decision of Council pursuant to section 6.8 of the *Local Government Act 1995*.

Fees and charges are imposed under section 6.16 of the *Local Government Act 1995*. If fees and charges are imposed after the annual budget has been adopted, local public notice must be provided before introducing the fees or charges pursuant to section 6.19 of the *Local Government Act 1995*.

Policy Implications

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

Financial Implications

Material variances are disclosed in the Statement of Financial Activity.

As part of the adopted 2019/20 Budget, Council adopted the following thresholds as levels of material variances for financial reporting.

In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2019/20 for reporting material variances shall be:

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

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

Strategic Implications

The monthly financial report is the key financial reporting mechanism to Council, to provide oversight of the financial management of the local government. This ties into the Strategic Community Plan as follows:

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

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Inadequate oversight of the financial position of the Town may result in adverse financial trends	Rare (1)	Major (4)	Low (1-4)	FINANCIAL IMPACT \$50,000 - \$250,000	Manage by monthly review of financial statements and key financial information

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	4
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Site Inspection

Not applicable.

Comment

This report presents the Interim Statement of Financial Activity for the period 30 June 2020. The figures presented in this report and the attachments will change pending adjustments made as a result of end of year finalization of accounts and completion of the Town's annual financial report for audit by the Office of Auditor General.

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

	Original Budget	Current Budget	June Actuals

Opening Surplus	758,451	951,855	951,855
Operating Revenue	10,632,263	10,464,874	10,441,654
Operating Expenditure	(12,141,244)	(11,404,686)	(10,891,658)
Capital Expenditure	(3,816,857)	(3,833,826)	(3,039,694)
Capital Income	919,567	1,253,214	995,240
Financing Activities	1,182,814	1,486,777	1,104,867
Non-Cash Items	2,465,204	1,653,654	1,601,384
Closing Surplus	0	2,362	1,163,648
Unrestricted Cash			2,242,298
Restricted Cash			991,250

- Depreciation, plant cost recoveries and activity based cost distributions have been processed;
- A Capital Works Report is being auto generated within the Town's financial system, and emailed to Responsible Officer's on a weekly basis to monitor projects. This Report is provided as Attachment 2, and includes actual expenditure as at 26 June. 66% of budgeted capital works has been expended, whilst 100% of the total budget has been committed under contract/purchase order;
- 98% of total rates levied (including arrears) were collected by the end of June. Approximately \$176k in rates are subject to formal debt recovery processes.

The Statements of Financial Activity have been updated to include additional columns; being the annual budget entered in the financial system (SynergySoft), and the current budget. The current budget captures all budget variations that have approved by Council since the original budget adoption.

Proposed Delegation – Determination of Applications for Financial Hardship

Council has adopted a Debt Collection Policy, which includes allowance of financial hardship applications to either defer payment of monies owed to the Town or to enter into a special payment arrangement.

Council also resolved as part of its COVID-19 response to waive certain property based fees and charges, including lease fees, for the last quarter of the 2019/20 financial year. The 2020/21 Budget includes an allocation of \$40,000 for the further continuation of business and community support relief. It is recommended that Council approve a delegation to the Chief Executive Officer and sub-delegation to the Executive Manager Corporate Services to determine applications for financial hardship pursuant to the Debt Collection Policy and budget parameters.

The Town has received two applications for financial hardship for the 2020/21 financial year and it is proposed that they be dealt with under delegated authority, with a maximum limit imposed of \$2,000. Any requests for more than this amount will be submitted to Council for determination.



12.2.1 OFFICER RECOMMENDATION

That Council:

- 1. receives the Monthly Financial Report (Containing the Interim Statement of Financial Activity) for the month ended 30 June 2020.**
- 2. notes the unrestricted municipal surplus of \$1,163,648, which comprises of \$2,242,298 in unrestricted cash and \$1,402,410 in payables/provisions, as at 30 June 2020.**
- 3. receives the Capital Works Report dated 26 June 2020.**
- 4. delegate to the Chief Executive Officer the powers conferred in the attached delegation to determine financial hardship applications.**

TOWN OF EAST FREMANTLE
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 June 2020

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**Town of East Fremantle
Information Summary
For the Period Ended 30 June 2020**

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 30 June 2020 of \$1,163,648.

Items of Significance

The material variance adopted by the Town of East Fremantle for the 2019/20 year is \$10,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

	%	Amended			
	Collected /	Annual		YTD Budget	YTD Actual
	Completed	Budget			
Significant Projects					
Road Resurfacing Program	56%	\$ 1,916,500	\$	1,916,500	\$ 1,074,608
Footpath Program	96%	\$ 252,826	\$	252,826	\$ 242,020
Carpark Projects	102%	\$ 386,000	\$	386,000	\$ 393,463
Grants, Subsidies and Contributions					
Commonwealth Home Support Programme	105%	\$ 722,683	\$	722,683	\$ 759,088
Roads to Recovery Non-Operating Grant	100%	\$ 236,818	\$	236,818	\$ 236,818
Regional Road Group Grant	74%	\$ 974,396	\$	974,396	\$ 722,024
		\$ 959,501	\$	959,501	\$ 995,906
Rates Levied	98%	\$ 8,045,480	\$	7,872,352	\$ 7,872,756

% Compares current ytd actuals to annual budget

Financial Position

	Current Year
Adjusted Net Current Assets	\$ 1,163,453
Cash and Equivalent - Unrestricted	\$ 2,242,298
Cash and Equivalent - Restricted	\$ 991,250
Receivables - Rates	\$ 225,649
Receivables - Other	\$ 97,917
Payables	\$ 766,321

% Compares current ytd actuals to prior year actuals at the same time

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

Preparation

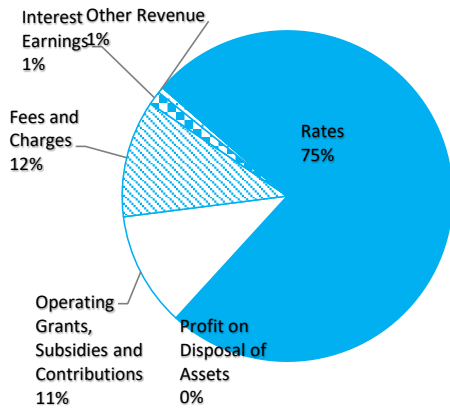
Prepared by:

Reviewed by: Peter Kocian

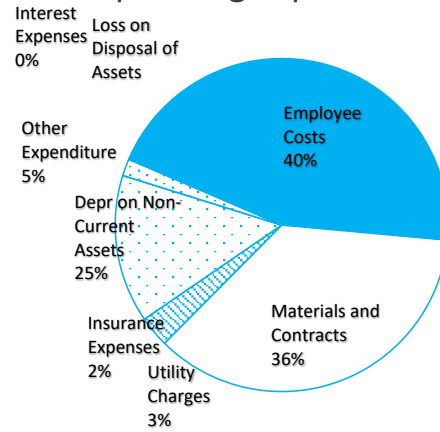
Date prepared:

Town of East Fremantle
Information Summary
For the Period Ended 30 June 2020

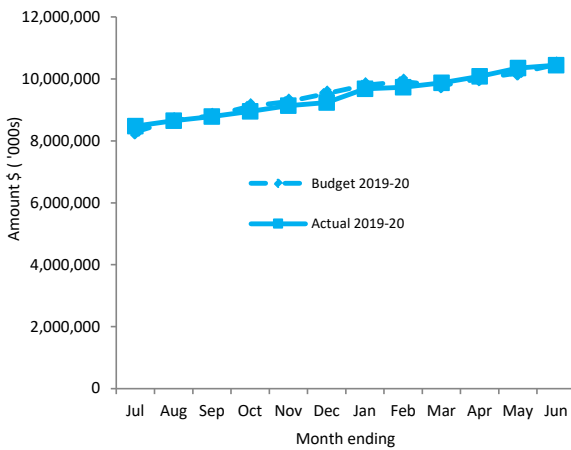
Operating Revenue



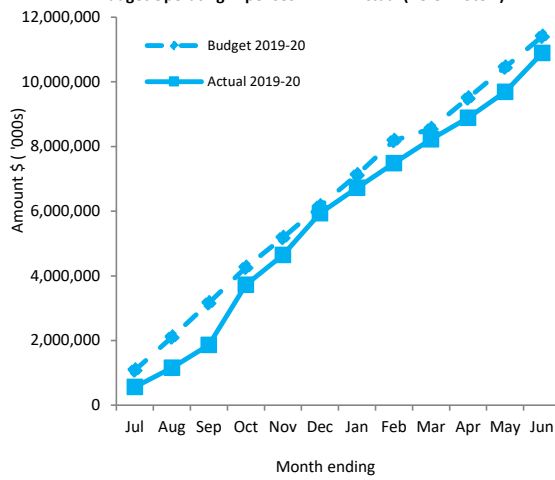
Operating Expenditure



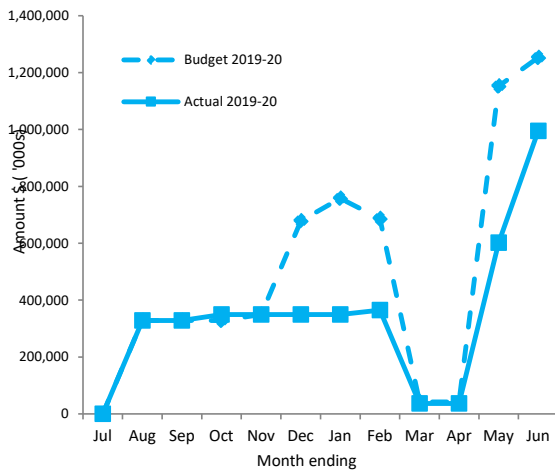
Budget Operating Revenues -v- Actual (Refer Note 2)



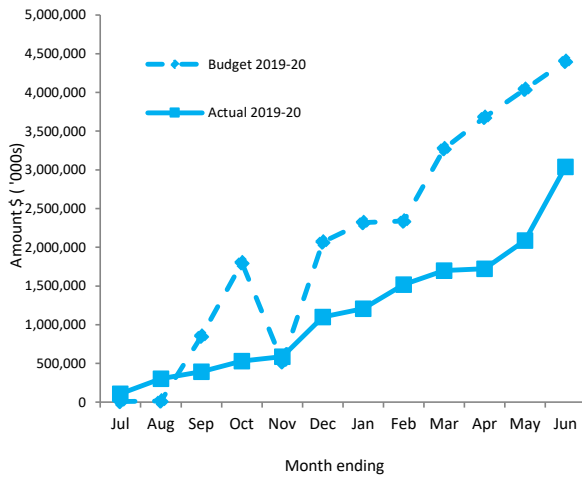
Budget Operating Expenses -v- YTD Actual (Refer Note 2)



Budget Capital Revenue -v- Actual (Refer Note 2)



Budget Capital Expenses -v- Actual (Refer Note 2)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 30 June 2020

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	758,451	758,451	951,855	951,855	951,855	0	0%	
Revenue from operating activities									
Governance		10,000	10,000	25,000	25,000	12,317	(12,683)	(51%)	▼
General Purpose Funding - Rates	9	8,045,480	8,451,394	8,248,005	7,872,352	7,872,756	403	0%	
General Purpose Funding - Other		405,914			375,653	475,679			
Law, Order and Public Safety		33,700	33,700	28,700	28,700	31,003	2,303	8%	
Health		14,400	14,400	17,900	17,900	15,761	(2,139)	(12%)	
Education and Welfare		819,933	819,933	839,933	839,933	885,563	45,630	5%	
Housing		85,140	85,140	85,140	85,140	82,093	(3,047)	(4%)	
Community Amenities		194,000	194,000	221,000	221,000	192,596	(28,404)	(13%)	▼
Recreation and Culture		509,884	509,884	435,384	435,384	324,264	(111,120)	(26%)	▼
Transport		360,744	360,744	410,744	410,744	406,317	(4,427)	(1%)	
Economic Services		79,000	79,000	79,000	79,000	84,024	5,024	6%	
Other Property and Services		74,068	74,068	74,068	74,068	59,281	(14,787)	(20%)	▼
		10,632,263	10,632,263	10,464,874	10,464,874	10,441,654			
Expenditure from operating activities									
Governance		(1,256,860)	(1,256,860)	(1,172,703)	(1,172,703)	(1,395,251)	(222,549)	(19%)	▼
General Purpose Funding		(161,878)	(161,878)	(234,878)	(234,878)	(235,058)	(180)	(0%)	
Law, Order and Public Safety		(173,561)	(173,561)	(177,061)	(177,061)	(154,999)	22,062	12%	▲
Health		(191,298)	(191,298)	(192,365)	(192,365)	(178,314)	14,051	7%	
Education and Welfare		(1,043,896)	(1,043,896)	(1,141,958)	(1,141,958)	(1,022,249)	119,709	10%	▲
Housing		(50,200)	(50,200)	(43,200)	(43,200)	(37,094)	6,106	14%	▲
Community Amenities		(2,854,492)	(2,854,492)	(2,954,062)	(2,954,062)	(2,763,147)	190,915	6%	
Recreation and Culture		(3,590,406)	(3,590,406)	(2,577,407)	(2,577,407)	(2,245,212)	332,195	13%	▲
Transport		(2,544,657)	(2,544,657)	(2,648,858)	(2,648,858)	(2,615,726)	33,132	1%	
Economic Services		(121,878)	(121,878)	(119,878)	(119,878)	(95,786)	24,092	20%	▲
Other Property and Services		(152,316)	(152,316)	(142,316)	(142,316)	(148,821)	(6,505)	(5%)	
		(12,141,442)	(12,141,444)	(11,404,686)	(11,404,686)	(10,891,658)			
Operating activities excluded from budget									
Add back Depreciation		2,472,904	2,472,904	1,661,354	1,661,354	1,566,647	(94,707)	(6%)	
Adjust (Profit)/Loss on Asset Disposal	8	(7,700)	(7,700)	(7,700)	(7,700)	34,737	42,437	(551%)	
Amount attributable to operating activities		2,465,204	2,465,204	1,653,654	1,653,654	1,601,384			
Investing Activities									
Non-operating Grants, Subsidies and Contributions	11	881,867	881,867	1,211,214	1,211,214	958,842	(252,372)	(21%)	▼
Proceeds from Disposal of Assets	8	37,700	37,700	42,000	42,000	36,398	(5,602)	(13%)	
Land and Buildings		(477,385)	(488,105)	(569,500)	(569,500)	(440,266)	129,234	23%	▲
Infrastructure Assets - Roads		(1,314,300)	(1,314,300)	(1,916,500)	(1,916,500)	(1,074,608)	841,892	44%	▲
Infrastructure Assets - Public Open Space		(396,720)	(446,000)	(412,000)	(412,000)	(253,133)	158,867	39%	▲
Infrastructure Assets - Footpaths		(247,132)	(247,132)	(252,826)	(252,826)	(242,020)	10,806	4%	
Infrastructure Assets - Drainage		(100,000)	(100,000)	(133,000)	(133,000)	(131,725)	1,275	1%	
Infrastructure Assets - Other		(393,000)	(433,000)	(289,000)	(289,000)	(87,387)	201,613	70%	▲
Infrastructure Assets - Carparks		(494,000)	(494,000)	(386,000)	(386,000)	(393,463)	(7,463)	(2%)	
Plant and Equipment		(319,320)	(219,320)	(369,500)	(369,500)	(369,782)	(282)	(0%)	
Furniture and Equipment		(75,000)	(75,000)	(75,000)	(75,000)	(47,310)	27,690	37%	▲
Amount attributable to investing activities		(2,897,290)	(2,897,290)	(3,150,112)	(3,150,112)	(2,044,454)			
Financing Activities									
Transfer from Reserves	7	1,242,814	1,242,814	1,534,777	1,534,777	1,239,408	(295,369)	19%	
Repayment of Debentures	10					(98,059)	(98,059)		▼
(Transfer to Reserves)	7	(60,000)	(60,000)	(48,000)	(48,000)	(36,482)	11,518	24%	▲
Amount attributable to financing activities		1,182,814	1,182,814	1,486,777	1,486,777	1,104,867	(381,910)	26%	
Closing Funding Surplus(Deficit)	3	0	(2)	2,362	2,362	1,163,648			
Check against Net Current Assets						1,163,648			
						0			

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 June 2020

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$			\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	758,451	758,451	951,855	951,855	951,855	0	0%	
Revenue from operating activities									
Rates	9	8,045,480	8,045,480	7,872,352	7,872,352	7,872,756	403	0%	
Operating Grants, Subsidies and Contributions	11	1,171,341	1,171,341	1,125,080	1,125,080	1,169,950	44,870	4%	
Fees and Charges		1,124,467	1,124,467	1,195,467	1,195,467	1,198,011	2,544	0%	
Interest Earnings		221,000	221,000	182,000	182,000	139,330	(42,670)	(23%)	▼
Other Revenue		62,275	62,275	82,275	82,275	59,397	(22,878)	(28%)	▼
Profit on Disposal of Assets	8	7,700	7,700	7,700	7,700	2,210	(5,490)	(71%)	
		10,632,263	10,632,263	10,464,874	10,464,874	10,441,654			
Expenditure from operating activities									
Employee Costs		(4,126,285)	(4,126,285)	(4,260,832)	(4,260,832)	(4,363,268)	(102,436)	(2%)	
Materials and Contracts		(4,427,824)	(4,427,824)	(4,308,396)	(4,308,396)	(3,918,657)	389,739	9%	
Utility Charges		(320,000)	(320,000)	(330,000)	(330,000)	(327,865)	2,135	1%	
Depreciation on Non-Current Assets		(2,472,904)	(2,472,904)	(1,661,354)	(1,661,354)	(1,566,647)	94,707	6%	
Insurance Expenses		(167,605)	(167,605)	(185,781)	(185,781)	(179,048)	6,733	4%	
Other Expenditure		(626,824)	(626,824)	(658,324)	(658,324)	(499,225)	159,098	24%	▲
Loss on Disposal of Assets	8	0	0	0	0	(36,947)	(36,947)		
		(12,141,442)	(12,141,444)	(11,404,686)	(11,404,686)	(10,891,658)			
Operating activities excluded from budget									
Add back Depreciation		2,472,904	2,472,904	1,661,354	1,661,354	1,566,647	(94,707)	(6%)	
Adjust (Profit)/Loss on Asset Disposal	8	(7,700)	(7,700)	(7,700)	(7,700)	34,737	42,437	(551%)	
Amount attributable to operating activities		2,465,204	2,465,204	1,653,654	1,653,654	1,601,384			
Investing activities									
Non-operating Grants, Subsidies and Contributions	11	881,867	881,867	1,211,214	1,211,214	958,842	(252,372)	(21%)	▼
Proceeds from Disposal of Assets	8	37,700	37,700	42,000	42,000	36,398	(5,602)	(13%)	
Land and Buildings		(477,385)	(488,105)	(569,500)	(569,500)	(440,266)	129,234	23%	▲
Infrastructure Assets - Roads		(1,314,300)	(1,314,300)	(1,916,500)	(1,916,500)	(1,074,608)	841,892	44%	▲
Infrastructure Assets - POS		(396,720)	(446,000)	(412,000)	(412,000)	(253,133)	158,867	39%	▲
Infrastructure Assets - Footpaths		(247,132)	(247,132)	(252,826)	(252,826)	(242,020)	10,806	4%	
Infrastructure Assets - Drainage		(100,000)	(100,000)	(133,000)	(133,000)	(131,725)	1,275	1%	
Infrastructure Assets - Other		(393,000)	(433,000)	(289,000)	(289,000)	(87,387)	201,613	70%	▲
Infrastructure Assets - Carparks		(494,000)	(494,000)	(386,000)	(386,000)	(393,463)	(7,463)	(2%)	
Plant and Equipment		(319,320)	(219,320)	(369,500)	(369,500)	(369,782)	(282)	(0%)	
Furniture and Equipment		(75,000)	(75,000)	(75,000)	(75,000)	(47,310)	27,690	37%	▲
Amount attributable to investing activities		(2,897,290)	(2,897,290)	(3,150,112)	(3,150,112)	(2,044,454)			
Financing Activities									
Transfer from Reserves	7	1,242,814	1,242,814	1,534,777	1,534,777	1,239,408	(295,369)	(19%)	▼
Repayment of Debentures	10	0	0	0	0	(98,059)	(98,059)		▼
(Transfer to Reserves)	7	(60,000)	(60,000)	(48,000)	(48,000)	(36,482)	11,518	24%	▲
Amount attributable to financing activities		1,182,814	1,182,814	1,486,777	1,486,777	1,104,867			
Closing Funding Surplus (Deficit)	3	0	(2)	2,362	2,362	1,163,648	1,161,286	49157%	▲
Check against Statement by Program						1,163,648			
						0			

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

TOWN OF EAST FREMANTLE
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 30 June 2020

Capital Acquisitions

	Amended YTD Budget	Amended Annual Budget	YTD Actual Total	Variance (d) - (c)
	\$	\$	\$	\$
Land and Buildings	569,500	569,500	440,266	(129,234)
Infrastructure Assets - Roads	1,916,500	1,916,500	1,074,608	(841,892)
Infrastructure Assets - POS	412,000	412,000	253,133	(158,867)
Infrastructure Assets - Footpaths	252,826	252,826	242,020	(10,806)
Infrastructure Assets - Drainage	133,000	133,000	131,725	(1,275)
Infrastructure Assets - Other	289,000	289,000	87,387	(201,613)
Infrastructure Assets - Carparks	386,000	386,000	393,463	7,463
Plant and Equipment	369,500	369,500	369,782	282
Furniture and Equipment	75,000	75,000	47,310	(27,690)
Capital Expenditure Totals	4,403,326	4,403,326	3,039,694	(1,363,632)
Capital acquisitions funded by:				
Capital Grants and Contributions			1,211,214	
Other (Disposals & C/Fwd)			42,000	
Council contribution - Cash Backed Reserves:				
Vehicle, Plant and Equipment Reserve			79,620	
HACC Reserve			100,000	
Strategic Asset Management Reserve			161,110	
Committed Works Reserve			737,885	
Arts and Sculpture Reserve			75,000	
Council contribution - operations			1,996,497	
Capital Funding Total	0	0	4,403,326	

Note 1: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2019/20 year is \$10,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(12,683)	(51%)		Timing	unfavourable - awaiting LGIS surplus distribution
Community Amenities	(28,404)	(13%)		Timing	unfavourable
Recreation and Culture	(111,120)	(26%)		Timing	unfavourable - DBCA grant \$84k Erosion Control sitting on balance sheet as unspent
Other Property and Services	(14,787)	(20%)		Timing	contra - reimbursements of workers comp and insurance less than budget - reflects lower actual expenditure
Operating Expense					
Governance	(222,549)	(19%)		Timing	unfavourable
Law, Order and Public Safety	22,062	12%		Timing	favourable
Education and Welfare	119,709	10%		Timing	favourable
Housing	6,106	14%		Timing	favourable
Recreation and Culture	332,195	13%		Permanent	Favourable variance - decrease in depreciation (turf)
Economic Services	24,092	20%		Timing	favourable
Capital Revenues					
Grants, Subsidies and Contributions	(252,372)	(21%)		Timing	RRG grant for Riverside Road 80% claimed. Remaining balance to be invoiced in 20/21 financial year.
Capital Expenses					
Land and Buildings	129,234	23%		Timing	Reduced scope for Tricolore Building Works.
Infrastructure Assets - Roads	841,892	44%		Timing	Works on Riverside Road only partially invoiced.
Infrastructure Assets - POS	158,867	39%		Timing	Returfing, bore and irrigation works only partially invoiced.
Infrastructure Assets - Other	201,613	70%		Timing	Foreshore erosion control and public arts projects yet to substantially commence
Furniture and Equipment	27,690	37%		Timing	Desktop Replacement program will commence in July 2020. Carryover
Nature and Type Classifications:					
Interest Earnings	(42,670)	(23%)		Permanent	due to low interest rate environment
Other Revenue	(22,878)	(28%)		Timing	unfavourable
Other Expenditure	159,098	24%		Timing	favourable

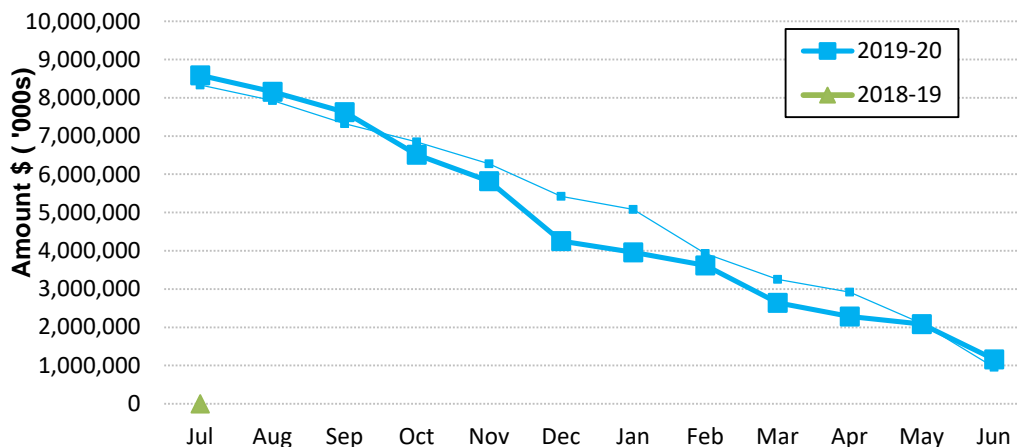
TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2020

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing	Current
		30 June 2019	30 Jun 2020
		\$	\$
Current Assets			
Cash Unrestricted	4	1,997,084	2,242,298
Cash Restricted - Reserves	4	2,194,176	991,250
Receivables - Rates	6	265,114	225,649
Receivables - Other	6	154,027	97,917
Interest / ATO Receivable/Trust			
Inventories		0	0
		4,610,401	3,557,114
Less: Current Liabilities			
Payables		(829,054)	(766,321)
Provisions		(635,316)	(636,089)
		(1,464,370)	(1,402,410)
Less: Cash Reserves	7	(2,194,176)	(991,250)
Net Current Funding Position		951,855	1,163,453

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 30 June 2020

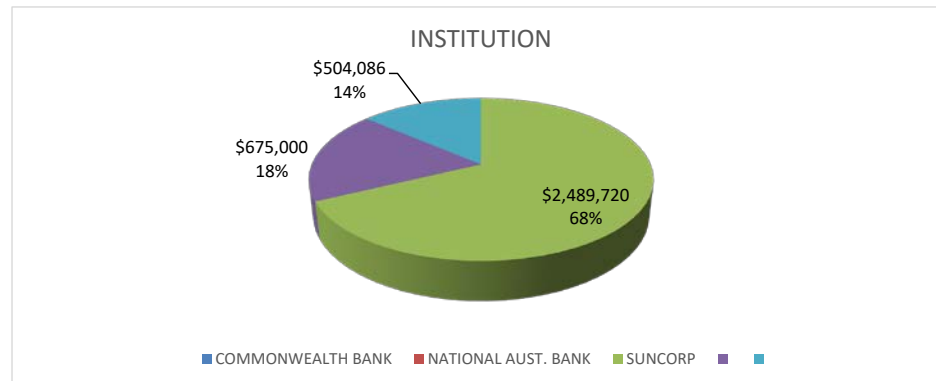
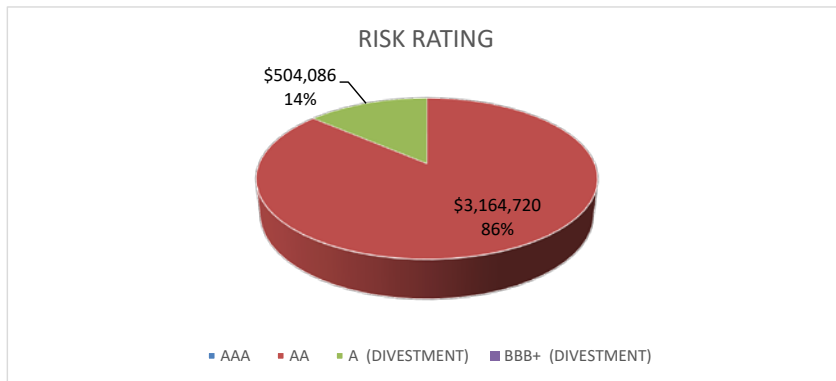
Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Risk Rating (LT)	Interest Rate	Maturity Date
	\$	\$	\$	\$				
(a) Cash Deposits								
Municipal Bank Account - On-Call	784,554			784,554	CBA	AA-	0.20%	At Call
Municipal Bank Account	653,116			653,116	CBA	AA-		At Call
Municipal Bonds & Deposits Account	49,441			49,441	CBA	AA-		At Call
Reserve Bank Account		250		250	CBA	AA-		At Call
Trust Bank Account			11,358	11,358	CBA	AA-		At Call
Cash On Hand	1,100			1,100	Petty Cash/Till Float		Nil	On Hand
(b) Term Deposits								
Municipal	504,086			504,086	SUNCORP	A+	1.15%	16-Jul-20
Municipal Bonds & Deposits	250,000			250,000	NAB	AA-	0.45%	27-Jul-20
Trust			425,000	425,000	NAB	AA-	0.45%	27-Jul-20
Reserves		991,000		991,000	CBA	AA-	0.43%	29-Jul-20
Total	2,242,298	991,250	436,358	3,669,906				
Less Cash on Hand	(1,100)			(1,100)				
	2,241,198			3,668,806				

Comments/Notes - Investments and Cash Deposits

(LT) RISK RATING	PORTFOLIO	\$	%
AAA	MAX 100%		
AA	MAX 100%	\$3,164,720	86.26%
A (DIVESTMENT)	MAX 80%	\$504,086	13.74%
BBB+ (DIVESTMENT)	MAX 80%		0.00%
		\$3,668,806	100.00%

INSTITUTION	\$	%	(LT) RISK
COMMONWEALTH BANK	\$2,489,720	67.86%	AA-
NATIONAL AUST. BANK	\$675,000	18.40%	AA-
SUNCORP	\$504,086	13.74%	A+
	\$3,668,806	100.00%	



TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the period ending June 2020

Note 4: Receivables

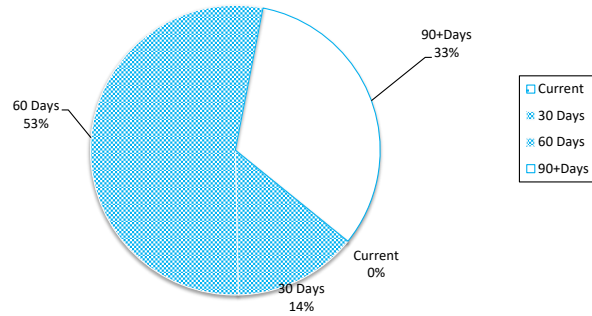
Receivables - Rates Receivable	30 June 2020	30 June 2019
Opening Arrears Previous Years	\$ 133,299	245,513
Rates, ESL and Service Charges Levied this year	\$ 10,020,410	
Less Collections to date	-\$ 9,749,923	
Equals Current Outstanding (as per TB)	270,487	265,114
Net Rates Collectable	270,487	265,114
% Outstanding	2.66%	

Receivables - General	Current	30 Days	60 Days	90+Days	Total
Receivables - General	\$ 6,930	\$ 0	\$ 622	\$ 2,710	10,262
Receivables - Parking					77,763
East Fremantle Lawn & Tennis Club					24,000
Total Receivables General Outstanding				0	112,025

Amounts shown above include GST (where applicable)

Control Account	GL	Balance
Sundry Debtors	104	10,262
SSL - Current EFTC	114	3,000
SSL - Non-Current EFTC	1684	21,000
Parking Debtors	180	77,763
		112,025

Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables General

[Insert explanatory notes and commentary on trends and timing]

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Page No. : 7

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Debtors Trial Balance
As at 31.03.2020

Town of East Fremantle

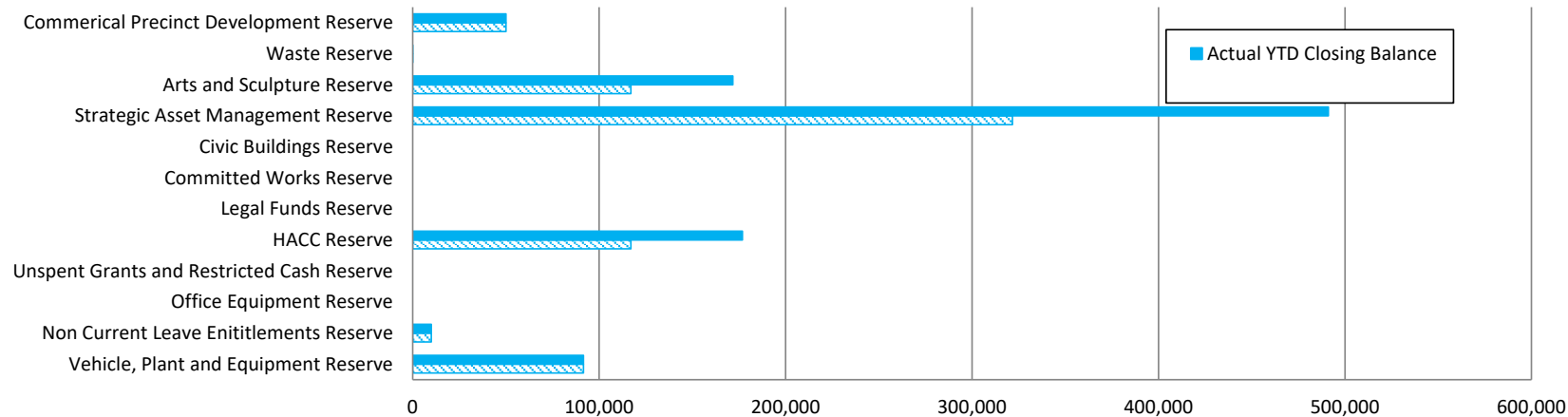
-----Rate Balances-----

TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2020

Note 5: Cash Backed Reserve

Name	Opening Balance	Amended Budget Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Vehicle, Plant and Equipment Reserve	171,247				(79,620)	(79,620)	91,627	91,627
Non Current Leave Entitlements Reserve	10,000						10,000	10,000
Office Equipment Reserve	0						0	0
Unspent Grants and Restricted Cash Reserve	0						0	0
HACC Reserve	217,037				(100,000)	(40,234)	117,037	176,803
Legal Funds Reserve	0						0	0
Committed Works Reserve	737,885				(737,885)	(737,885)	0	0
Civic Buildings Reserve	0						0	0
Strategic Asset Management Reserve	615,677	48,000		36,482	(341,963)	(161,110)	321,714	491,049
Arts and Sculpture Reserve	192,022				(75,000)	(20,250)	117,022	171,772
Waste Reserve	200,308				(200,309)	(200,309)	(1)	(1)
Commerical Precinct Development Reserve	50,000						50,000	50,000
	2,194,176	48,000	0	36,482	(1,534,777)	(1,239,408)	707,399	991,250

Note 7 - Year To Date Reserve Balance to End of Year Estimate



TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2020

Note 6: Disposal of Assets

Asset Number	Asset Description	2019/20				2019/20			
		YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	
	Plant and Equipment								
PE270	Toro Groundmaster 3500D (P4082)	27,480	6,422		(21,058)	10,000	10,000	0	
PE272	Toro Groundmaster	18,560	9,067		(9,493)	0	7,700	7,700	
PEMV259	CEO Vehicle	18,699	20,909	2,210		20,000	20,000		0
		64,738	36,398	2,210	(30,551)	30,000	37,700	7,700	0

Note 7: Rating Information

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	YTD Actual			Amended Budget				
				Rate Revenue \$	Interim Rates \$	Non-Rateable Properties	Total Revenue \$	Rate Revenue \$	Interim Rate \$	Back Rate \$	Total Revenue \$
Differential General Rate											
Residential GRV	0.069949	3,010	91,297,417	6,386,163	16,538		6,402,701	6,385,878	30,000		6,415,878
Commercial GRV	0.106227	123	12,451,307	1,322,665	11,674		1,334,339	1,318,318			1,318,318
Sub-Totals		3,133	103,748,724	7,708,828	28,212		7,737,040	7,704,196	30,000	0	7,734,196
Minimum Payment	\$										
Residential GRV	1,106.00	264	3,560,073	291,984	1,933		293,917	293,090			293,090
Commercial GRV	1,654.00	11	146,106	18,194	0		18,194	18,194			18,194
Sub-Totals		275	3,706,179	310,178	1,933		312,111	311,284	0	0	311,284
		3,408	107,454,903	8,019,006	30,145		8,049,151	8,015,480	30,000	0	8,045,480
Amount from General Rates							8,049,151				8,045,480
Less Prepaid Rates							(176,653)				
Totals							7,872,498				8,045,480

Comments - Rating Information

Page No. : 1

Town of East Fremantle
STATEMENT OF RATING INFORMATION
For The Financial Year Ending 30 JUN 2020

PARTICULARS	RATEABLE VALUE \$ \$,000	RATE IN \$ (C.)	YIELD \$	MINIMUMS NO.	YIELD \$	TOTAL \$
General Rate GRV						
RESIDENTIAL	91297	6.9949	6386163	264	291984	6678147
COMMERCIAL	10903	10.6227	1158215	11	18194	1176409
RATEABLE ORGANISATION	1548	10.6227	164450	0	0	164450
	-----		-----	---	-----	-----
Total GRV	103749		7708828	275	310178	8019006
	-----		-----	---	-----	-----
Total Rates Levied						8019006
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TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 30 June 2020

Note 8: Grants and Contributions







Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Amended Operating	Budget Capital	YTD Budget	Annual Budget (d)	Expected (d)+(e)	YTD Actual Revenue	
					\$	\$	\$			\$	
General Purpose Funding											
Grants Commission - General	WALGGC	Untied - General Purpose	NA	NA	Operating	77,726	0	77,726	77,726	77,726	159,167
Grants Commission - Roads	WALGGC	Untied - Road	NA	NA	Operating	33,927	0	33,927	33,927	33,927	76,001
Education and Welfare											
Home and Community Care Program	State/Commonwealth Dep. Health	Commonwealth Home Support Programme			Operating	722,683	0	722,683	722,683	722,683	759,088
Community Amenities											
Recycling Grant	Dept. Regional Development	Better Bins Program			Operating	51,000	0	51,000	51,000	51,000	25,000
Bus Shelter - Maintenance Assistance Scheme	Public Transport Authority	Bus Shelter Maintenance	NA	NA	Operating						(3,923)
Recreation and Culture											
Minor Grants - Rec and Culture	Various		To be applied for		Operating	45,000	0	0	45,000	45,000	45,000
East Fremantle Oval Redevelopment	Dept. Sport and Recreation	Business Case	To be applied for		Operating	0		0	0	0	0
Foreshore Erosion	DBCA				Operating	84,000		84,000	84,000	84,000	0
East Fremantle Festival	Lotterywest				Operating	30,000		20,000	30,000	30,000	28,500
Transport											
Integrated Traffic Strategy	Recoup from Trust		NA	NA	Operating	50,000		50,000	50,000	50,000	42,265
Roads To Recovery Grant - Cap	Commonwealth Dep Transport	Road Renewal	31-Oct	Audited Annual Report	Non-operating		236,818	236,818	236,818	236,818	236,818
Regional Road Group - Cap	Main Roads	Road Renewal	31-May	Certificate of Completion	Non-operating		974,396	974,396	974,396	974,396	722,024
Direct Grant	Main Roads	Direct Grant	July	GST Free Invoice	Operating	18,024		18,024	18,024	18,024	18,024
Street Lighting Subsidy	Main Roads	Street Lighting Subsidy	September		Operating	4,800		4,800	4,800	4,800	4,648
Stirling Bridge Verge Maintenance Agreement	Main Roads	Stirling Highway Verge Maint. Agreement	September	GST Inc. Invoice	Operating	7,920		7,920	7,920	7,920	8,334
TOTALS						1,125,080	1,211,214	2,281,294	2,336,294	2,336,294	2,120,946
SUMMARY											
Operating		Operating Grants, Subsidies and Contributions				1,125,080	0		1,125,080	1,125,080	1,162,104
Operating - Tied		Tied - Operating Grants, Subsidies and Contributions				0	0		0	0	0
Non-operating		Non-operating Grants, Subsidies and Contributions				0	1,211,214		1,211,214	1,211,214	958,842
TOTALS						1,125,080	1,211,214	0	0	2,336,294	2,120,946
Pending Grants:											
Grant Provider	Purpose of Grant	Date Applied	Expected Date of Outcome	Type						Amount Applied	Required Co Contribution
										\$	\$

Town of East Fremantle

Capital Works Report

Budget Year: 19/20
Data as at: Friday, 26 June 2020

Run at 9:25AM on 26/06/2020
99% of Year Lapsed

LEGEND	
Income	
	Under Budget by 10% or more (YTD Actual against YTD Budget)
Expenditure	
	Greater than 10% over budget (Total Committed against Current Budget)
	Over Budget by 5% but less than 10%
	Over Budget by less than 5%
	No Budget
	FY1 - Less than 20% expenditure spent (Total Committed against Current Budget)

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
04 - GOVERNANCE									
042 - ADMINISTRATION									
Capital Expenditure									
E04601		Plant Replacement - CEO Vehicle	45,000	45,000	45,876	0	45,876	1.95%	102%
E04604		Buildings - Town Hall Remedial Works	15,000	15,000	3,072	7,266	10,338	-31.08%	69%
E04606		Furniture and Equipment	40,000	40,000	12,011	12,011	24,021	-39.95%	60%
E04620		Town Hall AV Equipment	35,000	35,000	35,299	0	35,299	0.85%	101%
Capital Expenditure Total			135,000	135,000	96,258	19,277	115,535		
05 - LAWORDERPUBLIC SAFETY									
052 - ANIMAL CONTROL									
Capital Expenditure									
E05208		Plant Replacement - Ranger Vehicle	0	0	0	0	0		
E05210		Ranger Accommodation and Fit-Out	0	0	0	0	0		
Capital Expenditure Total			0	0	0	0	0		
08 - WELFARE									
081 - PRE SCHOOL									
Capital Expenditure									
E06601		Buildings - Richmond Pre-Primary School	20,000	20,000	21,230	0	21,230	6.15%	106%
Capital Expenditure Total			20,000	20,000	21,230	0	21,230		
082 - CARE OF FAMILIES & CHILDREN									
Capital Expenditure									
E08601		Buildings - Tricolore Community Centre	100,000	100,000	9,136	39,691	48,827	-51.17%	49%
Capital Expenditure Total			100,000	100,000	9,136	39,691	48,827		
083 - OTHER WELFARE									
Capital Expenditure									
E08613		Glyde-In Community Learning Centre	33,500	33,500	33,533	0	33,533	0.10%	100%
Capital Expenditure Total			33,500	33,500	33,533	0	33,533		
09 - HOUSING									
019 - HOUSING - COUNCIL OWNED									
Capital Expenditure									
E09604		Buildings - Allen Street Units Complex - Renewal CapEx	0	0	0	0	0		
Capital Expenditure Total			0	0	0	0	0		
10 - COMMUNITY AMENITIES									
101 - SANITATION-HOUSEHOLD REFUSE									

Town of East Fremantle

Capital Works Report

Budget Year: 19/20
Data as at: Friday, 26 June 2020

Run at 9:25AM on 26/06/2020
99% of Year Lapsed

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
Capital Expenditure									
E10608		3 Bin FOGO Implementation	185,000	185,000	184,370	0	184,370	-0.34%	100%
Capital Expenditure Total			185,000	185,000	184,370	0	184,370		
103 - TOWN PLANNING & REGIONAL DEVELOPMENT									
Capital Expenditure									
E10639		Plant Replacement - EMRS Vehicle	0	0	0	0	0		
Capital Expenditure Total			0	0	0	0	0		
104 - OTHER COMMUNITY AMENITIES									
Capital Expenditure									
E10605		Inf - Jetty Treatment and Major Maintenance Program - Infrastructure CapEx	30,000	30,000	29,556	0	29,556	-1.48%	99%
E10607		Sumpton Green Fence Replacement	0	0	0	0	0		
E10628		Sumpton Green Play Equipment	0	0	0	0	0		
E10629		Public Toilet - Capital	113,000	113,000	112,838	0	112,838	-0.14%	100%
Capital Expenditure Total			143,000	143,000	142,393	0	142,393		
11 - RECREATION AND CULTURE									
111 - SWIMMING AREAS/BEACHES									
Capital Expenditure									
E11687		Inf - Swimming Areas - Foreshore Erosion Control	154,000	154,000	20,922	79,284	100,206	-34.93%	65%
E11699		Inf - Dinghy Storage Units	10,000	10,000	0	0	0	-100.00%	0%
Capital Expenditure Total			164,000	164,000	20,922	79,284	100,206		
112 - OTHER RECREATION & SPORT									
Capital Expenditure									
E11600		East Fremantle Football Club Roof Repairs-CapEx	28,000	28,000	28,214	0	28,214	0.76%	101%
E11607		EF Bowling Club - Building Renewal CAPEX	18,000	18,000	15,710	0	15,710	-12.72%	87%
E11608		Buildings - EF Tricolore Soccer Club	0	0	0	0	0	No Budget	
E11609		Buildings - EF Cricket / Lacrosse Club Bldg - Upgrade CapEx	0	0	0	0	0		
E11613		Inf - Dog Park Fencing and Equipment	17,000	17,000	16,471	0	16,471	-3.11%	97%
E11617		Infr Foreshore - Restore Steps	0	0	4,800	0	4,800	No Budget	
E11621		CROQUET CLUB	0	0	0	0	0		
E11623		Buildings - EF Junior Football Clubroom - CapEx	0	0	0	0	0		
E11630		Infra - Public Open Space - Lighting	15,000	15,000	0	0	0	-100.00%	0%
E11633		Inf - Cliff Management - Niegerup Track	20,000	20,000	9,750	1,883	11,632	-41.84%	58%
E11641		Inf - Gourley Park	10,000	10,000	0	0	0	-100.00%	0%
E11649		Park Bins and Dog Bag Dispensers	27,000	27,000	27,504	0	27,504	1.87%	102%
E11652		Inf- Parks and Ovals Perimeter Fence	0	0	0	0	0		
E11666		Inf. - Playground Equipment Upgrade Program - Various Locations	35,000	35,000	9,907	0	9,907	-71.69%	28%
E11667		Inf. - Parks - Community Garden	20,000	20,000	1,750	0	1,750	-91.25%	9%
E11678		EF Junior Football Club - Install Floodlighting	45,000	45,000	45,000	0	45,000	0.00%	100%
E11692		Plant Replacement - Parks and Ovals	0	0	0	0	0		
E11695		Inf - Chapman / Preston Point Reserve - Returfing and Irrigation	145,000	145,000	67,285	0	67,285	-53.60%	46%

Town of East Fremantle

Capital Works Report

Budget Year: 19/20
 Data as at: Friday, 26 June 2020

Run at 9:25AM on 26/06/2020

99% of Year Lapsed

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
E11701		Inf - Henry Jeffrey Cricket Nets	0	0	0	0	0		
E11704		Inf - John Tonkin Power Upgrade	0	0	0	0	0		
E11707		Purchase of Plant and Equipment - Parks and Ovals	87,500	87,500	86,584	0	86,584	-1.05%	99%
E11708		Richmond Raceway - Security Bars	22,000	22,000	0	20,250	20,250	-7.95%	92%
E11709		EFFC - Upgrade of Toilets and Showers Contrib. (Unisex Convers)	0	0	0	0	0		
E11710		EF Football Club - Contribution to Building Upgrades/Security	0	0	0	0	0		
E11711		EF Tennis Club - Contribution to Building Upgrades/Universal Toilet	108,000	108,000	108,000	0	108,000	0.00%	100%
E11712		INF - Bore Replacement Parks and Ovals	40,000	40,000	31,985	60,000	91,985	129.96%	230%
E11713		INF - Parks/ Reserve Sign Replacement	85,000	85,000	68,513	7,909	76,423	-10.09%	90%
Capital Expenditure Total			722,500	722,500	521,473	90,042	611,515		
114 - OTHER CULTURE									
Capital Expenditure									
E11685		Inf-Acquisition of Public Art (Outdoor Sculpture) - CapEx - Other Culture	75,000	75,000	500	10,000	10,500	-86.00%	14%
Capital Expenditure Total			75,000	75,000	500	10,000	10,500		
12 - TRANSPORT									
121 - CONSTR STS ROADS & BRIDGESDEP									
Capital Expenditure									
E12616		Inf. Roads - Marmion Street Median Strip	16,500	16,500	0	16,500	16,500	0.00%	100%
Capital Expenditure Total			16,500	16,500	0	16,500	16,500		
122 - MAINT STREETS ROADS & BRIDGES									
Capital Expenditure									
E12607		Inf. - Roads - Preston Pt. Rd - Roads to Recovery Project	0	0	0	0	0		
E12608		Inf. - Roads - Sewell Street - Roads to Recovery Project	0	0	0	0	0		
E12615		Plant Replacement - Works	0	0	0	0	0		
E12622		Footpath - May St	0	0	0	0	0		
E12626		Inf - Footpath - Fletcher St	58,000	58,000	55,655	0	55,655	-4.04%	96%
E12643		Footpath - Easton Street	0	0	0	0	0		
E12645		Infra - Footpath Renewal - Staton Road	26,000	26,000	26,000	0	26,000	0.00%	100%
E12656		Footpath - Stratford Street	0	0	0	0	0		
E12668		Inf. - Footpath - Reynolds Street	15,000	15,000	15,000	0	15,000	0.00%	100%
E12671		Stormwater Audit	0	0	0	0	0		
E12676		Inf. - Roads - Allen Street - Widen Road Pavement	0	0	0	0	0		
E12693		Footpath - East Street	0	0	0	0	0		
E12694		Footpath-Riverside Road.	0	0	0	0	0		
E12695		Footpath-John Tonkin Park.	0	0	0	0	0		
E12699		Inf - Footpath - Canning H'Way	61,000	61,000	60,857	0	60,857	-0.23%	100%
E12710		Infra - Roads - Fraser Street - Asphalt Resurfacing	0	0	0	0	0	No Budget	
E12716		Inf - Roads - Glyde St - Asphalt Resurfacing	0	0	0	0	0		
E12726		Inf - Roads - Glyde Street (North) - Ashphalt Resurfacing	0	0	0	0	0		
E12750		Inf - Roads - Reconstruct Pavement and Ashphalt Overlay Chauncy St. CapEx	0	0	0	0	0		

Town of East Fremantle

Capital Works Report

Budget Year: 19/20
 Data as at: Friday, 26 June 2020

Run at 9:25AM on 26/06/2020
 99% of Year Lapsed

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
E12761		Inf - Drainage	133,000	133,000	131,725	10,287	142,012	6.78%	107%
E12763		Inf. - Footpath Renewal - Bolton St.	0	0	0	0	0	No Budget	
E12776		Infra - Roads - Council Place - Asphalt Resurfacing	0	0	0	0	0		
E12782		Inf - Roads - Moss Street - Asphalt Resurfacing	0	0	0	0	0		
E12784		Inf - Roads - Road Resurfacing - Riverside Road	1,900,000	1,900,000	1,052,608	1,405,065	2,457,673	29.35%	129%
E12785		Inf - Roads - Road Resurfacing - Silas Street	0	0	265	0	265	No Budget	
E12786		Inf - Roads - View Terrace	0	0	0	0	0	No Budget	
E12788		Inf - Roads - Woodhouse Road - Asphalt Resurfacing	0	0	0	0	0		
E12789		Infr - Footpath Renewal - Allen Street	17,826	17,826	17,592	0	17,592	-1.31%	99%
E12793		Infr - Footpath Renewal - Oakover Street	75,000	75,000	0	0	0	-100.00%	0%
Capital Expenditure Total			2,285,826	2,285,826	1,359,702	1,415,352	2,775,055		
123 - ROAD PLANT									
Capital Expenditure									
E12613		Plant and Equipment Purchases - Transport	0	0	0	0	0		
E12701		Plant and Equip. - Solar Powered Variable Message Trailer	25,000	25,000	25,448	0	25,448	1.79%	102%
Capital Expenditure Total			25,000	25,000	25,448	0	25,448		
124 - PARKING FACILITIES									
Capital Expenditure									
E12661		Inf. - Carpark - EF Football Club	53,000	53,000	53,190	0	53,190	0.36%	100%
E12700		Inf. Car Park - EF Yacht Club	48,000	48,000	48,357	0	48,357	0.74%	101%
E12737		Inf - Carpark Tricolore Community Centre and Sports Field	285,000	285,000	291,916	20,120	312,036	9.49%	109%
E12739		Inf - Carpark Upgrades and Machines Leeuwin	0	0	0	0	0	No Budget	
E12747		Inf - Roads - Parking Machines	0	0	0	0	0		
E12759		Inf - Carpark East Fremantle Tennis Club	0	0	0	0	0		
E12770		Inf - John Tonkin Carpark Construction New - CapEx	0	0	0	0	0		
Capital Expenditure Total			386,000	386,000	393,463	20,120	413,583		
14 - OTHER PROPERTY AND SERVICES									
144 - UNCLASSIFIED PROPERTY									
Capital Expenditure									
E14601		Buildings - Renewals and Electrical Services	72,000	72,000	71,725	0	71,725	-0.38%	100%
E14604		Depot Administration Building and Surrounds	40,000	40,000	20,246	0	20,246	-49.39%	51%
Capital Expenditure Total			112,000	112,000	91,971	0	91,971		
GRAND TOTAL			4,403,326	4,403,326	2,900,400	1,690,266	4,590,666		

DA81 FINANCIAL HARDSHIP APPLICATIONS

- Objective of Delegation:** Determination of Applications for Financial Hardship in accordance with Council's Debt Collection Policy, Rates Concession Policy, Application for Financial Hardship Form (Rates and Sundry Debtors) and Budget Parameters.
- Extent of Delegation:** The power to defer, waive, grant concession or write off any amount of money owed to the Town of East Fremantle, under section 6.12 of the Local Government Act 1995.
- Conditions imposed:**
1. The power to write off or waive individual amounts not exceeding \$2,000
 2. The power to defer liability to pay monies for a maximum period of 6 months
 3. The full details of the deferment, waiver, concession or write off is to be recorded on the appropriate financial record and the report to be provided to Council on a monthly basis

Delegation by Council to:	Chief Executive Officer
Delegation by Chief Executive Officer to:	Executive Manager Corporate Services
Formal Record:	Recorded in central records system
Heads of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995 section 6.12</i>
Last Reviewed:	
Amended:	

12.2.2 Accounts for Payment – June 2020

File ref	F/FNS2
Prepared by	John Mondini, Manager, Finance & Administration
Supervised by	Peter Kocian, Executive Manager, Corporate Services
Meeting Date	21 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments – June 2020

Purpose

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, RECEIVES the list of payments made under delegated authority for the month ended 30 June 2020 and recorded in the minutes of the Council.

Executive Summary

Council has an Executive role in receiving the list of payments pursuant to Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 June to 30 June 2020, 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.

The bulk of payments are processed by electronic funds transfer (EFT) with the exception of Water Corporation accounts which are paid by cheque and the occasional reimbursements and refunds.

Consultation

Nil.

Statutory Environment

Regulation 13: *Local Government (Financial Management) Regulations 1996 (as amended)* requires Local Governments to prepare a list of payments made under delegated authority to be prepared and presented to Council on a monthly basis.

Policy Implications

Policy 2.1.3 Purchasing. All supplier payments are approved under delegated authority pursuant to the authorisation limits outlined in Council's purchasing policy.

Financial Implications

Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the list of payments	Rare (1)	Moderate (3)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	3
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

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

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Site Inspection

Not applicable.

Comment

Payments for the month of June 2020 include the following significant items:

Payee	Particulars	Amount
SMRC	Green Waste Gate Fees, FOGO Gate Fees, General Waste Disposal Fee for May 20	\$39,696.76
Landgate	GRV General Values Metro Revaluation 2019/2020	\$45,117.63
Phase 3 Landscape Construction	Wauhop Carpark – Landscape Works	\$31,862.58
Town of East Fremantle	Transfer of Funds from Developer Cash in Lieu Trust Account	\$22,170.00
Civcon Civil and Project Management	Tender RFT04-2019/20 Riverside Road Reconstruction and Rehabilitation	\$739,701.75
City of Fremantle	6 months contribution to the operation of the Recycle Centre	\$47,850.00
Main Roads	Repayment of unspent Grant MRRG Funding – Riverside Road	\$31,621.70
SMRC Loan Repayment Account	RRRC Loan Repayment for June Quarter 2020	\$27,677.14
SMRC	RRRC Overheads and WCF Fixed Costs Contribution based on FOGO and Red Bin Waste Tonnes February, March, April, May 20	\$91,798.52
GFG Consulting	RFQ-12-2019/20 – Installation of New Bore – Progress Claim 3 to 31/05/20	\$35,183.73
Paatsch Group	RFT03-2019/20 East Fremantle Oval Precinct Revitalisation Vision (Business Plan)	\$24,456.00

12.2.2 OFFICER RECOMMENDATION

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, **RECEIVES** the list of payments made under delegated authority for the month ended 30 June 2020 and recorded in the Minutes of the Council.

JUNE 2020		
Voucher No	Account	Amount
5294-5297	Municipal (Cheques)	\$8,884.13
EFT29657 – EFT29809	Municipal (EFT)	\$1,494,647.74
Payroll	Municipal (EFT)	\$406,517.62
Direct Debits	Municipal (Direct Debit)	\$75,384.95
	Total Payments	\$ 1,985,434.44

TOWN OF EAST FREMANTLE					
List of Accounts paid by the Chief Executive for June 2020 & submitted for the information of the Council Meeting to be held on 21 July 2020					
Cheque	Payment Date	Supplier	Description	Inv Amount	Cheque
CHEQUES				\$	\$
5294	11/06/2020	TOWN OF EAST FREMANTLE	ADMIN PETTY CASH RECOUP	88.90	88.90
5295	11/06/2020	WATER CORPORATION	WATER USE AND SERVICE CHARGES VARIOUS LOCATIONS	6,974.30	6,974.30
5296	11/06/2020	OFFICE OF STATE REVENUE	RATES REFUND-SENIORS CARD	100.00	100.00
5297	24/06/2020	WATER CORPORATION	WATER USE AND SERVICE CHARGES VARIOUS LOCATIONS	1,720.93	1,720.93
CHEQUE TOTAL				\$ 8,884.13	\$ 8,884.13
EFTs		Supplier	Description	Inv Amount	EFT
EFT29657	11/06/2020	AUSTRALIA POST	POSTAGE COST - MARCH 2020	1,711.44	
			POSTAGE COST - APRIL 2020	522.50	
			POSTAGE COST - MAY 2020	854.07	3,088.01
EFT29658	11/06/2020	APACE AID (INC)	WEED CONTROL AND MONITORING ON FORESHORE	1,089.00	1,089.00
EFT29659	11/06/2020	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS MAY 20	210.78	210.78
EFT29660	11/06/2020	BUNNINGS BLDG SUPPLIES LTD	PLASTIC SIGNS - NIERGARUP TRACK	155.41	
			SLEEPERS AND FITTINGS FOR TOWN ENTRY STATEMENT	488.60	644.01
EFT29661	11/06/2020	BENARA NURSERIES	PLANTS FOR GARDEN BED ANDREWS ROAD	333.30	333.30
EFT29662	11/06/2020	COMMUNITY NEWSPAPERS	ADVERTISING OF ANNUAL GENERAL ELECTORS' MEETING 25/2/20	222.71	
			ADVERTISE PRESTON PT NORTH RECREATION MASTERPLAN FOR PUBLIC COMMENT (27/2/20)	275.00	
			ADVERTISEMENTS X 2 - AMENDMENT NO 15 FINAL APPROVAL & RIVERSIDE ROAD RECONSTRUCTION	668.10	1,165.81
EFT29663	11/06/2020	CITY OF COCKBURN	TIP FEES MAY 2020	2,015.00	2,015.00
EFT29664	11/06/2020	IT VISION	RATE MODELLING AND BILLING TRAINING FOR RATES OFFICER 07/05/20	561.00	561.00
EFT29665	11/06/2020	LO-GO APPOINTMENTS	LABOUR HIRE FINANCE OFFICER (TEMP) W/E 23/05/20	874.72	
			LABOUR HIRE FINANCE OFFICER (TEMP) W/E 30/05/20	874.72	1,749.44
EFT29666	11/06/2020	MCLEODS	RATES DEBT RECOVERY COSTS	856.36	
			RATES DEBT RECOVERY COSTS	370.36	
			RATES DEBT RECOVERY COSTS	420.38	
			RATES DEBT RECOVERY COSTS	1,709.36	
			RATES DEBT RECOVERY COSTS	592.78	
			PROFESSIONAL FEES - REVIEW OF LEASE	283.36	4,232.60
EFT29667	11/06/2020	CANNON HYGIENE AUSTRALIA PTY LTD	SANITARY SERVICE TRICOLORE 08/06/20 - 30/06/20	9.67	9.67
EFT29668	11/06/2020	TELSTRA CORPORATION LIMITED	DEPOT NEXT G MOBILE BACKUP & HACC MOBILE PHONE 04/05/20 - 03/06/20	51.19	
			RESPITE CENTRE PHONE	226.29	277.48
EFT29669	11/06/2020	TOTAL EDEN PTY LTD	IRRIGATION PARTS WAUHOP PARK	187.83	187.83
EFT29670	11/06/2020	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS	10,251.95	10,251.95
EFT29671	11/06/2020	YOUNGS PLUMBING SERVICE P/L	MIDWIFE CENTRE - WATER LEAK REPAIRS	160.60	
			RICHMOND RACEWAY - DRINKING FOUNTAIN TAP REPAIR	316.80	
			GLASSON PARK - REMOVE TOILET BLOCKAGE	151.80	629.20
EFT29672	11/06/2020	STEANN PTY LTD	GREENWASTE REMOVAL FROM BUND - MAY 2020	2,112.00	2,112.00
EFT29673	11/06/2020	TREE PLANTING & WATERING	STREET TREE WATERING - FEB 20	5,313.04	
			STREET TREE WATERING - MAR 20	5,977.17	
			STREET TREE WATERING - APR 20	5,313.04	
			STREET TREE WATERING - MAY 20	1,328.26	17,931.51
EFT29674	11/06/2020	TELEPHONE CLEANSING AUSTRALIA (TCA)	ONE CARTON LCD SCREEN DISINFECTION SACHETS	494.00	494.00
EFT29675	11/06/2020	SOUTHERN METROPOLITAN REGIONAL COUNCIL	GREEN WASTE GATE FEES FOR MAY 20 - 3 X TRAILER PASS	3,014.78	
			FOGO GATE FEES MAY 20	22,886.71	
			GENERAL WASTE DISPOSAL FEE FOR MAY 20	13,795.27	39,696.76
EFT29676	11/06/2020	CARDNO (WA) PTY LTD	INTEGRATED TRAFFIC MOVEMENT PROJECT - FOR PROFESSIONAL SERVICES RENDERED FOR THE PERIOD ENDING 29/05/20 - ISSUE OF DRAFT STRATEGY REPORTS	495.00	495.00
EFT29677	11/06/2020	DEPT OF MINES, INDUSTRY REGULATION & SAFETY (FORMALLY BUILDING COMMISSION)	BSL COLLECTED MAY 20	910.85	910.85
EFT29678	11/06/2020	WATERLOGIC AUSTRALIA PTY LTD	RENTAL AND MAINTENANCE OF WATER EQUIPMENT AT DEPOT - JUNE JULY AUGUST 20	179.52	179.52
EFT29679	11/06/2020	LIME FLOWERS	CONDOLENCE FLOWERS STAFF MEMBER	100.00	100.00
EFT29680	11/06/2020	PETRA CLEAN	CLEANING SERVICES TOWN HALL, SUMPTON GREEN, TRICOLORE, DEPOT, GLASSON PARK PUBLIC TOILET MAY 2020	5,206.49	5,206.49
EFT29681	11/06/2020	WOOLWORTHS SUPERMARKETS	GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	35.14	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	41.32	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	90.44	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	77.79	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	168.86	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	78.75	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	73.56	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	108.15	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	14.39	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	60.16	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	58.97	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	80.36	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	108.42	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	73.60	
			GROCERIES FOR CHSP CLIENT- CLIENT TO REIMBURSE BY DIRECT DEBIT	104.56	1,174.47
EFT29682	11/06/2020	DAVID GRAY & CO. PTY LTD	30X 240L MGB BINS WITH RED LIDS	1,715.67	1,715.67
EFT29683	11/06/2020	HYDRO JET	GRAFFITI REMOVAL - VARIOUS LOCATIONS	440.00	440.00
EFT29684	11/06/2020	LANDSCAPE YARD O'CONNOR	LANDSCAPE MIX	205.20	205.20
EFT29685	11/06/2020	CARINYA OF BICTON	RESPITE CENTRE MEALS FOR JANUARY 2020 - INVOICE PROVIDED 02/06/20	519.45	519.45
EFT29686	11/06/2020	FOODWORKS EAST FREMANTLE	ADMINISTRATION, WORKS AND HACC CONSUMABLES MAY 20	437.26	437.26
EFT29687	11/06/2020	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH FEES - APRIL 20	10.20	10.20
EFT29688	11/06/2020	FOCUS NETWORKS	ANNUAL SUPPORT COSTS AND PROJECT COSTS - MONTHLY SUPPORT HOURS PLUS ADDITIONAL TIME CHARGED OUT OF SCOPE OF AGREEMENT -MAY 20	523.60	
			MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - MAY 2020	3,890.70	
			MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - JUNE 2020,	3,692.87	8,107.17
EFT29689	11/06/2020	DOCUPRINT	PRINTING FOR CHSP POSTERS AND BROCHURES	58.65	58.65
EFT29690	11/06/2020	TRENCHBUSTERS	NIERGARUP TRACK WORKS - TRUCK HIRE	323.40	
			NIERGARUP TRACK WORKS - MACHINERY & TRAILER HIRE	1,870.00	
			BULK BINS - WAUHOP ROAD - JUNE 2020	1,260.00	
			NIERGARUP TRACK WORKS - TRUCK HIRE	323.40	3,776.80

EFT29691	11/06/2020	LANDMARK ENGINEERING AND DESIGN PTY LTD T/AS EXTERIA	6 X VASSE COMPOSITE PARK BENCHES	4,830.00	4,830.00
EFT29692	11/06/2020	LANDGATE	GRV GENERAL VALUES METRO REVALUATION 2019/2020	45,117.63	45,117.63
EFT29693	11/06/2020	VOCUS COMMUNICATIONS	ADSL INTERNET TRICOLORE CENTRE 100G JULY 2020	50.00	
			SESSION INITIATION PROTOCOL (SIP) LINES/SERVICES CHARGES FOR VOICE OVER INTERNET PROTOCOL (VOIP) - MAY 20	554.95	604.95
EFT29694	11/06/2020	MARKET CREATIONS	FACEBOOK POST - TOWN OFFICES CLOSED	100.00	
EFT29695	11/06/2020	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	LOOK LOCAL 2020 PROMOTIONAL CAMPAIGN, 2 X BOOSTED FACEBOOK POSTS	1,300.00	1,400.00
			MONTHLY CHARGES FOR PARKING MACHINES INCLUDING LICENCE AND COMMUNICATION COSTS MAY 20	265.47	
			HOST CMS INCLUDING LICENSE AND COMMUNICATION COSTS, COMPREHENSIVE MAINTENANCE PARTS	165.00	430.47
EFT29696	11/06/2020	FREMANTLE CHAMBER OF COMMERCE	FREMANTLE BUSINESS AWARDS NOMINATIONS AND DOUBLE PASS	600.60	600.60
EFT29697	11/06/2020	TREE'S A CROWD TREE CARE	REMOVE STORM DAMAGED TREE	660.00	660.00
EFT29698	11/06/2020	BUZZ ENTERPRISES PTY LTD TRADING AS SHIFTING SANDS	SAND CLEANING VARIOUS RESERVES	3,877.50	3,877.50
EFT29699	11/06/2020	SUEZ RECYCLING & RECOVERY PTY LTD	WASTE COLLECTION - LEEUWIN CARPARK BULK BINS - MAY 20	198.00	
			MONTHLY COLLECTION OF WASTE AT 46 EAST STREET - JUNE 2020	1,020.46	1,218.46
EFT29700	11/06/2020	READY TRACK PTY LTD T/AS LINXIO	GPS TRACKING FOR OPERATIONS VEHICLES MAY 2020	193.60	193.60
EFT29701	11/06/2020	HURRICANE DRAGON BOAT AND OUTRIGGER CANOE CLUB INC	CONSULTANT FEES LEASE REVIEW	851.07	851.07
EFT29702	11/06/2020	SHRED-X PTY LTD	240 LITRE AND 125 LITRE SECURITY BIN EXCHANGE 21/05/20	10.12	10.12
EFT29703	11/06/2020	EASY ACCESS LIFT	MAINTENANCE SERVICE COMPLETED ON LIFT	717.20	717.20
EFT29704	11/06/2020	CENTURY AIR CONDITIONING	AIR CONDITIONER SERVICE - BOWLING CLUB	264.00	264.00
EFT29705	11/06/2020	CREDIT SOLUTIONS	DEBT COLLECTION FEES - APRIL 20	745.60	
			DEBT COLLECTION FEES MAY 20	2,935.05	3,680.65
EFT29706	11/06/2020	DANTHONIA DESIGNS	3 PANEL SOLAR PACKAGE FOR TOWN ENTRY STATEMENT - IN ADDITION TO PO 37080 - SUPPLY AND INSTALL AS QUOTED	8,658.87	8,658.87
EFT29707	11/06/2020	UDLA	PROFESSIONAL FEES - EAST FREMANTLE URBAN STREETScape & PUBLIC REALM STYLE GUIDE - STAGE 3 - STAKEHOLDER AND COMMUNITY ENGAGEMENT PLUS PAMPHLET VARIATION	3,755.40	3,755.40
EFT29708	11/06/2020	GRACE RECORDS MANAGEMENT (AUSTRALIA)	TRANSPORT AND STORAGE OF RECORDS 2019/2020 - JUNE 20, SCAN ON DEMAND FOR PLANNING / BUILDING RECORDS 2019/2020 - MAY 20	344.77	344.77
EFT29709	11/06/2020	LEE SYMINTON ARCHITECT	TRICOLORE - DESIGN OF COMMERCIAL KITCHENS	2,200.00	2,200.00
EFT29710	11/06/2020	LOCAL COMMUNITY INSURANCE SERVICES	INSURANCE GENERAL COMMUNITY LED INITIATIVES PROGRAM 30/06/2020 - 30/06/2021	837.10	837.10
EFT29711	11/06/2020	PALMYRA VET HOSPITAL	EUTHANASIA OF DOG DUE TO DOG ATTACK	204.75	204.75
EFT29712	11/06/2020	GFG CONSULTING	RFQ-12-2019/20 - IRRIGATION UPGRADES - CHAPMAN RESERVE	5,574.36	5,574.36
EFT29713	11/06/2020	FRESH PROVISIONS BICTON	CATERING FOR CANCER AUSTRALIA BIGGEST MORNING TEA	85.00	85.00
EFT29714	11/06/2020	KYOCERA DOCUMENT SOLUTIONS	COPY CHARGES KYOCERA PRINTER MAY 20	66.39	66.39
EFT29715	11/06/2020	PAATSCH GROUP	WORK VARIATION - 3 X CONCEPT IMAGES (RENDERS) @\$350 + MOUNTING - SITE MEETING WITH MINISTER	1,320.00	1,320.00
EFT29716	11/06/2020	PHASE 3 LANDSCAPE CONSTRUCTION	WAUHOP CARPARK - LANDSCAPE WORKS	31,862.58	31,862.58
EFT29717	11/06/2020	DIVERSE PROJECT GROUP	TWO PERSPEX SCREENS FOR RECEPTION DESK AT THE TOWN HALL	764.50	764.50
EFT29718	11/06/2020	JOHN LANE	LGIS WORKERS COMPENSATION REIMBURSEMENT - JOHN LANE	76.30	76.30
EFT29719	11/06/2020	CATHEDRAL ROOFING	REPAIRS TO GLYDE-IN - 42 GLYDE STREET EAST FREMANTLE	676.50	676.50
EFT29720	11/06/2020	PERTH EXPO	STANDING AUTOMATIC HAND SANITISER FOR TOWN HALL AND TRICOLORE	869.00	869.00
EFT29721	11/06/2020	CALTEX AUSTRALIA PETROLEUM PTY LTD	FUEL USE MAY 2020	2,639.86	2,639.86
EFT29722	17/06/2020	TOWN OF EAST FREMANTLE	TRANSFER OF FUNDS FROM DEVELOPER CASH IN LIEU TRUST ACCOUNT	22,170.00	22,170.00
EFT29723	19/06/2020	CRAZY DINGO	BOND REFUND	2,000.00	2,000.00
EFT29724	19/06/2020	DUNCAN RICE	BOND REFUND	2,000.00	2,000.00
EFT29725	19/06/2020	BROLGA DEVELOPMENTS & CONSTRUCTION PTY LTD	BOND REFUND	1,500.00	1,500.00
EFT29726	19/06/2020	BRUCE DONALD MACLEAN	BOND REFUND	2,000.00	2,000.00
EFT29727	19/06/2020	IAN CHAPMAN SIMES	BOND REFUND	2,000.00	2,000.00
EFT29728	19/06/2020	PHILIP GALIPO - P2 CONCEPTS	BOND REFUND	2,000.00	2,000.00
EFT29729	19/06/2020	KIRSTY LE GASSICKE	BOND REFUND	2,000.00	2,000.00
EFT29730	19/06/2020	JOHN HENNESSY	BOND REFUND	2,400.00	2,400.00
EFT29731	19/06/2020	BRANKO KARABUVA	BOND REFUND	1,650.00	1,650.00
EFT29732	19/06/2020	CHRIS LAWRENCE	BOND REFUND	2,400.00	2,400.00
EFT29733	19/06/2020	MINH HOANG NGUYEN	BOND REFUND	2,400.00	2,400.00
EFT29734	23/06/2020	CIVCON CIVIL & PROJECT MANAGEMENT	TENDER RFT04-2019/20 RIVERSIDE RD RECONSTRUCTION & REHABILITATION - PROGRESS CLAIM 2 - MAY 20	739,701.75	739,701.75
EFT29735	24/06/2020	APACE AID (INC)	APACE NATIVE PLANT SUBSIDY 2020	1,000.00	1,000.00
EFT29736	24/06/2020	BUNNINGS BLDG SUPPLIES LTD	RAPID SET AND TOOLS	356.79	
			SCREWS FOR REPAIRS TO DOOR AT TOWN HALL	74.09	
			PURCHASE OF TREES FOR VARIOUS AREAS	298.60	729.48
EFT29737	24/06/2020	CITY OF FREMANTLE	6 MONTHS CONTRIBUTION TO THE OPERATION OF THE RECYCLE CENTRE	47,850.00	47,850.00
EFT29738	24/06/2020	FREMANTLE HERALD	ADVERTISING NOTICE OF CONDUCT OF ELECTRONIC MEETINGS FOR MAY 2020	189.83	
			ADVERTISING NOTICE OF INTENTION TO CONDUCT OF ELECTRONIC MEETINGS FOR MAY 2020	189.83	
			ADVERTISING SCHEDULE OF MEETINGS 2020/21	258.88	
			ADVERTISING NOTICE OF SPECIAL COUNCIL MEETING 30/6/20	115.05	
			ADVERTISING ADOPTION OF FEES & CHARGES 2020/21	115.05	868.64
EFT29739	24/06/2020	LO-GO APPOINTMENTS	APPOINTMENT OF FINANCE OFFICER W/E 06/06/20	874.72	874.72
EFT29740	24/06/2020	MAIN ROADS	REPAYMENT OF UNSPENT GRANT MRRG FUNDING - RIVERSIDE ROAD	31,621.70	31,621.70
EFT29741	24/06/2020	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	48-50 ALEXANDRA ROAD RECYCLING COLLECTION MAY 2020	447.55	
			FOGO COLLECTIONS, COMMERCIAL RECYCLING COLLECTION, PARKS AND RESERVES COLLECTION, STREET BINS COLLECTION MAY 20	18,963.75	
			DOMESTIC RECYCLING COLLECTION, DOMESTIC RESIDENTIAL COLLECTION, COMMERCIAL RECYCLING COLLECTION, PARKS & RESERVE COLLECTION & STREET BINS COLLECTION MAY 20	13,999.03	33,410.33
EFT29742	24/06/2020	SOUTH WEST GROUP	2019/20 CONTRIBUTION TO NRM FACILITATOR POSITION - AS AGREED	11,000.00	11,000.00
EFT29743	24/06/2020	ST JOHNS AMBULANCE ASSOCIATION	1 X SET ADULT DEFIBRILLATOR PADS	219.98	219.98
EFT29744	24/06/2020	TELSTRA CORPORATION LIMITED	DEPOT NEXT G MOBILE BACKUP 04/03/20 - 03/07/20	19.00	
			RESPIRE CENTRE PHONE MAY 20	133.18	
			SUMPTON GREEN PHONE TO 07/06/20, TOWN OF EAST FREMANTLE DIRECTORY LISTINGS	566.21	
EFT29745	24/06/2020	TITAN FORD	CEO MOBILE PHONE 16/05/20 - 15/06/20	86.00	804.39
			AIR CON SANITISER FOR VEHICLE	200.00	
			PURCHASE A REMOTE CONTROL DOOR KEY, CUT AND CODING OF KEY TO MATCH RANGER VEHICLE DESIGNATED UNLOCK CONTROL.	320.00	520.00
EFT29746	24/06/2020	SYNERGY	POWER SUPPLY TOWN HALL 19/05/20 - 15/06/20	1,182.62	1,182.62
EFT29747	24/06/2020	SMRC LOAN REPAYMENT ACCOUNT	RRRC LOAN REPAYMENT FOR JUNE QUARTER 2020	27,677.14	27,677.14

EFT29748	24/06/2020	ELLENBY TREE FARM	SUPPLY 50 VARIOUS TREES PLUS DELIVERY.	11,440.00	11,440.00
EFT29749	24/06/2020	MELVILLE MITSUBISHI	MECHANICAL SERVICE FOR BUS 1DXU938	500.00	
			MECHANICAL SERVICE FOR BUS 1DTB605	496.25	996.25
EFT29750	24/06/2020	SWAN LOCK SERVICES PTY LTD	SERVICE CALL - SUPPLY AND INSTALL REPLACEMENT 1 X ABLOY CYLINDER FOR TRICOLORE COMMUNITY ENTRANCE DOOR.	405.30	405.30
EFT29751	24/06/2020	KOOL LINE ELECTRICAL & REFRIGERATION	REPLACE FAULTY PUMP AT MERV COWAN WATERFALL	4,054.00	
			TRICOLORE CAR PARK - INSTALLATION OF SOLAR LIGHTING	13,585.00	
			TRICOLORE - ELECTRICAL UPGRADE - LED LIGHTING	7,850.00	
			TRICOLORE - SWITCH BOARD REPLACEMENT	6,982.00	
			GLASSON PARK TOILET - TIMER CLOCK REPAIR, TOWN HALL - DOOR BELL REPLACEMENT, RICHMOND RACEWAY PARK - LIGHTING REPAIR, LOCKE PARK - INSTALL NEW CABLE PIT	2,190.00	
			TOWN ENTRY STATEMENT - FOUNDATION & ELECTRICAL WORKS	4,865.00	
			DOVENBY HOUSE - SOLAR INVERTER REPAIR & VERANDAH LIGHTING, ST PETER UNDERPASS - LIGHTING REPAIR	5,010.00	44,536.00
EFT29752	24/06/2020	SOUTHERN METROPOLITAN REGIONAL COUNCIL	OVERCOMPACTION SURCHARGE FOR MAY 2020	73.92	
			RRRC OVERHEADS & WCF FIXED COSTS CONTRIBUTION BASED ON FOGO AND RED BIN WASTE TONNES FEB, MARCH, APRIL, MAY 20	91,724.60	91,798.52
EFT29753	24/06/2020	WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION (WALGA)	COASTAL HAZARD PLANNING ISSUES PAPER - LEGAL OPINION	1,650.00	1,650.00
EFT29754	24/06/2020	SATELLITE SECURITY SERVICES	ALARM CODE SET UP FOR STAFF MEMBER TOWN HALL	50.00	
			ALARM CODE SET UP FOR STAFF MEMBER TOWN HALL	50.00	100.00
EFT29755	24/06/2020	HIND'S TRANSPORT SERVICES PTY LTD	LIMESTONE RUBBLE AS REQUESTED	1,570.80	1,570.80
EFT29756	24/06/2020	WOOLWORTHS SUPERMARKETS	VARIOUS GROCELY ITEMS	63.60	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	102.39	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	13.94	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	135.98	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	69.29	
			CATERING STAFF TRAINING (11/6/20)	101.60	
			CATERING STAFF TRAINING (12/6/20)	101.25	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	103.99	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	58.30	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	101.15	851.49
EFT29757	24/06/2020	IRRIGATION AUSTRALIA LIMITED	IRRIGATION AUSTRALIA ANNUAL SUBSCRIPTION	714.00	714.00
EFT29758	24/06/2020	DAVID GRAY & CO. PTY LTD	READI-RAC RODENTICIDE X 2X 8 KG TUBS.	268.40	268.40
EFT29759	24/06/2020	THE PAPER COMPANY OF AUSTRALIA	A4 80GM AONE COPY PAPER @\$4.95 X 50 REAMS	247.50	247.50
EFT29760	24/06/2020	WEST COAST SHADE PTY LTD	DISMANTLE SHADE SAILS FOR WINTER 2020 VARIOUS PARKES AND RESERVES	3,245.00	3,245.00
EFT29761	24/06/2020	HYDRO JET	GRAFFITI REMOVAL - CAMP WALLER SCOUTS, LOCKE PARK, MARJORIE GREEN	1,512.50	1,512.50
EFT29762	24/06/2020	LANDSCAPE YARD O'CONNOR	2M3 BRICKIES SAND FOR HENRY JEFFREY OVAL	114.00	114.00
EFT29763	24/06/2020	KONICA MINOLTA BUSINESS SOLUTIONS	KONICA MINOLTA BIZHUB C658 PHOTOCOPY CHARGES PLANNING 13/05/20 - 12/06/20	223.89	223.89
EFT29764	24/06/2020	CARINYA OF BICTON	RESPIRE CENTRE MEALS FOR MARCH 2020	460.65	
			RESPIRE CENTRE MEALS FOR FEBUARY 2020	519.45	980.10
EFT29765	24/06/2020	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH FEES - 19/20 - MAY 20	340.00	340.00
EFT29766	24/06/2020	LENIP PTY LTD T/AS ASPHALT IN A BAG	1/2 PALLET OF ASPHALT IN A BAG	859.38	859.38
EFT29767	24/06/2020	TRENCHBUSTERS	BULK BINS - WAUHOP ROAD - JUNE 2020	1,260.00	1,260.00
EFT29768	24/06/2020	ENVIRO SWEEP	STREET SWEEPING MARCH 2020	4,356.00	4,356.00
EFT29769	24/06/2020	CASCADA	DRAINAGE - VARIOUS EQUIPMENT	3,233.34	3,233.34
EFT29770	24/06/2020	EAST FREMANTLE JUNIOR CRICKET CLUB INC	19/20 COMMUNITY ASSISTANCE GRANT 50% CONTRIBUTIONS TO THE PROVISION ON NEW EQUIPMENT FOR NEW JUNIOR TEAMS	2,085.00	
			COMMUNITY ASSISTANCE GRANTS - 38% CONTRIBUTION TO NEW CRICKET BALLS	999.00	3,084.00
EFT29771	24/06/2020	CARING PHARMACY EAST FREMANTLE	24 X STAFF FLU SHOTS	358.90	358.90
EFT29772	24/06/2020	PRIME CIVIL PTY LTD	ROAD REPAIRS - VARIOUS LOCATIONS AS DIRECTED	4,840.00	4,840.00
EFT29773	24/06/2020	LANDGATE	SCHEDULES OF GROSS RENTAL VALUATIONS - MONTHLY INTERIM VALUES 2019/20 DATED 16/05/20 - 29/05/20	123.69	123.69
EFT29774	24/06/2020	TALIS CONSULTANTS PTY LTD	DRAINAGE AUDIT AND PROJECT MANAGEMENT OF MAINTENANCE WORKS - CONSULTANCY SERVICES FOR PERIOD ENDING 31/05/20	7,150.00	7,150.00
EFT29775	24/06/2020	MARKETFORCE	DEATH NOTICE - LES CAPE	118.06	
			SEEK ADVERTISEMENT FOR CASUAL SUPPORT OFFICERS CHSP	302.50	420.56
EFT29776	24/06/2020	MOORE STEPHENS	REVIEW OF FINANCIAL MANAGEMENT & RISK AND INTERNAL CONTROLS	2,200.00	2,200.00
EFT29777	24/06/2020	CELLARBATIONS AT EAST FREMANTLE	REFRESHMENTS 21/05/20	195.00	
			REFRESHMENTS 28/05/20	160.00	355.00
EFT29778	24/06/2020	RAMM SOFTWARE PTY LTD	RAMM ANNUAL SUPPORT AND MAINTENANCE FEE FOR THE PERIOD 01/07/20 - 30/06/21	6,976.17	6,976.17
EFT29779	24/06/2020	KEYS THE MOVING SOLUTION	FURNITURE STORAGE - HISTORIC AND CHAMBER FURNITURE 31/05/20 - 27/06/20	260.00	260.00
EFT29780	24/06/2020	STATE WIDE TURF SERVICES	TOP DRESS AT HENRY JEFFREY OVAL	6,105.00	
			RE TURF WORN AREAS ON WAUHOP PARK	9,694.08	
			TOP DRESS AT SPORTS GROUNDS	4,735.50	20,534.58
EFT29781	24/06/2020	PRIMARIES	CARTON OF TOM KAT RAT BAITS	499.75	499.75
EFT29782	24/06/2020	ICS AUSTRALIA	GUTTER CLEAN TOWN HALL	475.20	475.20
EFT29783	24/06/2020	WINC	RANGERS & OFFICE SUPPLIES	168.72	168.72
EFT29784	24/06/2020	READY TRACK PTY LTD T/AS LINXIO	GPS TRACKING FOR OPERATIONS VEHICLES JUNE 2020	193.60	193.60
EFT29785	24/06/2020	SALSA ROSSA	VOLUNTEER THANK YOU VOUCHERS	200.00	200.00
EFT29786	24/06/2020	ARTEK FURNITURE	REMOVE AND REPLACE CABINETS - WALL REMEDIAL WORK	915.20	915.20
EFT29787	24/06/2020	ITAG WA	STREET LIBRARY MOUNTING POSTS	950.00	950.00
EFT29788	24/06/2020	LIVING TURF	SUPPLY AND SPRAY FOR MITES ON WAHOP PARK & HENRY JEFFREY OVAL	4,428.60	4,428.60
EFT29789	24/06/2020	MOJO DIGITAL STUDIO	CREATION OF A BROCHURE DETAILING FAIRY GARDENS, LITTLE LIBRARIES AND DEFIBRILLATORS IN EAST FREMANTLE	550.00	550.00
EFT29790	24/06/2020	ROBERT CASHMAN	REIMBURSEMENT OF COSTS OF MISCELLANEOUS ITEMS PURCHASED FOR RANGERS	116.94	116.94
EFT29791	24/06/2020	GRACE RECORDS MANAGEMENT (AUSTRALIA)	STANDING ORDER FOR SCAN ON DEMAND FOR PLANNING / BUILDING RECORDS 2019/2020 - FEB 20	130.17	
			STANDING ORDER FOR SCAN ON DEMAND FOR PLANNING / BUILDING RECORDS 2019/2020 - MARCH 20	857.68	
			STANDING ORDER FOR SCAN ON DEMAND FOR PLANNING / BUILDING RECORDS 2019/2020 - APRIL 20	369.88	
			STANDING ORDER FOR SCAN ON DEMAND FOR PLANNING / BUILDING RECORDS 2019/2020 - MAY 20	755.25	2,112.98
EFT29792	24/06/2020	GFG CONSULTING	RFQ-12-2019/20 - INSTALLATION OF NEW BORE - PROGRESS CLAIM 3 TO 31/05/20	35,183.73	35,183.73
EFT29793	24/06/2020	FRESH PROVISIONS BICTON	CATERING 10/6/20	27.98	27.98
EFT29794	24/06/2020	TIM MUIRHEAD AND ASSOCIATES PTY LTD	CULTURAL AWARENESS TRAINING FOR STAFF	5,214.00	5,214.00
EFT29795	24/06/2020	NORTHERN STAR OCEAN PRODUCTS	VOLUNTEER THANK YOU VOUCHER	200.00	200.00

EFT29796	24/06/2020	KYOCERA DOCUMENT SOLUTIONS	PURCHASE A3 COLOUR MULTIFUNCTION PHOTOCOPIER	9,510.60	
			PURCHASE PAPER/CUT MF, SCANSHARE	3,701.06	
			PHOTOCOPY COSTS - MARCH 20	361.71	
			PHOTOCOPY COSTS APRIL 20	24.46	13,597.83
EFT29797	24/06/2020	EUGENES PIZZERIA	VOUCHERS FOR #LOOK LOCAL COMPETITION	200.00	
			VOUCHER VOLUNTEER THANK YOU	100.00	300.00
EFT29798	24/06/2020	STREET LIBRARY INCORPORATED	COUNCIL GRANT PACK 10 STREET LIBRARIES	3,902.90	3,902.90
EFT29799	24/06/2020	SAMPHIRE CATERING (POPPETS PANTRY)	CATERING 16/6/20	272.00	272.00
EFT29800	24/06/2020	EAST FREMANTLE PRIMARY SCHOOL	2020 PART FUNDING OF SHADE STRUCTURE	4,480.00	4,480.00
EFT29801	24/06/2020	GARRY JOSEMANS	REIMBURSEMENT OF OVERPAYMENT OF PARKING TICKET FOR LEEUWIN LAUNCHING RAMP	12.00	12.00
EFT29802	24/06/2020	ASLAB PTY LTD	PERMEABILITY TESTING - IRWIN STREET	723.21	723.21
EFT29803	24/06/2020	BRANKO KARABUVA	PARTIAL REFUND OF MOORNING PEN FEES 19/05/20 - 30/06/20 - LEASE CANCELLED	423.12	423.12
EFT29804	24/06/2020	JOHN HENNESSY	PARTIAL REFUND OF MOORNING PEN FEES 23/05/20 - 30/06/20 - LEASE CANCELLED	479.70	479.70
EFT29805	24/06/2020	MINH NGUYEN	PARTIAL REFUND OF MOORNING PEN FEES 29/05/20 - 30/06/20 - LEASE CANCELLED	405.90	405.90
EFT29806	24/06/2020	ROBERT DELROY	REFUND OF BCITF PAID AND NOT REQUIRED ON APPLICATION 2020063	40.00	40.00
EFT29807	24/06/2020	ALINTA ENERGY	GAS USE RESPITE CENTRE 28/02/20 - 03/06/20	454.55	454.55
EFT29808	26/06/2020	PAATSCH GROUP	RFT03-2019/20 EAST FTLE OVAL PRECINCT REVITALISATION VISION (BUSINESS PLAN) - INVOICE 5 COMPLETION OF FINAL REPORT	24,456.00	24,456.00
EFT29809	26/06/2020	MELVILLE VOLKSWAGEN	SERVICE OF VOLKSWAGON 1GUW822 12 JUNE 2020	470.00	470.00
			EFT TOTAL	\$ 1,494,647.74	\$ 1,494,647.74
Direct Debit	Supplier	Description	Inv Amount	EFT	
	EXETEL	NBN ACCESS	\$ 297.00	\$ 297.00	
	SUPERCHOICE PTY LTD	EMPLOYEE SUPERANNUATION - JUNE 20	\$ 69,718.13	\$ 69,718.13	
	CBA	MERCHANT FEES - 5353 1096 9354 2099	\$ 121.49	\$ 121.49	
	CBA	MERCHANT FEES - 5353 1096 9215 5448	\$ 187.25	\$ 187.25	
	CBA	ACCOUNT SERVICE TRANSACTION FEES	\$ 23.01	\$ 23.01	
	CBA	BPAY TRANSACTION FEES	\$ 127.71	\$ 127.71	
	CBA	COMMBIZ TRANSACTION FEES	\$ 62.92	\$ 62.92	
	CBA	BPOINT TRANSACTION FEES	\$ 29.01	\$ 29.01	
	CREDIT CARD - PETER KOCIAN	ADOBE	\$ 49.98	\$ 49.98	
		EAST FREMANTLE PHARMACY	\$ 64.00	\$ 64.00	
		MAY STREET LARDER	\$ 100.00	\$ 100.00	
		BO BLONDE	\$ 100.00	\$ 100.00	
		BLISS RICHMOND QUARTER	\$ 100.00	\$ 100.00	
		MY GUEST LIST	\$ 103.00	\$ 103.00	
		IAP2	\$ 242.00	\$ 242.00	
		DOME	\$ 105.00	\$ 105.00	
		LEFT BANK	\$ 401.60	\$ 401.60	
		EAST FREMANTLE PHARMACY	\$ 197.92	\$ 197.92	
		MAY STREET LARDER	\$ 100.00	\$ 100.00	
		MAY STREET LARDER	\$ 100.00	\$ 100.00	
		ZOOM	\$ 138.53	\$ 138.53	
		FLORAL ARMY	\$ 100.00	\$ 100.00	
		ADOBE	\$ 177.84	\$ 177.84	
	CREDIT CARD - STEVE GALLAUGHER	SEABREEZE LANDSCAPE	\$ 840.00	\$ 840.00	
		SEABREEZE LANDSCAPE	\$ 1,855.00	\$ 1,855.00	
		CLASSIC HIRE	\$ 43.56	\$ 43.56	
			DIRECT DEBIT TOTAL	\$75,384.95	\$75,384.95
		Description	Inv Amount	EFT	
		PAYROLL P/E 02/06/20	\$ 131,476.85	\$ 131,476.85	
		PAYROLL P/E 16/06/20	\$ 132,020.67	\$ 132,020.67	
		PAYROLL P/E 30/06/20	\$ 143,020.10	\$ 143,020.10	
			PAYROLL TOTALS	\$ 406,517.62	\$ 406,517.62
			GRAND TOTAL	\$ 1,985,434.44	\$ 1,985,434.44

12.2.3 CSRFF Small Grants 2020 Application Assessment

File ref A/LCG1

Prepared by Karen Dore, Coordinator Community Engagement

Supervised by Gary Tuffin, Chief Executive Officer

Meeting Date 21 July 2020

Voting requirements Simple Majority

Documents tabled Nil

Attachments

- 1) CSRFF Small Grants Assessment – East Fremantle Yacht Club
- 2) CSRFF Small Grants Assessment – East Fremantle Junior Football Club
- 3) CSRFF Small Grants Assessment – East Fremantle Cricket Club
- 4) Preston Point Precinct Master Plan Concept Map

Purpose

Council is required to prioritise the two complete Community Sports and Recreation Facilities Fund (CSRFF) grant applications received.

Executive Summary

CSRFF funding for the 2020-2021 financial year, through the Department of Local Government, Sport and Cultural Industries (DLGSCI) is currently open for sporting clubs. Part of the application procedure is for all submissions to be assessed by the Local Government Authority (LGA) and ranked in order of priority. The applications are then forwarded to DLGSCI for their consideration. The deadline for these applications to be received by DLGSCI is Friday 14 August 2020.

It is noted that all applications are for facilities located within the Preston Point Precinct.

Background

DLGSCI notified sporting clubs and local governments of the opening of this funding round, via email on 21 May 2020.

The Town of East Fremantle followed up this notification with local clubs on 16 June 2020 to further advise of the (earlier than normally anticipated) closing date for LGA submission. Submissions were requested to be received in the first instance prior to 26 June 2020, to enable time for the Town follow-up on the contents of the application prior to the preparation of a report to Council.

Consultation

East Fremantle Yacht Club
East Fremantle Cricket Club
East Fremantle Junior Cricket Club
East Fremantle Junior Football Club
Department of Sport & Recreation
Executive Manager Corporate Services
Executive Manager Regulatory Services

Statutory Environment

Not applicable.

Policy Implications

Nil.

Financial Implications

Council has made an allocation of \$100,000, for Preston Point Precinct Master Plan (PPPMP) identified projects, in the 2020-2021 budget. Of this amount, \$42,557 has been allotted to support a funding application to the State Natural Resource Management Program for item 12a of the PPPMP (riverside stairs and foreshore access upgrade). A balance of \$57,443 is available for consideration for other identified projects.

The financial implication of supporting each individual project would be as follows;

- East Fremantle Yacht Club - \$87,350
one third of a \$262,050 project to create a storage area and viewing deck
- East Fremantle Junior Football Club - \$29,179
one third of a \$87,537 project to finish the lighting upgrade at Henry Jeffrey Oval
- East Fremantle Cricket Club - \$6,355
one third of a \$19,065 project to repair the cricket nets at Preston Point Reserve

Strategic Implications

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

- 1.1.1 Facilitate or partner to ensure a range of quality services are provided at a local level

1.2 Inviting open spaces, meeting places and recreational facilities

- 1.2.1 Provision of adequate recreational, sporting and social facilities

Preston Point Precinct Master Plan

Application 1) The storage area for the East Fremantle Yacht Club was not captured within the Plan.

Application 2) Reference 4b: Henry Jeffrey Reserve – lighting upgrade (100lux + 1 pole).

Application 3) Reference 24: Preston Point Reserve – upgrade to cricket nets.

Site Inspection

Nil.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not consider the applications.	Unlikely (2)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, moderate impact,	Accept Officer Recommendation

					moderate news profile	
--	--	--	--	--	-----------------------	--

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	6
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

The LGA is required to rank the priority of all applications received and also rate them against the following criteria:

- A Well planned and needed by municipality
- B Well planned and needed by applicant
- C Needed by municipality, more planning required
- D Needed by applicant, more planning required
- E Idea has merit, more planning work needed
- F Not recommended

CSRFF Small Grants Application – East Fremantle Cricket Club

(refer to Assessment, Attachment 3)

- Ranking: 1 of 2
- Rating: B

CSRFF Small Grants Application – East Fremantle Junior Football Club

(refer to Assessment, Attachment 2)

- Ranking: 2 of 2
- Rating: B

CSRFF Small Grants Application – East Fremantle Yacht Club

(refer to Assessment, Attachment 1)

Due to the complex nature of this submission it is proposed that the Town engage with the East Fremantle Yacht Club in order to further develop their application, including ensuring that the

Department of Biodiversity, Conservation & Attractions are supportive of the proposal. If there is support for the progression of the project the Town's Capital Upgrade to Community Facilities process would then be followed, including securing of Council funding in the 2021-2022 budget. This application could then be resubmitted to the February 2021 CSRFF Small Grants round (outcomes advised by June 2021).

12.2.3 OFFICER RECOMMENDATION

That Council:

- 1. endorses a Priority 1 ranking for East Fremantle Cricket Club;**
- 2. endorses a Priority 2 ranking for East Fremantle Junior Football Club;**
- 3. request the Chief Executive Officer to submit this outcome to the Department of Local Government, Sport and Cultural Industries; and**
- 4. request the Chief Executive Officer to communicate this outcome to the three applicants.**
- 5. note should any of the applications become successful, that a further report will be presented to Council seeking release of funding and authorisation to enter into a funding agreement.**



Department of
Local Government, Sport
and Cultural Industries

GOVERNMENT OF
WESTERN AUSTRALIA

CSRFF Small Grants Assessment

For projects up to \$300,000 to be acquitted by 15 June 2021

East Fremantle Yacht Club		
IEM86521		
<u>REQUIREMENT</u>	<u>CHECK</u>	<u>NOTES</u>
Discussed with DLGSCI	✓	Refer to page 1.
Business details complete	✓	Refer to page 1.
Project details complete	✓	Note, Planning Application reference is ICS85026.
Shared facility support	✓	Refer pages 28 and 29.
SSA support	✓	Initial meeting attended September 2019, most recent conversation in April 2020.
Project delivery – milestones complete	✓	Note there may be a requirement to extend timeline due to funding notification not being expected until October 2020 and works cannot require prior to the announcement.
Incorporation Certificate	✓	Refer page 11.
Quotes / itemised costings (including plan, ie lighting where relevant)	✓	Refer pages 12 & 13 page 14.
Location map / images	✓	Reference Planning Application.
Income / expenditure statements	✓	Refer pages 15 to 27.
Evidence of financial commitments	✓	Refer page 58 (Item 7, Committee Reports – Project Committee).
Budget	✓	\$262,000 (\$87,350)

East Fremantle Yacht Club: IEM86521

Section A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

	Satisfactory	Unsatisfactory	Comments
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Community input	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Management planning	<input type="checkbox"/>	<input type="checkbox"/>	Not relevant.
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Financial viability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Capital funding.
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractor.
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Revenue generation.

Section B

Priority ranking of no of applications received	3 of 3 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan In essence, but not individually identified.
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, what approvals are still outstanding?	Planning and building (as per application ICS85026).

Project Rating (Please tick the most appropriate box to describe the project)

- | | | |
|---|--|-------------------------------------|
| A | Well planned and needed by municipality | <input type="checkbox"/> |
| B | Well planned and needed by applicant | <input type="checkbox"/> |
| C | Needed by municipality, more planning required | <input type="checkbox"/> |
| D | Needed by applicant, more planning required | <input checked="" type="checkbox"/> |
| E | Idea has merit, more planning work needed | <input type="checkbox"/> |
| F | Not recommended | <input type="checkbox"/> |

- 1. Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?**

There is no allocation in the Town's annual budget 2020-2021. The project was not included for consideration prior to the annual budget process.

- 2. A) If a community group application: Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?**
B) If a council application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?

Currently it is not felt that the project is financially viable without a monetary commitment from Council, which is not available in this financial year. At this stage, no, Council will not commit to underwriting any shortfalls as the ultimate asset owner.

- 3. Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.**

Nil additional comments.



Department of
Local Government, Sport
and Cultural Industries

CSRFF Small Grants Assessment

For projects up to \$300,000 to be acquitted by 15 June 2021

East Fremantle Junior Football Club		
IEM86511		
REQUIREMENT	CHECK	NOTES
Discussed with DLGSCI	✓	Refer to page 1.
Business details complete	✓	Refer to page 1.
Project details complete	✓	It is noted that as Council owns the facility, including the lights, that they [Council] will be responsible for any major maintenance. Minor maintenance will continue to be covered by EFJFC.
Shared facility support	✓	
SSA support	✓	Refer to page 3.
Project delivery – milestones complete	✓	Refer to page 4.
Incorporation Certificate	✓	Refer to page 11.
Quotes / itemised costings (including plan, ie lighting where relevant)	✓	Pages 12 to 15 and page 16. Lighting plan, pages 20 to 25.
Location map / images	✓	Pages 26 and 27.
Income / expenditure statements	✓	Refer to pages 17 to 19.
Evidence of financial commitments	✓	Last committee meeting was held on the 11 June, with Grant Application notification received on the 16 June. Due to the time constraint, the Executive Committee met to discuss / approve the spend which will be minuted at the next committee meeting (9 July).
Budget	✓	\$87,537 (\$29,179)

East Fremantle Junior Football Club: IEM86511

Section A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

	Satisfactory	Unsatisfactory	Comments
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Community input	<input type="checkbox"/>	<input type="checkbox"/>	Community education
Management planning	<input type="checkbox"/>	<input type="checkbox"/>	Not relevant
Access and opportunity	<input type="checkbox"/>	<input type="checkbox"/>	Not relevant
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Financial viability	<input type="checkbox"/>	<input type="checkbox"/>	Check ongoing
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Consultant
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Section B

Priority ranking of no of applications received	2 of 3 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan Refer to Preston Point Precinct Master Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, what approvals are still outstanding?	Liaison required with Regulatory Services regarding alteration to existing to ascertain whether Planning Approval is required.

Project Rating (Please tick the most appropriate box to describe the project)

- | | | |
|---|--|-------------------------------------|
| A | Well planned and needed by municipality | <input type="checkbox"/> |
| B | Well planned and needed by applicant | <input checked="" type="checkbox"/> |
| C | Needed by municipality, more planning required | <input type="checkbox"/> |
| D | Needed by applicant, more planning required | <input type="checkbox"/> |
| E | Idea has merit, more planning work needed | <input type="checkbox"/> |
| F | Not recommended | <input type="checkbox"/> |

- 1. Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?**

The Town of East Fremantle confirms that, should this project be successful, the allotted amount of \$29,179 will be made available.

- 2. A) If a community group application: Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?**
B) If a council application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?

It is believed, through previous project experience with the Junior Football Club that the Club has the ability to undertake the project successfully. The Council could commit to underwriting an amount of up to 10% of the allotted amount as a contingency.

- 3. Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.**

Nil comments.



CSRFF Small Grants Assessment

For projects up to \$300,000 to be acquitted by 15 June 2021

East Fremantle Cricket Club		
ICORR86454		
<u>REQUIREMENT</u>	<u>CHECK</u>	<u>NOTES</u>
Discussed with DLGSCI	✓	See page 1.
Business details complete	✓	See page 1.
Project details complete	✓	See page 2.
Shared facility support	✓	See page 2 + additional information re membership - <ul style="list-style-type: none"> • Senior Cricket membership, over the past 3 seasons; 55, 58 & 60. • Junior Cricket membership, over the past 3 seasons; 168, 174, 188.
SSA support	✓	See page 3.
Project delivery – milestones complete	✓	See page 4.
Incorporation Certificate	✓	Certificate A1004927X – pending request for replacement to be issued (lead applicant).
Quotes / itemised costings (including plan, ie lighting where relevant)	✓	Pages 11 to 13.
Location map / images	✓	Pages 14 to 16.
Income / expenditure statements	✓	Included for lead applicant, see page 20.
Evidence of financial commitments	✓	Minutes attached from both Clubs (pages 17-19 and 21 to 24) – whilst there is not a formal resolution in either set of Minutes, there is discussion / understanding of the collaboration. Advice to be given for future reference in regard to this matter.
Budget	✓	\$19,065 (\$6,355)

East Fremantle Cricket Club: ICORR86454

Section A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

	Satisfactory	Unsatisfactory	Comments
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Through application
Community input	<input type="checkbox"/>	<input type="checkbox"/>	Not relevant
Management planning	<input type="checkbox"/>	<input type="checkbox"/>	Not relevant
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Financial viability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractor
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Section B

Priority ranking of no of applications received	1 of 3 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan Refer to the Preston Point Precinct Master Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input type="checkbox"/> No Not applicable
If no, what approvals are still outstanding?	Not applicable

Project Rating (Please tick the most appropriate box to describe the project)

- | | | |
|---|--|-------------------------------------|
| A | Well planned and needed by municipality | <input type="checkbox"/> |
| B | Well planned and needed by applicant | <input checked="" type="checkbox"/> |
| C | Needed by municipality, more planning required | <input type="checkbox"/> |
| D | Needed by applicant, more planning required | <input type="checkbox"/> |
| E | Idea has merit, more planning work needed | <input type="checkbox"/> |
| F | Not recommended | <input type="checkbox"/> |

- 1. Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?**

The Town of East Fremantle confirms that, should this project be successful, the allotted amount of \$6,355 will be made available

- 2. A) If a community group application: Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?**
B) If a council application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?

It is believed, through previous project experience with both the Senior and Junior Cricket Clubs that they have the ability to undertake the project successfully. The Council could commit to underwriting an amount of up to 10% of the allotted amount as a contingency.

- 3. Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.**

It is pleasing to see the two Clubs working together to improve facilities within the Precinct, and to enable the welcoming of women into their teams.



Notes

- 1** Renovate Pavilion: extend kiosk and servery, two new change rooms for referees and first aid and HACC services
- 2** Long-term new Pavilion including:
 - Pavilion (two storey)
 - Public toilets
 - Social use
 - Changerooms
 - Storage
- 3** Renovate Pavilion:
 - a. External spectating area
 - b. 2 x changerooms and public UAT
- 4** Henry Jeffery Oval
 - a. Level playing surface
 - b. Match-level lighting (100 lux)
 - c. Relocate score board
 - d. Power to cricket nets
- 5** Terraced seating
- 6** Formalise pathway levels
- 7** Formalise sandy pathway
- 8** Sea Scouts building
 - a. Upgrade stairs
 - b. Upgrade Camp Waller for purpose
 - c. Upgrade boat launch
 - d. Jetty upgrade
- 9** Water fountain at E.J. Chapman Reserve
- 10** New pathway connection around whole precinct
- 11** Preston Point Reserve
 - a. Level playing surface
 - b. Extend playing surface *
- 12** Dipping pond deck
 - a. Upgrade stair access
 - b. Upgrade lookout
- 13** Designated bike path - two way *
- 14** Repurpose/remove water tank
- 15** Preston Point Reserve Pavilion
 - a. Extension of pavilion hardstand
 - b. Security lighting to building
 - c. Additional storage
- 16** EFYC proposed developments
 - a. Pathway/road improvements
 - b. Skywalk pathway
- 17** Petra Street foreshore connection
 - a. Path connection to Bicton Baths
 - b. Stair access from Petra Street
- 18** Lighting Improvements - match level lighting (big ball level 100 lux)
- 19** Lighting Improvements - training level lighting (50 lux)
- 20** Safety backnets
- 21** Tennis club refurbishment
 - a. Pavilion refurbishment Stage 1
 - b. Western courts lighting (5)
 - c. Tennis pavilion stage 2 redevelopment
 - d. Sewage connection
- 22** Change traffic direction to one-way *
- 23** Coaching box hardstand
- 24** Safety netting to cricket nets
- 25** Carpark security lighting
- 26** Potential road closure bollards *
- 27** Pathway formalisation to staircase
- 28** Power upgrade
- 29** Bore upgrade

Preston Point Precinct Master Plan CONCEPT

Date: 10 February 2020
 Scale: 1 : 2500 @ A3
 GPS: -32.029467, 115.771408
 Drawing No: 18-672
 Staff: BS_TG



12.3 GOVERNANCE

12.3.1 National Redress Scheme (Participation of WA Local Governments)

Applicant	N/A
File ref	A/LCG1
Prepared by	Janine May, EA to CEO
Supervised by	Gary Tuffin, CEO
Meeting Date	21 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Dpt Local Government, Sport & Cultural Industries Information Paper2. Extract of WALGA State Council Minutes 4 March 2020

Purpose

For the Town to:

- note the background information and the WA Government's decision in relation to the National Redress Scheme
- note the key considerations and administrative arrangements for the Town of East Fremantle to participate in the National Redress Scheme
- formally endorse the Town's participation as part of the WA Government's declaration in the National Redress Scheme; and
- grant authority to an appropriate officer to execute a service agreement with the State, if a Redress application is received.

Executive Summary

Although the Town is currently unaware of any historically run activity that may lead to any claims under the National Redress Scheme, it is seen as prudent for the Town to participate in the Scheme as a State Government institution for the reasons set out in this report.

The consequences of not participating in the Scheme would be that if any claim against the Town did arise, it would need to be dealt with by the Town outside of the Scheme and without the protection offered by the State Government.

Background

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the Town) will be required to consider leading practice approaches to child safeguarding separately in the future.

National Redress Scheme

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme. The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)*, local governments may be considered a State Government institution.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

Following extensive consultation, the State Government (December 2019):

- noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- noted the options for WA local government participation in the Scheme;
- agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- agreed to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local

government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The WALGA State Council meeting of 4 March 2020:

1. acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA have signed a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

Consultation

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- webinars to local governments, predominately in regional and remote areas;
- presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs/payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

Statutory Environment

The Town in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

Policy Implications

Nil.

Financial Implications

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

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

5.1 Strengthen organisational accountability and transparency

5.1.1 Strengthen governance, risk management and compliance

Site Inspection

Not applicable.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not join the Scheme and receives a Redress claim	Rare (1)	Minor (2)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	2
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- providing the State with the necessary (facilities and services) information to participate in the Scheme;
- resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

Considerations for participation in the Scheme

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Town will receive a Redress application. A Service Agreement will only be executed if the Town receives a Redress application.

The Town needs to give authority to an appropriate position/officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Town will determine:

- which position(s) will be responsible for receiving applications and responding to Requests for Information;
- support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Town's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

5. Redress Decisions

The Town should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Town do not have any influence on the decision made and there is no right of appeal.

The CEO's authorisation to execute a service agreement with the State (see recommendation 4) is covered by existing delegation DA5 Signing of Documents.

12.3.1 OFFICER RECOMMENDATION

That Council:

- 1. notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;**
- 2. notes that the Town of East Fremantle will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Town of East Fremantle makes a specific and formal decision to be included;**
- 3. endorses the participation of the Town of East Fremantle in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;**
- 4. grants authority to Chief Executive Officer to execute a service agreement with the State, if a Redress application is received;**
- 5. notes that a confidential report will be provided if a Redress application is received by the Town of East Fremantle.**



Department of
**Local Government, Sport
and Cultural Industries**

National Redress Scheme for Institutional Child Sexual Abuse

**Department of Local Government, Sport
and Cultural Industries**

Information Paper

3 February 2020

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1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018* (WA) took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), Local Governments may be considered a State Government institution.¹

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

¹ Section 111(1)(b).

3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.

4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be **excluded** from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be **included** in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). *

* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements of the *State Records Act 2000*.
- Consider secure storage of information whilst the RFI is being responded to.

REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at www.nationalredress.gov.au.
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlgsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

FOR MORE INFORMATION

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APPENDIX A

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions² to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks (August 2015)*; *Redress and Civil Litigation (September 2015)* and *Criminal Justice (August 2017)*. The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

² * For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.

THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
 - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
 - Places emphasis on genuine engagement with and valuing of children;
 - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
 - Creates conditions that increase the likelihood of identifying any harm;
 - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

APPENDIX B

NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at www.nationalredress.gov.au or the [National Redress Guide](#).

SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> No responsibility for local governments. The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> ACT has no municipalities, and the ACT Government is responsible for local government functions. ACT has therefore not been required to explore the issue of local government participation in the Scheme.
New South Wales (NSW)	<ul style="list-style-type: none"> In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability. The NSW Office for Local Government is leading communications with local councils about this decision. NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.
Northern Territory (NT)	<ul style="list-style-type: none"> The NT Government has consulted all of the Territory's local governments, including individually visiting each local government. NT is in the process of amending Territory's declaration of participating institutions to include local governments.
Queensland	<ul style="list-style-type: none"> Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions. The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.
South Australia (SA)	<ul style="list-style-type: none"> Local governments are not currently included in the SA Government's declaration The SA Government is still considering its approach to local governments.
Tasmania	<ul style="list-style-type: none"> Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration. A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.
Victoria	<ul style="list-style-type: none"> The Victorian Government's declaration includes local governments. The Victorian Government is covering local governments' redress liability.
Western Australia (WA)	<ul style="list-style-type: none"> The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.

TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).

5. MATTERS FOR DECISION

5.1 National Redress Scheme – Future Participation of WA Local Governments (05-086-03-0004 KD)

By Kirstie Davis, Policy Manager Community

Moved: President Cr Karen Chappel
Seconded: President Cr Malcolm Cullen

That State Council:

1. **Acknowledge the State Government’s decision to include the participation of Local Governments in the National Redress Scheme as part of the State’s declaration;**
2. **Endorse the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and**
3. **Endorse by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.**

RESOLUTION 14.1/2020

CARRIED

Executive Summary

- The National Redress Scheme (the Scheme) commenced on 1 July 2018.
- The Department of Local Government, Sport and Cultural Industries has led an information and consultation process with the WA Local Government sector about the Scheme since January 2019.
- In July 2019 State Council endorsed, in principle, to participation by WA Local Government in the State’s National Redress Scheme declaration emphasising the need for full financial coverage by the State Government.
- A significant advocacy outcome has been achieved with the State Government considering the sector’s position and reaching a final position in December 2019 to endorse State Council’s position, including the commitment to cover costs relating to redress payments to survivors.
- State Government agencies will again engage with Local Governments in early 2020, to inform of the:
 1. State Government’s decision and the implications for the sector
 2. support to Local Government (financial and administrative) to be provided by the State, and
 3. considerations and actions needed to prepare for participation in the Scheme.
- State Government agencies will work with WALGA and all Local Governments over upcoming months to ensure that the necessary agreements, decisions, delegations, actions and preparations are in place to commence participation in the Scheme from 1 July 2020.

Attachments

[Timeline / Critical Actions \(WA Local Government Participation in the National Redress Scheme\).](#)
[Information Paper: 3 February 2020.](#)

Policy Implications

State Council endorsed in July 2019 that:

1. *WA Local Government participation in the State's National Redress Scheme declaration with full financial coverage by the State, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that Local Governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

RESOLUTION 66.5./2019 CARRIED

Background

WALGA acknowledges the substantial contribution of the Local Government sector to discuss and hold fast to a unified position on the National Redress Scheme. Furthermore the Association is thankful for the transparent and respectful negotiations with State Government and recognises the significant agreement that has been reached between State and Local Government that will benefit survivors in community.

Further, building on this successful outcome and to ensure a smooth transition Local Governments are requested to be mindful of the timelines and critical actions to prepare for participation in the National Redress Scheme.

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) Commission *Redress and Civil Litigation (September 2015) Report* recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The State Government commenced participation in the Scheme on 1 January 2019. A decision was made at the time of joining the Scheme to exclude Local Governments from the State Government's declaration. This was to allow consultation to occur with the Local Government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

A Cabinet Sub-Committee of the State met in December 2019 and resolved to:

1. note the consultations undertaken to date with the Local Government sector about the National Redress Scheme
2. note the options for Local Government participation in the Scheme;
3. agree to Local Governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor, and
4. agree to the DLGSC leading further negotiations with the Local Government sector regarding Local Government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

Comment

An information paper was distributed to all Local Governments on 3 February 2020 in advance of WALGA Zone meetings to:

1. outline the State Government's decision
2. detail actions that that need to be undertaken by individual Local Governments to prepare for participation in the Scheme, and
3. detail considerations, requirements and obligations for individual Local Governments to comply with when participating in the Scheme.

The State Government will work with WALGA to draft a:

1. Memorandum of Understanding (MOU) - The MOU will capture the overall principles of Western Australian Local Governments participating in the Scheme as State Government institutions and being part of the State's declaration as a necessary document to capture the Local Government sector's best interests.

2. Template Service Agreement – that will be executed on an ‘as needed’ basis between State Government and an individual Local Government, if a redress application is received.

The Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Justice will work with WALGA / Local Government Professionals and all Local Governments to prepare for participation in the Scheme including:

1. identifying appropriate staff to process requests for information
2. ensuring Local Governments have delegated authority to an officer to execute a service agreement with State Government if needed
3. ensuring Local Government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc.), and
4. gathering the necessary information from all individual Local Governments to commence participation in the Scheme.

This is a significant outcome for the Local Government sector and together with the State Government we will work together to ensure a consistent response for WA survivors accessing the Scheme.

12.3.2 Review of Policy 1.2.1 Code of Conduct

Applicant	N/A
File ref	C/POL1
Prepared by	Janine May, EA to CEO
Supervised by	Gary Tuffin, CEO
Meeting Date	21 July 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Policy 1.2.1 Code of Conduct for Council Members, Committee Members and Employees (with tracked changes)

Purpose

To review Council Policy 1.2.1 Code of Conduct for Council Members, Committee Members and Employees in accordance with:

- legislative changes to gift provisions for elected members and the CEO
- an outstanding action within the Audit Committee status report.

Executive Summary

Although there is further legislation envisaged which will require separate Codes of Conduct for Elected Members & CEO to that of Employees, it is important to review and amend our existing Policy to reflect current legislation and include a declaration that Elected Members, the CEO and all employees have read and understand the document.

Background

Changes to gift provisions were contained within the *Local Government Legislation Amendment Act 2019* which came into operation on the 18 October 2019.

The former gift exemption categories no longer apply, and Council Members and CEOs must declare any gift received in their capacity as a Council Member or CEO valued at \$300 or above (or where the cumulative value of gifts from the one donor exceeds \$300 in a 12 month period). See sections 5.87A and 5.87B. Contributions to travel costs, whether financial or otherwise, will no longer be treated separately. These are now incorporated within the definition of gift.

No changes have been made in relation to disclosure of gift requirements for staff.

Moore Stephens made the following comment in relation to Council's Code of Conduct in its Financial Management and Audit Reg 17 reviews:

"Section 2 Conflict s and Disclosure of Interest and 3.4 Gifts of the current Code of Conduct do not reflect all disclosure requirements under the Local Government Act 1995 and the Local Government (Administration) Regulations 1996. In its current form, the Code of Conduct could confuse elected members and employees as to their disclosure obligations."

Consultation

N/A

Statutory Environment

Local Government Act 1995

Local Government (Administration) Regulations 1996

Policy Implications

The last review of this Policy was in September 2019.

Financial Implications

N/A

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

5.1 Strengthen organisational accountability and transparency

5.1.1 Strengthen governance, risk management and compliance

Site Inspection

Not applicable.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not agree to amend the Policy as proposed	Rare (1)	Moderate (3)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating	3
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Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

Disclosure of Gifts (Elected Members and CEO)

In accordance with sections 5.87A and 5.87B of the Act, Council Members are required to disclose gifts that are received in their capacity as a Council Member and are:

- valued over \$300; or
- of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12 month period.

The decision on whether a gift is received in the capacity of a Council Member must be made by the recipient of the gift. The question is whether the gift would have been given (or a gift of that value given) if the recipient were not a member of the Council (or CEO). If the answer is no, it must be disclosed if the value of the gift (or aggregated value) is over \$300. The onus is on the recipient to prove that it was not received in that capacity (and that the value of the gift(s) is not greater than \$300).

A 'gift' has the extended meaning set out in section 5.57 of the Local Government Act 1995 and means:

- (a) a conferral of a financial benefit (including a disposition of property) made by one person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution.

Conflicts of Interest – Interests relating to a gift (Elected Members and CEO)

Receipt of a gift – any gift, whether or not in a person's capacity as Council Member or CEO – will create a relationship of a **closely associated person** and therefore an interest (s5.60 and 5.62 of the Act)

The following situations are specifically excluded from the interest provisions:

- Where the gift (or gifts over a 12 month period from the one donor) do not exceed \$300 in value;
- Where the gift is a ticket to, or otherwise relates to attendance at an event and the Town approved the person's attendance in accordance with their Attendance at Events Policy (see below); or
- Where the gift is received from one of the following organisations:
 - WALGA (but not LGIS)
 - Local Government Professionals Australia (WA)
 - Australian Local Government Association
 - A department of the public service
 - A government department or another State, a Territory or the Commonwealth
 - A local government or regional local government.

The interest, the Council's decision and the reasons for that decision must be recorded in the minutes.

Similar provisions are contained in s5.71A and 5.71B in relation to the CEO providing advice or a report, directly or indirectly, to the Council or a Committee.

Adoption of the tracked changes to this Policy will clarify current legislative requirements.

12.3.2 OFFICER RECOMMENDATION

That Council adopt the amended Policy No 1.2.1 Code of Conduct for Council Members, Committee Members and Employees attached to this report, as per tracked changes.



1.2.1 Code of Conduct for Council Members, Committee Members and Employees

Type:	Office of the CEO – Human Resources
Legislation:	LGA 1995 s5.103 Codes of Conduct Local Government (Administration) Regs 1996 Reg 34B & C
Delegation:	N/A
Other Related Document:	Local Government (Rules of Conduct) Regulations 2007

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Objective

This policy provides Council Members, [Committee Members](#) and employees [of the Town of East Fremantle](#) with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in local government

The Code is complementary to the principles adopted in the [Local Government Act 1995 \(Act\)](#) and regulations which incorporates four fundamental aims to result in:-

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- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

Policy Scope

This policy affects elected members, employees and other members of a Council committee.

Policy

1. Roles

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the [Local Government-Town](#) will be the focus of the Council Member's public life.

The Role of Council Members is set out in s2.10 of the [Local Government Act 1995](#) as follows:

"A Councillor —

- (a) Represents the interests of electors, ratepayers and residents of the district;
- (b) provides leadership and guidance to the community in the district;
- (c) facilitates communication between the community and the council;
- (d) participates in the local government's decision-making processes at council and committee meetings; and

- (e) *performs such other functions as are given to a Councillor by this Act or any other written law.*

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members' activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to ~~the Local Government~~ [Town](#)'s finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions ~~a local government~~ [the Town](#) is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 *Role of Employees*

The role of employees is determined by the functions of the CEO as set out in s5.41 of the ~~Local Government Act 1995~~ : -

"The CEO's functions are to —

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) *cause council decisions to be implemented;*
- (d) *manage the day to day operations of the local government;*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) *speak on behalf of the local government if the mayor or president agrees;*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."*

1.3 *Role of Council*

The role of the Council is in accordance with s2.7 of the ~~Local Government Act 1995~~:

"(1) The council —

- (a) *directs and controls the local government's affairs; and*
- (b) *is responsible for the performance of the local government's functions.*

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(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."

1.4 Relationships between Council Members and Employees

An effective ~~Councillor~~ Council Member works as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork only occurs if Council Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members ~~are required~~ need to observe their statutory obligations which include, but are not limited to, the following :

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of employees to carry out particular functions;
- refrain from publicly criticising employees in a way that casts aspersions on their professional competence and credibility.

2. Conflict and Disclosure of Interest

2.1 Conflict of Interest

- (a) Council Members, Committee Members and employees are required to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Employees may not engage in private work with or for any person or body with an interest in a proposed or current contract with the ~~Local Government~~ Town, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties ~~are to~~ must be scrupulously avoided.
- (c) Council Members, Committee Members and employees are to lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the ~~local government~~ Town area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Council Members, Committee Members and employees who exercise a recruitment or other discretionary function ~~are required to~~ will make disclosure before dealing with relatives or close friends and are required to disqualify themselves from dealing with those persons.
- (e) Employees ~~are required to~~ will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and employees ~~are to~~ will adopt the principles of disclosure of financial interest as contained within the ~~Local Government~~ Act.

2.3 Disclosure of Interest

Definition:

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (a) A person who is a Council Member, [Committee Member](#) or employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter -
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the [Local Government Act 1995](#).
- (d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if-
 - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (e) If a person who is a Council Member, [Committee Member](#) or employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then
 - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
 - (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

3. Personal Benefit

3.1 Use of Confidential Information

Council Members, Committee Members and employee ~~are will~~ not ~~to~~ use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment is assigned to the ~~Local Government~~ Town upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Council Members and employees ~~are will~~ not ~~to~~ take advantage of their position to improperly influence other Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

3.4 Disclosure of Gifts (Elected Members and CEO) ~~Gifts~~

In accordance with sections 5.87A and 5.87B of the Act, Council Members are required to disclose gifts that are received in their capacity as a Council Member and are:

- valued over \$300; or
- of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12 month period.

Additionally, a gift given by two or more related bodies corporate (as defined in the Corporations Act 2001) is considered to have been given by a single corporation (donor).

The decision on whether a gift is received in the capacity of a Council Member must be made by the recipient of the gift. The question is whether the gift would have been given (or a gift of that value given) if the recipient were not a member of the Council (or CEO). If the answer is no, it must be disclosed if the value of the gift (or aggregated value) is over \$300. The onus is on the recipient to prove that it was not received in that capacity (and that the value of the gift(s) is not greater than \$300).

For the purposes of this Code, a 'gift' has the extended meaning set out in section 5.57 of the Local Government Act 1995 and means:

- (a) a conferral of a financial benefit (including a disposition of property) made by one person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution.

5.87A of the Act refers to Council Member gift disclosures

5.87B of the Act refers to CEO gift disclosures

5.87C of the Act refers to Provisions about disclosure

5.89A of the Act refers to a Register of gifts

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3.5 Conflicts of Interest – Interests relating to a gift (Elected Members and CEO)

Receipt of a gift – any gift, whether or not in a person’s capacity as Council Member or CEO – will create a relationship of a closely associated person and therefore an interest (s5.60 and 5.62 of the Act)

The following situations are specifically excluded from the interest provisions:

- Where the gift (or gifts over a 12 month period from the one donor) do not exceed \$300 in value;
- Where the gift is a ticket to, or otherwise relates to attendance at an event and the Town approved the person’s attendance in accordance with their Attendance at Events Policy (see below); or
- Where the gift is received from one of the following organisations:
 - WALGA (but not LGIS)
 - Local Government Professionals Australia (WA)
 - Australian Local Government Association
 - A department of the public service
 - A government department or another State, a Territory or the Commonwealth
 - A local government or regional local government.

This interest creates a perceived or actual conflict which prevents the Council Member from participating in the meeting or the CEO from providing advice or a report on the matter to be discussed (s5.67 and 5.71A), unless approval has otherwise been given.

If the amount of the gift(s) is less than \$1,000, under s5.68 the Council may allow the disclosing Council Member to participate if:

- the Council Member discloses the extent of the interest they have; and
- Council decides that the interest is so trivial or insignificant as to be unlikely to influence the disclosing person’s conduct in relation to the matter; or
- the interest is common to a significant number of other electors or ratepayers.

The interest, the Council’s decision and the reasons for that decision must be recorded in the minutes.

If an interest valued at over \$1,000 is disclosed, under s5.69 the Council or CEO may apply to the Minister to allow the disclosing member to participate in meetings or parts of meetings relating to that matter. In this case, the Minister must consider that it is in the best interests of the electors or ratepayers for this to happen, or that approval is necessary to provide a quorum. The Minister’s decision and the reasons for that decision must be recorded in the minutes of the meeting where the matter is discussed.

Similar provisions are contained in s5.71A and 5.71B in relation to the CEO providing advice or a report, directly or indirectly, to the Council or a Committee.

3.6 Notifiable gifts in relation to a person who is an employee

An employee may accept a ‘notifiable gift’.

An employee must notify the CEO within 10 days of accepting a notifiable gift if it is accepted from a person who:

- Is undertaking or seeking to undertake an activity involving a local government discretion; or
- It is reasonable to believe is intending to undertake an activity involving a local government discretion.

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The notification of the acceptance of a notifiable gift be in writing and include –

- (a) the name of the person who gave the gift; and
- (b) the date on which the gift was accepted; and
- (c) a description, and the estimated value, of the gift; and
- (d) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (e) if the gift is a notifiable gift under paragraph (bA) of the definition of notifiable gift in subregulation (1) (whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance, of each other gift accepted within the six month period.

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The CEO is required to –

- (a) keep a register of notifiable gifts; and
- (b) record in the register details of notifications given to comply with a requirement made under subregulation (3); and
- (c) publish an up-to-date version of the register on the local government’s official website.

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For the purposes of this clause:

- a ‘notifiable gift’ means:
 - a gift worth between \$50 and \$300; or
 - a gift that is one of two or more gifts given to an employee by the same person within a period of six months that are in total worth between \$50 and \$300
- ‘activity involving a local government discretion’ has the same meaning as referred to in 4.5(2)(b) above
- A ‘gift’ has the meaning set out in s5.82(4) of the *Local Government Act 1995* but does not include:
 - a gift from a relative as defined in s5.74(1); or
 - a gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997*; or
 - a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
 - a gift from WALGA, the Australian Local Government Association.

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All notifiable gifts or benefits received by an employee must be declared to the CEO by completing the Gift Disclosure Form within 10 days of acceptance.

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3.7 Prohibited gifts in relation to a person who is an employee

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An employee must not accept a prohibited gift from a person who:

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Is undertaking or seeking to undertake an activity involving a local government discretion; or

It is reasonable to believe is intending to undertake an activity involving a local government discretion.

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For the purpose of this clause:

- a ‘prohibited gift’ means:
 - a gift worth \$300 or more; or

- a gift that is one of two or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.
- 'activity involving a local government discretion' is an activity:
 - that cannot be undertaken without an authorisation from the Town; or
 - by way of a commercial dealing with the Town.
- A 'gift' has the meaning set out in s5.82(4) of the Act but does not include:
 - a gift from a relative as defined in s5.74(1); or
 - a gift that must be disclosed under regulation 30B of the Local Government (Elections) Regulations 1997; or
 - a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
 - a gift from WALGA, the Australian Local Government Association

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Definitions:

~~In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996—~~

~~“activity involving a local government discretion” means an activity—~~

- ~~(a) that cannot be undertaken without an authorisation from the local government; or~~
- ~~(b) by way of a commercial dealing with the local government.~~

~~“gift” has the meaning given to that term in s5.82(4) except that it does not include—~~

- ~~(a) a gift from a relative as defined in s5.74(1); or~~
- ~~(b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or~~
- ~~(c) a gift from a statutory authority, government instrumentality or non-profit association for professional training.~~

~~“notifiable gift”, in relation to a person who is a Council member or employee, means—~~

- ~~(a) a gift worth between \$50 and \$300; or~~
- ~~(b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;~~

~~“prohibited gift”, in relation to a person who is a Council member or employee, means—~~

- ~~(a) a gift worth \$300 or more; or~~
- ~~(b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.~~

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- ~~(a) A person who is a Council member or employee is to refrain from accepting a prohibited gift from a person who—~~
 - ~~(i) is undertaking or seeking to undertake an activity involving a local government discretion; or~~

- ~~(ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.~~
- ~~(b) A person who is a Council member or employee and who accepts a notifiable gift from a person who—~~
 - ~~(i) is undertaking or seeking to undertake an activity involving a local government discretion; or~~
 - ~~(ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion,~~~~notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.~~
- ~~(c) The notification of the acceptance of a notifiable gift is to be in writing and include~~
 - ~~(i) the name of the person who gave the gift; and~~
 - ~~(ii) the date on which the gift was accepted; and~~
 - ~~(iii) a description, and the estimated value, of the gift; and~~
 - ~~(iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and~~
 - ~~(v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition)—~~
 - ~~(1) a description; and~~
 - ~~(2) the estimated value; and~~
 - ~~(3) the date of acceptance,~~~~of each other gift accepted within the 6 month period.~~
- ~~(d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).~~
- ~~(e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).~~
- ~~(f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.~~

4. Conduct of Council Members, Committee Members and Staff

4.1 Personal Behaviour

- (a) Council Members, Committee Members and employees are required to:
 - (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (ii) perform their duties impartially and in the best interests of the [Local GovernmentTown](#) uninfluenced by fear or favour;
 - (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the [Local GovernmentTown](#) and the community;
 - (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - (v) always act in accordance with their obligation of fidelity to the [Local GovernmentTown](#).

- (b) Council Members are required to represent and promote the interests of the ~~Local Government~~Town, while recognising their special duty to their own constituents.

4.2 *Honesty and Integrity*

Council Members, Committee Members and employees ~~are required to~~will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the Mayor/~~President~~ any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- (c) be frank and honest in their official dealings with each other.

4.3 *Performance of Duties*

- (a) While on duty, employees are required to give their whole time and attention to the ~~Local Government's~~Town's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the ~~Local Government~~Town.
- (b) Council Members and Committee Members ~~are required to~~will at all times ~~to~~ exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members are required to be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 *Compliance with Lawful Orders*

- (a) Council Members, Committee Members and employees ~~are required to~~will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Council Members, Committee Members and employees are required to give effect to the lawful policies of the ~~Local Government~~Town, whether or not they agree with or approve of them.

4.5 *Administrative and Management Practices*

Council Members, Committee Members and employees ~~are required to~~will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 *Corporate Obligations*

(a) *Standard of Dress*

Council Members, Committee Members and employees are expected to comply with neat and responsible dress standards at all times. Accordingly:

- (i) Council Members and Committee Members are required to dress in a manner appropriate to their position, in particular when attending meetings or representing the ~~Local Government~~Town in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

(b) *Communication and Public Relations*

- (i) All aspects of communication by employees (including verbal, written or personal), involving ~~Local Government's~~the Town's activities should reflect the status and objectives of ~~that Local Government~~the Town. Communications should be accurate, polite and professional.

- (ii) Only the Mayor or CEO is authorised to speak to the media on behalf of the Town of East Fremantle. The Mayor or CEO may appoint a spokesperson to speak on their behalf, where it is deemed to be appropriate.
- (iii) As a representative of the community, Council Members are required to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- (iv) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government Town may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 *Appointments to Committees*

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members:

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5. Dealing with Council Property

5.1 *Use of Local Government Resources*

Council Members and staff are required to will:

- (a) be scrupulously honest in their use of the Local Government's Town's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government Town's resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Local Government's Town's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 *Travelling and Sustenance Expenses*

Council Members, Committee Members and staff are required to only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government Town in accordance with Local Government policy and the provisions of the Local Government Act 1995.

5.3 *Access to Information*

- (a) Staff are required to ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.
- (b) Council Members are required to ensure that information provided is to be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

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Responsible Directorate:	Office of the Chief Executive Officer
Reviewing Officer:	Chief Executive Officer
Decision making Authority:	Council
Policy Adopted:	24/9/96
Policy Amended/Reviewed:	27/4/98, 17/8/99, 21/8/01 15/9/15 & 20/10/15, 17/9/19, 21/7/20
Former Policy No:	4.1.2

[Attachment](#)
[Code of Conduct Declaration](#)

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CODE OF CONDUCT DECLARATION

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Declaration:

I,(print name) have read and understand the conditions of the Town of East Fremantle Code of Conduct and hereby agree to abide by the requirements of this document.

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SIGNED: _____

DATE: _____

Please return completed declaration to the Chief Executive Officer

12.3.3 Trading in Public Places Report

File ref	H/HFV1
Prepared by	Shelley Cocks Principal Environmental Health Officer
Supervised by	Andrew Malone Executive Manager Regulatory Services
Meeting Date:	21 July 2020
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Trading in Public Places Policy2. Draft Delegation - Trading in Public Places Applications

Purpose

The Town's Principal Environmental Health Officer prepared a *Trading in Public Places Policy* for Council's consideration in February 2020. Following advertising for a period of 30 days, this is now being presented to Council for adoption.

Executive Summary

Council requested that a policy be developed to allow vendors to operate in particular locations through out the Town. The Trading in Public Places Policy was considered by Council at a Council Meeting on 28 February 2020. While the Policy was mooted at an earlier time, the number of events throughout the Town had increased to the point where it was thought desirable to formally approve the Policy.

Background

A food van trial was undertaken early in 2018 at John Tonkin Reserve with limited success. Based on the results of the trial it was agreed that in future the Town would not be responsible for organising such events, and would support van/stall operators arranging their own events. To provide guidance to van/stall operators, Council requested that a policy be developed to allow vendors to operate in particular locations throughout the Town

Consultation

Consultation occurred throughout the food van trial with mobile food vendors, customers, Council staff and Councillors. Council advertised the draft policy for 30 days to allow for community input following the Council Meeting held on 18 February 2020. No comments were received.

Statutory Environment

Local Law Public Places and Local Government Property Law 2016

Policy Implications

The policy will apply to all mobile food vendors and temporary stall holders wishing to sell goods on Council owned land. The policy does not apply to those who operate on private land such as the food vans in the car park at the Left Bank or the food vans operating at the Swan Yacht Club at their larger functions. The policy covers the sale of food and other items such as flowers, plants, books, garage sale type material or other items subject to Council approval.

Financial Implications

Council note the 2020/2021 Schedule of Fees and Charges:

- Trading in public places application fee \$95.40 (inc GST)
- Trading in public places daily fee \$57.70 (inc GST)

Strategic Implications

Strategic Priority 1: Social

- Inviting open spaces, meeting places and recreational facilities.
- Strong community connection within a safe and vibrant lifestyle.

Site Inspection

- Site inspection undertaken: No

Comment

A policy on *Trading in Public Places Policy* is recommended for a number of reasons:

1. To provide guidance to the operations of the Town's *Local law Public Places and Local Government Property Law 2016*.
2. To provide clarity to staff and applicants wishing to trade on Council Property.
3. To establish areas where trading may take place within the Town of East Fremantle.
4. To respond to community expectations regarding the use of parks and reserves.
5. To assist in the activation of our public open space consistent with our Strategic Community Plan.
6. To improve our customer service by being able to give consistent advice to applicants.
7. To improve sustainability at events by ensuring that all packaging is either compostable or reusable.

Proposed Delegation – Determination of Applications for Trading in Public Places

Council as per this report is recommended to adopt a Trading in Public Places Policy. It is proposed to delegate to the Chief Executive Officer the determination of authorising vendors, food vans or similar to trade on Council owned land within the Town as per the policy. The Policy has been advertised and no submissions were received.

It is recommended that Council approve a delegation (as attached) to the Chief Executive Officer and sub-delegation to the Executive Manager Regulatory Services to determine applications for any vendors to trade in a public place pursuant to the Trading in Public Places Policy.

12.3.3 OFFICER RECOMMENDATION

That Council:

- 1. adopt the Trading in Public Places Policy, as appended to this report.**
- 2. delegate to the Chief Executive Officer the powers conferred in the attached delegation to determine applications for Trading and Public Places.**

TRADING IN PUBLIC PLACES

Policy Number:	TBA
Type:	Community Strength and Identity – Community Health and Safety
Legislation:	Food Act 2008, Local Government Act 1995. Public Places and Local Government Property Law 2016
Delegation:	DA82
Other Related Document:	Town of East Fremantle Fees and Charges

Objective

The purpose of this policy is to provide guidance to mobile food vendors and temporary stall holders about the procedures required for the approval of mobile food vendors and temporary stall holders to trade in a public place within the Town of East Fremantle.

Policy Scope

This policy applies to all mobile food vendors and temporary stall holders who would like to sell goods from Council land, including packaged foods, foods requiring limited food preparation and high risk, take-away and ready-to eat foods or other items such as flowers, plants, books or garage/craft sale type goods.

The licence referred to in the policy does not apply to mobile food vendors and temporary stall holders who operate on privately owned land.

Policy

The Town of East Fremantle will permit trading in a public place in accordance with the *Public Places and Local Government Property Local Law 2016* subject to the below requirements:

The Public Places and Local Government Property Law 2016 Part 3 states:

1. *A person must not without a licence:*
 - (f) *carry on any trading on local government property unless the trading is conducted –*
 - (i) *with the consent of a person who holds a licence to conduct a function, and where the trading is carried on under and in accordance with the licence; or*
 - (ii) *by a person who has a licence or permit to carry on trading on local government property under any written law*
- 8.1 *Application for a licence:*
- (2) *An application for a licence under this local law must:*
 - (a) *be in the form determined by the CEO,*
 - (b) *be signed by the applicant,*

- (c) *provide the information required by the form; and*
- (d) *be forwarded to the CEO together with any fee imposed by the Council under sections 6.16 to 6.19 of the Act.*

A licence is valid for one year.

Fees and Charges

Applicable fees and charges are to be paid as per the Annual Fees and Charges Schedule.

The Chief Executive Officer may waive the fees and charges applicable if the trader demonstrates that they are fundraising for a community or sporting group or another charitable or worthwhile cause.

Times of Trading.

Temporary food stall holders must only trade during the times and dates stated on the approved licence.

Insurance.

Mobile food vendors and temporary stall holders must provide their own public liability insurance for \$20,000,000.

Sustainability

Traders must exclude:

- Provision, sale, distribution or use of balloons and confetti as part of the event.
- Use of Polystyrene and Styrofoam in the sale, distribution of food or beverages at the event
- Provision, sale or distribution of single-use plastics at the event including straws, cutlery, cups, coffee cups, bottles (including individual single use water bottles), plates, containers, bags and cling wrap.

Locations of Trading

Mobile food vendors are permitted to trade at the following locations:

- East Fremantle's Festival on George Street.
- Norm McKenzie Reserve.
- Locke Park on the car park adjoining the Bowling Club.
- Jerrat Drive on the car park between the Junior Football Club and Cricket/Lacrosse Club.
- Raceway Park.
- Any other location considered appropriate and approved by the Chief Executive Officer.

The maximum number of mobile food vendors that are permitted at any of the above sites is at the discretion of the CEO and will be considered on the individual merits and impacts of each licence application.

Conditions of the Licence

Conditions relating to any stall or van proposing to sell food:

- Proprietors must comply with the requirements of the Food Act 2008.
- The proprietors must supply a copy of their Approved Food Business Certificate to Council's Principal Environmental Health Officer.

- Any stall or van selling food will be subject to health and safety risk assessments while in operation.
- Proprietors of any stall or van selling food must comply with any direction given by Council's Principal Environmental Health Officer.

Other matters to be considered by Council

Any activity or event proposed in a river side location will have to seek the prior approval of Department of Biodiversity, Attractions and Conservation prior to operating. This approval is to be provided to Council for consideration.

Responsible Directorate:	Executive Manager Regulatory Services
Reviewing Officer:	Principal Environmental Health Officer
Decision making Authority:	Council
Policy Adopted:	
Policy Amended:	
Next Review Date:	

DA82 TRADING IN PUBLIC PLACES APPLICATIONS

- Objective of Delegation:** Determination of Applications for Trading in Public Places in accordance with the Trading in Public Places Policy.
- Extent of Delegation:** The power to grant a licence to a person to carry on any trading on local government property.
- Conditions imposed:**
1. An application for a license must:
 - (a) comply with the requirements of the Trading in Public Places Policy;
 - (b) be in the form determined by the CEO;
 - (c) be signed by the applicant;
 - (d) provide the information required by the form and policy; and
 - (e) be forwarded to the CEO together with any fee imposed by the Council.
 2. The CEO may waive the fees and charges associated with the grant of an annual licence to allow trading on local government property.

Delegation by Council to:	Chief Executive Officer
Delegation by Chief Executive Officer to:	Executive Manager Regulatory Services
Formal Record:	Recorded in central records system
Heads of Power:	<ul style="list-style-type: none"> • <i>Public Places and Local Government Property Law 2016</i>
Last Reviewed:	
Amended:	

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
14. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING
15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
16. NEW BUSINESS OF AN URGENT NATURE
17. MATTERS BEHIND CLOSED DOORS

17. PROCEDURAL MOTION

That 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)(c)*.

- 17.1 **East Fremantle Oval Redevelopment**
Confidential Report (Separate Attachment)
18. **CLOSURE**