



MINUTES

Council Meeting

Tuesday, 17 September 2019 at 6.30pm

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135
CANNING HIGHWAY EAST FREMANTLE ON TUESDAY 17 SEPTEMBER 2019.**

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.30pm

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:

Mayor J O'Neill	Presiding Member
Cr C Collinson	
Cr A McPhail	
Cr M McPhail	
Cr A Natale	
Cr D Nardi	
Cr J Harrington	
Cr A Watkins	
Cr A White	

The following staff were in attendance:

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

There was one member of the public in attendance.

3.2 Apologies

Nil.

3.3 Approved

Nil.

4. DISCLOSURES OF INTEREST

4.1 Financial

Nil.

4.2 Proximity

Nil.

4.3 Impartiality

Nil.

5. PUBLIC QUESTION TIME

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

5.2 Public Question Time
Nil.

6. PRESENTATIONS/DEPUTATIONS

6.1 Presentations
Nil.

6.2 Deputations
Nil.

7. APPLICATIONS FOR LEAVE OF ABSENCE
Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (20 August 2019)

8.1 OFFICER RECOMMENDATION

Moved Cr Nardi, seconded Cr A McPhail

That the minutes of the Ordinary meeting of Council held on Tuesday, 20 August 2019 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER
Nil.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS
Nil.

11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

11.1 Town Planning Committee Meeting (3 September 2019)

File ref	C/MTP1
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	17 September
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 3 September 2019, exercised its delegation in four statutory matters where at least four members voted in favour of the Reporting Officer's recommendations.

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

Consultation

Town Planning Committee.

Statutory Environment

Nil.

Policy Implications

Nil.

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 COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION 010919

Moved Cr Collinson, seconded Cr White

That the unconfirmed Minutes of the Town Planning Committee Meeting held on 3 September 2019 be received.

(CARRIED UNANIMOUSLY)

12. REPORTS

12.1 PLANNING

12.1.1 Canning Highway No 29 (Lot 3) Change of use from shop to office

Owner	Andrew Dean Mitchell & Michelle Mitchell
Applicant	George Edinger
File ref	P071/19; CAN29
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	17 September 2019
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil.

Purpose

This report considers an application for a change of use from a shop located at No 29 (Lot 3) Canning Highway to an office.

Executive Summary

The applicant is seeking Council approval to operate an office at the subject site. The site is currently zoned mixed use and is approved to operate as retail. In accordance with Local Planning Scheme No 3 a shop is a "P" or permitted use in the mixed use zone, but an office is a "D" or discretionary use which means that it is not permitted unless the local government has exercised its discretion by granting planning approval.

It is felt that this proposal can be supported subject to the inclusion of planning conditions.

Background

Zoning: Mixed Use R40
Site area: 215m²

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

DA 150/2005 - 13 September 2005 - Change of use from real estate office to beauty therapist and women's accessories.

Consultation

Advertising

The proposal was not advertised.

Community Design Advisory Committee (CDAC)

This application was not referred to CDAC. There are no streetscape or design issues around this proposal.

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

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 approve the proposed development	Unlikely (2)	Minor (2)	Low (1-4)	COMPLIANCE Some temporary non-compliances	Accept Officer Recommendation

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

This proposal is being presented to Council to expedite the processing of the change of use. The applicant has contractual obligations to ensure that the change can be expedited as quickly as possible.

The proposal has been assessed against the provisions of Local Planning Scheme No. 3.

The applicant is seeking approval for a change of use from shop to office at the subject site. The site is currently within the mixed use zone along Canning Highway in the Plympton precinct. The site was previously an office and an application was made to change the use to a shop in 2006.

The building is comprised of a number of commercial and residential units. Each unit has a small number of car parking bays that are dedicated to the relevant unit. In this case Lot 3 has 2 parking bays allocated for its use. It is recognised that within the Plympton Precinct there is an expectation that parking is partially provided by on-street car parking bays. It is proposed to have the information technology function located upstairs, while a civil engineering office will be located downstairs. It is envisaged that there will be few customers visiting the office.

A shop is a P use in the mixed use zone according to Local Planning Scheme No 3, but an office is a D use which means that the use has to receive local government approval to operate.

The objectives of the mixed use zone from Clause 4.2 of Local Planning Scheme No 3 includes the following;

- *To provide for a limited range of commercial, civic and community facilities to meet the day to day needs of the community, but which will not prejudice the amenities of the neighbourhood;*
- *To ensure future development within each of the mixed use zones is sympathetic with the desired future character of the each area, and that a significant residential component is retained as part of any new development;*
- *To promote the coordination of development within each of the mixed use zones and to facilitate the safe and convenient movement of pedestrians to and within the area;*
- *To ensure the location and design of vehicular access and parking facilities do not detract from the amenities of the area or the integrity of the streetscape.*

In each case an office achieves each of the listed objectives. There are no physical changes to the building at 29 Canning Highway. The development application is dealing with a change of use to an office that will not have any more impact on the amenity of the surrounding neighbourhood than a shop. The office use will replace one commercial use with another. There is no impact on pedestrian safety or convenience as a result of the use; the footpath and pedestrian access to the property remains unchanged. There will be no change in parking at the subject site that accompanies the change of use.

Heritage Listing

The property is heritage listed and is included in both the Town's heritage list and municipal heritage inventory. It is listed as a Category A property, however, it is envisaged that the heritage listing will not be impacted upon by the change of use from shop to office and there are no changes currently proposed to the existing building. Any physical development related to the building would require both a development approval and a building permit.

Parking

The current shop has a net lettable area of 164m². A shop use requires 1 car bay for every 20m² of net lettable area with a minimum of 4 spaces required. A shop at this site would normally require 9 car bays (rounding up to 180m²). In this case the change of use from shop to office has a lesser parking requirement. An office requires 1 car bay for every 30m² of net lettable area with a minimum of 3 spaces required. Currently as a shop there are 2 bays dedicated to the unit with a shortfall of 7 car bays whereas with an office use 6 car bays are required and the shortfall is 4

car bays which is a lesser number. There is an expectation in the mixed use zones in the Plympton Precinct that car parking will spill over onto the street as the area was developed in a pre-car era and many premises have little or no parking and rely on street parking. In this case the development has already provided 2 car bays for every unit.

The fact that the proposed office is located on Canning Highway means that there is the potential for customers and employees of the business to utilise the services of the frequent bus services that travel along the highway thereby reducing the need to rely solely on cars for transport and reducing the need for car parking on site. Similarly the area around the building is a highly walkable urban environment with high quality footpaths on both sides of Glyde Street and Canning Highway. Again the change of use does not change this situation. Employees and customers can access the site by walking.

The deficit in parking required by the Local Planning Scheme No 3 can be accepted for three reasons;

- the office use requires less parking than a shop use;
- public transport is nearby;
- the proposed office is within a highly walkable urban environment.

Conclusion

The proposed change of use from shop to office for the subject site is considered acceptable. It achieves the objectives of the mixed use zoning stated in Local Planning Scheme No3;

- It provides additional office space without diminishing the amenity of the surrounding neighbourhood;
- It does not result in a decline in the residential component of the development;
- Does not limit movement by pedestrians
- Vehicle access and parking does not impinge on the amenity of the area or the streetscape.

Likewise, the heritage component of the building is not affected and the parking deficit can be accepted. The proposal fits the Plympton Precinct mixed use zone and the nature of the surrounding urban environment.

As explained in this report it is recommended that a change of use from shop to office be supported subject to the imposition of a number of planning conditions.

12.1.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 020919

Moved Cr Collinson, seconded Cr Harrington

That Council exercises its discretion in regard to granting approval for a change of use from shop to office at No. 29 (Lot 3) Canning Highway, East Fremantle in accordance with the plans date stamped 30 August 2019 subject to the following conditions:

- 1. This approval is for a change of use only and any other development will require the submission of a separate development application for the consideration of Council.**
- 2. No signage is approved under this change of use application. A separate application is required for to be submitted for signage for the consideration of Council. All signage is to comply with the Town's Signage Design Guidelines Local Planning Policy 3.1.3.**
- 3. Any changes in the structure of the building will require the submission of an application for a building permit for the consideration of Council.**



4. With regard to plans submitted with respect to a 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 use is not to be commenced 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. 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.
7. This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following is not a condition but a note of advice to the applicant/owner:

- (i) The applicant be advised that failure to comply with the above conditions of this approval or if the home occupation causes a nuisance or annoyance to owners or occupiers of the land in the neighbourhood, Council may revoke its approval of the home occupation.*
- (ii) A fresh development (planning) approval application is to be made for Council's consideration at the expiry of the twelve (12) month temporary approval period should the applicant wish to continue the use;*
- (iii) The applicant be advised that following receipt of planning approval the Town's Principal Environmental Health Officer is to be contacted to arrange for an inspection of the premises (telephone 9339 9315).*
- (iv) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site;*
- (v) a copy of the approved plans as stamped by Council are attached and the use is to conform with the approved plans (9 August 2019) unless otherwise approved by Council; and*
- (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)

12.2 FINANCE

12.2.1 Monthly Financial Report (Containing the Statement of Financial Activity) – July and August 2019

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	17 September 2019
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Monthly Financial Report for the Period Ended 31 July 2019 2. Monthly Financial Report for the Period Ended 31 August 2019 3. Capital Works Report for August

Purpose

The purpose of this report is to present to Council the Monthly Financial Reports (containing the Statement of Financial Activity) for the months ended 31 July and 31 August 2019.

Executive Summary

A Monthly Financial Report workbook has been developed to provide an overview of key financial activity. Two Statements of Financial Activity have been prepared, 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 2019.

Background

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

As part of the adopted 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.

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

Consultation

Nil.

Statutory Environment

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

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.

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

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

Strategic Implications

The monthly financial report is the key 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.

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

Comment

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

	Original Budget	Year to Date Budget - July	July Actuals	Year to Date Budget - Aug	August Actuals
Opening Surplus	758,451	758,451	655,838	758,451	652,631
Operating Revenue	10,632,263	8,387,432	8,459,850	8,667,026	8,646,080
Operating Expenditure	(12,141,244)	(1,081,245)	(414,193)	(2,107,795)	(1,158,677)
Capital Expenditure	(3,816,857)	(7,083)	(108,257)	(14,167)	(301,180)
Capital Income	919,567	0	0	328,747	328,747
Net Transfers from Reserves	1,182,814	(5,000)	(5,574)	(10,000)	(9,641)
Non-Cash Items	2,465,204	198,375	0	0	0
Closing Surplus	0	8,250,931	8,587,664	9,219,527	8,157,320
Unrestricted Cash			1,053,065		2,583,773
Restricted Cash			2,287,653		2,291,719

- Rates were levied in the month of July – this explains the healthy closing surplus for the months of July and August as accrued revenue is significant compared to the fixed costs that have been incurred in the first two months of the financial year;
- Depreciation, plant cost recoveries and activity based cost distributions have yet to be processed for the months of July/August (due to completing end of year processes) – this explains why there are variances against all operating expenditure programs;
- A Capital Works Report is being produced automatically 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 3;
- 30% of total rates levied (including arrears) were collected by the end of August. The due date for rates is the 6 September.

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

Additional Comments:

1. FOGO

Town staff have been working diligently on progressing the education and roll out of the FOGO system. As part of the community education process, discussions have occurred with the East Fremantle Kindy to replace the existing 2 bin system with a FOGO system. The introduction of FOGO into educational facilities will drive sustainable waste management at a young age. It is therefore recommended that Council approve a free single FOGO service for all schools and kindergartens located within the Town of East Fremantle, with education support to be provided by town staff.

2. Roads to Recovery Funding

As part of the Local and State Government Road Safety Package, the Australian Government provides road funding to local governments for local roads under the Roads to Recovery (R2R) Program. The Town of East Fremantle’s total funding allocation from 2019/20 to 2023/24 is

\$236,818 (approx. \$59k per year). The Town has budgeted to receive \$60k in R2R funding for the 2019/20 financial year. Given the funding requirements for the Riverside Road project, it is recommended that Council draw down on its total allocation this financial year to ensure that project scope is not compromised due to inadequate funding. This will not impact on future year road programs as \$59k per year can easily be made up from own source funding.

3. CHSP Services and Service Fees

With the changeover from Home and Community Care (HACC) to the Commonwealth Home Support Program (CHSP), the following key changes have occurred:

- Clients over the age of 65 are funded through the CHSP
- The Town charges clients under 65 full cost recovery through their NDIS self-managed funding
- Home Care Package clients pay full cost through their package provider (Brokerage Agreement with the Town)

As a result, some of the service descriptions and how the Town is required to deliver some services have changed. The Town will also be proactively marketing services to attract full fee paying clients (Self-managed and Brokered clients), requiring an amendment to the Schedule of Fees and Charges:

Previous Service Description	New Service Description	Adopted Fee	Proposed Fee	Explanation for change in Fee
Centre Based Day Care	Social Support Group	5 hours Social Support Group @ \$16.33 per hour = \$81.65 Transport unit cost is \$22.69 per one way trip = \$45.38 per day Total unit cost value = \$127.03 per day	8 hours Social Support Group @ \$16.33 per hour = \$130.64 per day	Cost of transport to be included in Fee; Increase in service hours of Social support Group by 1.5hrs per client to reflect change in funding allocation
	Centre Based Respite – Care Relationships and Carer Support	CHSP clients pay \$8 per hour	Self-managed and Brokered clients \$169.16 per occasion for Non East Fremantle Residents and \$119.45 (transport fee) per occasion for East Fremantle residents	New fee for service – full cost recovery for Self-managed and Brokered clients
Monday Bus Outings (Social Support Small Group)	Social Support Group	CHSP client contribution fee \$8 per occasion	CHSP client contribution fee \$13 per occasion Self-managed and Brokered clients \$169.16 per occasion for Non East Fremantle Residents and \$119.45 (transport fee) per	New fee for service – full cost recovery for Self-managed and Brokered clients



			occasion for East Fremantle residents	
Social Support Individual	No Change	CHSP client contribution fee \$8 per hour	Self-managed and Brokered clients \$33.53 per hour	New fee for service – full cost recovery for Self-managed and Brokered clients
Respite	Flexible Respite	CHSP client contribution fee \$8 per hour	Self-managed and Brokered clients \$33.53 per hour	New fee for service – full cost recovery for Self-managed and Brokered clients
Transport (Thursday shopper bus only)	No Change	CHSP client contribution fee \$2.50 each way	Self-managed and Brokered clients \$24.83 each way	New fee for service – full cost recovery for Self-managed and Brokered clients

12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 030919

Moved Cr Collinson, seconded Cr Natale

That Council:

1. receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 31 July 2019.
2. receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 31 August 2019.
3. notes the municipal surplus of \$8,157,320, which comprises of \$2,583,773 in unrestricted cash, as at 31 August 2019.
4. receives the Capital Works Report.
5. pursuant to section 6.16 of the *Local Government Act 1995*, by absolute majority, impose a \$0 fee for a single FOGO waste collection and disposal service to all schools and kindergartens within the Town of East Fremantle, and provide local public notice.
6. pursuant to section 6.16 of the *Local Government Act 1995*, by absolute majority, impose the following fees for services delivered under the Commonwealth Home Support Program, and provide local public notice:

Previous Service Description	New Service Description	Adopted Fee	Proposed Fee	Explanation for change in Fee
Centre Based Day Care	Social Support Group	5 hours Social Support Group @ \$16.33 per hour = \$81.65 Transport unit cost is \$22.69 per one way trip = \$45.38 per day Total unit cost value = \$127.03 per day	8 hours Social Support Group @ \$16.33 per hour = \$130.64 per day	Cost of transport to be included in Fee; Increase in service hours of Social support Group by 1.5hrs per client to reflect change in funding allocation
	Centre Based Respite – Care Relationships	CHSP clients pay \$8 per hour	Self-managed and Brokered clients \$169.16 per	New fee for service – full cost recovery for



	and Carer Support		occasion for Non East Fremantle Residents and \$119.45 (transport fee) per occasion for East Fremantle residents	Self-managed and Brokered clients
Monday Bus Outings (Social Support Small Group)	Social Support Group	CHSP client contribution fee \$8 per occasion	CHSP client contribution fee \$13 per occasion Self-managed and Brokered clients \$169.16 per occasion for Non East Fremantle Residents and \$119.45 (transport fee) per occasion for East Fremantle residents	New fee for service – full cost recovery for Self-managed and Brokered clients
Social Support Individual	No Change	CHSP client contribution fee \$8 per hour	Self-managed and Brokered clients \$33.53 per hour	New fee for service – full cost recovery for Self-managed and Brokered clients
Respite	Flexible Respite	CHSP client contribution fee \$8 per hour	Self-managed and Brokered clients \$33.53 per hour	New fee for service – full cost recovery for Self-managed and Brokered clients
Transport (Thursday shopper bus only)	No Change	CHSP client contribution fee \$2.50 each way	Self-managed and Brokered clients \$24.83 each way	New fee for service – full cost recovery for Self-managed and Brokered clients

7. pursuant to section 6.8 of the *Local Government Act 1995*, by absolute majority, approve to amend the 2019/20 municipal budget, by adopting the schedule of budget variations below, resulting in a nil change in the forecast surplus of \$0 as at 30 June 2020.

Account Number	Description	19/20 Budget	19/20 Amended Budget	Change in Net Current Assets
E12784	Infra – Road Resurfacing – Riverside Rd	(1,232,800)	(1,409,618)	(176,818)
I12097	Grant – Roads to Recovery	60,000	236,818	176,818
				0

(CARRIED UNANIMOUSLY)
(ABSOLUTE MAJORITY)

12.2.2 Accounts for Payment – August 2019

File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager, Corporate Service
Supervised by	Peter Kocian, Executive Manager, Corporate Services
Meeting Date	17 September 2019
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments – August 2019

Purpose

For Council to receive the monthly list of accounts paid.

Executive Summary

To endorse the list of payments made under delegated authority for the month of August 2019.

It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 August to 31 August 2019, as per the summary table.

Background

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

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

Consultation

Nil.

Statutory Environment

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

Policy Implications

Policy 2.1.3 Purchasing

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		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	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

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

- Cr A McPhail raised EFT28236 (Mastec) and queried the details of the variation payment of \$36,532.80. The CEO advised that this query would be taken on notice and the information circulated to elected members.
- Following a query from Cr Natale regarding EFT28220 (Moore Stephens), the Executive Manager Corporate Services provided an explanation of the payment.

12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040919

Moved Cr Watkins, seconded Cr A McPhail

That the list of accounts paid for the period 1 to 31 August 2019 be received, as per the following summary table:

AUGUST 2019		
Voucher No	Account	Amount
5238 –5250	Municipal (Cheques)	\$17,665.71
EFT28128– EFT 28270	Municipal (EFT)	\$774,295.41
Payroll	Municipal (EFT)	\$262,112.87
Credit Card/Superannuation	Municipal (Direct Debit)	\$45,298.59
	Total Payments	\$1,099,372.58

(CARRIED UNANIMOUSLY)

12.3 GOVERNANCE

12.3.1 Review of Policy Register (excluding Planning Policies)

File ref	C/POL1
Prepared by	Janine May, EA to Chief Executive Officer
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	17 September 2019
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Current Policy Register with tracked changes

Purpose

To review all current policies (excluding Planning) and consolidate them into one register.

Executive Summary

It is recommended that the revised Policy Register be adopted as submitted.

Background

A report was submitted to the 18 June 2019 Council Meeting which resulted in the revocation of 33 redundant policies and the Policy Register being reformatted and renumbered into the following categories:

- Governance
- Corporate Services
- Regulatory Services
- Operations

Consultation

The Policy Register, in its new format, was emailed to elected members and executive staff on 30 July 2019 seeking feedback. No responses were received.

Statutory Environment

Section 2.7 2(b) *Local Government Act 1995*

(2) *Without limiting subsection (1), the council is to —*

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

Policy Implications

The following Planning policies will be reviewed separately in due course;

- 3.1.1 Residential Design
- 3.1.2 Signage Design Guidelines – Local Planning Policy
- 3.1.3 Town Centre Redevelopment Guidelines – Local Planning Policy
- 3.1.4 George Street Mixed Use Precinct New Development Contribution to the Management of Access & Parking – Local Planning Policy
- 3.1.5 Community Design Advisory Committee
- 3.1.6 Town Planning Advisory Panel
- 3.1.7 Wood Encouragement – Council

- 3.1.8 Wood Encouragement – General
3.1.9 Percent for Public Art – Local Planning Policy

Policy 2.1.9 Parking Infringement Appeals & Policy 2.1.10 Infringement Debt Management are being reviewed in a separate report contained within this Council Agenda.

Financial Implications

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 review existing Policies.	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

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*
5.1.3 Improve the efficiency and effectiveness of services.

Site Inspection

Not applicable.

Comment

The only proposed changes relate to the following Policies and are marked up as tracked changes in the attachment:

- **Policy 1.2.2 CEO Leave Approval**
Deletion of the reference to 5 days executive leave.
- **Policy 1.2.5 Staff Education and Study Leave**
 - increased study assistance entitlement from completion of probationary period to 12 months completed service.
 - inserted maximum study assistance value “up to \$2,500” pa previously no value was provided in the policy.
- **Policy 2.1.3 Purchasing**
Insertion of assessment process which had been omitted from purchases between \$5,001 up to \$20,000 in the Purchasing Threshold Table.

It is proposed that:

- Planning policies be reviewed separately.
- the Policy Register will be reviewed annually to ensure all policies remain relevant.

12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050919

Moved Cr Nardi, seconded Cr Natale

That Council adopt the Policy Register as attached with the tracked changes to:

Policy - 1.2.2 CEO Leave Approval

Policy - 1.2.5 Staff Education and Study Leave

Policy - 2.1.3 Purchasing

(CARRIED UNANIMOUSLY)

12.3.2 Council Policies – Infringement Debt Management and Parking Infringement Appeals

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	17 September 2019
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Policy 2.1.9 Parking Infringement Appeals Policy 2. Policy 2.1.10 Infringement Debt Management Policy

Purpose

This report recommends that Council adopt the two amended Policies as presented.

Executive Summary

The Parking Infringement Appeals Policy and Infringement Debt Management Policy provide a framework for the assessment of parking appeals and a robust process for the collection of outstanding infringements. The Policies are required to provide transparency and accountability in the exercise of decision making by staff under delegated authority.

Background

A report was submitted to the August 2019 Council Meeting with respect to infringement write offs. The two aforementioned Policies were also presented with amendments. These Policies have been further revised.

Consultation

Chief Executive Officer
Staff

Statutory Environment

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

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

Section 2.7 (2) (b) of the *Local Government Act 1995* states that one of Council's primary roles is to determine the local government's policies.

Policy Implications

Policy 2.1.9 Parking Infringement Appeals
Policy 2.1.10 Infringement Debt Management

Financial Implications

There are no direct financial implications relevant to this report.

Strategic Implications

Town of East Fremantle Strategic Community Plan 2017-2027:

Strategic Priority 5: Leadership and Governance

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

5.3 Strive for excellence in leadership and governance

5.3.1 Deliver community outcomes through sustainable finance and human resource management.

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)
Policies exist to provide guidelines to staff when exercising decision making under delegation. Inadequate Policies may therefore impinge decision making.	Unlikely (2)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, low impact, low news item	Accept Officer Recommendation

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

Comment

A further revision of the Parking Infringement Appeals Policy and Infringement Debt Management Policy has occurred, with key changes as follows:

Parking Appeals Policy

- Insertion of methods for lodging an appeal.
- Leniency period changed from 10 minutes to 15 minutes for exceed a time limit.
- Failure to display a valid parking ticket (where proof of purchase is provided) to be included as a circumstance where the infringement may be withdrawn under delegated authority by the Executive Manager Corporate Services.

Infringement Debt Management Policy

- Removal of duplicate information from the Parking Appeals Policy
- Slight amendment to management reporting requirements

12.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 060919

Moved Cr Natale, seconded Cr White

That Council adopt the amended Policies listed below, as presented in the attachments.

2.1.9 Parking Infringement Appeals

2.1.10 Infringement Debt Management

(CARRIED UNANIMOUSLY)

12.3.3 Application to Register & Domicile More than Three Cats at 38 Hubble Street, East Fremantle

File ref	A/DOG1
Prepared by	Andrew Driver, Senior Ranger
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date	17 September 2019
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. . Proposed Delegation DA80

Purpose

To determine a residents application to register and domicile more than the maximum three cat per property limit set in the Town of East Fremantle Cat Local Laws 2016, with approval sought for four cats.

Executive Summary

The *Town of East Fremantle Cat Local Laws 2016* requires Council to determine applications for the keeping of more than three cats on a property.

Background

Prior to purchasing their current residence at 38 Hubble Street, East Fremantle the applicants had resided within the State of Tasmania.

As the state of Tasmania does not limit the number of cats that may be registered per household the applicants were not aware that they had breached the Town's Cat Local Laws until the applicants applied to register their cats with Council.

The Senior Ranger authorised the registering of three cats to 38 Hubble Street and advised the applicants of their rights in relation to applying, in writing to Council for consideration of approval to register and domicile more than three cats at their residence.

On the 21 July 2019 Council received an application submitted by the residents of 38 Hubble Street, East Fremantle in which they requested that they be granted approval to register and domicile more than the maximum of three cats per household as required under the Towns Cat Local Laws.

Consultation

Upon receipt of the application to register and domicile more than three cats at 38 Hubble Street, East Fremantle, Officers of the Ranger Services Department arranged an appointment with the applicants in order to conduct a site visit in order to ascertain if the property was suitable for the keeping of more than three cats taking into account such things as land size, grassed area size, housing, hygiene conditions, caging and containment in accordance with section 2.4 of the Town's *Cat Local Law 2016*.

The Ranger team conducted the inspection in the company of both applicants, with Rangers given full access to the interior and exterior areas of the home and Rangers found that the home and its newly installed cat run are both suitable for the housing and containment of four cats.

Rangers also wrote to the residents of the properties adjacent to number 38 Hubble Street, advising neighbouring residents of both the application to house more than three cats and their right to make written submissions either supporting or objecting to the application.

No written submissions were received by Council by the stated comment closure date.

Statutory Environment

The Statutory Authority enabling Council to make Local Laws in relation to setting limits to the number of cats that may be kept at premises, or premises of a certain type is covered by Division 2, Sections 79(1) and 79(3)(h) of the Western Australian *Cat Act (2011)* which read as follows:-

Cat Act (2011) Division 2 - Local Laws

Section 79(1)

A local Government may so make local laws prescribing all matters that are required or permitted to be prescribed by local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act;

Section 79(3)(h)

Without limiting subsection (1), a local law may be made as to limiting the number of cats that may be kept at premises, or premises of a particular type;

Town of East Fremantle Cats Local Law (2016)

Section 2.2 Standard number of cats

For the purposes of the definition of standard number of cats in regulation 4(1) of the Cat (Uniform Local Provisions) Regulations 2013, no more than 3 cats may be kept on premises at which a member of a cat organisation is not ordinarily resident.

Section 44 of the *Cat Act 2011* states;

44. Delegation by local government

- (1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.*
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) A decision to delegate under this section is to be made by an absolute majority.*

Policy Implications

A draft Policy is being developed to provide guidelines for the assessment of applications for the keeping of more than 3 cats.

Financial Implications

There are no financial implications relevant to this report.

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)
Failure to approve the application may result in a formal appeal to the State Administrative Tribunal	Unlikely (2)	Minor (2)	Low (1-4)	REPUTATIONAL Substantiated, low impact, low news item	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	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 Objective 5.1 'Strengthen organisational accountability and transparency' is relevant by ensuring a consistent decision making framework.

OFFICER RECOMMENDATION

That Council:

1. grant approval for a maximum of four cats to be registered and domiciled at number 38 Hubble Street, East Fremantle.
 - (a) This approval only extend to the four cats currently domiciled at number 38 Hubble Street, East Fremantle.
 - (b) In the event that any of the registered cats at the property, approved by the Town, become deceased or are relocated on a permanent basis to another property, such additional cats shall not be replaced at the approved property unless a subsequent application and application fee has been submitted and approved by Council.



2. adopt delegation DA80, and the Delegation Register be updated accordingly.

Moved Cr White, seconded Cr Harrington
The adoption of the officer's recommendation.

Amendment

Moved Cr Natale, seconded Cr M McPhail

That (b) be deleted from the recommendation.

(LOST 4:5)

The substantive motion was put.

12.3.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070919

Moved Cr White, seconded Cr Harrington

That Council:

- 1. grant approval for a maximum of four cats to be registered and domiciled at number 38 Hubble Street, East Fremantle.**
 - (a) This approval only extend to the four cats currently domiciled at number 38 Hubble Street, East Fremantle.**
 - (b) In the event that any of the registered cats at the property, approved by the Town, become deceased or are relocated on a permanent basis to another property, such additional cats shall not be replaced at the approved property unless a subsequent application and application fee has been submitted and approved by Council.**
- 2. adopt delegation DA80, and the Delegation Register be updated accordingly.**

(CARRIED UNANIMOUSLY)

(ABSOLUTE MAJORITY)

12.4 COMMUNITY

12.4.1 East Fremantle's George Street Festival – Extreme Risk Event Endorsement

File ref	H/REV1 H/CFF1
Prepared by	Karen Dore, Coordinator Capacity Building
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date	17 September 2019
Voting requirements	Simple Majority
Documents tabled	<ol style="list-style-type: none">1. East Fremantle's George Street Festival 2018 Traffic Management Plan (for update)2. East Fremantle's George Street Festival 2019 Site Plan (draft)3. East Fremantle's George Street Festival 2019 Risk Management Plan (draft)4. East Fremantle's George Street Festival 2019 Crowded Places Assessment5. East Fremantle's George Street Festival 2019 Event Classification6. East Fremantle's George Street Festival 2019 Medical Classification
Attachments	<ol style="list-style-type: none">1. East Fremantle's George Street Festival 2019 Event Update

Purpose

Council is requested to consider endorsing the approval of East Fremantle's George Street Festival 2019.

Executive Summary

The Town of East Fremantle has an event notification process in order to capture and review public events that are being hosted within the Town's boundaries.

Events are classified as "low", "moderate", "high" and "extreme" based on the evaluation of a number of factors;

- Activities / Entertainment
- Alcohol / Food
- Attendance – numbers and audience
- First Aid – requirement in line with Department of Health recommendations
- Impact on neighbours / residents
- Insurance – opportunity to check suitable in place
- Other Agencies – consideration of
- Parking / Traffic Management, including site plan
- Risk Management, including temporary structures
- Time – with a view to lighting and duration
- Toilets – availability
- Waste / Water – access to

East Fremantle's George Street Festival 2019 is classified as an "Extreme" event, due mainly to its venue (including road closures and traffic management), the number of people expected (up to 10,000) and the presence of food / alcohol.

Background

The ***George Street Festival*** was, anecdotally, born in the late 1980s as a collaboration between the businesses located on George Street. The Town of East Fremantle have been facilitating the ***East Fremantle Festival*** since the 1990s. For a number of those years the event was coordinated by a consultant third party with direction from the Town.

In 2018, the event was re-branded "*East Fremantle's George Street Festival*" for clarity and was coordinated by the Town 'in-house'. The aim is to ensure that the Festival continues to be unique to the area, with a strong sense of community.

Consultation

Executive Team, Local Businesses, Community Groups and Sporting Clubs

Statutory Environment

Not applicable.

Policy Implications

Not applicable.

Financial Implications

The endorsement of the approval of this event as part of the event notification process has no financial implication for Council. However, it should be noted that as this event is presented by the Town of East Fremantle an amount of \$103,609 (cash and in-kind) has been allocated in the 2019-2020 budget.

Strategic Implications

In relation to the endorsement of the approval of this event.

"Town of East Fremantle Strategic Community Plan 2017-2027"

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

5.1 Strengthen organisational accountability and transparency

5.1.1 Strengthen governance, risk management and compliance

5.1.2 Ensure an effective engagement process is undertaken with community and stakeholders.

5.1.3 Improve the efficiency and effectiveness of services

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 endorse the approval of this event.	Unlikely (2)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, moderate impact, moderate news profile	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	6
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

In preparation of this Event the following documents have been prepared and are available for perusal by elected members if requested:

- East Fremantle's George Street Festival 2019 Traffic Management Plan
- East Fremantle's George Street Festival 2019 Risk Management Plan
- East Fremantle's George Street Festival 2019 Crowded Places Assessment
- East Fremantle's George Street Festival 2019 Event Classification
- East Fremantle's George Street Festival 2019 Medical Classification



East Fremantle's George Street Festival 2019 has been classified as "extreme" and therefore Council approval of this public event is required.

12.4.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080919

Moved Cr Harrington, seconded Cr Collinson

That Council:

- 1. receive the East Fremantle's George Street Festival 2019 Event Update**
- 2. endorses the approval of East Fremantle's George Street Festival 2019.**

(CARRIED UNANIMOUSLY)



13. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil.
14. **NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING**
Nil.
15. **QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
Nil.
16. **NEW BUSINESS OF AN URGENT NATURE**
Nil.
17. **MATTERS BEHIND CLOSED DOORS**

17. PROCEDURAL MOTION

Moved Cr M McPhail, seconded Cr A McPhail

That the meeting be closed to the public at 7.02pm to discuss Item 17.1 under the terms of the *Local Government Act 1995, Section 5.23(2)(c),(d) & (e)*.

(CARRIED UNANIMOUSLY)

- 17.1 **South Metropolitan Regional Council (SMRC) – Regional Resource Centre Divestment Business Plan & FOGO Processing Opportunity**
(Confidential Report – Attached Separately)

Moved Cr Collinson, seconded Cr Nardi

That Council:

1. notes the City of Canning's submission to the South Metropolitan Regional Council's (SMRC) Major Trading & Land Undertaking Business Plan relating to the Regional Resource Recovery Centre (RRRC) & Food Organic, Green Organic (FOGO) Processing opportunity.
2. supports the South Metropolitan Regional Council commencing discussions with the City Canning.
3. notes the SMRC has endorsed the Major Trading & Land Undertaking Business Plan relating to the Regional Resource Recovery Centre (RRRC) & FOGO processing.
4. requests that at the conclusion of SMRC's final evaluation process, a further report be provided to Council outlining all proposed terms, prior to any further action being taken by the SMRC.
5. requests the Chief Executive Officer advise the SMRC of 1 to 4 above.

Amendment

Moved Cr Natale, seconded Cr M McPhail

That point 3 be deleted from the recommendation.

(LOST 4:5)

The substantive motion was put



17.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090919

Moved Cr Collinson, seconded Cr Nardi

That Council:

1. notes the City of Canning's submission to the South Metropolitan Regional Council's (SMRC) Major Trading & Land Undertaking Business Plan relating to the Regional Resource Recovery Centre (RRRC) & Food Organic, Green Organic (FOGO) Processing opportunity.
2. supports the South Metropolitan Regional Council commencing discussions with the City Canning.
3. notes the SMRC has endorsed the Major Trading & Land Undertaking Business Plan relating to the Regional Resource Recovery Centre (RRRC) & FOGO processing.
4. requests that at the conclusion of SMRC's final evaluation process, a further report be provided to Council outlining all proposed terms, prior to any further action being taken by the SMRC.
5. requests the Chief Executive Officer advise the SMRC of 1 to 4 above.

(CARRIED 8:1)

17. PROCEDURAL MOTION

Moved Cr White, seconded Cr M McPhail

That the meeting be opened to the public.

(CARRIED UNANIMOUSLY)

18. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.38pm.

I hereby certify that the Minutes of the ordinary meeting of the Council of the Town of East Fremantle, held on 17 September 2019, Minute Book reference 1. to 18. were confirmed at the meeting of the Council on

15 OCTOBER 2019

A handwritten signature in black ink, appearing to read 'R. Keel'.

Presiding Member