



# AGENDA

## Council Meeting

---

Tuesday, 17 September 2019 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.

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 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.



## 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 style="text-align: center;"><b>Deputations</b></p> <p>A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p style="text-align: center;"><b>Presentations</b></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>
--	---

### 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](mailto: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:

- (a) 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;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) 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](mailto: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.**

---

## **CONTENTS**

1.	OFFICIAL OPENING	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
3.1	Attendance	1
3.2	Apologies	1
3.3	Approved	1
4.	DISCLOSURES OF INTEREST	1
4.1	Financial	1
4.2	Proximity	1
4.3	Impartiality	1
5.	PUBLIC QUESTION TIME	1
5.1	Responses to previous questions from members of the public taken on notice	1
5.2	Public Question Time	1
6.	PRESENTATIONS/DEPUTATIONS	2
6.1	Presentations	2
6.2	Deputations	2
7.	APPLICATIONS FOR LEAVE OF ABSENCE	2
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
8.1	Meeting of Council (20 August 2019)	2
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
10.	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS	2
11.	REPORTS AND RECOMMENDATIONS OF COMMITTEES	3
11.1	Town Planning Committee Meeting (3 September 2019)	3
12.	REPORTS	45
12.1	PLANNING	45
12.1.1	Canning Highway No 29 (Lot 3) Change of use from shop to office	45
12.2	FINANCE	55
12.2.1	Monthly Financial Report (Containing the Statement of Financial Activity) – July and August 2019	55
12.2.2	Accounts for Payment – August 2019	105
12.3	GOVERNANCE	113
12.3.1	Review of Policy Register (excluding Planning Policies)	113

---

12.3.2	Council Policies – Infringement Debt Management and Parking Infringement Appeals	277
12.3.3	Application to Register & Domicile More than Three Cats at 38 Hubble Street, East Fremantle	287
12.4	COMMUNITY	293
12.4.1	East Fremantle’s George Street Festival – Extreme Risk Event Endorsement	293
13.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	306
14.	NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING	306
15.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	306
16.	NEW BUSINESS OF AN URGENT NATURE	306
17.	MATTERS BEHIND CLOSED DOORS	306
17.1	South Metropolitan Regional Council (SMRC) – Regional Resource Centre Divestment Business Plan & FOGO Processing Opportunity	306
18.	CLOSURE	306

---

## NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Council will be held on Tuesday, 17 September 2019 in the Council Chamber, 135 Canning Highway East Fremantle commencing at 6.30pm 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**  
Nil.

**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 (20 August 2019)**

**8.1 OFFICER RECOMMENDATION**

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.

**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 (3 September 2019)**

<b>File ref</b>	C/MTP1
<b>Prepared by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting Date:</b>	17 September
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Town Planning Committee Minutes

**Purpose**

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

**Executive Summary**

The Committee, at its meeting on 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**

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



---

TOWN OF  
EAST FREMANTLE

---



# MINUTES

## Town Planning Committee

---

Tuesday, 3 September 2019 at 6.30pm

### **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.

---

CONTENTS

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS	1
2. ACKNOWLEDGEMENT OF COUNTRY	1
3. RECORD OF ATTENDANCE	1
3.1 Attendance	1
3.2 Apologies	1
3.3 Leave of Absence	1
4. MEMORANDUM OF OUTSTANDING BUSINESS	1
5. DISCLOSURES OF INTEREST	1
5.1 Financial	1
5.2 Proximity	1
5.3 Impartiality	1
6. PUBLIC QUESTION TIME	1
6.1 Responses to previous questions from members of the public taken on notice	1
6.2 Public Question Time	1
7. PRESENTATIONS/DEPUTATIONS	2
7.1 Presentations	2
7.2 Deputations	2
8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
8.1 Town Planning Committee (6 August 2019)	2
9. ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
10. REPORTS OF COMMITTEES	2
11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)	3
11.1 Philip Street No 2 (Lot 700) New double storey dwelling and studio	3
11.2 Gordon Street No 11 (Lot 699) Temporary installation of sea container and barbeque shed	14
11.3 View Terrace No 11 (Lot 1) Proposed alterations and additions	22
11.4 Irwin Street No 65 (Lot 213) Proposed rear additions and alterations including office studio, bedroom/ensuite, cabana, patio and plunge pool	29
12. REPORTS OF OFFICERS (COUNCIL DECISION)	38
13. MATTERS BEHIND CLOSED DOORS	38
14. CLOSURE OF MEETING	38



---

**MINUTES OF THE ORDINARY MEETING OF THE TOWN PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY 3 SEPTEMBER 2019**

**1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS**

Presiding member opened the meeting at 6.30 pm and welcomed members of the gallery

**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 Natale	
Cr Harrington	
Cr White	
Cr Nardi	

The following staff were in attendance:

A Malone	Executive Manager Regulatory Services
K Culkin	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

**7.1 Presentations**  
Nil

**7.2 Deputations**  
Nil

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**8.1 Town Planning Committee (6 August 2019)**

**8.1 OFFICER RECOMMENDATION**

**Moved Cr Harrington, seconded Cr White**

**That the minutes of the Town Planning Committee meeting held on Tuesday 6 August 2019 be confirmed as a true and correct record of proceedings.**

**(CARRIED UNANIMOUSLY)**

**9. ANNOUNCEMENTS BY THE PRESIDING MEMBER**  
Nil

**10. REPORTS OF COMMITTEES**  
Nil

## **11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)**

### **11.1 Philip Street No 2 (Lot 700) New double storey dwelling and studio**

<b>Owner</b>	Ante and Branka Musulin
<b>Applicant</b>	Ante and Branka Musulin
<b>File ref</b>	P110/18; PHI2
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	3 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

#### **Purpose**

This report considers a planning application for the development of a new double storey dwelling and studio at No 2 (Lot 700) Philip Street, East Fremantle.

#### **Executive Summary**

The applicant is seeking Council approval to construct a new double storey dwelling and studio at the subject property. This plan is amended from the original plans that were submitted but never presented to Planning Committee or Council for a final determination in late 2018.

The owner chose to put the development on hold to address a number of concerns that the Town had with regard to the design and location of the original proposal. The current proposal includes a house located to the north of the lot and a studio to the south, as well as the retention of the existing carport to the south and extensive garden beds along the southern boundary of the lot.

The proposed demolition of the existing dwelling on site does not require planning approval as the existing development is not listed as a heritage building. There will only be a requirement to gain a demolition permit in compliance with the Building Act.

The proposed new double storey dwelling is comprised of four bedrooms, two bathrooms, double garage and an upstairs alfresco/balcony. The dwelling has been designed to face Gordon Street rather than Philip Street in the same manner as the existing dwelling on the site, although the property address is 2 Philip Street.

Two variations are requested to the requirements of the Residential Design Guidelines and five variations are requested to the requirements of the Residential Design Codes including;

- (i) Primary Street Setbacks – 6m required, 4.5m provided,
- (ii) Minor Incursions into Street Setback Area – 1m maximum, 1.5m provided,
- (iii) Wall Heights – 5.6m required, 6.171m provided,
- (iv) Roof Pitch – 10 degrees provided,
- (v) Outdoor Living Area – Not accessible from habitable room,
- (vi) Lot Boundary Setbacks – 3.8m required, 3.721m provided,
- (vii) Visual Privacy – Kitchen Window – 6m required, 3.6m to 5m provided,
- (viii) Visual Privacy – Alfresco/Balcony Window – 7.5m required, 3.6m to 5m provided,

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

**Background**

Zoning: Residential R17.5  
 Site area: 745m<sup>2</sup>

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

P29/17 Planning approval for 2 storey grouped dwelling 3 July 2017  
 Building permit 2017106 15 September 2017  
 WAPC Ref 155758- 18 July 2018- Subdivision of parent lot (No 2 (Lot 66) Philip Street into 2 smaller lots of 745m<sup>2</sup> (No 2 Lot 700 Philip Street) and 368m<sup>2</sup> (No 11 Lot 699 Gordon Road)

**Consultation**

Advertising

The proposal was advertised to the surrounding landowners from 19 July to 2 August 2019. No submissions were received.

Community Design Advisory Committee (CDAC)

This application was not considered at a formal CDAC meeting, however, members of the Committee were emailed a copy of the plans to make comment. Comments were received from one Committee member and a summary of these comments are included below;

Committee Member Submission	Officer Response
<p>The primary issue for this proposal is that the Council’s Town Planning Scheme is generous and fair in providing an opportunity for a corner lot to be subdivided where each house faces a separate street frontage. Interestingly it is the same reason why the clause 4.2.4 of the DC subdivision Policy was introduced. But this has already occurred as a result of the subdivision of the original lot into two lots.</p> <p>By permitting and supporting a further potential subdivision it will result in additional building bulk and a have an effect on the immediate area, as well as setting an undesirable precedent.</p> <p>During the subdivision application the WAPC will ask for Council’s comments, which may be “not to support” the application, but ultimately the WAPC will make a decision on what they consider are its merits.</p> <p>It appears (and only appears, until we get a further application for subdivision or development) that the applicant and their advisers are being deceitful to the detriment of the community.</p>	<p>The CDAC member’s comments are noted. The application that is the subject of this report is a development application for a new double storey dwelling and studio on an existing approved lot. The matter being decided is not regarding the subdivision of the lot although there are concerns that there may be an attempt in the future to subdivide the lot. Currently subdivision is not possible given the size of the lot and the density coding. The Town would take the position that subdivision would only be supported if all the requirements for the relevant density coding are met. Ultimately final approval of subdivisions is made by the Western Australian Planning Commission and although they may follow the recommendations of the Town there are examples where the WAPC has given subdivision approval that are contrary to the advice provided by the Town.</p>





<p>The building proposed for the site is still lacking in design quality, but this unfortunately is not uncommon and is likely to be supported by Council.</p> <p>My only practical suggestion is to flush out the applicant's intention and present a challenge; Clarify the Council's position on corner lot subdivisions by adding a policy statement; or accept the proposal; The proposed location of the dwelling indicates the applicant's intention to further develop the site, which is contrary to the intention of the scheme and will have an impact on the amenity of the community. The proposed design is not considered of a suitable standard to justify the dwelling with potential addition development that may be presented to the Council at a future time. Council is only willing to consider a proposal on the site deemed to be of exceptional design that will contribute to and be acceptable to the community.</p> <p>Recommend the Planning Department prepares a simple policy, which clarifies where subdivision of corner lot has occurred no further subdivision of the corner lot will be supported as it is contrary to the scheme's intent and provisions. The purpose for a policy like this is to provide "substance" to any subdivision referral that is sent by the WAPC to Council.</p> <p>Roll the dice, accept the proposal and see what happens!</p>	
--	--

**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	Possible (3)	Minor (2)	Moderate (5-9)	COMPLIANCE Some temporary non-compliances	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.

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

**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 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

	Required	Proposed	Status
<b>Street Front Setback</b>	<b>6.0m</b>	<b>4.5m</b>	<b>D</b>
<b>Minor Incursions</b>	<b>0.75m</b>	<b>2.5m</b>	<b>D</b>
Secondary Street Setback	1.5m	6.84m	A
<b>Lot boundary setbacks</b>			
Studio - East	1.0m	1.2m	A

Eastern wall – main dwelling – bottom storey	1.5m	1.8m	A
Eastern wall – main dwelling – top storey	1.8m	1.8m	A
Northern wall – main dwelling – bottom storey	1.5m	3.721m	A
<b>Northern wall – main dwelling – top storey</b>	<b>3.8m</b>	<b>3.721m</b>	<b>D</b>
Open Space	50%	72%	A
<b>Outdoor Living Areas</b>	<b>Accessible from habitable room</b>	<b>Not directly accessible from habitable room</b>	<b>D</b>
	36m <sup>2</sup>	>130m <sup>2</sup>	A
Car Parking	1-2	2	A
Vehicle Access	Driveway	5m wide	A
Site Works	Max 0.5m	<0.5m	A
Visual privacy setback	N/A	N/A	N/A
Overshadowing	≤25%	Overshadows subject property	A
Stormwater management	On-site	To be conditioned	A

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	A
<b>3.7.7 Building Setbacks and Orientation</b>	<b>D</b>
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
<b>3.7.14 Footpaths and Crossovers</b>	<b>D</b>
<b>3.7.17 Precinct Requirements</b>	<b>D</b>

This development application was originally submitted to the Town in November 2018 but following a request for the applicant to submit amended plans to address a number of issues relating to the proposal the application was never presented to Committee/Council. Amended plans were subsequently presented to the Town which addressed some of the Council's concerns, and these are the subject of this report.

This development application proposes the demolition of the existing dwelling and the development of a new dwelling including a studio at the subject property. The existing carport located on the southern end of the lot is to be retained. This represents a considerable change to the previously presented plans for the same site. The dwelling has been relocated to the north of the site and a studio has been added to the southern portion of the site. Two variations are requested to the requirements of the Residential Design Guidelines and five variations are requested to the requirements of the Residential Design Codes for the main double storey dwelling. The studio is fully compliant with the Residential Design Codes.

---

### **Context**

The lot was previously subdivided in February 2018 with two lots being created of 368m<sup>2</sup> (No 11 (Lot 66) Gordon Street) and 745m<sup>2</sup> (No 2 (Lot 700) - the subject lot). A planning approval and building permit was granted for development at what is now No 11 (Lot 66) Gordon Street in July and September 2017 respectively. No 11 (Lot 66) Gordon Street achieved the minimum and average lot size requirements and minimum lot frontage requirements for lot subdivision at R20 density code as required by the R Codes and as permitted by LPS No 3. Under Clause 5.3.1 there is a density bonus for corner lots which can be subdivided at the R20 density coding although the surrounding lots are still coded R17.5. The Town recommended to the WAPC that the subdivision be approved.

It should be noted that the owner of 2 Philip Street is also the owner of 11 Gordon Street which is directly to the north of the property that is the subject of this report.

### Primary Street Setback

The current dwelling on site fronts Gordon Street, although the registered address is 2 Philip Street. Under the Residential Design Codes a primary street is defined as "Unless otherwise designated by the local government, the sole or principal public road that provides access to the major entry (front door) to the dwelling." In this case the applicant has chosen to continue to have the proposed dwelling facing Gordon Street, rather than Philip Street. The assessment of the proposed dwelling will assume that the primary street is Gordon Street although the address is 2 Philip Street.

The dwelling is setback 4.5m from the primary street front rather than 6m as required by the deemed to comply requirements of clause 5.1.2 C2.1. However, the design does achieve design principles 5.1.2 P2.1. The buildings are setback such that they contribute to and are consistent with established streetscape, provide adequate privacy and open space for dwellings and accommodate site planning requirements such as parking landscape and utilities. The dwelling is located on a corner lot that is set back a considerable distance from Philip Street and is located the same distance from the front boundary as the neighbouring property which has the same owner. The reduced primary street setback can be supported.

### Minor Incursions into Street Setback Area

A porch which is considered a minor incursion is set into the street setback area by 1.5m. Although it does not achieve the deemed to comply clause 5.1.2 C2.4 it does achieve design principles 5.1.2 P2.2 in that the minor projections do not detract from the character of the streetscape and the feature porch positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework. There is sufficient open area to the south of the property to offset the fact that the features protrude into the primary setback area. As such this variation can be supported.

### Maximum Wall Height

The height of the exterior walls of the dwelling exceed the maximum wall height as required by clause 3.7.17.4.1.3 of the Residential Design Guidelines. The walls rise to 6.171m where a maximum height of 5.6m is permitted. Although it does not comply with the maximum wall height the dwelling is 0.7m lower than what it possibly could be in terms of maximum roof height (7.4m compared to 8.1m) therefore has a lesser impact on views for neighbouring properties. By having a total roof height less than the maximum permitted by the Residential Design Guidelines it is less likely that river views which are a relevant planning consideration in the Richmond Hill precinct will be impacted upon. As such the increased wall height can be supported.

---

Roof Pitch

The Residential Design Guidelines allow for properties in Richmond Hill to not be restricted to traditional roof forms provided they do not adversely affect the immediate locality. With a pitch of 10 degrees the roof is similar to the property to the north and a more contemporary roof design than older dwellings in the area. The shallow pitch means that the roof can be lower than the maximum roof height while still allowing for full height ceilings inside the dwelling. The proposed roof pitch of 10 degrees is an acceptable variation as the roof is sympathetic to surrounding dwellings in accordance with Performance Criteria Clause 3.7.8.3 P5.

Outdoor Living Areas

The outdoor living area is not directly accessible from a habitable room, and entry can only be from the laundry or rear of garage. There is a large balcony 4m by 5.8m that is adjacent to the upstairs lounge and living area of the dwelling, which faces the northern sun and has large concertina windows that ensure good ventilation, and optimise the northern aspect of the site (in accordance with design principles 5.3.1 P1.1 of the Residential Design Codes). As such the upstairs outdoor living area can be supported in lieu of other outdoor areas.

Lot Boundary Setbacks

Northern Wall – Main Dwelling – Top Storey

The dwelling is proposed to be located 3.721m rather than 3.8m from the northern boundary of the property. As such it does not achieve the deemed to comply requirements of Clause 5.1.3C3.1i of the Residential Design Code. However, this variation can be supported based on design principles Clause 5.1.3.P3.1;

- (i) More effective use of the space
- (ii) There is minimal impact of building bulk on adjoining properties
- (iii) Minimal impact on sunlight and ventilation to the building and open spaces on the site or adjoining properties.
- (iv) No overlooking or loss of privacy
- (v) Does not have an adverse impact on the amenity of the adjoining property

Visual Privacy

Kitchen

The kitchen is seen as a habitable room according to the Residential Design Codes. It has major openings and is located on the upper storey of the dwelling. As a result it is required to achieve a privacy setback of 6m from the neighbouring properties in accordance with deemed to comply clause 5.4.1 C1.1. However, the windows only achieve setbacks of between 3.6m and 5m. The dwelling is able to achieve the design principles 5.4.1 P1.1. The kitchen window faces the southern wall of the neighbouring dwelling. There are significant blank sections and highlight windows located a minimum of 1.6m from the finished floor level of the upper storey of the neighbouring dwelling. As a result the kitchen window does not look directly into any habitable rooms or outdoor living areas and there is little loss of privacy. As noted earlier the neighbouring property (11 Gordon Street) has the same owner as 2 Philip Street. The reduced privacy setback for the kitchen can be supported.

Scullery

The scullery is an extension of the kitchen and is therefore required to have privacy setbacks of 6m. In this case the setbacks are only between 3.6m and 5m and as a result it may be possible to see into the rear of the property to the north and the rear of the yard of the property to the east. In the interests of privacy it was required that the windows have either obscure glazing or are changed to be highlight windows. Amended plans were presented that included obscure glazing to the scullery window which

addresses the potential overlooking issue into the rear yard of the neighbouring properties. Although the scullery does not achieve deemed to comply requirement 5.4.1 C1.1 the use of obscure glazing ensures achievement of design principles 5.4.1 P1.2.

#### Upstairs alfresco

The upstairs alfresco is required to have privacy setbacks of 7.5m however the setback is only between 3.6m and 5m. The alfresco faces the southern wall of neighbouring dwelling which has highlight windows and faces living area and bed 1. Although there is direct overlooking of the northern property from the balcony/alfresco the location is acceptable and can be supported given that the balcony/alfresco overlooks a dwelling to the north which has the same owner, overlooks walls with highlight windows and these rooms are internal living areas, rather than outdoor active habitable spaces. In accordance with design principles clause 5.4.1 P1.1 and P1.2 the reduced privacy setbacks can be supported.

#### Crossovers

It is noted that 2 crossovers were indicated on the original plans. Under the Residential Design Guidelines Clause 3.7.14.3 A5.1 only one crossover per dwelling is permitted per lot. Amended plans were presented that added the notation that the second crossover will be removed at the applicant's expense. A condition will be imposed that requires the removal of the original crossover at the landowner's expense.

#### **Conclusion**

The proposed demolition of the existing dwelling and other structures on the subject site does not require planning approval as it is not listed as a heritage building. As such the demolition can proceed without the planning approval of Council. A demolition license only will be required.

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

- *Mr A Musulin attended the meeting to answer any questions raised by the Committee and responded to Cr Natale's query regarding the exterior colour and finish of the walls.*

#### **11.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP010919**

**Moved Cr White, seconded Cr Natale**

**That Council grant development approval and exercise discretion in regard to the following variations;**

- (i) Clause 5.1.2 C2.1 – Residential Design Codes – Primary Street Setbacks – 6m required, 4.5m provided;**
- (ii) Clause 5.1.2 C2.4 – Residential Design Codes – Minor Incursions into Street Setback Area – 1m maximum, 1.5m provided;**
- (iii) Clause 3.7.17.4.1.3 - Residential Design Guidelines – Wall Heights – 5.6m required, 6.171m provided;**
- (iv) Clause 3.7.8.3 – Residential Design Guidelines - Roof Pitch – 10 degrees provided;**
- (v) Clause 5.3.1 – Residential Design Guidelines - Outdoor Living Area – not accessible from habitable room;**
- (vi) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – 3.8m required, 3.721m provided;**

- (vii) Clause 5.4.1 – Residential Design Code - Visual Privacy – Kitchen Window – 6m required – 3.6m to 5m provided;
- (viii) Clause 5.4.1 – Residential Design Code - Visual Privacy – Alfresco/Balcony Window – 7.5m required – 3.6m to 5m provided;

for a new double storey dwelling and studio at No. 2 (Lot 700) Philip Street, East Fremantle, in accordance with the plans date stamped received 21 August 2019, subject to the following conditions:

- (1) The crossover located closest to Gordon and Philip Street and part of the original development at the site shall be removed at the owner's expense prior to occupation of the dwelling.
- (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 storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan 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 is to be treated to reduce reflectivity. The treatment is 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 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.
- (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) Any proposed new fencing or walls along the front boundary will require the submission of a development application for Council's consideration. All fencing and walls are required to be in compliance with the Residential Design Guidelines in terms of materials, dimensions and visual permeability, as well as truncations and sightlines where the fence or wall meets the vehicle driveway.
- (10) This approval does not apply to any other works including front fences or other structures. Any further proposed development will require the submission of a development application to the Town for the consideration of Council.
- (11) The use of the studio for short term accommodation will require a change of use application to be submitted to the Town for the consideration of Council.
- (12) 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.***
- (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 March 2019 this application deemed determined, on behalf of Council, under delegated authority.

---

**11.2 Gordon Street No 11 (Lot 699) Temporary installation of sea container and barbeque shed**

<b>Owner</b>	Ante and Branka Musulin
<b>Applicant</b>	Ante and Branka Musulin
<b>File ref</b>	P006/19; GOR11
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	3 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

**Purpose**

This report considers a planning application for the temporary installation of a sea container and barbeque shed at No 11 (Lot 699) Gordon Street, East Fremantle.

**Executive Summary**

The applicant is seeking Council approval to temporarily retain a sea container and barbeque shed as currently positioned at the subject property. This follows a hearing at the State Administrative Tribunal and mediation meeting held between the Town's representatives and the applicant under the auspices of SAT. Council is required to reconsider the application under section 31 of the State Administrative Act (2004).

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

**Background**

Zoning: Residential R17.5  
Site area: 368m<sup>2</sup>

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

WAPC Ref 155758- 18 July 2018- Subdivision of parent lot (No 2 (Lot 66) Philip Street into 2 smaller lots of 745m<sup>2</sup> (No 2 (Lot 700) Philip Street) and 368m<sup>2</sup> (No 11 (Lot 699) Gordon Road)

DA P029/17- 3 July 2017- Two storey grouped dwelling

DA P051/17- 23 June 2017- Temporary approval for the location of a sea container

DA P006/19- 16 April 2019- Refusal of proposal to install sea container- matter appealed to State Administrative Tribunal

Building permit 2017106- Two storey grouped dwelling

**Consultation**

Advertising

Advertised to the landowners directly to the north of the subject property. No submissions received.

Community Design Advisory Committee (CDAC)

This application was not referred to CDAC.

---

**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	Possible (3)	Minor (2)	Moderate (5-9)	COMPLIANCE Some temporary non-compliances	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.

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

**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 as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

<b>Legend</b> <i>(refer to tables below)</i>	
A	Acceptable
<b>D</b>	<b>Discretionary</b>
N/A	Not Applicable

**Residential Design Codes Assessment**

	<b>Required</b>	<b>Proposed</b>	<b>Status</b>
<b>Street Front Setback</b>	<b>6.0m</b>	<b>4.9m</b>	<b>D</b>
Secondary Street Setback	N/A	N/A	N/A
<b>Lot boundary setbacks</b>			
<b>North</b>	<b>1.0m</b>	<b>0.6m</b>	<b>D</b>
East	1.0m	9.0m	A
<b>Open Space</b>	<b>50%</b>	<b>47%</b>	<b>D</b>
<b>Outdoor Living Areas</b>	Accessible from habitable rooms	Access from habitable room	A
	<b>36m<sup>2</sup></b>	<b>18m<sup>2</sup></b>	<b>D</b>
Car Parking	N/A	N/A	N/A
Vehicle Access	N/A	N/A	N/A
Site Works	N/A	N/A	N/A
Visual privacy setback	N/A	N/A	N/A
Overshadowing	≤25%	Overshadows subject property	A
Stormwater management	On-site	To be conditioned	A

**Local Planning Policies Assessment**

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
<b>3.7.2 Additions and Alterations to Existing Buildings</b>	<b>D</b>
<b>3.7.3 Development of Existing Buildings</b>	<b>D</b>
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
<b>3.7.7 Building Setbacks and Orientation</b>	<b>D</b>
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
<b>3.7.9 Materials and Colours</b>	<b>D</b>
3.7.10 Landscaping	N/A
<b>3.7.11 Front Fences</b>	<b>D</b>
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
<b>3.7.17 Precinct Requirements</b>	<b>D</b>

The application proposes to retain a sea container as a garden shed to be located on the northern side of the subject property. The matter was referred to the Council under section 31 of the State Administrative Tribunal Act (2004). A number of variations are requested to the requirements of the Residential Design Guidelines and the Residential Design Codes. It was agreed at a SAT mediation hearing that an application would be submitted for temporary approval of the sea container and barbeque shed located in the given position for a temporary period of 2 years, until they could be relocated to the neighbouring lot when redevelopment occurred on that site. Since the previous development application was brought before Council the applicant has endeavoured to shield the structure from the street front using dense planting of vegetation, as well as planting vegetation

between the sea container and barbeque shed to soften the stark look of the structures, which adjoin the neighbour's southern wall.

#### Street Setback

The sea container is set back 4.8m from the front boundary. There is a requirement that the front boundary setback is 6m for properties with a density coding of R17.5 in accordance with Table 1 of the Residential Design Codes. This development does not comply with the minimum requirement. It is noted that extensive vegetation has been planted in front of the sea container to obscure its presence from the street front, and therefore has minimal streetscape impact.

#### Side Lot Boundary Setback

There is a requirement for structures to be located a minimum of 1m from the side boundary. In this case the sea container wall is located 0.98m from the northern lot boundary and the barbeque shed is located 0.35m from the northern lot boundary. Neither structure is in compliance with Table 2a of the Residential Design Codes in accordance with Clause 5.1.3 C3.1 (i), however, given the temporary nature of the structures in the location and the fact that they do not impact on sunlight or ventilation to the adjoining site and improve privacy and reduce overlooking to adjoining properties in accordance with design principles Clause 5.1.3 P3.1 the setbacks are considered acceptable. After a two year period there will be reduced impact on the neighbouring property as the sea container and barbeque shed will be removed and the area adjacent to the boundary wall will be cleared of structures.

#### Open Space

The total open space is equivalent to 43% (160m<sup>2</sup>) of the lot is provided on the subject property which is below the minimum 50% required by Clause 5.1.4 Table 1 of the Residential Design Codes. Given that the structures on site are temporary, the reduction in open space is considered acceptable. A condition has been included in the Officer's recommendation limiting the duration of time that the structures can remain on site.

#### Outdoor Living Area

The outdoor living area does not achieve the minimum area of 36m<sup>2</sup> as required by Table 1 of the Residential Design Codes. In this case the outdoor living area is 18m<sup>2</sup> well below the minimum required area, however, a first floor balcony provides a quality outdoor space accessed from a habitable room. This balcony minimises any impacts from the lack of ground floor living areas.

#### Aesthetics

There is a requirement that the proposed structures should follow the established pattern of development in terms of form, scale and bulk (Residential Design Guidelines Clause 3.7.6.1) and new developments should not negatively impact on the streetscape character (Residential Design Guidelines Clause 3.7.6.2). Whilst the sea container does not match the existing pattern of development nor does it add positively to the streetscape character of the Richmond Hill area, the applicant has added substantial vegetation to the front of the property which does "green" the front of the property and minimise any impact caused by the sea container. A permanent sea container is a form of development that detracts from the streetscape and could potentially establish an undesirable form of development in the area. However, a temporary approval would mean that after 2 years the structures would be removed. At the same time the applicant has worked hard to reduce the impact of the structures from the street front by planting vegetation in front of the fence. The vegetation has significantly reduced the aesthetic impact of the sea container from the street and as such can be supported.

### **Conclusion**

It should be noted that an approval was given for the temporary placement of the same sea container on the verge during the construction of the dwelling located on the subject lot (DA P051/17). Since then the sea container has been relocated to the side of the dwelling without approval and the transfer was photographed by Council Officers. Likewise the barbeque shed was located on site without planning approval. The siting of the sea container on site in its current position was the subject of a development application that was presented to Council in April of this year and refused. This decision was appealed at the State Administrative Tribunal with a hearing being held that resolved to adjourn a decision for mediation after an on-site visit by officers from the Town, the applicant and a member of SAT. At a subsequent mediation meeting a number of commitments were made that were reflected in this subsequent application for planning approval for the sea container, barbeque shed and fence. The temporary approval of both structures on site for a 2 year period acts to formalise the actions of the applicant and also imposes a requirement on the applicant to require a relocation of the structures in the future when the neighbouring lot is redeveloped.

Although the location of both structures does compromise the requirements of the Residential Design Codes and the Residential Design Guidelines for the time that the developments are in place the approvals are only temporary (as conditioned) and there is an expectation that at the end of this time the structures would be relocated in a more appropriate location that would ensure an improvement in urban design outcomes on the subject lot. It was proposed that the sea container and barbeque shed would be relocated to the neighbouring property at a future time following the development of a new dwelling on that lot and which is the subject of development application P110/18. The applicant has spent considerable time and effort vegetating the front of the property and minimising the impact of the sea container on the streetscape. As such the development should be supported subject to planning conditions.

- *Mr Musulin attended the meeting to answer any questions raised by Committee members and responded to the query regarding the screening of the sea container to shield it from view from the street.*

### **11.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP020919**

**Moved Cr Natale, seconded Cr Nardi**

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

- (i) Clause 5.1.2 – Residential Design Codes – Street Setback – Sea Container - 6m required, 4.8m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks - Sea Container – 1m required, 1.6 m provided;**
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Barbeque Shed – 1m required, .35m provided;**
- (iv) Clause 5.1.6 – Residential Design Codes – Open Space – 50% required – 43% provided;**
- (v) Clause 5.3.1 – Residential Design Codes – Outdoor Living Areas – 36m<sup>2</sup> required, 18m<sup>2</sup> provided**
- (vi) Clause 3.7.6.3 – Residential Design Guidelines – Construction of New Buildings – compatible with context in terms of bulk, scale and design**

**for a sea container and barbeque shed to the existing residence at No. 11 (Lot 699) Gordon Street, East Fremantle, in accordance with the plans date stamped received 21 June 2019, subject to the following conditions:**

- (1) This is a temporary planning approval which permits the sea container and the barbeque shed to be located in their approved locations for a period of twenty four months. At the end of this time the structures shall be removed and relocated to another site.
- (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) All storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (4) 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.
- (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) 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 approval does not relate to other works or uses. A development application is required to be submitted to the Town for any other proposed works or changes of use for the consideration of Council.
- (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.*
- (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 March 2019 this application deemed determined, on behalf of Council, under delegated authority.

---

### **11.3 View Terrace No 11 (Lot 1) Proposed alterations and additions**

<b>Owner</b>	Michael & Georgia & Bernadette Hardwick
<b>Applicant</b>	Michael Hardwick
<b>File ref</b>	P054/19; VIE11
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	3 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

#### **Purpose**

This report considers a planning application for proposed alterations and additions including renovations to an existing dwelling and a new second storey addition at No 11 (Lot 1) View Terrace, East Fremantle.

#### **Executive Summary**

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

- (i) Lot boundary setbacks - rear garage – a wall is proposed that is located on the boundary (nil setback) where 1m is required;
- (ii) Lot boundary setbacks - front garage – a wall is proposed that is located 0.2m from the boundary where 1m is required;
- (iii) Wall height- the dwelling exceeds the maximum 5.6m required;
- (iv) Roof pitch – the roof pitch is 2.5 degrees where 28 to 36 degrees is required;
- (v) Outdoor living area – not located behind the front setback area

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: 383m<sup>2</sup>

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

P049/18 - 2 October 2018 - Planning approval given for demolition and new 2 storey dwelling

#### **Consultation**

##### Advertising

The application was advertised to surrounding land owners 4 July to 19 July 2019. No submissions were received. The neighbouring strata property owner provided support for the proposed development

##### Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as the overall design is considered to be similar to the previously approved development, however, in this instance the existing dwelling is being retained and substantially altered to resemble a similar design.

##### 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**

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	Possible (3)	Minor (2)	Moderate (5-9)	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.

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

**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 Code. A summary of the assessment is provided in the following tables.

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

Residential Design Codes Assessment

<b>Design Element</b>	<b>Required</b>	<b>Proposed</b>	<b>Status</b>
Street Front Setback	6m	6.373m	A
Secondary Street Setback	-	-	N/A
Lot boundary setbacks			
<b>East garage</b>	<b>1m</b>	<b>0m</b>	<b>D</b>
East bed 2, bath, WC	1.2m	1.66m	A
South bed 2	1.5m	4.103m	A
South bed 3	1.5m	5.2m	A
<b>Front garage</b>	<b>1m</b>	<b>0.2m</b>	<b>D</b>
South new bed 4 (lower) & master bed (upper)	3m	5.1m	A
West new bed 4 (lower) & master bed (upper)	3m	3.6m	A
West entry & stairs	3m	4.555m	A
Open Space	50%	52%	A
<b>Wall height</b>	<b>5.6m</b>	<b>6.3m</b>	<b>D</b>
Roof height	8.1m	6.5m	A
Setback of Garage	4.5m	6.3m	A
Car Parking	2	3	A
Site Works	Less than 500mm	Less than 500mm	A
Overshadowing	≤25%	24%	A
Drainage	On-site	To be conditioned	A

Local Planning Policies Assessment

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
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	A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
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
3.7.16.4.3.3 Fremantle Port Buffer Area	N/A
3.7.17.3.3 Garages and Carports	A
3.7.17 Precinct Requirements	A

This development application proposes additions and alterations to an existing dwelling including an upper storey at the subject property. The property is not on the heritage list or the heritage inventory and as such significant changes can be made to the dwelling. A number of variations are requested to the requirements of the Residential Design Guidelines and the Residential Design Codes.

#### Side Boundary Setback - Rear Garage

The rear garage is located on the boundary where the deemed to comply setback is 1m in accordance with Clause 5.1.3 C3.1 I of the Residential Design Codes. Although it does not achieve the deemed to comply requirements it meets the requirements of design principles Clause 5.1.3 P3.2 including;

- Makes effective use of space for enhanced privacy
- Adequate sunlight and ventilation to building and open spaces on site and adjoining properties
- Minimises the extent of overlooking and loss of privacy on adjoining properties
- Does not have adverse impact on adjoining property

Therefore, the reduced side boundary setback can be supported.

#### Side Boundary Setback – Front Garage

The garage located on the northern side that faces the street front is proposed to be 0.2m from the side boundary where a 1m setback is required by Clause 5.1.3 C3.1 i of the Residential Design Codes. The location of the garage wall does achieve design principles 5.1.3 P3.2 including;

- Makes effective use of space for enhanced privacy
- Adequate sunlight and ventilation to building and open spaces on site and adjoining properties
- Minimises the extent of overlooking and loss of privacy on adjoining properties
- Does not have adverse impact on adjoining property

Therefore, the reduced side boundary setback can be supported.

#### Maximum Wall Height

The building has a rear wall that exceeds the maximum wall height of 5.6m rising to a height of 6.3m. Although this does not comply with the acceptable development provisions of the Residential Design Guidelines Clause 3.7.15.4.1.3 A1.5 the proposed development is well below the maximum allowable roof height of 8.1m and therefore can be supported. The use of a skillion roof forces the design to utilise high walls, nonetheless there is minimal impact on surrounding neighbours and no views are obscured.

#### Roof Pitch

The dwelling has a roof pitch of approximately 2.5 degrees which does not comply with the acceptable development provisions of the Residential Design Guidelines Clause 3.7.8.3 which requires a roof pitch of between 28 and 36 degrees. However, it can be argued that the roof pitch of 2.5 degrees is an acceptable variation as the roof contributes positively and complements the existing dwelling and is sympathetic to surrounding dwellings in accordance with Performance Criteria Clause 3.7.8.3 P1, P2, P3 and P4. It is an improvement on the existing dwelling design and integrates well into the streetscape.

#### Outdoor Living Area

The outdoor living area is not behind the street setback area as required by the deemed to comply clause 5.3.1 C1.1 of the Residential Design Codes. However, the variation can be supported as a result of achievement of design principles 5.3.1 P1.1 as the outdoor area;

- takes advantage of connection to a habitable room of the dwelling
- is open to winter sun and ventilation
- utilises the northern aspect of the site

At the same time there is a large upstairs balcony that faces north, overlooks the front yard and will provide a significant amount of space and amenity to future residents and adds to the outdoor living area in the front setback area.

### **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 Code and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

### **11.3 OFFICER RECOMMENDATION COMMITTEE RESOLUTION TP030919**

**Moved Cr White, Seconded Cr Harrington**

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

- (i) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – 1m required, 0m provided**
- (ii) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – 1m required, 0.2m provided**
- (iii) Clause 3.7.15.4.1.3 A1.5 - Residential Design Guidelines - Maximum Wall Height – 5.6m required, 6.3m provided**
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 2.5 degrees provided**
- (v) Clause 5.3.1 – Residential Design Codes - Outdoor Living Area – located in front setback area**

**for proposed renovations and additions at No. 11 (Lot 1) View Terrace, East Fremantle, in accordance with the plans date stamped received 30 July 2019, 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 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) The front fence is to remain visually permeable at all times in accordance with the plans date stamped received 30 July 2019.
- (9) No approval is given for any other structures in the front setback area. A separate development application for such structures will have to be submitted for consideration by Council.
- (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.*
- (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 March 2019 this application deemed determined, on behalf of Council, under delegated authority.



---

**11.4 Irwin Street No 65 (Lot 213) Proposed rear additions and alterations including office studio, bedroom/ensuite, cabana, patio and plunge pool**

<b>Owner</b>	Gareth Mahon & Emily Gillett
<b>Applicant</b>	Rohan White
<b>File ref</b>	P062/19; IRW65
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	3 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	Nil

**Purpose**

This report considers a planning application for rear additions and alterations including office studio, bedroom/ensuite, cabana, plunge pool and patio at No 65 (Lot 213) Irwin Street, East Fremantle.

**Executive Summary**

The applicant is seeking Council approval to construct rear additions and alterations including office studio, bedroom/ensuite, cabana and plunge pool at the subject property.

The following variations to the Residential Design Guidelines and the Residential Design Codes are being requested;

- (i) Roof pitch of office/studio/bedroom/ensuite and cabana – 28 to 36 degrees required, 2.5 degrees provided
- (ii) Roof pitch of patio – 28 to 36 degrees required, 0 degrees provided
- (iii) Lot boundary setbacks – south – office studio/bedroom ensuite – 1.5m required, 1.34 m provided
- (iv) Lot boundary setbacks – west – office studio/bedroom ensuite – 6m required, 3.84 m provided
- (v) Lot boundary setbacks – west – cabana– 6m required, 1m provided
- (vi) Lot boundary setbacks – north – cabana and plunge pool– 1.5m required, 1m provided
- (vii) Lot boundary setbacks – north – patio– 1m required, 0.9m provided

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

**Background**

Zoning: Residential R12.5  
Site area: 1012m<sup>2</sup>

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

Nil

**Consultation**

**Advertising**

The proposal was advertised to the surrounding landowners from 23 July to 9 August 2019. One submission was received.

Submission	Applicant Response	Officer Response
<p>We have examined the plans and have the following concerns:</p> <ul style="list-style-type: none"> <li>• We live on the north side of the proposed cabana /plunge pool structure and are troubled by the sheer size of the building which we consider to be overly obtrusive. The whole structure is 3.62 metres high by (6.62 + 5.9) metres long.</li> <li>• Another concern we have, given the sheer bulk of the structure, is the 500mm set back (as shown in the plans) from our boundary. Our understanding of the building code is that the minimum setback for a structure in East Fremantle is 1000mm.</li> <li>• Given the ample size of the building block we consider a 500mm setback to be far too close to our boundary. On the plans, the setback on the southern boundary is 1340mm and 1000mm on the western boundary. We wonder why the setback on the northern boundary is 500mm.</li> <li>• We feel the size of the structure imposes upon our amenity and privacy and that a minimum of a 1000mm or more setback is not an unreasonable request.</li> </ul>	<p>1) In response to the neighbours concerns regarding the height of the cabana wall and screening attached to the plunge pool facing the northern boundary, we have increased the setback from 0.5m to 1m for both the Cabana and the pool. This is in compliance with the neighbours request for a 1m setback. It is also in compliance with table 2a of the R-Codes.</p> <p>2) I can also confirm that the retaining to the plunge pool is located 1m setback from the boundary, and that there are no changes to the natural ground level along the fence line.</p> <p>3) As per the councils request for sound screening to the rear boundary, I have shown fixed glazing to the rear opening to a height greater than 1.6m.</p>	<p>The proposed cabana and plunge pool has been located only 0.5m from the northern side boundary. Given that the wall is a total length of 12.52m and 3.169m high in accordance with the Residential Design Codes the setback should be 1.5m. A request has been made with the applicant to increase the setback to 1m in response to the submitters concerns.</p> <p>A request has been made with the applicant to fill in the space in the western wall of the cabana (either with solid fill or glazing above 1.6m FFL) to improve privacy and mitigate sound carried from the area to neighbouring properties.</p> <p>The changes should address the concerns of the submitter and reduce amenity impacts to neighbouring properties.</p> <p>Amended plans have been submitted that increase the side boundary setback of the cabana to 1m and utilise a window to 1.92m from finished floor level in the rear of the cabana.</p>

Community Design Advisory Committee (CDAC)

This application was not referred to CDAC. The additions and alterations that are the subject of this report relate to works at the rear of the property and have no impact on the streetscape.

---

**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	Possible (3)	Minor (2)	Moderate (5-9)	COMPLIANCE Some temporary non-compliances	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.

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

**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 as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

<b>Legend</b> <i>(refer to tables below)</i>	
A	Acceptable
D	Discretionary
N/A	Not Applicable

**Residential Design Codes Assessment**

	<b>Required</b>	<b>Proposed</b>	<b>Status</b>
Street Front Setback	6.0m	-	N/A
Minor Incursions	1m	-	N/A
Secondary Street Setback	1.5m	-	N/A
<b>Lot boundary setbacks</b>			
<b>Sleepout and studio - south</b>	<b>1.5m</b>	<b>1.34m</b>	<b>D</b>
<b>Sleepout - west</b>	<b>6m</b>	<b>3.84m</b>	<b>D</b>
<b>Cabana - west</b>	<b>6m</b>	<b>1m</b>	<b>D</b>
<b>Cabana and plunge pool</b>	<b>1.5m</b>	<b>1m</b>	<b>D</b>
<b>Patio</b>	<b>1m</b>	<b>0.9m</b>	<b>D</b>
Concrete bench	1m	1m	A
Open Space	50%	63%	A
Outdoor Living Areas	Accessible from habitable rooms	Accessible from habitable room	A
Car Parking	1-2	2	A
Vehicle Access	Driveway	-	N/A
Site Works	Max 0.5m	<0.5m	A
Visual privacy setback	7.5m	Screening fitted on northern side of pool deck	A
Overshadowing	≤25%	Overshadows southern property by an additional 3.4%	A
Stormwater management	On-site	To be conditioned	A

**Local Planning Policies Assessment**

<b>LPP Residential Design Guidelines Provision</b>	<b>Status</b>
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
<b>3.7.7 Building Setbacks and Orientation</b>	<b>D</b>
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
<b>3.7.12 Pergolas</b>	<b>D</b>
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
<b>3.7.17 Precinct Requirements</b>	<b>D</b>

This development application proposes rear additions and alterations, including office studio, bedroom/ensuite, cabana and plunge pool at the rear of the subject property. Multiple variations are requested to the requirements of the Residential Design Guidelines and the Residential Design Codes.

Roof Pitch - Cabana and Office Studio/Bedroom Ensuite

The cabana and the office/studio/bedroom/ensuite located at the rear of the lot has a roof pitch of 2.5 degrees which does not comply with the acceptable development provisions of the Residential Design Guidelines Clause 3.7.8.3 which requires a roof pitch of between 28 and 36 degrees. However, the roof pitch of 2.5 degrees is an acceptable variation as the roof contributes positively and complements the existing dwelling and is sympathetic to surrounding dwellings in accordance with Performance Criteria Clause 3.7.8.3 P1, P2, P3 and P4. The roof is not imposing or bulky and is well below the maximum permissible height of 9m (at their highest points the cabana is approximately 3.6m high and the office studio/bedroom ensuite is approximately 3.2m high) as a result of the choice of shallow roof pitch. As such the proposed variation can be supported.

Roof Pitch - Patio

The patio which adjoins the existing dwelling has a roof pitch of 0 degrees which does not comply with the acceptable development provisions of the Residential Design Guidelines Clause 3.7.8.3 which requires a roof pitch of between 28 and 36 degrees. However, the roof pitch of 0 degrees is an acceptable variation as the roof contributes positively and complements the existing dwelling and is sympathetic to surrounding dwellings in accordance with Performance Criteria Clause 3.7.8.3 P1, P2, P3 and P4. The proposed variation can be supported because it does not represent a bulky structure as it is below the existing dwelling's roof height and is open sided.

Lot Boundary Setback – Southern side boundary - Office studio/bedroom ensuite

The office studio/bedroom ensuite is located 1.34m from the southern side boundary. As such it does not achieve the deemed to comply requirements of Clause C3.1 i. of the Residential Design Codes which requires a minimum setback of 1.5m. This variation of 0.16m can be supported based on design principles Clause 5.1.3.P3.1;

- (vi) There is minimal impact of building bulk on adjoining properties
- (vii) There is adequate sun and ventilation and the structure does not impact on neighbouring properties
- (viii) No overlooking or loss of privacy

It is noted that part of this structure is an existing structure that is in place on site and the design incorporates this existing structure. The new part of office studio/bedroom ensuite utilises the existing setback from the boundary of 1.34m. The proposed variation is supported.

Lot Boundary Setback –Western rear boundary - Office studio/bedroom ensuite

There is a requirement under the Residential Design Codes that a rear boundary setback of 6m is required in areas with a density coding of R12.5. In this case a 3.84m rear boundary setback is sought. This can be supported based on design principles Clause 5.1.3.P3.1;

- (i) There is minimal impact of building bulk on adjoining properties
- (ii) There is adequate sun and ventilation and the structure does not impact on neighbouring properties
- (iii) No overlooking or loss of privacy

The rear of the office studio/bedroom ensuite utilises a structure that is already in place which means that the existing rear boundary setbacks are utilised. As such the proposed variation is supported

Lot Boundary Setback –Western rear boundary - Cabana

There is a requirement under the Residential Design Codes that a rear boundary setback of 6m is required in areas with a density coding of R12.5. In this case a 1m rear boundary setback is sought. This can be supported based on design principles Clause 5.1.3.P3.1;

- (i) There is minimal impact of building bulk on adjoining properties
- (ii) There is adequate sun and ventilation and the structure does not impact on neighbouring properties
- (iii) No overlooking or loss of privacy

There was concern from the officer that an open wall at the rear of the structure that is primarily used as an outdoor entertaining area could become noisy and in an effort to reduce this the applicant agreed to the addition of glass panels in the opening to reduce noise transmission and improve privacy.

The structure is a maximum of 2.852m above natural ground level and is a relatively low structure from the boundary. Planting of vegetation is planned to occur between the rear of the cabana and the rear boundary fence. A window up to a height of 1.92m above finished floor level will be placed in the western wall to mitigate noise. As the area is an outdoor entertaining area it is not defined as a habitable room, therefore like a patio or verandah it is not unreasonable to locate the structure closer to the boundary than a bedroom or a living area of a dwelling. The variation is therefore supported.

Lot Boundary Setback –Northern side boundary – Cabana and plunge pool

The cabana and plunge pool are located 1m from the northern side boundary. As such it does not achieve the deemed to comply requirements of Clause C3.1i. of the Residential Design Codes which requires a minimum setback of 1.5m. The location of the cabana can be supported based on design principles Clause 5.1.3.P3.1;

- (i) There is minimal impact of building bulk on adjoining properties
- (ii) There is adequate sun and ventilation and the structure does not impact on neighbouring properties
- (iii) No overlooking or loss of privacy

Following a submission from the neighbouring property a request was made to ensure that the structure was located a minimum of 1m from the boundary to ensure that the wall of the structure was not too bulky or imposing. The applicant responded by modifying the design such that this was achieved.

The setback of 1m reduces the building bulk from the neighbouring property. The pool has visual screening, but is open to the sky and therefore receives adequate sunlight and ventilation while remaining relatively private. The screening prevents people overlooking into the neighbouring property. As such the variation is supported.

Lot Boundary Setback – Northern side boundary - Patio

The patio is located 0.9m from the northern side boundary. As such it does not achieve the deemed to comply requirements of Clause C3.1 i. of the Residential Design Code which requires a minimum setback of 1m. This variation of 0.1m can be supported based on design principles Clause 5.1.3.P3.1;

- (i) There is minimal impact of building bulk on adjoining properties
- (ii) There is adequate sun and ventilation and the structure does not impact on neighbouring properties
- (iii) No overlooking or loss of privacy

The structure is flat roofed and has minimal building bulk. As it is an open structure it will allow adequate sunlight and ventilation and it does not have a finished floor level above 0.5m so does not present a problem in terms of overlooking or loss of privacy. This variation is also supported.

### **Conclusion**

Based on the assessment that has been completed, and the subsequent report on the variations to the Residential Design Guidelines and the Residential Design Codes that have been requested, the proposed development can be supported subject to the inclusion of standard conditions.

#### **11.4 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP040919**

**Moved Cr Natale, seconded Cr White**

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

- (i) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch of office/studio/bedroom/ensuite and cabana – 28 to 36 degrees required, 2.5 degrees provided;**
- (ii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch of patio – 28 to 36 degrees required, 0 degrees provided;**
- (iii) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – south – office studio/bedroom ensuite – 1.5m required, 1.34 m provided;**
- (iv) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – west – office studio/bedroom ensuite – 6m required, 3.84 m provided;**
- (v) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – west – cabana– 6m required, 1m provided;**
- (vi) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – north – cabana and plunge pool– 1.5m required, 1m provided;**
- (vii) Clause 5.1.3 – Residential Design Code – Lot Boundary Setbacks – north – patio– 1m required, 0.9m provided;**

**for rear additions and alterations including office studio, bedroom/ensuite, cabana and plunge pool at No. 65 (Lot 213) Irwin Street, East Fremantle, in accordance with the plans date stamped received 19 August 2019, subject to the following conditions:**

- (1) If the studio is rented out for short term accommodation, then a change of use application for short term accommodation shall be made to the Town for the consideration of Council.**
- (2) The screening to be fitted to the northern edge of the plunge pool deck shall be visually impermeable, at least 1.6m in height, at least 75% obscure and permanently fixed in position in accordance with Clause 6.4 C1.2 of the Residential Design Codes.**
- (3) 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.**
- (4) 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.**
- (5) 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.**



- (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) 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 approval does not extend to any other works or use on site that requires the submission of a development application for the consideration of the Council.
- (11) 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.*
- (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 March 2019 this application deemed determined, on behalf of Council, under delegated authority.

**12. REPORTS OF OFFICERS (COUNCIL DECISION)**

Nil.

**13. MATTERS BEHIND CLOSED DOORS**

Nil.

**14. CLOSURE OF MEETING**

There being no further business, the presiding Member declared the meeting closed at 6.45 pm

*I hereby certify that the Minutes of the ordinary meeting of the Town Planning Committee of the Town of East Fremantle, held on 3 September 2019, Minute Book reference 1. to 14. were confirmed at the meeting of the Committee on:*

.....

\_\_\_\_\_  
*Presiding Member*

---

**12. REPORTS**

**12.1 PLANNING**

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

<b>Owner</b>	Andrew Dean Mitchell & Michelle Mitchell
<b>Applicant</b>	George Edinger
<b>File ref</b>	P071/19; CAN29
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	17 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Location plan 2. Plans date stamped August 30 2019

**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: 215m<sup>2</sup>

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.

<b>Risk Rating</b>	4
<b>Does this item need to be added to the Town's Risk Register</b>	No
<b>Is a Risk Treatment Plan Required</b>	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 164m<sup>2</sup>. A shop use requires 1 car bay for every 20m<sup>2</sup> 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 180m<sup>2</sup>). In this case the change of use from shop to office has a lesser parking requirement. An office requires 1 car bay for every 30m<sup>2</sup> 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

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.

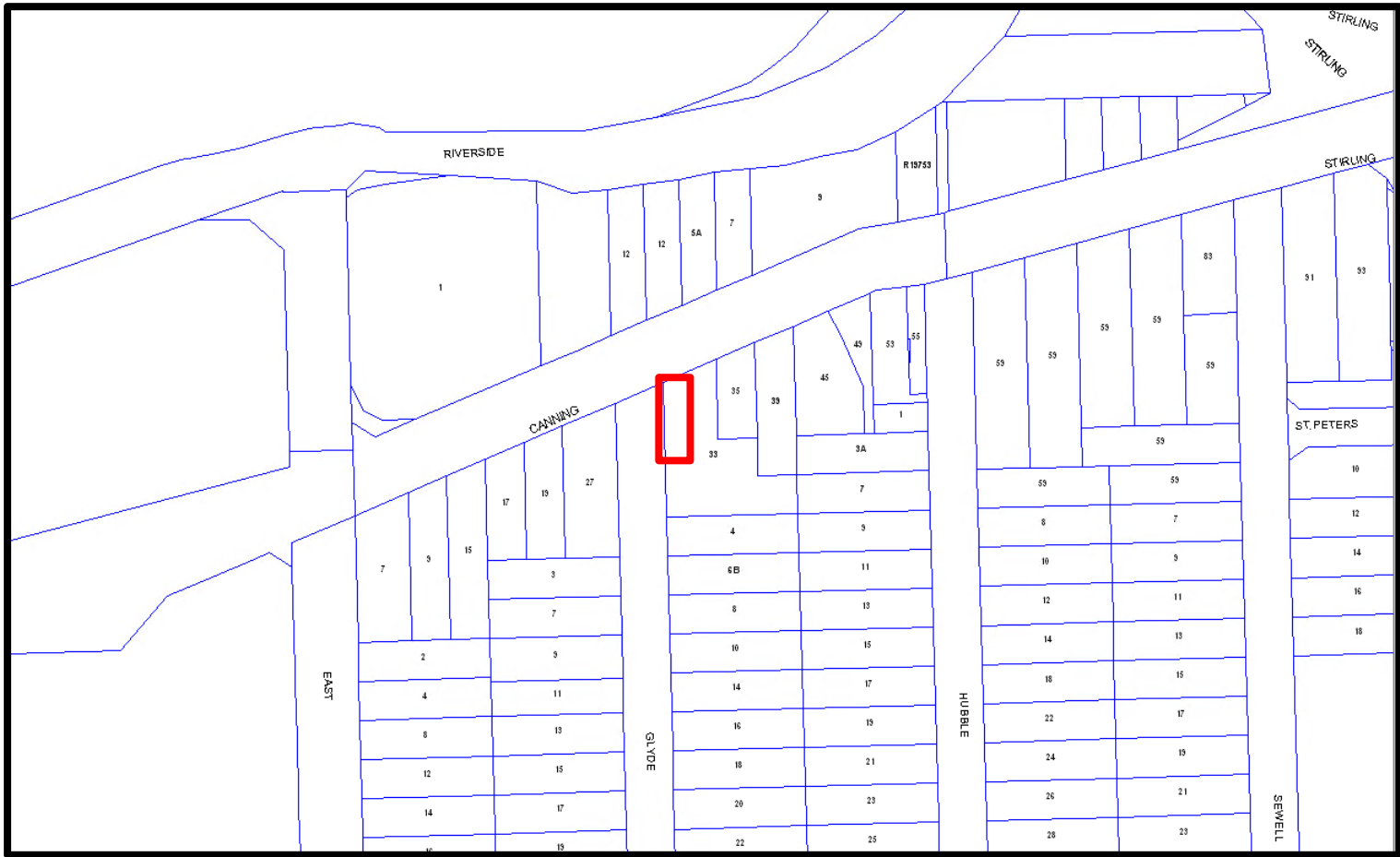
**Footnote:**

*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".*



NO. 29 (LOT 3) CANNING HIGHWAY – P071/19- CHANGE OF USE (SHOP TO OFFICE) – CATEGORY A

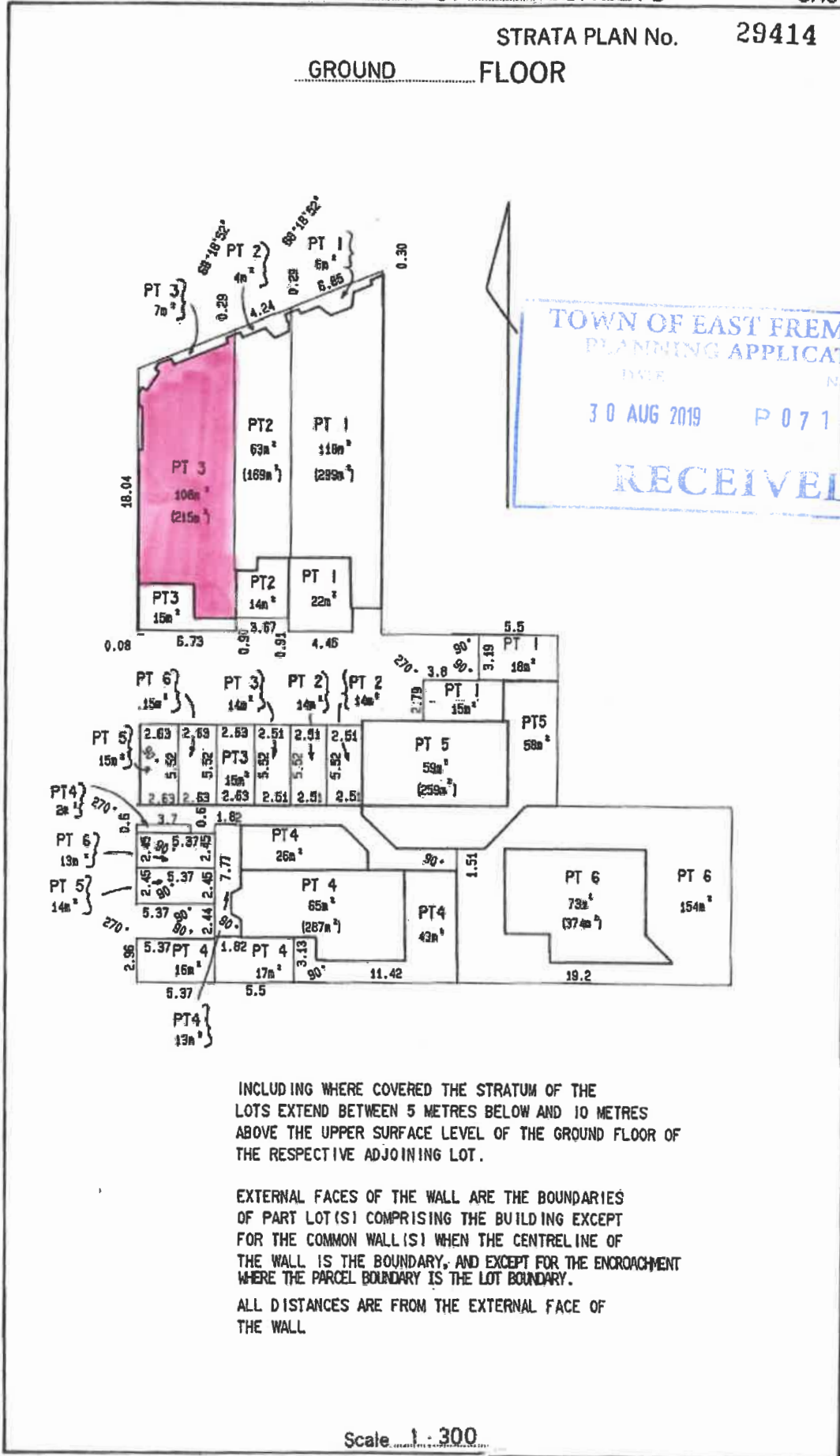


SHEET No. 1 OF 3 SHEETS

CA5

STRATA PLAN No. 29414

GROUND FLOOR



INCLUDING WHERE COVERED THE STRATUM OF THE  
 LOTS EXTEND BETWEEN 5 METRES BELOW AND 10 METRES  
 ABOVE THE UPPER SURFACE LEVEL OF THE GROUND FLOOR OF  
 THE RESPECTIVE ADJOINING LOT.

EXTERNAL FACES OF THE WALL ARE THE BOUNDARIES  
 OF PART LOT(S) COMPRISING THE BUILDING EXCEPT  
 FOR THE COMMON WALL(S) WHEN THE CENTRELINE OF  
 THE WALL IS THE BOUNDARY, AND EXCEPT FOR THE ENCROACHMENT  
 WHERE THE PARCEL BOUNDARY IS THE LOT BOUNDARY.

ALL DISTANCES ARE FROM THE EXTERNAL FACE OF  
 THE WALL

Scale 1 : 300

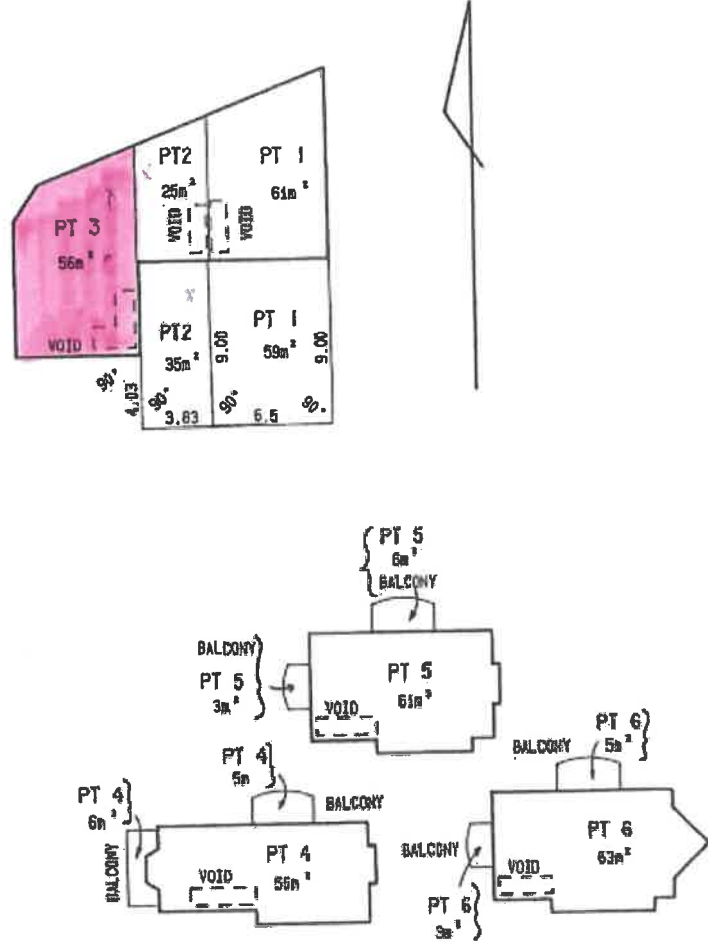
41443/05-101-S-7058

SHEET No. 2 OF 3 SHEETS

CA5

STRATA PLAN No. 29414

FIRST FLOOR



TOWN OF EAST FREMANTLE  
 PLANNING APPLICATION  
 DATE 30 AUG 2019 No. P 071-19  
**RECEIVED**

Scale 1:300

41445-005-1M-3/185B



## 12.2 FINANCE

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

<b>Applicant</b>	Not Applicable
<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Peter Kocian, Executive Manager Corporate Services
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date:</b>	17 September 2019
<b>Voting requirements</b>	Absolute Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	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
<b>Opening Surplus</b>	<b>758,451</b>	<b>758,451</b>	<b>655,838</b>	<b>758,451</b>	<b>652,631</b>
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
<b>Closing Surplus</b>	<b>0</b>	<b>8,250,931</b>	<b>8,587,664</b>	<b>9,219,527</b>	<b>8,157,320</b>
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

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 and Carer Support	CHSP clients pay \$8 per hour	Self-managed and Brokered clients \$169.16 per occasion for Non East Fremantle	New fee for service – full cost recovery for Self-managed and Brokered clients

			Residents and \$119.45 (transport fee) per occasion for East Fremantle residents	
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

**TOWN OF EAST FREMANTLE**  
**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the Period Ended 31 July 2019**

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

**TABLE OF CONTENTS**

Monthly Summary Information	63 -64
Statement of Financial Activity by Program	65
Statement of Financial Activity By Nature or Type	66
Statement of Capital Acquisitions and Capital Funding	67
Note 1      Significant Accounting Policies	68 - 71
Note 2      Explanation of Material Variances	72
Note 3      Net Current Funding Position	73
Note 4      Cash and Investments	74
Note 5      Budget Amendments	75
Note 6      Receivables	76
Note 7      Cash Backed Reserves	77
Note 8      Capital Disposals	78
Note 9      Rating Information	79
Note 10     Information on Borrowings	80
Note 11     Grants and Contributions	81

**Town of East Fremantle  
Information Summary  
For the Period Ended 31 July 2019**

## 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 31 July 2019 of \$8,584,457.

### 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			
<b>Significant Projects</b>					
Road Resurfacing Program	0%	\$ 1,314,300	\$	-	\$ 535
Footpath Program	0%	\$ 247,132	\$	-	-
Carpark Projects	0%	\$ 494,000	\$	-	-
<b>Grants, Subsidies and Contributions</b>					
Commonwealth Home Support Programme	26%	\$ 722,683	\$	180,671	\$ 189,538
Roads to Recovery Non-Operating Grant	0%	\$ 60,000	\$	-	-
Regional Road Group Grant	0%	\$ 821,867	\$	-	-
		\$ 0	\$	\$ 782,683	\$ 180,671
		\$ 8,045,480	\$	8,015,480	\$ 8,019,006

*% Compares current ytd actuals to annual budget*

### Financial Position

	Current Year
Adjusted Net Current Assets	\$ 8,584,457
Cash and Equivalent - Unrestricted	\$ 1,053,065
Cash and Equivalent - Restricted	\$ 2,287,653
Receivables - Rates	\$ 9,563,266
Receivables - Other	\$ 199,967
Payables	\$ 1,622,829

*% 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

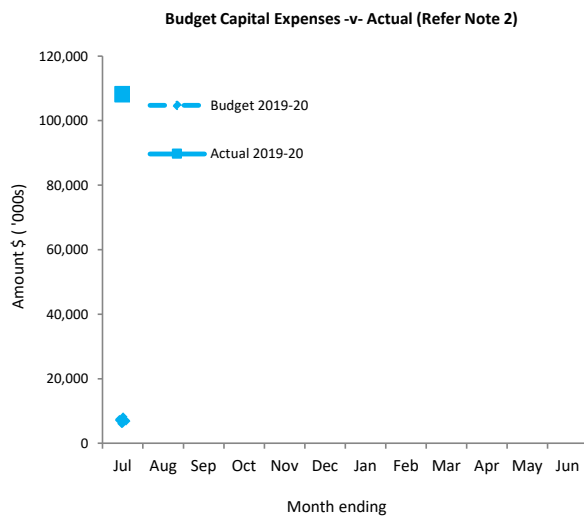
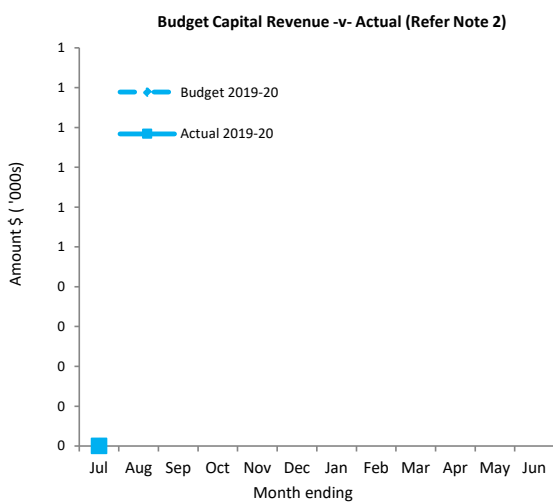
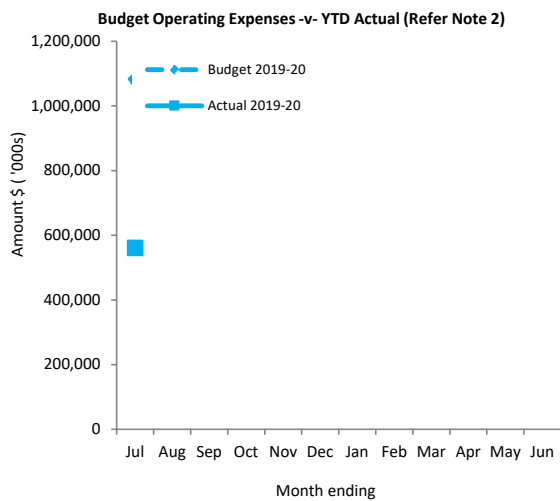
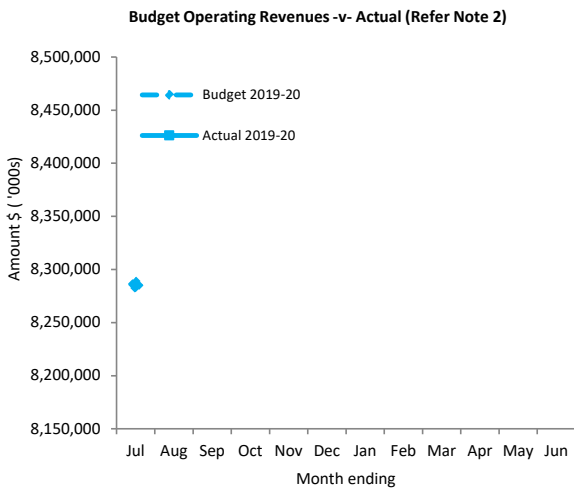
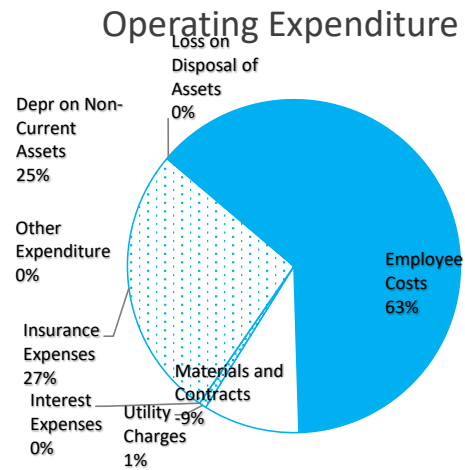
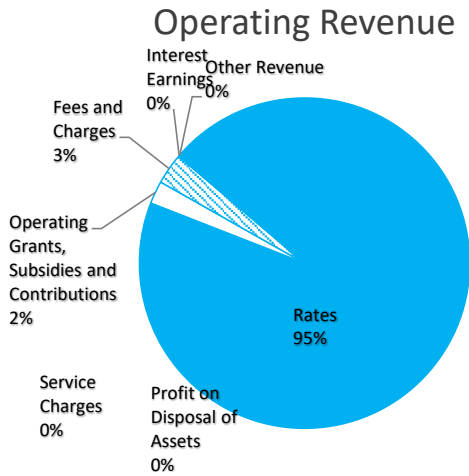
## Preparation

Prepared by:

Reviewed by: Peter Kocian

Date prepared:

Town of East Fremantle  
Information Summary  
For the Period Ended 31 July 2019



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 31 July 2019

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)/(a)	Var.
<b>Opening Funding Surplus(Deficit)</b>	3	\$ 758,451	758,451	\$ 758,451	\$ 652,631	\$ (105,820)	% (14%)	
<b>Revenue from operating activities</b>								
Governance		10,000	10,000	833	24	(809)	(97%)	
General Purpose Funding - Rates	9	8,045,480	8,451,394	8,032,563	8,009,044	(23,519)	(0%)	
General Purpose Funding - Other		405,914				0		
Law, Order and Public Safety		33,700	33,700	725	2,455	1,730	239%	
Health		14,400	14,400	1,200	8,514	7,314	610%	
Education and Welfare		819,933	819,933	188,775	200,969	12,194	6%	
Housing		85,140	85,140	7,095	6,361	(734)	(10%)	
Community Amenities		194,000	194,000	98,542	96,497	(2,045)	(2%)	
Recreation and Culture		509,884	509,884	109,110	97,297	(11,813)	(11%)	▼
Transport		360,744	360,744	27,500	25,095	(2,405)	(9%)	
Economic Services		79,000	79,000	6,583	10,196	3,612	55%	
Other Property and Services		74,068	74,068	6,172	3,398	(2,775)	(45%)	
		<b>10,632,263</b>	<b>10,632,263</b>	<b>8,479,099</b>	<b>8,459,850</b>			
<b>Expenditure from operating activities</b>								
Governance		(1,256,860)	(1,256,860)	(165,381)	(249,661)	(84,280)	(51%)	▼
General Purpose Funding		(161,878)	(161,878)	(13,490)	(386)	13,104	97%	▲
Law, Order and Public Safety		(173,561)	(173,561)	(15,646)	(7,441)	8,205	52%	▲
Health		(191,298)	(191,298)	(16,748)	(4,875)	11,873	71%	▲
Education and Welfare		(1,043,896)	(1,043,896)	(87,223)	(47,362)	39,861	46%	▲
Housing		(50,200)	(50,200)	(4,683)	(4,002)	681	15%	▲
Community Amenities		(2,854,492)	(2,854,492)	(228,837)	36,918	265,755	116%	▲
Recreation and Culture		(3,590,406)	(3,590,406)	(294,159)	(66,121)	228,038	78%	▲
Transport		(2,544,657)	(2,544,657)	(212,055)	(117,241)	94,814	45%	▲
Economic Services		(121,878)	(121,878)	(10,157)	564	10,720	106%	▲
Other Property and Services		(152,316)	(152,316)	(32,867)	45,414	78,281	238%	▲
		<b>(12,141,442)</b>	<b>(12,141,444)</b>	<b>(1,081,245)</b>	<b>(414,193)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		2,472,904	2,472,904	206,075	0	(206,075)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(7,700)	(7,700)	(7,700)	0	7,700	(100%)	▼
<b>Amount attributable to operating activities</b>		<b>2,465,204</b>	<b>2,465,204</b>	<b>198,375</b>	<b>0</b>			
<b>Investing Activities</b>								
Non-operating Grants, Subsidies and Contributions	11	881,867	881,867	0	0	0		
Proceeds from Disposal of Assets	8	37,700	37,700	0	0	0		
Land and Buildings		(477,385)	(488,105)	0	(65,861)	(65,861)		▼
Infrastructure Assets - Roads		(1,314,300)	(1,314,300)	0	(535)	(535)		
Infrastructure Assets - Public Open Space		(396,720)	(446,000)	(7,083)	0	7,083	100%	▲
Infrastructure Assets - Footpaths		(247,132)	(247,132)	0	0	0		
Infrastructure Assets - Drainage		(100,000)	(100,000)	0	0	0		
Infrastructure Assets - Other		(393,000)	(433,000)	0	0	0		
Infrastructure Assets - Carparks		(494,000)	(494,000)	0	0	0		
Plant and Equipment		(319,320)	(219,320)	0	(41,861)	(41,861)		▼
Furniture and Equipment		(75,000)	(75,000)	0	0	0		
<b>Amount attributable to investing activities</b>		<b>(2,897,290)</b>	<b>(2,897,290)</b>	<b>(7,083)</b>	<b>(108,257)</b>			
<b>Financing Activities</b>								
Transfer from Reserves	7	1,242,814	1,242,814	0	0	0		
(Transfer to Reserves)	7	(60,000)	(60,000)	(5,000)	(5,574)	(574)	(11%)	
<b>Amount attributable to financing activities</b>		<b>1,182,814</b>	<b>1,182,814</b>	<b>(5,000)</b>	<b>(5,574)</b>			
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>(2)</b>	<b>8,342,598</b>	<b>8,584,457</b>			
<b>Check against Net Current Assets</b>					<b>8,584,457</b>			
					<b>0</b>			

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 31 July 2019

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Opening Funding Surplus (Deficit)</b>	3	\$ 758,451	758,451	\$ 758,451	\$ 652,631	\$ (105,820)	% (14%)	▼
<b>Revenue from operating activities</b>								
Rates	9	8,045,480	8,045,480	8,015,480	8,019,006	3,526	0%	
Operating Grants, Subsidies and Contributions	11	1,171,341	1,171,341	180,671	189,538		5%	
Fees and Charges		1,124,467	1,124,467	262,759	258,517	(4,242)	(2%)	
Interest Earnings		221,000	221,000	15,000	(11,086)	(26,086)	(174%)	▼
Other Revenue		62,275	62,275	5,190	3,875	(1,314)	(25%)	
Profit on Disposal of Assets	8	7,700	7,700	0	0			
		<b>10,632,263</b>	<b>10,632,263</b>	<b>8,479,099</b>	<b>8,459,850</b>			
<b>Expenditure from operating activities</b>								
Employee Costs		(4,126,285)	(4,126,285)	(367,507)	(321,790)	45,717	12%	▲
Materials and Contracts		(4,427,824)	(4,427,826)	(368,985)	47,766	416,751	113%	▲
Utility Charges		(320,000)	(320,000)	(26,667)	(3,643)	23,023	86%	▲
Depreciation on Non-Current Assets		(2,472,904)	(2,472,904)	(206,075)	0	206,075	100%	▲
Insurance Expenses		(167,605)	(167,605)	(83,803)	(135,521)	(51,718)	(62%)	▼
Other Expenditure		(626,824)	(626,824)	(28,208)	(1,005)	27,204	96%	▲
Loss on Disposal of Assets	8	0	0	0	0			
		<b>(12,141,442)</b>	<b>(12,141,444)</b>	<b>(1,081,245)</b>	<b>(414,193)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		2,472,904	2,472,904	206,075	0	(206,075)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(7,700)	(7,700)	(7,700)	0	7,700	(100%)	
<b>Amount attributable to operating activities</b>		<b>2,465,204</b>	<b>2,465,204</b>	<b>198,375</b>	<b>0</b>			
<b>Investing activities</b>								
Non-operating Grants, Subsidies and Contributions	11	881,867	881,867	0	0	0		
Proceeds from Disposal of Assets	8	37,700	37,700	0	0	0		
Land and Buildings		(477,385)	(488,105)	0	(65,861)	(65,861)		▼
Infrastructure Assets - Roads		(1,314,300)	(1,314,300)	0	(535)	(535)		
Infrastructure Assets - POS		(396,720)	(446,000)	(7,083)	0	7,083	100%	▲
Infrastructure Assets - Footpaths		(247,132)	(247,132)	0	0	0		
Infrastructure Assets - Drainage		(100,000)	(100,000)	0	0	0		
Infrastructure Assets - Other		(393,000)	(433,000)	0	0	0		
Infrastructure Assets - Carparks		(494,000)	(494,000)	0	0	0		
Plant and Equipment		(319,320)	(219,320)	0	(41,861)	(41,861)		▼
Furniture and Equipment		(75,000)	(75,000)	0	0	0		
<b>Amount attributable to investing activities</b>		<b>(2,897,290)</b>	<b>(2,897,290)</b>	<b>(7,083)</b>	<b>(108,257)</b>			
<b>Financing Activities</b>								
Transfer from Reserves	7	1,242,814	1,242,814	0	0	0		
(Transfer to Reserves)	7	(60,000)	(60,000)	(5,000)	(5,574)	(574)	(11%)	
<b>Amount attributable to financing activities</b>		<b>1,182,814</b>	<b>1,182,814</b>	<b>(5,000)</b>	<b>(5,574)</b>			
<b>Closing Funding Surplus (Deficit)</b>	3	<b>0</b>	<b>(2)</b>	<b>8,342,598</b>	<b>8,584,457</b>	<b>241,860</b>	<b>3%</b>	
<b>Check against Statement by Program</b>					<b>8,584,457</b>	<b>0</b>		

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 31 July 2019

**Capital Acquisitions**

	Amended YTD Budget	Amended Annual Budget	YTD Actual Total	Variance (d) - (c)
	\$	\$	\$	\$
Land and Buildings	0	488,105	65,861	65,861
Infrastructure Assets - Roads	0	1,314,300	535	535
Infrastructure Assets - POS	7,083	446,000	0	(7,083)
Infrastructure Assets - Footpaths	0	247,132	0	0
Infrastructure Assets - Drainage	0	100,000	0	0
Infrastructure Assets - Other	0	433,000	0	0
Infrastructure Assets - Carparks	0	494,000	0	0
Plant and Equipment	0	219,320	41,861	41,861
Furniture and Equipment	0	75,000	0	0
<b>Capital Expenditure Totals</b>	<b>7,083</b>	<b>3,816,857</b>	<b>108,257</b>	<b>101,173</b>
<b>Capital acquisitions funded by:</b>				
Capital Grants and Contributions			<b>881,867</b>	
Other (Disposals & C/Fwd)			<b>37,700</b>	
Council contribution - Cash Backed Reserves:				
Vehicle, Plant and Equipment Reserve			<b>79,620</b>	
HACC Reserve			<b>100,000</b>	
Strategic Asset Management Reserve			<b>50,000</b>	
Committed Works Reserve			<b>737,885</b>	
Arts and Sculpture Reserve			<b>75,000</b>	
Council contribution - operations			<b>1,854,785</b>	
<b>Capital Funding Total</b>	<b>0</b>	<b>0</b>	<b>3,816,857</b>	

**Note 1: Significant Accounting Policies****(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

**(b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

**(c) Rounding Off Figures**

All figures shown in this statement are rounded to the nearest dollar.

**(d) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

**(e) Goods and Services Tax**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**(f) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

**(g) Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

**(h) Inventories****General**

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**Land Held for Resale**

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

**(i) Fixed Assets**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

**Note 1: Significant Accounting Policies****(j) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

<b>Asset</b>	<b>Years</b>
Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	50 years
seal	
bituminous seals	20 years
asphalt surfaces	25 years
Gravel Roads	
formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads	
formation	not depreciated
pavement	50 years
Footpaths - slab	40 years

**(k) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

**(l) Employee Benefits**

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

*(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)*

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

*(ii) Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

**(m) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

**Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

**(n) Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

**Note 1: Significant Accounting Policies****(o) Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

**(p) Nature or Type Classifications****Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service

**Operating Grants, Subsidies and Contributions**

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

**Non-Operating Grants, Subsidies and Contributions**

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

**Profit on Asset Disposal**

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure

**Fees and Charges**

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

**Service Charges**

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Interest Earnings**

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Other Revenue / Income**

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

**Employee Costs**

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

**Materials and Contracts**

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

**Utilities (Gas, Electricity, Water, etc.)**

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

**Insurance**

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

**Loss on asset disposal**

Loss on the disposal of fixed assets.

**Depreciation on non-current assets**

Depreciation expense raised on all classes of assets.

**Interest expenses**

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

**Other expenditure**

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

## Note 1: Significant Accounting Policies

## (r) Program Classifications (Function/Activity)

City/Town/Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

**KEY TERMS AND DEFINITIONS - REPORTING PROGRAMS**

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Town's Community Vision, and for each of its broad activities/programs.

<b>PROGRAM NAME</b>	<b>OBJECTIVE</b>	<b>ACTIVITIES</b>
<b>GOVERNANCE</b>	To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of Council and the administrative support available assisting elected members and ratepayers on matters which do not concern specific council services but are strategic in nature.
<b>GENERAL PURPOSE FUNDING</b>	To collect revenue to allow for the allocation to services.	Rating, general purpose government grants and interest revenue.
<b>LAW, ORDER, PUBLIC SAFETY</b>	To provide services to ensure bushfire prevention, animal control and community safety.	Supervision and enforcement of various local laws and acts relating to fire prevention, animal control and other aspects of public safety including emergency services.
<b>HEALTH</b>	To provide an operational framework for environmental and community health.	Inspection of food outlets and their control, food quality testing, pest control, noise control, waste disposal compliance and child health services.
<b>EDUCATION AND WELFARE</b>	To provide assistance to senior citizens welfare and home and community care.	Provision and maintenance of home and community care programs including meals on wheels, in home care, home maintenance, senior outings, respite and school holiday programs.
<b>HOUSING</b>	To assist with housing for staff and the community.	Provision and maintenance of residential rental properties.
<b>COMMUNITY AMENITIES</b>	To provide community amenities and other infrastructure as required by the community.	Rubbish collection, recycling and disposal, joint maintenance of SMRC waste management facility, administration of Town Planning Schemes, heritage protection and townscapes, maintenance of urban stormwater drainage and protection of the environment.
<b>RECREATION AND CULTURE</b>	To plan, establish and efficiently manage sport and recreation infrastructure and resources which will help the social well being and health and community.	The provision and maintenance of various community infrastructure including public halls, recreation grounds, sports pavillions, playgrounds, parks, gardens, beaches and the joint operation of the City of Fremantle Library.
<b>TRANSPORT</b>	To provide safe, effective and efficient transport infrastructure to the community.	Construction and maintenance of streets, roads, footpaths, depots, cycleways, street trees, parking facilities, traffic control, cleaning and lighting of streets.
<b>ECONOMIC SERVICES</b>	To help promote the Town and improve its economic wellbeing.	The regulation and provision of tourism, area promotion activities and building control.
<b>OTHER PROPERTY AND SERVICES</b>	To monitor and control plant and depot operations, and to provide other property services not included elsewhere.	Private works operation, plant operating costs, depot operations and unclassified property functions.

**Note 2: 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
<b>Operating Revenues</b>	\$	%			
General Purpose Funding				Timing	No reportable variances
Governance				Timing	No reportable variances
Law, Order and Public Safety				Timing	No reportable variances
Health				Timing	No reportable variances
Education and Welfare				Timing	No reportable variances
Housing				Timing	No reportable variances
Community Amenities				Timing	No reportable variances
Recreation and Culture				Timing	No reportable variances
Transport				Timing	No reportable variances
Economic Services				Timing	No reportable variances
Other Property and Services				Timing	No reportable variances
<b>Operating Expense</b>					
Governance	(84,280)	(51%)		Timing	Timing of fixed costs, depreciation and ABCs not processed
General Purpose Funding	13,104	97%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Law, Order and Public Safety	8,205	52%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Health	11,873	71%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Education and Welfare	39,861	46%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Housing	681	15%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Community Amenities	265,755	116%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Recreation and Culture	228,038	78%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Transport	94,814	45%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Economic Services	10,720	106%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Other Property and Services	78,281	238%		Timing	Timing of fixed costs, depreciation and ABCs not processed
<b>Capital Revenues</b>					
Proceeds from Disposal of Assets				Timing	No reportable variances
<b>Capital Expenses</b>					See appended Capital Works Report to the Monthly Financial Statements
Land and Buildings					
Infrastructure Assets - Roads					
Infrastructure Assets - POS					
Infrastructure Assets - Footpaths					
Infrastructure Assets - Drainage					
Infrastructure Assets - Other					
Infrastructure Assets - Carparks					
Plant and Equipment					
Furniture and Equipment					

TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 31 July 2019

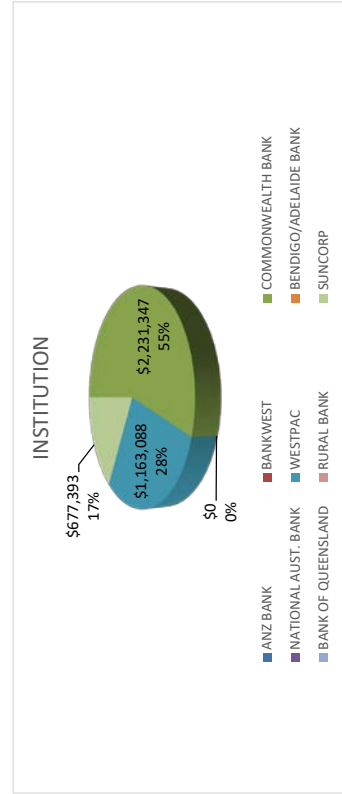
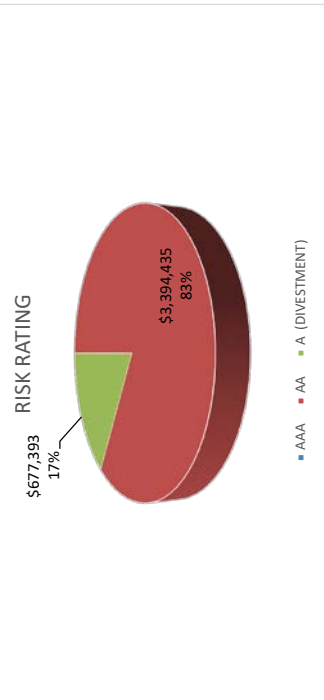
Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Risk Rating (LT)	Interest Rate	Maturity Date
(a) <b>Cash Deposits</b>								
Municipal Bank Account - On-Call	429,850			429,850	CBA	AA-	1.45%	At Call
Municipal Bank Account	544,720			544,720	CBA	AA-		At Call
Reserve Bank Account	36	36		36	CBA	AA-		At Call
Trust Bank Account			54,817	54,817	CBA	AA-		At Call
Cash On Hand	1,100			1,100	Petty Cash/Till Float		Nil	On Hand
Outstanding Transfer from Reserve to Municipal Account	77,395			77,395				
(b) <b>Term Deposits</b>								
Municipal			677,393	677,393	SUNCORP	A+	2.07%	17-Sep-19
Trust								
Outstanding Transfer from Reserve to Municipal Account		(77,395)		(77,395)				
Reserves		1,163,088		1,163,088	WESTPAC	AA-	2.20%	10-Oct-19
Reserves		1,201,924		1,201,924	CBA	AA-	1.96%	13-Aug-19
<b>Total</b>	<b>1,053,065</b>	<b>2,287,654</b>	<b>732,210</b>	<b>4,072,929</b>				
Less Cash on Hand	(1,100)			(1,100)				
	<b>1,051,965</b>			<b>4,071,829</b>				

Comments/Notes - Investments and Cash Deposits

(LT) RISK RATING	PORTFOLIO	\$	%
AAA	MAX 100%		
AA	MAX 100%	\$3,394,435	83.36%
A (DIVESTMENT)	MAX 80%	\$677,393	16.64%
		<b>\$4,071,829</b>	<b>100.00%</b>

INSTITUTION	\$	%	(LT) RISK
ANZ BANK			AA-
BANKWEST			AA-
COMMONWEALTH BANK	\$2,231,347	54.80%	AA-
NATIONAL AUST. BANK	\$0	0.00%	AA-
WESTPAC	\$1,163,088	28.56%	AA-
BENDIGO/ADELAIDE BANK			BBB+
BANK OF QUEENSLAND			BBB+
RURAL BANK			BBB+
SUNCORP	\$677,393	16.64%	A+
	<b>\$4,071,829</b>	<b>100.00%</b>	



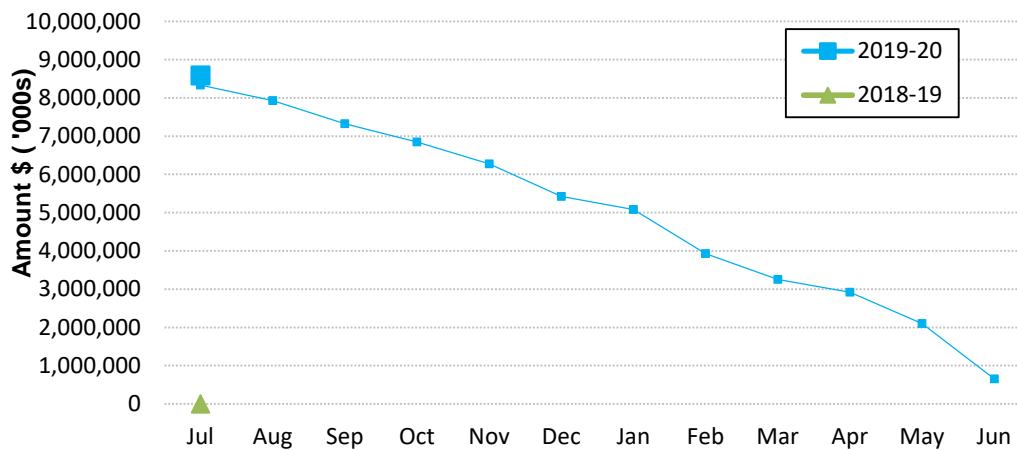
**TOWN OF EAST FREMANTLE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 July 2019**

**Note 3: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2019	31 Jul 2019
		\$	\$
<b>Current Assets</b>			
Cash Unrestricted	4	1,909,181	1,053,065
Cash Restricted - Reserves	4	2,282,079	2,287,653
Receivables - Rates	6	88,461	9,563,266
Receivables - Other	6	154,027	199,967
Interest / ATO Receivable/Trust			
Inventories		0	0
		4,433,748	13,103,951
<b>Less: Current Liabilities</b>			
Payables		(888,734)	(1,622,829)
Provisions		(610,303)	(609,011)
		(1,499,037)	(2,231,840)
Less: Cash Reserves	7	(2,282,079)	(2,287,653)
<b>Net Current Funding Position</b>		<b>652,631</b>	<b>8,584,457</b>

**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 31 July 2019

Note 5: Budget Amendments  
 Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption Permanent Changes		Opening Surplus	\$	\$	\$	\$
							0
							0
							0
							0
							0
							0
							0
							0
							0

TOWN OF EAST FREMANTLE  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

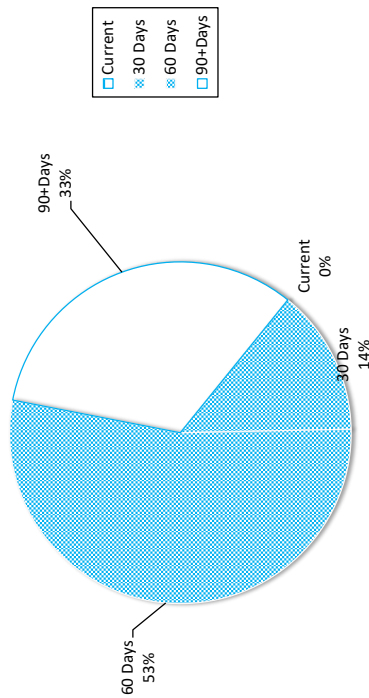
Note 6: Receivables

		For the period ending 31 July 2019					Total
Receivables - Rates Receivable	31 July 2019	30 June 2019	Current	30 Days	60 Days	90+Days	
Opening Arrears Previous Years	\$ 133,299	\$ 220,065	\$ 97,841	\$ 5,535	\$ 0	\$ 27,578	
Rates, ESL and Service Charges Levied this year	9,775,425	9,684,412					
Less Collections to date	-167,321	(9,551,113)					
Equals Current Outstanding (as per TB)	9,608,104	133,299					
<b>Net Rates Collectable</b>	<b>9,608,104</b>	<b>133,299</b>					
% Outstanding	97%						
						<b>234,190</b>	

Amounts shown above include GST (where applicable)

Control Account	GL	Balance
Sundry Debtors	104	125,954
SSL - Current EFTC	114	3,000
SSL - Non-Current EFTC	1684	21,000
Parking Debtors	180	84,236
		<b>234,190</b>

Note 6 - Accounts Receivable (non-rates)



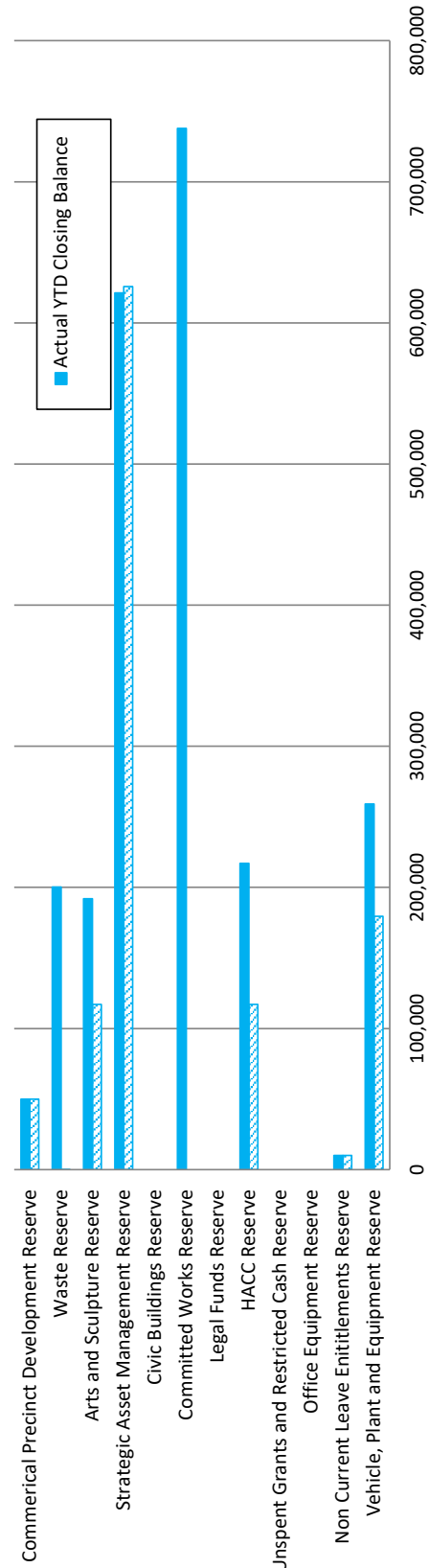
Comments/Notes - Receivables General  
[Insert explanatory notes and commentary on trends and timing]

TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 31 July 2019

Note 7: 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	\$ 259,150	\$ 0	\$ 0	\$ 0	\$ (79,620)	\$ 0	\$ 179,530	\$ 259,150
Non Current Leave Entitlements Reserve	10,000	0	0	0	0	0	10,000	10,000
Office Equipment Reserve	0	0	0	0	0	0	0	0
Unspent Grants and Restricted Cash Reserve	217,037	0	0	0	(100,000)	0	117,037	217,037
HACC Reserve	0	0	0	0	0	0	0	0
Legal Funds Reserve	737,885	0	0	0	(737,885)	0	0	737,885
Committed Works Reserve	0	0	0	0	0	0	0	0
Civic Buildings Reserve	615,677	60,000	5,574	5,574	(50,000)	0	625,677	621,251
Strategic Asset Management Reserve	192,022	0	0	0	(75,000)	0	117,022	192,022
Arts and Sculpture Reserve	200,308	0	0	0	(200,309)	0	(1)	200,308
Waste Reserve	50,000	0	0	0	0	0	50,000	50,000
Commercial Precinct Development Reserve	2,282,079	60,000	0	5,574	(1,242,814)	0	1,099,265	2,287,653

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 31 July 2019**

**Note 8: Disposal of Assets**

Asset Number	Asset Description	2019/20					
		YTD Actual			Amended Budget		
		Net Book Value	Proceeds	Profit (Loss)	Net Book Value	Proceeds	Profit (Loss)
		\$	\$	\$	\$	\$	\$
	<b>Plant and Equipment</b>						
PE270	Toro Groundmaster 3500D (P4082)	10,000	10,000	0	10,000	10,000	0
PE268	Toro Z Master 7000 (P4075)	0	7,700	7,700	0	7,700	7,700
PEMV259	CEO Vehicle	20,000	20,000	0	20,000	20,000	0
		<b>30,000</b>	<b>37,700</b>	<b>7,700</b>	<b>30,000</b>	<b>37,700</b>	<b>7,700</b>
		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

TOWN OF EAST FREMANTLE  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

Note 9: Rating Information

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	YTD Actual			Amended Budget					
				Rate Revenue \$	Interim Rates \$	Back Rates \$	Rate Revenue \$	Interim Rate \$	Back Rate \$	Total Revenue \$		
<b>Differential General Rate</b>												
Residential GRV	0.069949	3,010	91,297,417	6,386,163			6,386,163					6,415,878
Commercial GRV	0.106227	123	12,451,307	1,322,665			1,322,665		30,000			1,318,318
<b>Sub-Totals</b>	<b>Minimum</b>	<b>3,133</b>	<b>103,748,724</b>	<b>7,708,828</b>	<b>0</b>	<b>0</b>	<b>7,708,828</b>	<b>7,704,196</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>7,734,196</b>
<b>Minimum Payment</b>	<b>\$</b>											
Residential GRV	1,106.00	264	3,560,073	291,984			291,984					293,090
Commercial GRV	1,654.00	11	146,106	18,194			18,194					18,194
<b>Sub-Totals</b>		<b>275</b>	<b>3,706,179</b>	<b>310,178</b>	<b>0</b>	<b>0</b>	<b>310,178</b>	<b>311,284</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>311,284</b>
<b>Amount from General Rates</b>		<b>3,408</b>	<b>107,454,903</b>	<b>8,019,006</b>	<b>0</b>	<b>0</b>	<b>8,019,006</b>	<b>8,015,480</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>8,045,480</b>
<b>Totals</b>							<u><u>8,019,006</u></u>	<u><u>8,015,480</u></u>				<u><u>8,045,480</u></u>
												<u><u>8,045,480</u></u>

**TOWN OF EAST FREMANTLE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 July 2019**

**Note 10: Information on Borrowings**  
 (a) Debenture Repayments

Particulars	01 Jul 2019	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
Governance		\$	\$						
Housing									
Recreation and Culture									
		0	0	0	0	0	0	0	0

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 31 July 2019

Note 11: Grants and Contributions

Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Amended Budget Operating	YTD Budget	Annual Budget (d)	Expected (d)+(e)	YTD Actual Revenue
<b>General Purpose Funding</b>					\$	\$			\$
Grants Commission - General	United - General Purpose	NA	NA	Operating	83,655	0	83,655	83,655	0
Grants Commission - Roads	United - Road	NA	NA	Operating	34,259	0	34,259	34,259	0
<b>Education and Welfare</b>									
Home and Community Care Program	Commonwealth Dep. Health			Operating	722,683	0	722,683	722,683	189,538
Recycling Grant	Better Bins Program			Operating	51,000	0	51,000	51,000	0
<b>Community Amenities</b>									
Dept. Regional Development	Business Case	To be applied for		Operating	50,000	0	50,000	50,000	0
Various	Lotterywest	To be applied for		Operating	50,000	0	50,000	50,000	0
Minor Grants - Rec and Culture				Operating	129,000	0	129,000	129,000	0
East Fremantle Oval Redevelopment				Operating	20,000	0	20,000	20,000	0
Foreshore Erosion				Operating					
East Fremantle Festival				Operating					
<b>Recreation and Culture</b>									
Roads To Recovery Grant - Cap	Road Renewal	31-Oct	Audited Annual Report	Non-operating	60,000	0	60,000	60,000	0
Regional Road Group - Cap	Road Renewal	31-May	Certificate of Completion	Non-operating	821,867	0	821,867	821,867	0
Direct Grant	Direct Grant	July	GST Free Invoice	Operating	18,024	0	18,024	18,024	0
Street Lighting Subsidy	Street Lighting Subsidy	September		Operating	4,800	0	4,800	4,800	0
Stirling Bridge Verge Maintenance Agreement	Stirling Highway Verge Maint. Agreement	September		Operating	7,920	0	7,920	7,920	0
<b>TOTALS</b>					<b>1,171,341</b>	<b>180,671</b>	<b>2,053,208</b>	<b>2,053,208</b>	<b>189,538</b>
<b>SUMMARY</b>									
Operating	Operating Grants, Subsidies and Contributions				1,171,341	0	1,171,341	1,171,341	189,538
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions				0	0	0	0	0
Non-operating	Non-operating Grants, Subsidies and Contributions				0	180,671	0	881,867	0
<b>TOTALS</b>					<b>1,171,341</b>	<b>180,671</b>	<b>2,053,208</b>	<b>2,053,208</b>	<b>189,538</b>
<b>Pending Grants:</b>									
Grant Provider	Purpose of Grant	Date Applied	Expected Date of Outcome	Type	Applied	Applied	Applied	Applied	Applied

**TOWN OF EAST FREMANTLE**  
**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the Period Ended 31 August 2019**

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

**TABLE OF CONTENTS**

Monthly Summary Information	83 - 84
Statement of Financial Activity by Program	85
Statement of Financial Activity By Nature or Type	86
Statement of Capital Acquisitions and Capital Funding	87
Note 1      Significant Accounting Policies	88 - 91
Note 2      Explanation of Material Variances	92
Note 3      Net Current Funding Position	93
Note 4      Cash and Investments	94
Note 5      Budget Amendments	95
Note 6      Receivables	96
Note 7      Cash Backed Reserves	97
Note 8      Capital Disposals	98
Note 9      Rating Information	99
Note 10     Information on Borrowings	100
Note 11     Grants and Contributions	101



**Town of East Fremantle  
Information Summary  
For the Period Ended 31 August 2019**

## 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 31 August 2019 of \$8,012,312.

### 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			
<b>Significant Projects</b>					
Road Resurfacing Program	0%	\$ 1,314,300	\$	-	\$ -
Footpath Program	0%	\$ 247,132	\$	-	\$ 615
Carpark Projects	1%	\$ 494,000	\$	-	\$ 2,932
<b>Grants, Subsidies and Contributions</b>					
Commonwealth Home Support Programme	26%	\$ 722,683	\$	180,671	\$ 189,538
Roads to Recovery Non-Operating Grant	0%	\$ 60,000	\$	-	\$ -
Regional Road Group Grant	40%	\$ 821,867	\$	328,747	\$ 328,747
	\$	0	\$	782,683	\$ 180,671
	\$	8,045,480	\$	8,015,480	\$ 8,021,527
Rates Levied	100%	\$ 8,045,480	\$	8,015,480	\$ 8,021,527

*% Compares current ytd actuals to annual budget*

### Financial Position

	Current Year
Adjusted Net Current Assets	\$ 8,012,312
Cash and Equivalent - Unrestricted	\$ 2,583,773
Cash and Equivalent - Restricted	\$ 2,291,719
Receivables - Rates	\$ 6,990,753
Receivables - Other	\$ 720,040
Payables	\$ 1,671,472

*% 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

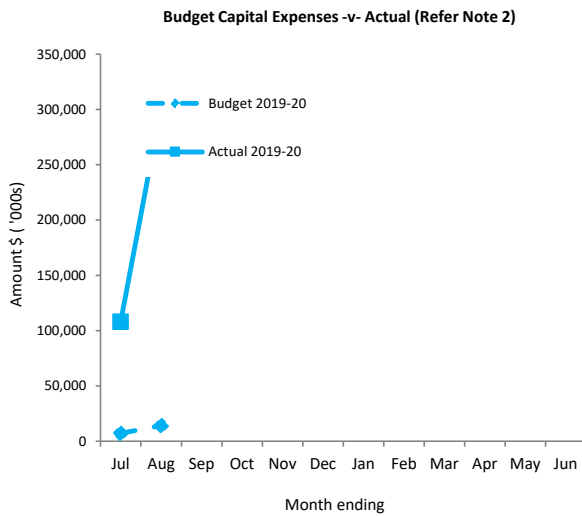
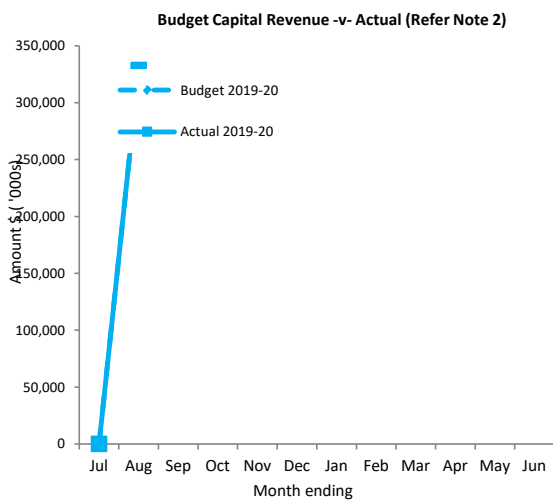
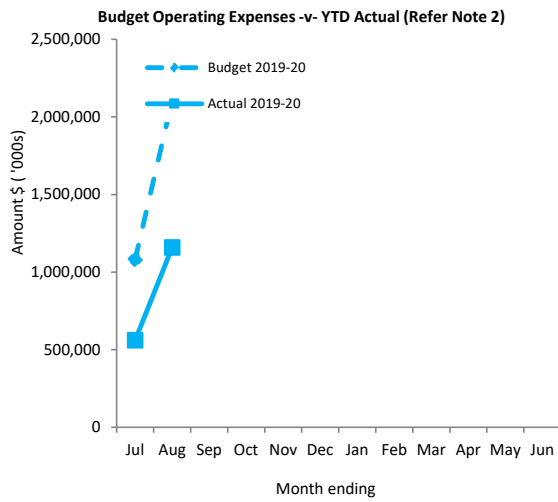
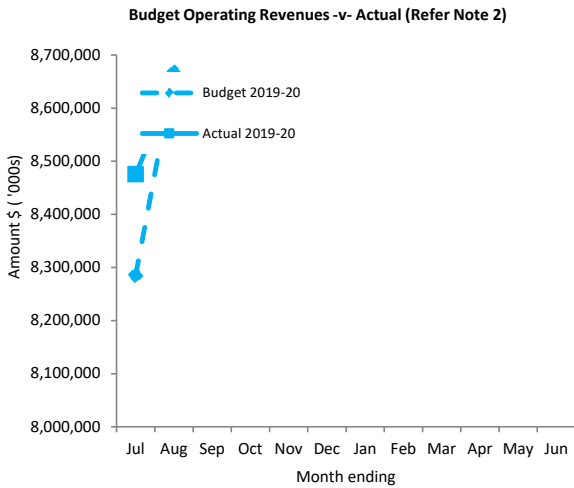
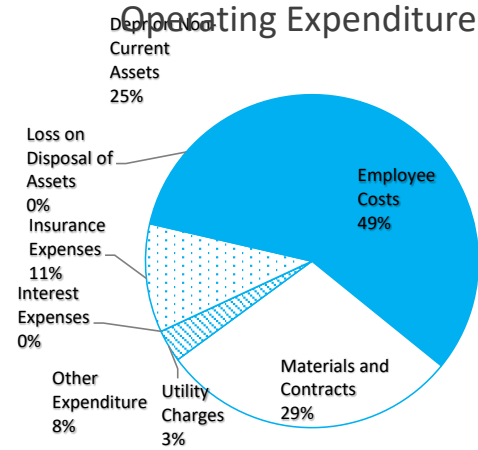
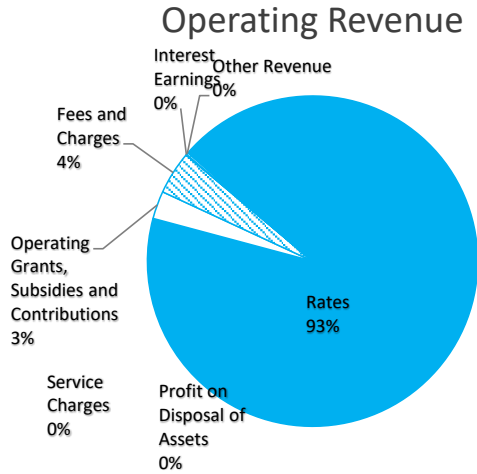
## Preparation

Prepared by:

Reviewed by: Peter Kocian

Date prepared:

Town of East Fremantle  
Information Summary  
For the Period Ended 31 August 2019



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 31 August 2019

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)/(a)	Var.
<b>Opening Funding Surplus(Deficit)</b>	3	\$ 758,451	758,451	\$ 758,451	\$ 652,631	\$ (105,820)	% (14%)	
<b>Revenue from operating activities</b>								
Governance		10,000	10,000	1,667	2,085	418	25%	
General Purpose Funding - Rates	9	8,045,480	8,451,394	8,149,125	8,074,458	(74,668)	(1%)	
General Purpose Funding - Other		405,914				0		
Law, Order and Public Safety		33,700	33,700	1,450	3,165	1,715	118%	
Health		14,400	14,400	2,400	8,719	6,319	263%	
Education and Welfare		819,933	819,933	196,879	219,757	22,878	12%	▲
Housing		85,140	85,140	14,190	6,361	(7,829)	(55%)	
Community Amenities		194,000	194,000	102,583	100,066	(2,517)	(2%)	
Recreation and Culture		509,884	509,884	118,221	134,825	16,604	14%	▲
Transport		360,744	360,744	55,000	68,003	13,003	24%	▲
Economic Services		79,000	79,000	13,167	22,818	9,651	73%	
Other Property and Services		74,068	74,068	12,345	5,824	(6,521)	(53%)	
		<b>10,632,263</b>	<b>10,632,263</b>	<b>8,667,026</b>	<b>8,646,080</b>			
<b>Expenditure from operating activities</b>								
Governance		(1,256,860)	(1,256,860)	(259,491)	(481,934)	(222,443)	(86%)	▼
General Purpose Funding		(161,878)	(161,878)	(26,980)	(55,517)	(28,537)	(106%)	▼
Law, Order and Public Safety		(173,561)	(173,561)	(29,873)	(16,944)	12,929	43%	▲
Health		(191,298)	(191,298)	(32,528)	(12,939)	19,589	60%	▲
Education and Welfare		(1,043,896)	(1,043,896)	(187,218)	(111,553)	75,665	40%	▲
Housing		(50,200)	(50,200)	(8,767)	(5,001)	3,766	43%	▲
Community Amenities		(2,854,492)	(2,854,492)	(480,573)	(132,543)	348,030	72%	▲
Recreation and Culture		(3,590,406)	(3,590,406)	(576,418)	(192,496)	383,922	67%	▲
Transport		(2,544,657)	(2,544,657)	(424,110)	(298,365)	125,745	30%	▲
Economic Services		(121,878)	(121,878)	(20,313)	167	20,480	101%	▲
Other Property and Services		(152,316)	(152,316)	(61,525)	21,701	83,226	135%	▲
		<b>(12,141,442)</b>	<b>(12,141,444)</b>	<b>(2,107,795)</b>	<b>(1,285,424)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		2,472,904	2,472,904	412,151	0	(412,151)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(7,700)	(7,700)	(7,700)	0	7,700	(100%)	
<b>Amount attributable to operating activities</b>		<b>2,465,204</b>	<b>2,465,204</b>	<b>404,451</b>	<b>0</b>			
<b>Investing Activities</b>								
Non-operating Grants, Subsidies and Contributions	11	881,867	881,867	328,747	328,747	0	0%	
Proceeds from Disposal of Assets	8	37,700	37,700	0	0	0		
Land and Buildings		(477,385)	(488,105)	0	(82,342)	(82,342)		▼
Infrastructure Assets - Roads		(1,314,300)	(1,314,300)	0	0	0		
Infrastructure Assets - Public Open Space		(396,720)	(446,000)	(14,167)	(22,319)	(8,153)	(58%)	
Infrastructure Assets - Footpaths		(247,132)	(247,132)	0	(615)	(615)		
Infrastructure Assets - Drainage		(100,000)	(100,000)	0	0	0		
Infrastructure Assets - Other		(393,000)	(433,000)	0	0	0		
Infrastructure Assets - Carparks		(494,000)	(494,000)	0	(2,932)			
Plant and Equipment		(319,320)	(219,320)	0	(211,874)	(211,874)		▼
Furniture and Equipment		(75,000)	(75,000)	0	0	0		
<b>Amount attributable to investing activities</b>		<b>(2,897,290)</b>	<b>(2,897,290)</b>	<b>314,580</b>	<b>8,665</b>			
<b>Financing Activities</b>								
Transfer from Reserves	7	1,242,814	1,242,814	1,242,814	0	(1,242,814)	(100%)	▼
(Transfer to Reserves)	7	(60,000)	(60,000)	(60,000)	(9,641)	50,360	84%	▲
<b>Amount attributable to financing activities</b>		<b>1,182,814</b>	<b>1,182,814</b>	<b>1,182,814</b>	<b>(9,641)</b>			
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>(2)</b>	<b>9,219,527</b>	<b>8,012,312</b>			
<b>Check against Net Current Assets</b>					<b>8,012,312</b>			<b>0</b>

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 31 August 2019

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Opening Funding Surplus (Deficit)</b>	3	\$ 758,451	758,451	758,451	\$ 652,631	\$ (105,820)	% (14%)	▼
<b>Revenue from operating activities</b>								
Rates	9	8,045,480	8,045,480	8,015,480	8,021,527	6,047	0%	
Operating Grants, Subsidies and Contributions	11	1,171,341	1,171,341	210,149	235,576	0	12%	
Fees and Charges		1,124,467	1,124,467	373,018	366,000	(7,018)	(2%)	
Interest Earnings		221,000	221,000	58,000	5,579	(52,421)	(90%)	▼
Other Revenue		62,275	62,275	10,379	17,398	7,019	68%	
Profit on Disposal of Assets	8	7,700	7,700	0	0			
		<b>10,632,263</b>	<b>10,632,263</b>	<b>8,667,026</b>	<b>8,646,080</b>			
<b>Expenditure from operating activities</b>								
Employee Costs		(4,126,285)	(4,126,285)	(706,634)	(635,442)	71,192	10%	▲
Materials and Contracts		(4,427,824)	(4,427,826)	(737,970)	(374,043)	363,927	49%	▲
Utility Charges		(320,000)	(320,000)	(53,333)	(40,545)	12,788	24%	▲
Depreciation on Non-Current Assets		(2,472,904)	(2,472,904)	(412,151)	0	412,151	100%	▲
Insurance Expenses		(167,605)	(167,605)	(83,803)	(135,521)	(51,718)	(62%)	▼
Other Expenditure		(626,824)	(626,824)	(113,905)	(99,872)	14,032	12%	▲
Loss on Disposal of Assets	8	0	0	0	0			
		<b>(12,141,442)</b>	<b>(12,141,444)</b>	<b>(2,107,795)</b>	<b>(1,285,424)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		2,472,904	2,472,904	412,151	0	(412,151)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(7,700)	(7,700)	(7,700)	0	7,700	(100%)	
<b>Amount attributable to operating activities</b>		<b>2,465,204</b>	<b>2,465,204</b>	<b>404,451</b>	<b>0</b>			
<b>Investing activities</b>								
Non-operating Grants, Subsidies and Contributions	11	881,867	881,867	328,747	328,747	0	0%	
Proceeds from Disposal of Assets	8	37,700	37,700	0	0	0		
Land and Buildings		(477,385)	(488,105)	0	(82,342)	(82,342)		▼
Infrastructure Assets - Roads		(1,314,300)	(1,314,300)	0	0	0		
Infrastructure Assets - POS		(396,720)	(446,000)	(14,167)	(22,319)	(8,153)	(58%)	
Infrastructure Assets - Footpaths		(247,132)	(247,132)	0	(615)	(615)		
Infrastructure Assets - Drainage		(100,000)	(100,000)	0	0	0		
Infrastructure Assets - Other		(393,000)	(433,000)	0	0	0		
Infrastructure Assets - Carparks		(494,000)	(494,000)	0	(2,932)			
Plant and Equipment		(319,320)	(219,320)	0	(211,874)	(211,874)		▼
Furniture and Equipment		(75,000)	(75,000)	0	0	0		
<b>Amount attributable to investing activities</b>		<b>(2,897,290)</b>	<b>(2,897,290)</b>	<b>314,580</b>	<b>8,665</b>			
<b>Financing Activities</b>								
Transfer from Reserves	7	1,242,814	1,242,814	1,242,814	0	(1,242,814)	(100%)	▼
(Transfer to Reserves)	7	(60,000)	(60,000)	(60,000)	(9,641)	50,360	84%	▲
<b>Amount attributable to financing activities</b>		<b>1,182,814</b>	<b>1,182,814</b>	<b>1,182,814</b>	<b>(9,641)</b>			
<b>Closing Funding Surplus (Deficit)</b>	3	<b>0</b>	<b>(2)</b>	<b>9,219,527</b>	<b>8,012,312</b>	<b>(1,207,215)</b>	<b>(13%)</b>	<b>▼</b>
<b>Check against Statement by Program</b>					<b>8,012,312</b>			
					<b>0</b>			

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 31 August 2019**

**Capital Acquisitions**

	Amended YTD Budget	Amended Annual Budget	YTD Actual Total	Variance (d) - (c)
	\$	\$	\$	\$
Land and Buildings	0	488,105	82,342	82,342
Infrastructure Assets - Roads	0	1,314,300	0	0
Infrastructure Assets - POS	14,167	446,000	22,319	8,153
Infrastructure Assets - Footpaths	0	247,132	615	615
Infrastructure Assets - Drainage	0	100,000	0	0
Infrastructure Assets - Other	0	433,000	0	0
Infrastructure Assets - Carparks	0	494,000	2,932	2,932
Plant and Equipment	0	219,320	211,874	211,874
Furniture and Equipment	0	75,000	0	0
<b>Capital Expenditure Totals</b>	<b>14,167</b>	<b>3,816,857</b>	<b>320,082</b>	<b>305,916</b>
<b>Capital acquisitions funded by:</b>				
Capital Grants and Contributions			<b>881,867</b>	
Other (Disposals & C/Fwd)			<b>37,700</b>	
Council contribution - Cash Backed Reserves:				
Vehicle, Plant and Equipment Reserve			<b>79,620</b>	
HACC Reserve			<b>100,000</b>	
Strategic Asset Management Reserve			<b>50,000</b>	
Committed Works Reserve			<b>737,885</b>	
Arts and Sculpture Reserve			<b>75,000</b>	
Council contribution - operations			<b>1,854,785</b>	
<b>Capital Funding Total</b>	<b>0</b>	<b>0</b>	<b>3,816,857</b>	

**Note 1: Significant Accounting Policies****(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

**(b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

**(c) Rounding Off Figures**

All figures shown in this statement are rounded to the nearest dollar.

**(d) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

**(e) Goods and Services Tax**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**(f) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

**(g) Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

**(h) Inventories****General**

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**Land Held for Resale**

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

**(i) Fixed Assets**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

**Note 1: Significant Accounting Policies****(j) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

<b>Asset</b>	<b>Years</b>
Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	50 years
seal	
bituminous seals	20 years
asphalt surfaces	25 years
Gravel Roads	
formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads	
formation	not depreciated
pavement	50 years
Footpaths - slab	40 years

**(k) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

**(l) Employee Benefits**

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

*(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)*

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

*(ii) Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

**(m) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

**Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

**(n) Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

**Note 1: Significant Accounting Policies****(o) Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

**(p) Nature or Type Classifications****Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service

**Operating Grants, Subsidies and Contributions**

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

**Non-Operating Grants, Subsidies and Contributions**

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

**Profit on Asset Disposal**

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure

**Fees and Charges**

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

**Service Charges**

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Interest Earnings**

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Other Revenue / Income**

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

**Employee Costs**

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

**Materials and Contracts**

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

**Utilities (Gas, Electricity, Water, etc.)**

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

**Insurance**

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

**Loss on asset disposal**

Loss on the disposal of fixed assets.

**Depreciation on non-current assets**

Depreciation expense raised on all classes of assets.

**Interest expenses**

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

**Other expenditure**

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.



## Note 1: Significant Accounting Policies

## (r) Program Classifications (Function/Activity)

City/Town/Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

**KEY TERMS AND DEFINITIONS - REPORTING PROGRAMS**

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Town's Community Vision, and for each of its broad activities/programs.

<b>PROGRAM NAME</b>	<b>OBJECTIVE</b>	<b>ACTIVITIES</b>
<b>GOVERNANCE</b>	To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of Council and the administrative support available assisting elected members and ratepayers on matters which do not concern specific council services but are strategic in nature.
<b>GENERAL PURPOSE FUNDING</b>	To collect revenue to allow for the allocation to services.	Rating, general purpose government grants and interest revenue.
<b>LAW, ORDER, PUBLIC SAFETY</b>	To provide services to ensure bushfire prevention, animal control and community safety.	Supervision and enforcement of various local laws and acts relating to fire prevention, animal control and other aspects of public safety including emergency services.
<b>HEALTH</b>	To provide an operational framework for environmental and community health.	Inspection of food outlets and their control, food quality testing, pest control, noise control, waste disposal compliance and child health services.
<b>EDUCATION AND WELFARE</b>	To provide assistance to senior citizens welfare and home and community care.	Provision and maintenance of home and community care programs including meals on wheels, in home care, home maintenance, senior outings, respite and school holiday programs.
<b>HOUSING</b>	To assist with housing for staff and the community.	Provision and maintenance of residential rental properties.
<b>COMMUNITY AMENITIES</b>	To provide community amenities and other infrastructure as required by the community.	Rubbish collection, recycling and disposal, joint maintenance of SMRC waste management facility, administration of Town Planning Schemes, heritage protection and townscapes, maintenance of urban stormwater drainage and protection of the environment.
<b>RECREATION AND CULTURE</b>	To plan, establish and efficiently manage sport and recreation infrastructure and resources which will help the social well being and health and community.	The provision and maintenance of various community infrastructure including public halls, recreation grounds, sports pavillions, playgrounds, parks, gardens, beaches and the joint operation of the City of Fremantle Library.
<b>TRANSPORT</b>	To provide safe, effective and efficient transport infrastructure to the community.	Construction and maintenance of streets, roads, footpaths, depots, cycleways, street trees, parking facilities, traffic control, cleaning and lighting of streets.
<b>ECONOMIC SERVICES</b>	To help promote the Town and improve its economic wellbeing.	The regulation and provision of tourism, area promotion activities and building control.
<b>OTHER PROPERTY AND SERVICES</b>	To monitor and control plant and depot operations, and to provide other property services not included elsewhere.	Private works operation, plant operating costs, depot operations and unclassified property functions.

**Note 2: 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
<b>Operating Revenues</b>	\$	%			
General Purpose Funding				Timing	No reportable variances
Governance				Timing	No reportable variances
Law, Order and Public Safety				Timing	No reportable variances
Health				Timing	No reportable variances
Education and Welfare				Timing	No reportable variances
Housing				Timing	No reportable variances
Community Amenities				Timing	No reportable variances
Recreation and Culture				Timing	No reportable variances
Transport				Timing	No reportable variances
Economic Services				Timing	No reportable variances
Other Property and Services				Timing	No reportable variances
<b>Operating Expense</b>					
Governance	(222,443)	(86%)		Timing	Timing of fixed costs, depreciation and ABCs not processed
General Purpose Funding	(28,537)	(106%)		Timing	Timing of fixed costs, depreciation and ABCs not processed
Law, Order and Public Safety	12,929	43%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Health	19,589	60%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Education and Welfare	75,665	40%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Housing	3,766	43%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Community Amenities	348,030	72%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Recreation and Culture	383,922	67%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Transport	125,745	30%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Economic Services	20,480	101%		Timing	Timing of fixed costs, depreciation and ABCs not processed
Other Property and Services	83,226	135%		Timing	Timing of fixed costs, depreciation and ABCs not processed
<b>Capital Revenues</b>					
Proceeds from Disposal of Assets				Timing	No reportable variances
<b>Capital Expenses</b>					See appended Capital Works Report to the Monthly Financial Statements
Land and Buildings					
Infrastructure Assets - Roads					
Infrastructure Assets - POS					
Infrastructure Assets - Footpaths					
Infrastructure Assets - Drainage					
Infrastructure Assets - Other					
Infrastructure Assets - Carparks					
Plant and Equipment					
Furniture and Equipment					

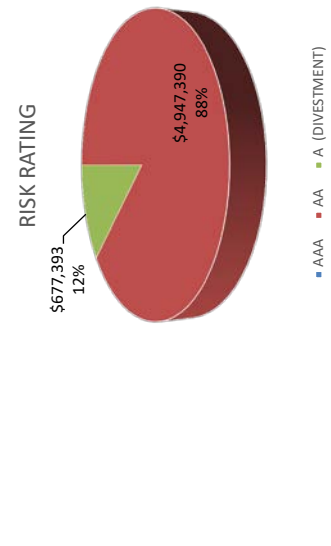
TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 31 August 2019

Note 4: Cash and Investments

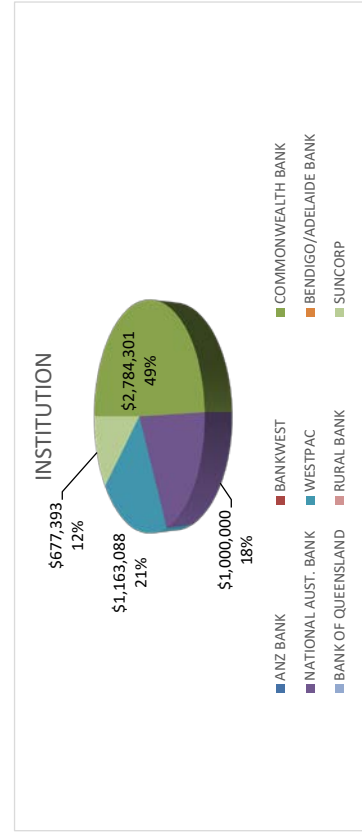
	Unrestricted	Restricted	Trust	Total Amount	Institution	Risk Rating (LT)	Interest Rate	Maturity Date
	\$	\$	\$	\$				
<b>(a) Cash Deposits</b>								
Municipal Bank Account - On-Call	429,850			429,850	CBA	AA-	1.45%	At Call
Municipal Bank Account	1,075,428			1,075,428	CBA	AA-		At Call
Reserve Bank Account		36		36	CBA	AA-		At Call
Trust Bank Account			72,997	72,997	CBA	AA-		At Call
Cash On Hand	1,100			1,100	Petty Cash/Till/ Float		Nil	On Hand
Outstanding Transfer from Reserve to Municipal Account	77,395			77,395				
<b>(b) Term Deposits</b>								
Municipal	1,000,000			1,000,000	NAB	AA-	1.70%	26-Nov-19
Trust			677,393	677,393	SUNCORP	A+	2.07%	17-Sep-19
Outstanding Transfer from Reserve to Municipal Account		(77,395)		(77,395)				
Reserves		1,163,088		1,163,088	WESTPAC	AA-	2.20%	10-Oct-19
Reserves		1,205,990		1,205,990	CBA	AA-	1.54%	11-Nov-19
<b>Total</b>	<b>2,583,773</b>	<b>2,291,720</b>	<b>750,390</b>	<b>5,625,883</b>				
Less Cash on Hand	(1,100)			(1,100)				
	2,582,673			5,624,783				

Comments/Notes - Investments and Cash Deposits

(LT) RISK RATING	PORTFOLIO	\$	%
AAA	MAX 100%		
AA	MAX 100%	\$4,947,390	87.96%
A (DIVESTMENT)	MAX 80%	\$677,393	12.04%
		<b>\$5,624,783</b>	<b>100.00%</b>



INSTITUTION	\$	%	(LT) RISK
ANZ BANK			AA-
BANKWEST			AA-
COMMONWEALTH BANK	\$2,784,301	49.50%	AA-
NATIONAL AUSTRALIAN BANK	\$1,000,000	17.78%	AA-
WESTPAC	\$1,163,088	20.68%	AA-
BENDIGO/ADELAIDE BANK			BBB+
BANK OF QUEENSLAND			BBB+
RURAL BANK			BBB+
SUNCORP	\$677,393	12.04%	A+
	<b>\$5,624,783</b>	<b>100.00%</b>	



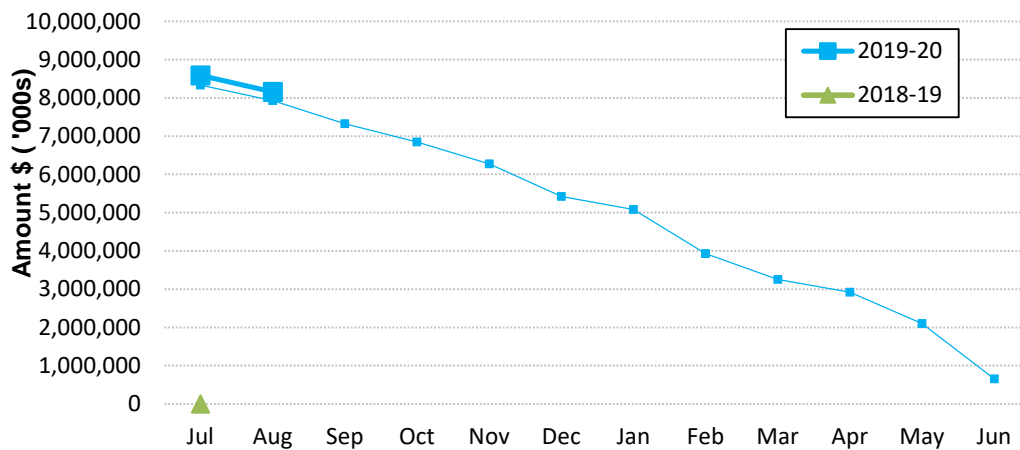
**TOWN OF EAST FREMANTLE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 August 2019**

**Note 3: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2019	31 Aug 2019
		\$	\$
<b>Current Assets</b>			
Cash Unrestricted	4	1,909,181	2,583,773
Cash Restricted - Reserves	4	2,282,079	2,291,719
Receivables - Rates	6	88,461	6,990,753
Receivables - Other	6	154,027	720,040
Interest / ATO Receivable/Trust			
Inventories		0	0
		4,433,748	12,586,285
<b>Less: Current Liabilities</b>			
Payables		(888,734)	(1,671,472)
Provisions		(610,303)	(610,782)
		(1,499,037)	(2,282,254)
Less: Cash Reserves	7	(2,282,079)	(2,291,719)
<b>Net Current Funding Position</b>		<b>652,631</b>	<b>8,012,312</b>

**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 31 August 2019

**Note 5: Budget Amendments**  
Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption		Opening Surplus	\$	\$	\$	\$
	Permanent Changes						
				0	0	0	0
				0	0	0	0
				0	0	0	0
				0	0	0	0

TOWN OF EAST FREMANTLE  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

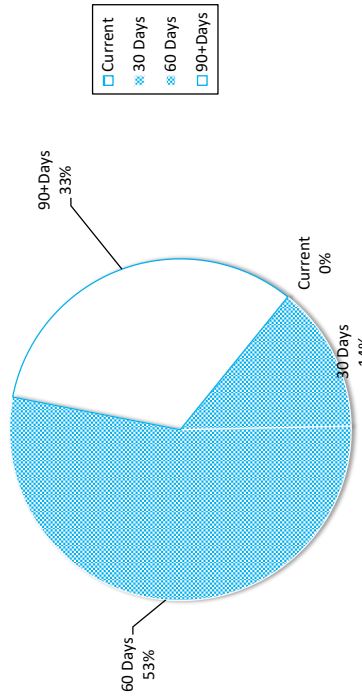
For the period ending 31 August 2019

Receivables - Rates Receivable	31 August 2019	30 June 2019	Current	30 Days	60 Days	90+Days	Total
Opening Arrears Previous Years	\$ 133,299	\$ 220,065	\$ 425,610	\$ 24,164	\$ 4,500	\$ 27,578	481,853
Rates, ESL and Service Charges Levied this year	9,833,651	9,684,412					84,236
Less Collections to date	2,863,206	(9,551,113)					
Equals Current Outstanding (as per TB)	6,970,446	133,299					27,000
<b>Net Rates Collectable</b>	<b>6,970,446</b>	<b>133,299</b>					<b>593,089</b>
% Outstanding	70%						

Amounts shown above include GST (where applicable)

Control Account	GL	Balance
Sundry Debtors	104	481,853
SSL - Current EFTC	114	3,000
SSL - Non-Current EFTC	1684	24,000
Parking Debtors	180	84,236
		<b>593,089</b>

Note 6 - Accounts Receivable (non-rates)



Printed at: 02/09/19  
Page No: 1  
Options: Year 19/20, From Month 02, By Responsible Officer (RATES RATES LEDGER REPORTING)

Town of East Fremantle  
(mmGLTrialBalance)

RespOf	Account	Description	Opening Bal	Movement	Balance
RATES	10001240	Current Assets - Trade and Other Receivables	-25,166.82	-21,318.80	-46,485.62
RATES	10001110	Rates Outstanding - Excess Rates	1,421,064.73	-389,158.04	1,031,906.69
RATES	10001060	Current Assets - Trade and Other Receivables	8,167,568.17	-2,227,181.89	5,940,386.28
RATES	10001070	Non-Current Assets - Trade and Other Receivables - Rates Outstanding - Deferred Rates	44,838.24	0.00	44,838.24
Total	RATES		9,608,104.32	-2,637,658.73	6,970,445.59
Total for division	GEN		9,608,104.32	-2,637,658.73	6,970,445.59
Grand Total			9,608,104.32	-2,637,658.73	6,970,445.59

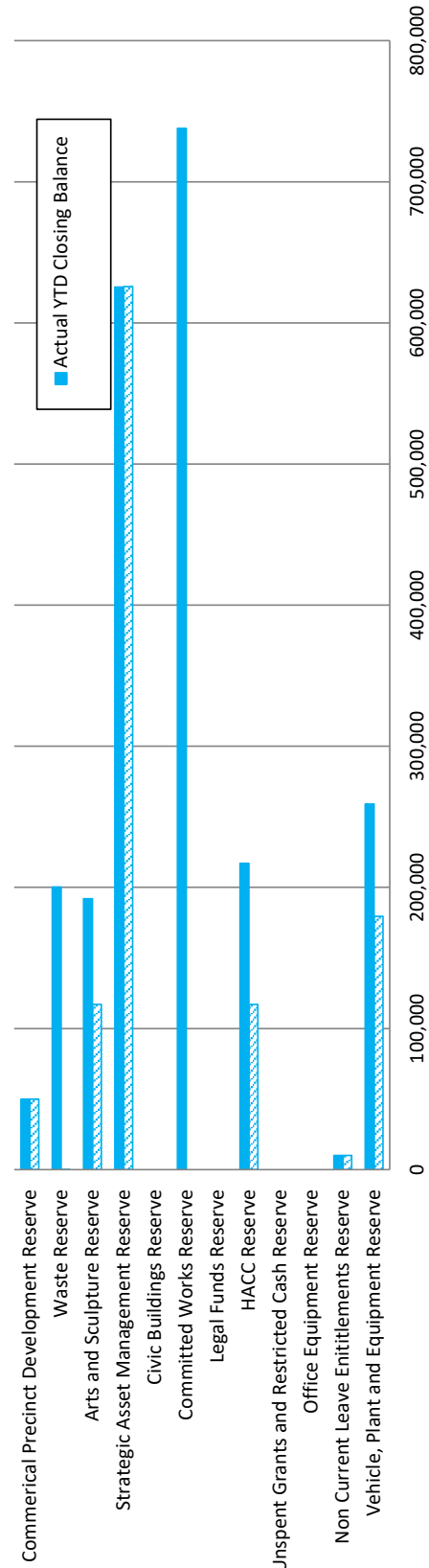
Comments/Notes - Receivables General  
[Insert explanatory notes and commentary on trends and timing]

TOWN OF EAST FREMANTLE  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 31 August 2019

Note 7: 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	\$ 259,150	\$ 0	\$ 0	\$ 0	\$ (79,620)	\$ 0	\$ 179,530	\$ 259,150
Non Current Leave Entitlements Reserve	10,000	0	0	0	0	0	10,000	10,000
Office Equipment Reserve	0	0	0	0	0	0	0	0
Unspent Grants and Restricted Cash Reserve	217,037	0	0	0	(100,000)	0	117,037	217,037
HACC Reserve	0	0	0	0	0	0	0	0
Legal Funds Reserve	737,885	0	0	0	(737,885)	0	0	737,885
Committed Works Reserve	0	0	0	0	0	0	0	0
Civic Buildings Reserve	615,677	60,000	9,641	9,641	(50,000)	0	625,677	625,317
Strategic Asset Management Reserve	192,022	0	0	0	(75,000)	0	117,022	192,022
Arts and Sculpture Reserve	200,308	0	0	0	(200,309)	0	(1)	200,308
Waste Reserve	50,000	0	0	0	0	0	50,000	50,000
Commercial Precinct Development Reserve	2,282,079	60,000	0	9,641	(1,242,814)	0	1,099,265	2,291,719

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 31 August 2019**

**Note 8: Disposal of Assets**

Asset Number	Asset Description	2019/20					
		YTD Actual			Amended Budget		
		Net Book Value	Proceeds	Profit (Loss)	Net Book Value	Proceeds	Profit (Loss)
		\$	\$	\$	\$	\$	\$
	<b>Plant and Equipment</b>						
PE270	Toro Groundmaster 3500D (P4082)	10,000	10,000	0	10,000	10,000	0
PE268	Toro Z Master 7000 (P4075)	0	7,700	7,700	0	7,700	7,700
PEMV259	CEO Vehicle	20,000	20,000	0	20,000	20,000	0
		<b>0</b>	<b>0</b>	<b>0</b>	<b>30,000</b>	<b>37,700</b>	<b>7,700</b>
							<b>0</b>



TOWN OF EAST FREMANTLE  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

Note 9: Rating Information

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	YTD Actual			Amended Budget				
				Rate Revenue \$	Interim Rates \$	Back Rates \$	Rate Revenue \$	Interim Rate \$	Back Rate \$	Total Revenue \$	
<b>Differential General Rate</b>											
Residential GRV	0.069949	3,010	91,297,417	6,386,163			6,385,878	30,000			6,415,878
Commercial GRV	0.106227	123	12,451,307	1,322,665			1,318,318				1,318,318
<b>Sub-Totals</b>	<b>Minimum</b>	<b>3,133</b>	<b>103,748,724</b>	<b>7,708,828</b>	<b>0</b>	<b>0</b>	<b>7,704,196</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>7,734,196</b>
<b>Minimum Payment</b>	<b>\$</b>										
Residential GRV	1,106.00	264	3,560,073	291,984			293,090				293,090
Commercial GRV	1,654.00	11	146,106	18,194			18,194				18,194
<b>Sub-Totals</b>		<b>275</b>	<b>3,706,179</b>	<b>310,178</b>	<b>0</b>	<b>0</b>	<b>311,284</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>311,284</b>
<b>Amount from General Rates</b>		<b>3,408</b>	<b>107,454,903</b>	<b>8,019,006</b>	<b>0</b>	<b>0</b>	<b>8,015,480</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>8,045,480</b>
<b>Totals</b>				<u><b>8,019,006</b></u>			<u><b>8,019,006</b></u>				<u><b>8,045,480</b></u>
											<u><b>8,045,480</b></u>

**TOWN OF EAST FREMANTLE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 August 2019**

**Note 10: Information on Borrowings**  
 (a) Debenture Repayments

Particulars	01 Jul 2019	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
Governance		\$	\$	\$	\$	\$	\$	\$	\$
Housing									
Recreation and Culture									
		0	0	0	0	0	0	0	0

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

TOWN OF EAST FREMANTLE  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 August 2019

Note 11: Grants and Contributions

Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Amended Budget Operating	YTD Budget Capital	YTD Budget	Annual Budget (d)	Expected (d)+(e)	YTD Actual Revenue
<b>General Purpose Funding</b>										
Grants Commission - General	United - General Purpose	NA	NA	Operating	83,655	0	20,914	83,655	83,655	19,432
Grants Commission - Roads	United - Road	NA	NA	Operating	34,259	0	8,565	34,259	34,259	8,482
<b>Education and Welfare</b>										
Home and Community Care Program	Commonwealth Home Support Programme			Operating	722,683	0	180,671	722,683	722,683	189,538
<b>Community Amenities</b>										
Recycling Grant	Better Bins Program			Operating	51,000	0	0	51,000	51,000	0
<b>Recreation and Culture</b>										
Minor Grants - Rec and Culture	Business Case	To be applied for		Operating	50,000	0	0	50,000	50,000	0
East Fremantle Oval Redevelopment		To be applied for		Operating	50,000	0	0	50,000	50,000	0
Foreshore Erosion		Grant Unsuccessful		Operating	129,000	0	0	129,000	129,000	0
East Fremantle Festival	Lotterywest			Operating	20,000	0	0	20,000	20,000	0
<b>Transport</b>										
Roads To Recovery Grant - Cap	Road Renewal	31-Oct	Audited Annual Report	Non-operating		60,000	0	60,000	60,000	0
Regional Road Group - Cap	Road Renewal	31-May	Certificate of Completion	Non-operating		821,867	328,747	821,867	821,867	328,747
Direct Grant	Direct Grant	July	GST Free Invoice	Operating	18,024	0	0	18,024	18,024	18,124
Street Lighting Subsidy	Street Lighting Subsidy	September		Operating	4,800	0	0	4,800	4,800	0
Stirling Bridge Verge Maintenance Agreement	Stirling Highway Verge Maint. Agreement	September		Operating	7,920	0	0	7,920	7,920	0
<b>TOTALS</b>					<b>1,171,341</b>	<b>881,867</b>	<b>538,896</b>	<b>2,053,208</b>	<b>2,053,208</b>	<b>564,323</b>
<b>SUMMARY</b>										
Operating	Operating Grants, Subsidies and Contributions				1,171,341	0	0	1,171,341	1,171,341	235,576
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions				0	0	0	0	0	0
Non-operating	Non-operating Grants, Subsidies and Contributions				0	881,867	0	881,867	881,867	328,747
<b>TOTALS</b>					<b>1,171,341</b>	<b>881,867</b>	<b>0</b>	<b>2,053,208</b>	<b>2,053,208</b>	<b>564,323</b>
<b>Pending Grants:</b>										
Grant Provider	Purpose of Grant	Date Applied	Expected Date of Outcome	Type	Amount Applied	Required Co Contribution				

**LEGEND**

- █ Under Budget by 10% or more (YTD Actual against YTD Budget)
- █ 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
- █ FYI - Less than 20% expenditure spent (Total Committed against Current Budget)

Budget Year: 19/20  
 Data as at: Monday, 26 August 2019

Run at 6:30AM on 26/08/2019  
 15% of Year Lapsed

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
<b>04 - GOVERNANCE</b>									
<b>042 - ADMINISTRATION</b>									
<b>Capital Expenditure</b>									
E04601		Plant Replacement - CEO Vehicle	45,000	0	0	0	0	-100.00%	0%
E04604		Buildings - Town Hall Remedial Works	15,000	0	0	0	0	-100.00%	0%
E04606		Furniture and Equipment	40,000	0	0	11,031	11,031	-72.42%	28%
E04620		Town Hall AV Equipment	35,000	0	0	0	0	-100.00%	0%
		<b>Capital Expenditure Total</b>	<b>135,000</b>	<b>0</b>	<b>0</b>	<b>11,031</b>	<b>11,031</b>		
<b>08 - WELFARE</b>									
<b>081 - PRE SCHOOL</b>									
<b>Capital Expenditure</b>									
E06601		Buildings - Richmond Pre-Primary School	20,000	0	0	0	0	-100.00%	0%
		<b>Capital Expenditure Total</b>	<b>20,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>082 - CARE OF FAMILIES &amp; CHILDREN</b>									
<b>Capital Expenditure</b>									
E08601		Buildings - Tricolore Community Centre	100,000	0	0	0	0	-100.00%	0%
		<b>Capital Expenditure Total</b>	<b>100,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>083 - OTHER WELFARE</b>									
<b>Capital Expenditure</b>									
E08613		Glyde-In Community Learning Centre	30,000	0	0	0	0	-100.00%	0%
		<b>Capital Expenditure Total</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>10 - COMMUNITY AMENITIES</b>									
<b>101 - SANITATION-HOUSEHOLD REFUSE</b>									
<b>Capital Expenditure</b>									
E10608		3 Bin FOGO Implementation	0	0	184,370	8,894	193,264	No Budget	
		<b>Capital Expenditure Total</b>	<b>0</b>	<b>0</b>	<b>184,370</b>	<b>8,894</b>	<b>193,264</b>		
<b>104 - OTHER COMMUNITY AMENITIES</b>									
<b>Capital Expenditure</b>									
E10605		Inf - Jetty Treatment and Major Maintenance Program - Infrastructure CapEx	25,000	0	0	0	0	-100.00%	0%
E10629		Public Toilet - Capital	0	0	62,474	48,636	111,110	No Budget	
		<b>Capital Expenditure Total</b>	<b>25,000</b>	<b>0</b>	<b>62,474</b>	<b>48,636</b>	<b>111,110</b>		
<b>11 - RECREATION AND CULTURE</b>									
<b>111 - SWIMMING AREAS/BEACHES</b>									
<b>Capital Expenditure</b>									
E11687		Inf - Swimming Areas - Foreshore Erosion Control	238,000	0	0	0	0	-100.00%	0%

Budget Year: 19/20  
 Data as at: Monday, 26 August 2019

Run at 6:30AM on 26/08/2019  
 15% of Year Lapsed

REPORT 12.2.1

ATTACHMENT 3

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
E11699		Inf - Dinghy Storage Units	40,000	0	0	0	0	-100.00%	0%
<b>Capital Expenditure Total</b>			<b>278,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>112 - OTHER RECREATION &amp; SPORT</b>									
<b>Capital Expenditure</b>									
E11600		East Fremantle Football Club Roof Repairs-CapEx	30,000	0	0	0	0	-100.00%	0%
E11607		EF Bowling Club - Building Renewal CAPEX	22,000	0	0	0	0	-100.00%	0%
E11608		Buildings - EF Tricolore Soccer Club	10,720	0	0	0	0	-100.00%	0%
E11613		Inf - Dog Park Fencing and Equipment	35,000	0	0	0	0	-100.00%	0%
E11617		Infir Foreshore - Restore Steps	10,000	0	0	0	0	-100.00%	0%
E11630		Infra - Public Open Space - Lighting	25,000	0	0	0	0	-100.00%	0%
E11633		Inf - Cliff Management - Niegerrup Track	45,000	0	0	0	0	-100.00%	0%
E11633	E11633	NEIGARUP TRACK PROTECTION	45,000	0	0	0	0	-100.00%	0%
E11641		Inf - Gourley Park	15,000	0	0	0	0	-100.00%	0%
E11649		Park Bins and Dog Bag Dispensers	27,000	0	2,942	6,300	9,242	-65.77%	34%
E11666		Inf - Playground Equipment Upgrade Program - Various Locations	25,000	0	0	5,400	5,400	-78.40%	22%
E11667		Inf - Parks - Community Garden	25,000	0	0	0	0	-100.00%	0%
E11695		Inf - Chapman Reserve - Returfing and Irrigation	170,000	0	0	2,535	2,535	-98.51%	1%
E11707		Purchase of Plant and Equipment - Parks and Ovals	122,320	0	0	0	0	-100.00%	0%
E11708		Richmond Raceway - Security Bars	15,000	0	0	0	0	-100.00%	0%
E11711		EF Tennis Club - Contribution to Building Upgrades/Universal Toilet	100,000	0	0	0	0	-100.00%	0%
E11712		INF - Bore Replacement Parks and Ovals	66,000	0	0	0	0	-100.00%	0%
E11713		INF - Parks/ Reserve Sign Replacement	85,000	14,167	22,319	13,437	35,756	-57.93%	42%
<b>Capital Expenditure Total</b>			<b>873,040</b>	<b>14,167</b>	<b>25,261</b>	<b>27,672</b>	<b>52,933</b>		
<b>114 - OTHER CULTURE</b>									
<b>Capital Expenditure</b>									
E11685		Inf-Acquisition of Public Art (Outdoor Sculpture) - CapEx - Other Culture	75,000	0	0	7,191	7,191	-90.41%	10%
<b>Capital Expenditure Total</b>			<b>75,000</b>	<b>0</b>	<b>0</b>	<b>7,191</b>	<b>7,191</b>		
<b>12 - TRANSPORT</b>									
<b>121 - CONSTR STS ROADS &amp; BRIDGES/DEP</b>									
<b>Capital Expenditure</b>									
E12616		Inf. Roads - Marmion Street Median Strip	16,500	0	0	0	0	-100.00%	0%
<b>Capital Expenditure Total</b>			<b>16,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>122 - MAINT STREETS ROADS &amp; BRIDGES</b>									
<b>Capital Expenditure</b>									
E12626		Inf - Footpath - Fletcher St	23,000	0	0	0	0	-100.00%	0%
E12645		Infra - Footpath Renewal - Staton Road	26,000	0	0	0	0	-100.00%	0%
E12668		Inf - Footpath - Reynolds Street	15,000	0	0	0	0	-100.00%	0%
E12671		Stormwater Audit	0	0	0	47,736	47,736	No Budget	
E12676		Inf - Roads - Allen Street - Widen Road Pavement	0	0	0	0	0	-100.00%	0%
E12699		Inf - Footpath - Canning HWay	130,582	0	0	0	0	-100.00%	0%
E12710		Infra - Roads - Fraser Street - Asphalt Resurfacing	45,000	0	0	0	0	-100.00%	0%

Budget Year: 19/20  
 Data as at: Monday, 26 August 2019

Run at 6:30AM on 26/08/2019  
 15% of Year Lapsed

**REPORT 12.2.1**

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
E12726		Inf - Roads - Glyde Street (North) - Asphalt Resurfacing	0	0	0	0	0		
E12761		Inf - Drainage	100,000	0	0	0	0	-100.00%	0%
E12763		Inf - Footpath Renewal - Bolton St.	17,550	0	0	0	0	-100.00%	0%
E12784		Inf - Roads - Road Resurfacing - Riverside Road	1,232,800	0	0	1,450	1,450	-99.88%	0%
E12786		Inf - Roads - View Terrace	20,000	0	0	0	0	-100.00%	0%
E12789		Inf - Footpath Renewal - Allen Street	35,000	0	535	20,670	21,205	-39.42%	61%
<b>Capital Expenditure Total</b>			<b>1,644,932</b>	<b>0</b>	<b>535</b>	<b>69,856</b>	<b>70,391</b>		
<b>123 - ROAD PLANT</b>									
<b>Capital Expenditure</b>									
E12613		Plant and Equipment Purchases - Transport	0	0	0	0	0		
E12701		Plant and Equip. - Solar Powered Variable Message Trailer	25,000	0	0	25,448	25,448	1.79%	102%
<b>Capital Expenditure Total</b>			<b>25,000</b>	<b>0</b>	<b>0</b>	<b>25,448</b>	<b>25,448</b>		
<b>124 - PARKING FACILITIES</b>									
<b>Capital Expenditure</b>									
E12737		Inf - Carpark Tricolore Community Centre and Sports Field	337,000	0	0	9,533	9,533	-97.17%	3%
E12739		Inf - Carpark Upgrades and Machines Leeuwin	157,000	0	0	0	0	-100.00%	0%
<b>Capital Expenditure Total</b>			<b>494,000</b>	<b>0</b>	<b>0</b>	<b>9,533</b>	<b>9,533</b>		
<b>14 - OTHER PROPERTY AND SERVICES</b>									
<b>144 - UNCLASSIFIED PROPERTY</b>									
<b>Capital Expenditure</b>									
E14601		Buildings - Renewals and Electrical Services	100,000	0	0	71,727	71,727	-28.27%	72%
E14604		Depot Administration Building and Surrounds	45,385	0	19,626	167	19,793	-56.39%	44%
<b>Capital Expenditure Total</b>			<b>145,385</b>	<b>0</b>	<b>19,626</b>	<b>71,895</b>	<b>91,520</b>		
<b>GRAND TOTAL</b>			<b>3,861,857</b>	<b>14,167</b>	<b>292,266</b>	<b>280,154</b>	<b>572,420</b>		

---

### 12.2.2 Accounts for Payment – August 2019

<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Peter Kocian, Executive Manager, Corporate Service
<b>Supervised by</b>	Peter Kocian, Executive Manager, Corporate Services
<b>Meeting Date</b>	17 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	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*.





**12.2.2 OFFICER RECOMMENDATION**

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

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

<b>TOWN OF EAST FREMANTLE</b>					
List of Accounts paid by the Chief Executive for August 2019 & submitted for the information of the Council Meeting to be held on 17 September 2019					
<b>Cheque</b>	<b>Payment Date</b>	<b>Supplier</b>	<b>Description</b>	<b>Inv Amount</b>	<b>Cheque</b>
<b>CHEQUES</b>				<b>\$</b>	<b>\$</b>
5238	05/08/2019	DEPARTMENT OF TRANSPORT	12 MONTHS VEHICLE REGISTRATION FOR FLEET VEHICLES	8,794.25	8,794.25
5239-5242		CANCELLED PRINTER ERROR		0.00	0.00
5243	09/08/2019	TOWN OF EAST FREMANTLE	ADMIN PETTY CASH RECOUP 31/07/19	144.35	144.35
5244	09/08/2019	WATER CORPORATION	WATER USE & SERVICE CHARGES VARIOUS LOCATIONS	4,550.44	4,550.44
5245	09/08/2019	OPERATION SUNSHINE	TOWN OF EAST FREMANTLE STAFF CHARITABLE DONATION	375.00	375.00
5246	09/08/2019	THE SALVATION ARMY	TOWN OF EAST FREMANTLE STAFF CHARITABLE DONATION	375.00	375.00
5247	16/08/2019	TOWN OF EAST FREMANTLE	RESPIRE CENTRE PETTY CASH RECOUP 08/08/19	433.65	433.65
5248	16/08/2019	WATER CORPORATION	WATER USE & SERVICE CHARGES VARIOUS LOCATIONS	1,247.08	1,247.08
5249	16/08/2019	THE PROBUS CLUB OF EF	COMMUNITY ASSISTANCE GRANTS 2019-2020 - REFERENCE COUNCIL RESOLUTION 050719	964.00	964.00
5250	23/08/2019	WATER CORPORATION	WATER USE & SERVICE CHARGES VARIOUS LOCATIONS	781.94	781.94
			<b>CHEQUE TOTAL</b>	<b>\$ 17,665.71</b>	<b>\$ 17,665.71</b>
<b>EFTs</b>		<b>Supplier</b>	<b>Description</b>	<b>Inv Amount</b>	<b>EFT</b>
EFT28128	01/08/2019	NEVILLE PRINGLE	REFUND FOR OVER CHARGE RELATING TO HACC FEES FOR CENTRE BASED MEALS	120.00	120.00
EFT28129	09/08/2019	RANDSTAD PTY LTD	RELIEF OPERATIONS MANAGER WE 05/07/19, RELIEF OPERATIONS MANAGER WE 12/07/19, RELIEF OPERATIONS MANAGER W/E 28/07/19	3,670.05 3,283.72 3,670.04	  10,623.81
EFT28130	09/08/2019	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS JULY 19	77.70	77.70
EFT28131	09/08/2019	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JULY 19	426.09	426.09
EFT28132	09/08/2019	BUNNINGS	VARIOUS ITEMS FOR DEPOT VARIOUS ITEMS FOR DEPOT VARIOUS HARDWARE FOR DEPOT	406.14 91.64 49.84	  547.62
EFT28133	09/08/2019	BOORAGOON TYRE SERVICE	FUSO TILT TIP - SUPPLY & FIT 2 X FRONT TYRES	826.00	826.00
EFT28134	09/08/2019	BOC LIMITED	CONTAINER SERVICES 29/05/2019-27/06/2019	45.16	45.16
EFT28135	09/08/2019	COMMUNITY NEWSPAPERS	ADVERT - PARTIAL CLOSURE GLASSON PARK FOR TOILET CONSTRUCTION FOGO ROLLOUT ADVERT (QUARTER PAGE 4 July) FOGO ROLLOUT ADVERT (QUARTER PAGE 11 July) FOGO ROLLOUT ADVERT (QUARTER PAGE 18 July) FOGO ROLLOUT ADVERT (QUARTER PAGE 25 July)	736.16 736.16 736.16 736.16	
EFT28136	09/08/2019	EAST FREMANTLE FOOTBALL CLUB	ANNUAL CONTRIBUTION 19/20 TO GROUND MAINTENANCE AS PER AGREEMENT JULY 19 - JUNE 20	27,500.00	27,500.00
EFT28137	09/08/2019	EAST FREMANTLE BOWLING CLUB	ONE OFF SUPPORT PAYMENT AS PER BUDGET - NO AGREEMENT ASSOCIATED, NO ACQUITTAL REQUIRED	24,200.00	24,200.00
EFT28138	09/08/2019	FREMANTLE HERALD	ADVERTISING SPECIAL COUNCIL MEETING 27/7/19 EDITION ADVERTISING MOORING PEN VACANCIES 3/8/19 EDITION	101.24 151.87	 253.11
EFT28139	09/08/2019	IT VISION	FINAL INVOICE JUNE 19 - INTERNAL PROJECT SUPPORT & IMPLEMENTATION ASSISTANCE	26,341.70	26,341.70
EFT28140	09/08/2019	LOCAL HEALTH AUTHORITIES ANALYTICAL COMM	ENVIRONMENTAL SAMPLES - ANALYTICAL SERVICES 19/20	1,979.18	1,979.18
EFT28141	09/08/2019	MAYOR JIM O'NEILL	MAYORAL ALLOWANCE, SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	4,416.68	4,416.68
EFT28142	09/08/2019	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	DOMESTIC AND COMMERCIAL REFUSE & RECYCLING COLLECTION JUNE 19 WASTE & RECYCLING COLLECTION 48-50 ALEXANDRA ROAD-JULY 19	29,169.19 412.68	 29,581.87
EFT28143	09/08/2019	WORK CLOBBER	UNIFORMS FOR RANGER	162.00	162.00
EFT28144	09/08/2019	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS	12,976.75	12,976.75
EFT28145	09/08/2019	YOUNGS PLUMBING SERVICE P/L	EMERGENCY WORKS AT 9 CANNING HIGHWAY - WATER LEAK IN VERGE	151.80	151.80
EFT28146	09/08/2019	MAJOR MOTORS	MECHANICAL REPAIR FOR BUS 1DTB 605 REPLACED POSITION SWITCH (TRANSMISSION FAULT)	882.06	882.06
EFT28147	09/08/2019	FASTA COURIERS	COURIER COSTS JUNE 19 - 15/06/19 - 30/06/19	249.35	249.35
EFT28148	09/08/2019	SMRC LOAN REPAYMENT ACCOUNT	ADDITIONAL GURANTEEE FEE - LESS AMOUNT ALREADY INVOICED	191.47	191.47
EFT28149	09/08/2019	STEANN PTY LTD	REMOVAL OF GREEN WASTE FROM BUND - JULY 2019	1,540.00	1,540.00
EFT28150	09/08/2019	MELVILLE MITSUBISHI	MECHANICAL SERVICE FOR BUS 1DXU938	500.00	500.00
EFT28151	09/08/2019	FLEXI STAFF PTY LTD	CASUAL LABOUR HIRE WE 5/7/19 CASUAL LABOUR HIRE WE 12/07/19 CASUAL LABOUR HIRE WE 26/7/19	1,952.94 1,987.59 1,848.99	  5,789.52
EFT28152	09/08/2019	SOUTHERN METROPOLITAN REGIONAL COUNCIL	MSW GATE FEES FOR JULY 2019 01/07/19 - 15/07/19	16,402.32	16,402.32
EFT28153	09/08/2019	DEPT OF MINES, INDUSTRY REGULATION & SAFETY (FORMALLY BUILDING COMMISSION)	BSL COLLECTED JULY 19	396.55	396.55
EFT28154	09/08/2019	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	LG PROFESSIONALS CORPORATE COUNCIL MEMBERSHIP 19/20, 1 X 19/20 MEMBERSHIP LOCAL GOVERNMENT PROFESSIONALS 1 X 19/20 AFFILIATE MEMBERSHIP LOCAL GOVERNMENT PROFESSIONALS	2,343.00 531.00 185.00	  3,059.00
EFT28155	09/08/2019	HAVILAH LEGAL	PROFESSIONAL FEES - COSTS ASSOCIATED WITH DEBT RECOVERY RATES PROFESSIONAL FEES - COSTS ASSOCIATED WITH DEBT RECOVERY RATES	22.00 165.00	 187.00
EFT28156	09/08/2019	SATELLITE SECURITY SERVICES	SECURITY MONITORING 01/05/19 - 31/08/19 - DOVENBY HOUSE, ADMIN, DEPOT, OLD POLICE STATION	903.18	903.18
EFT28157	09/08/2019	VISIMAX SAFETY PRODUCTS	1 x SAFETY VEST - HIVIS, 8 x RANGER SHOULDER PATCHES + DELIVERY	210.10	210.10
EFT28158	09/08/2019	CR. JENNY HARRINGTON	SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	1,542.00	1,542.00
EFT28159	09/08/2019	WOOLWORTHS SUPERMARKETS	RESPIRE CENTRE GROCERIES 23/07/19	161.25	

			RESPIRE CENTRE GROCERIES 29/07/19	188.62	349.87
EFT28160	09/08/2019	GFORCE PRINTING & DESIGN INCORPORATING SIMNETT	FOUR SELF INKED STAMPS (BLACK) WITH DELIVERY	433.69	433.69
EFT28161	09/08/2019	CR. CLIFF COLLINSON	SITTING FEES FOR AUGUST 19	1,292.00	1,292.00
EFT28162	09/08/2019	CR. DEAN NARDI	SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	1,542.00	1,542.00
EFT28163	09/08/2019	LANDSCAPE YARD O'CONNOR	SAND FOR BACKFILLING HOLES AND TOP DRESSING IN THE TOWN ALLEN STREET UNITS BACKFILL - LAWN SAND	114.00 216.60	330.60
EFT28164	09/08/2019	LIMESTONE BUILDING BLOCK CO. PTY. LTD	18 X 500 X 350 X 240 LIMESTONE BLOCKS	154.80	154.80
EFT28165	09/08/2019	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH FEES - 19/20 - INVOICED MONTHLY - JUNE 19 - 7 SUCCESSFUL & 20 UNSUCCESSFUL	91.80	91.80
EFT28166	09/08/2019	FOCUS NETWORKS	MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - JULY 19	3,998.50	
			ANNUAL SUPPORT COSTS AND PROJECT COSTS - ADDITIONAL TIME CHARGES OUTSIDE NORMAL SERVICE SCOPE - JULY 19	500.50	4,499.00
EFT28167	09/08/2019	POTHOLE MASTERS PTY LTD	POT HOLE REPAIR - TRICOLORE - WAUHOP PARK CAR PARK POT HOLE REPAIR - EAST FREMANTLE YACHT CLUB CAR PARK	1,600.00 2,500.00	
			DEPOT - 59 ALLEN STREET - POT HOLE REPAIR	3,355.00	7,455.00
EFT28168	09/08/2019	LENIP PTY LTD T/AS ASPHALT IN A BAG	1 PALLET OF COLD MIX ASPHALT IN 20KG BAGS	687.50	687.50
EFT28169	09/08/2019	TRENCHBUSTERS	MONTHLY BIN HIRE (INCLUDING REMOVAL AND TIP FEES)FOR HARD WASTE AT THE BUND WAUHOP ROAD	630.00	
			MONTHLY BIN HIRE (INCLUDING REMOVAL AND TIP FEES)FOR HARD WASTE AT THE BUND	1,260.00	
			MONTHLY BIN HIRE (INCLUDING REMOVAL AND TIP FEES)FOR HARD WASTE AT THE BUND	1,300.00	3,190.00
EFT28170	09/08/2019	METRO CONCRETE	FOOTPATH REPAIRS WAUHOP ROAD AND LOCKE CRES	1,980.00	
			FOOTPATH REPAIRS TO WAUHOP ROAD AT FOOTBALL CLUB AND HABGOOD STREET	3,410.00	5,390.00
EFT28171	09/08/2019	FUJI XEROX	FUJI XEROX - DC5C6675T - FINANCE AREA PHOTOCOPY CHARGES 2018 / 2019 YEAR 01/06/19 - 30/06/19	118.70	118.70
EFT28172	09/08/2019	MICHAEL VAUGHAN	RENDER REPAIR TO WALL STRATFORD STREET STRUCTURE SUPPORT TO WALL AT DEPOT/ UNITS	233.00 680.00	
			ALLEN STREET UNITS LAYING BRICK SLABS	748.00	
			PAVING REPAIRS - GEORGE ST, KINGS STREET	350.00	2,011.00
EFT28173	09/08/2019	CR. MICHAEL MCPHAIL	DEPUTY MAYORAL ALLOWANCE, SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	2,062.84	2,062.84
EFT28174	09/08/2019	CR. TONY WATKINS	SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	1,542.00	1,542.00
EFT28175	09/08/2019	VOCUS COMMUNICATIONS	SESSION INITIATION PROTOCOL (SIP) LINES/ SERVICES CHARGES FOR VOICE OVER INTERNET PROTOCOL (VOIP) 2018-2019 - JUNE 19	508.92	508.92
EFT28176	09/08/2019	SNAP PRINTING	FOGO FLYER FOR RATES - PRINT READY PDF AND INDESIGN FILES	129.80	129.80
EFT28177	09/08/2019	CR. ANDREW MCPHAIL	SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	1,542.00	1,542.00
EFT28178	09/08/2019	CR. ANDREW WHITE	SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	1,542.00	1,542.00
EFT28179	09/08/2019	KEYS BROS	STORAGE CHARGES - HISTORIC AND EXCESS FURNITURE FROM TOWN HALL 2019/20 - 30/06/19 - 27/07/19.	260.00	260.00
EFT28180	09/08/2019	CR. TONY NATALE	SITTING FEES & ICT ALLOWANCE FOR AUGUST 19	1,542.00	1,542.00
EFT28181	09/08/2019	COASTLINE MOWERS	INSPECT AND REPAIR BG86 BLOWER	195.20	195.20
EFT28182	09/08/2019	SUEZ RECYCLING & RECOVERY PTY L	WASTE COLLECTION 46 EAST STREET - JULY 19	1,290.30	1,290.30
EFT28183	09/08/2019	AMBIUS (RENTOKIL INITIAL PTY LTD)	AMBIUS PLANT HIRE TOWN HALL 27/08/19 - 26/09/19	263.12	263.12
EFT28184	09/08/2019	READY TRACK PTY LTD T/AS LINXIO	OPERATIONS VEHICLES TRACKING - JULY 19	169.40	169.40
EFT28185	09/08/2019	ARTISTS FOUNDATION OF WA - ARTSOURCE	ARTSOURCE ASSOCIATE MEMBERSHIP	250.00	250.00
EFT28186	09/08/2019	PARKLAND TURF CARE	IRRIGATION REPAIR AT JOHN TONKIN PARK	495.00	495.00
EFT28187	09/08/2019	DANTHONIA DESIGNS	INSTALLATION OF 26 PARKS & RESERVES SIGNS AS PER QUOTE Q- 33785-1 REVISION 5 JOHN TONKIN EXAMPLE SHIPPING OF 26 SIGNS	9,770.75	9,770.75
EFT28188	09/08/2019	ROBERT CASHMAN	REIMBURSEMENT OF COSTS OF TAFE COURSE LGADMIN525A	86.85	86.85
EFT28189	09/08/2019	LGIS RISK MANAGEMENT	JOB DICTIONARIES FOR OPERATIONS LEADING HAND AND GENERAL HAND	1,210.00	1,210.00
EFT28190	09/08/2019	UDLA	PROFESSIONAL FEES - EAST FREMANTLE URBAN STREETScape & PUBLIC REALM STYLE GUIDE - STAGE 2- DRAFT URBAN STREETScape AND PUBLIC REALM STYLE GUIDE REPORT, & PAMPHLET VARIATION	3,960.00	3,960.00
EFT28191	09/08/2019	MBE EAST FREMANTLE	COPY AND SCANNING PLANNING AND BUILDING PLANS (ARCHIVES) - 09/07/19.	33.81	
			COPY AND SCANNING PLANNING AND BUILDING PLANS (ARCHIVES) - 09/07/19.	42.50	
			COPY AND SCANNING PLANNING AND BUILDING PLANS (ARCHIVES) - 09/07/19.	24.12	100.43
EFT28192	09/08/2019	WOODLANDS DISTRIBUTORS AND AGENCIES PTY LTD T/AS WOODLANDS	DOGGIE DUNNIE LAB01 DOG WASTE UNIT X2	3,236.20	3,236.20
EFT28193	09/08/2019	RETRO ROADS	LINE MARKING AT TRAFFIC MANAGEMENT FOR COUNCIL PLACE/ST PETERS RD, PENSHURST ST/VIEW TCE, VIEW TCE 46-66, EASTON ST/VIEW TCE, PIER ST/EASTON ST	1,721.92	
			LINE MARKING AT TRAFFIC MANAGEMENT FOR COUNCIL PLACE/ST PETERS RD, PENSHURST ST/VIEW TCE, VIEW TCE 46-66, EASTON ST/VIEW TCE, PIER ST/EASTON ST - TRAFFIC MANAGEMENT	982.58	2,704.50
EFT28194	09/08/2019	STEVEN GARVEY	REFUND OF OVERPAYMENT OF PARKING FEES - LEEUWIN LAUNCHING RAMP	48.00	48.00
EFT28195	09/08/2019	IT VISION USER GROUP	IT VISION USER GROUP MEMBERSHIP SUBSCRIPTION 19/20	748.00	748.00
EFT28196	09/08/2019	BLOSSUM CATERING	CATERING - 6/8/19	160.00	160.00
EFT28197	13/08/2019	J & M ASPHALT (MERGER CONTRACTNG PTY LTD)	CONSTRUCTION OF NEW FOOTPATH - STRATFORD STREET - VARIATION TO 18/19 FOOTPATH TENDER	85,616.30	85,616.30
EFT28198	16/08/2019	CLARE ISAAC	BOND REFUND SUMPTON GREEN HIRE 27/07/19	309.80	309.80
EFT28199	16/08/2019	PETER GATCHELL	BOND REFUND MOORING PEN C6	1,920.00	1,920.00
EFT28200	16/08/2019	ANDREW SIMPER	BOND REFUND CAT CAGE HIRE	300.00	300.00
EFT28201	16/08/2019	LISA MCBRIDE	BOND REFUND - FOOTHPATH DEPOSIT	1,500.00	1,500.00
EFT28202	16/08/2019	RANDSTAD PTY LTD	RELIEF OPERATIONS MANAGER W/E 21/07/19	3,090.56	
			RELIEF OPERATIONS MANAGER W/E 04/08/19	3,670.05	6,760.61
EFT28203	16/08/2019	AUSTRALIA POST	POSTAGE COSTS JULY 19	1,801.33	1,801.33
EFT28204	16/08/2019	MCLEODS	PROFESSIONAL FEES - ADVICE RE BUILDING PERMIT ISSUES	953.90	
			PROFESSIONAL FEES - ADVICE ON ACCESS	1,405.71	2,359.61
EFT28205	16/08/2019	MELVILLE TOYOTA	MECHANICAL SERVICE FOR TOYOTA CAMRY 1GBT981	923.70	923.70

EFT28206	16/08/2019	ST JOHNS AMBULANCE ASSOCIATION	COMMUNITY ASSISTANCE GRANTS 2019-2020 - REFERENCE COUNCIL RESOLUTION 050719 (EAST FREMANTLE LACROSSE CLUB) - DEFIB & EXTERNAL CABINET	1,996.00	1,996.00
EFT28207	16/08/2019	TOTAL PACKAGING (WA) PTY LTD	15 CARTONS (60 BOXES) BIODEGRADABLE CANINE EXCRETA DISPOSAL POUCHES	3,775.20	3,775.20
EFT28208	16/08/2019	SWAN LOCK SERVICES PTY LTD	NEW LOCKS AND KEYS FOR TRICOLORE INTERNAL DOORS FOR CHSP	979.00	979.00
EFT28209	16/08/2019	AUSRECORD	200 X LIGHT GREEN COLOUR FLAP AND SPINE + POSTAGE AND DELIVERY AS PER QUOTE 00089965	192.50	192.50
EFT28210	16/08/2019	LEFT BANK HOLDINGS PTY LTD	LOOK LOCAL BUSINESS NETWORKING 01 - THE LEFT BANK, TUESDAY 30 JULY 2019	300.00	300.00
EFT28211	16/08/2019	RAC BUSINESSWISE	RAC ROADSIDE ASSISTANCE RENEWAL 19/20	2,380.00	2,380.00
EFT28212	16/08/2019	THE PAPER COMPANY OF AUST	A4 80GM AONE COPY PAPER @4.95X 50 REAMS	247.50	247.50
EFT28213	16/08/2019	ASSA ABLOY ENTRANCE SYSTEMS AUSTRALIA PTY LTD	PREVENTATIVE MAINTENANCE SERVICE - TOWN HALL AUTOMATIC DOORS	156.20	156.20
EFT28214	16/08/2019	KONICA MINOLTA BUSINESS SOLUTIONS	KONICA MINOLTA BIZHUB C658 PHOTOCOPY CHARGES PLANNING 2019/20 13/06/19 - 12/07/19	839.29	839.29
EFT28215	16/08/2019	FOCUS NETWORKS	MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - JULY 19	3,890.70	
			ANNUAL SUPPORT COSTS AND PROJECT COSTS - EMAIL PROTECTION SERVICE, HOSTED ANTIVIRUS, HOSTED WIFI MANAGEMENT, MICROSOFT VISIO PRO, MANAGED RECOVERY SERVICE - AUGUST 19	1,701.81	5,592.51
EFT28216	16/08/2019	CARING PHARMACY EAST FREMANTLE	STAFF FLU IMMUNISATIONS	45.00	45.00
EFT28217	16/08/2019	LANDGATE	SCHEDULES OF GROSS RENTAL VALUATIONS - MONTHLY INTERIM VALUES 2019/20 - DATED 15/06/19 - 28/06/19 AND 29/06/19 - 12/07/19	117.73	117.73
EFT28218	16/08/2019	VOCUS COMMUNICATIONS	INTERNET UNLIMITED - ENHANCED - 20 MBPS - 135 CANNING HIGHWAY, EAST FREMANTLE 01/09/19 - 30/09/19	1,171.50	
			SESSION INITIATION PROTOCOL (SIP) LINES/SERVICES CHARGES FOR VOICE OVER INTERNET PROTOCOL (VOIP) JULY 19	545.69	1,717.19
EFT28219	16/08/2019	MARKET CREATIONS	LOOK LOCAL LOGO UPDATE FOR CAMPAIGN (BLUE BUSINESS DIRECTORY // GREEN COMMUNITY DIRECTORY // WHITE EVENT CALENDAR)	286.00	286.00
EFT28220	16/08/2019	MOORE STEPHENS	ACCOUNTING ADVICE IN RELATION TO THE ACCOUNTING TREATMENT OF LEASED VESTED LAND.	5,500.00	5,500.00
EFT28221	16/08/2019	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	MONTHLY CHARGES FOR PARKING MACHINES INCLUDING LICENCE AND COMMUNICATION COSTS	165.53	165.53
EFT28222	16/08/2019	INFORMATION ENTERPRISES AUSTRALIA PTY LTD	TRAINING - PRACTICAL APPROACHES TO DEVELOPING AN INFORMATION GOVERNANCE PROGRAM 21/8/2019	440.00	440.00
EFT28223	16/08/2019	IRON MOUNTAIN	TRANSPORTATION AND STORAGE OF RECORDS 19/20 01/08/19 - 31/08/19	9.50	9.50
EFT28224	16/08/2019	SHRED-X PTY LTD	240 LITRE AND 125 LITRE SECURITY BIN EXCHANGE FOR 12 MONTHS 2019 /2020 - 15/07/19	10.12	10.12
EFT28225	16/08/2019	EASY ACCESS LIFT	INSPECTION AND ROUTINE MAINTENANCE OF TOWN HALL LIFT	717.20	717.20
EFT28226	16/08/2019	THE FRUIT BOX GROUP	FRUIT BOX TOWN HALL AND DEPOT - JULY 19	246.40	246.40
EFT28227	16/08/2019	MBE EAST FREMANTLE	SCANNING AND COPYING PLANNING AND BUILDING DOCUMENTS (AUGUST 2019)	150.00	150.00
EFT28228	16/08/2019	GRACE RECORDS MANAGEMENT (AUSTRALIA)	TRANSPORT AND STORAGE OF RECORDS 19/20 - JULY 19	126.16	126.16
EFT28229	16/08/2019	STRYDER FENCING CO	SUPPLY & INSTALLATION OF NEW FENCE BETWEEN ALLEN ST UNITS AND DEPOT PLUS VARIATIONS AS LISTED	17,127.00	17,127.00
EFT28230	16/08/2019	JAKO INDUSTRIES	TOWN HALL AIRCONDITIONING MAINTENANCE AGREEMENT (\$2904.00pa) - 1ST OF FOUR VISITS	726.00	726.00
EFT28231	16/08/2019	COPYRIGHT AGENCY	COPYRIGHT LICENCE - LICENCE PERIOD 22/07/2019-21/07/2020 - PRINTED MATERIAL	2,053.35	2,053.35
EFT28232	16/08/2019	PALMYRA VET HOSPITAL	BOARDING, FEEDING AND EUTHANASIA OF IMPOUNDED FERAL CAT	345.70	345.70
EFT28233	20/08/2019	AUSTRALIAN TAXATION OFFICE	GST & PAYG PAYABLE JULY 19	66,770.00	66,770.00
EFT28234	20/08/2019	OPTUS ADMINISTRATION PTY LTD	MOBILE PHONE USE 22/06/19 - 21/07/19	570.23	570.23
EFT28235	20/08/2019	POTHOLE MASTERS PTY LTD	REPAIR TO ROAD ON SEWELL STREET, APPROX 60M - CANNING HWY TO ST PETERS RD	4,950.00	4,950.00
EFT28236	20/08/2019	MASTEC AUSTRALIA PTY LTD	SUPPLY AND DELIVERY WASTE BINS IN ACCORDANCE WITH REQUEST FOR QUOTE 2018-02	160,068.15	
			VARIATION FOR INDIVIDUAL HOUSEHOLD DELIVERY. VARIATION IS ADDED ON TO ORIGINAL PURCHASE ORDER	36,532.80	
			ROLLOUT DELIVERY VARIATION FOR BINS AND CADDYS (SG OMITTED FROM ORIGINAL CONTRACT IN ERROR)	6,206.05	202,807.00
EFT28237	20/08/2019	CHRISTINE MARY BURNS	RATES REFUND	3,602.80	3,602.80
EFT28238	22/08/2019	BOORAGOON TYRE SERVICE	REPAIR TYRE FOR TORO 360	55.00	55.00
EFT28239	22/08/2019	BOC LIMITED	CONTAINER SERVICE 28/06/19 - 28/07/19	46.66	46.66
EFT28240	22/08/2019	CITY OF COCKBURN	RATEPAYER TIP FEES JULY 19 - 23 PASSES	1,625.00	1,625.00
EFT28241	22/08/2019	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	WASTE & RECYCLING COLLECTION 48-50 ALEXANDR RD - JULY 19	488.02	488.02
EFT28242	22/08/2019	TELSTRA CORPORATION LIMITED	HACC MOBILE PHONE & DEPOT NEXT G MOBILE BACKUP	25.93	25.93
EFT28243	22/08/2019	MAJOR MOTORS	SERVICE FOR ISUZU 1GKM815	932.34	932.34
EFT28244	22/08/2019	FLEXI STAFF PTY LTD	CASUAL LABOUR HIRE WE 2/8/19	1,952.94	1,952.94
EFT28245	22/08/2019	SOUTHERN METROPOLITAN REGIONAL COUNCIL	MRF GATE FEES FOR JULY 19 - 01/07/19 - 31/07/19	7,751.46	
			GREEN WASTE FEES FOR JULY 19 01/07/19 - 30/07/19	30.00	7,781.46
EFT28246	22/08/2019	PETRA CLEAN	CLEANING SERVICES - SUMPTON GREEN, DEPOT JULY 19, TRICOLORE & TOWN HALL - JULY 19	8,137.25	8,137.25
EFT28247	22/08/2019	WOOLWORTHS SUPERMARKETS	RESPIRE CENTRE GROCERIES - 5/08/2019	205.58	
			RESPIRE CENTRE GROCERIES - 12/08/2019	154.28	
			RESPIRE CENTRE GROCERIES CHSP - 19/08/19	74.69	434.55
EFT28248	22/08/2019	DAVID GRAY & CO. PTY LTD	PURCHASE OF 15 140L RECYCLING BINS AND LIDS	837.38	837.38
EFT28249	22/08/2019	LANDSCAPE YARD O'CONNOR	LAWN SAND FOR GLASSON PARK	541.50	541.50
EFT28250	22/08/2019	SUNNY SIGN COMPANY PTY LTD	30X POSTS FOR SIGNS	775.50	775.50
EFT28251	22/08/2019	FOODWORKS EAST FREMANTLE	MEETING, WORKS, ADMIN & RANGERS CONSUMABLES JULY 2019	1,160.72	1,160.72
EFT28252	22/08/2019	LENIP PTY LTD T/AS ASPHALT IN A BAG	PURCHASE ASPHALT - BALANCE OF INVOICE 00001006 - AMT NOT CHARGED ON ORIGINAL INVOICE	1,031.25	1,031.25
EFT28253	22/08/2019	ENVIRO SWEEP	STREET SWEEPING JULY 19	4,158.00	4,158.00
EFT28254	22/08/2019	METRO CONCRETE	CARRY OUT REPAIRS TO FOOTPATH ON MARMION STREET	3,300.00	3,300.00
EFT28255	22/08/2019	TALIS CONSULTANTS PTY LTD	VARIATION - RIVERSIDE ROAD RECONSTRUCTION PROJECT - CONSULTANCY SERVICES FOR PERIOD ENDING 31/07/19	8,261.00	8,261.00
EFT28256	22/08/2019	GRIFFIN VALUATION ADVISORY	BUILDING AND IMPROVEMENTS VALUATIONS	3,960.00	3,960.00





## 12.3 GOVERNANCE

### 12.3.1 Review of Policy Register (excluding Planning Policies)

<b>File ref</b>	C/POL1
<b>Prepared by</b>	Janine May, EA to Chief Executive Officer
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date:</b>	17 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	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**

**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**



# POLICY REGISTER

## DOCUMENT CONTROL

Register created in new format 26 July 2019 (Document Version 1)

AMENDMENTS		
Document Version	Date of Amendment	Amendment details

## TABLE OF CONTENTS

1.	OFFICE OF THE CEO	1
	1.1 ELECTED MEMBERS.....	1
	1.1.1----- Payment of Council Members Fees and Allowances	1
	1.1.2----- ICT Support for Elected Members	2
	1.1.3----- Notice of Motions by Elected Members	3
	1.1.4----- Legal Advice	4
	1.1.5----- Honorary Freeman of the Town of East Fremantle	5
	1.1.6----- Elected Member Communication	9
	1.2 HUMAN RESOURCES.....	13
	1.2.1----- Code of Conduct for Council Members, Committee Members and Staff	13
	1.2.2----- CEO Leave Approval	21
	1.2.3----- Staff Retention	22
	1.2.4----- Gratuity Payment	25
	1.2.5----- Staff Education and Study Leave	28
	1.2.6----- Employee Use of Council Equipment	30
	1.3 COMMUNICATIONS & COMMUNITY ENGAGEMENT.....	31
	1.3.1----- Social Media	31
2.	CORPORATE SERVICES	35
	2.1 FINANCIAL MANAGEMENT .....	35
	2.1.1----- Disposal of Surplus Property	35
	2.1.2----- Investment of Surplus Funds	37
	2.1.3----- Purchasing	40
	2.1.4----- Rates Exemption	52
	2.1.5----- Donations	54
	2.1.6----- Supplier Payments	55
	2.1.7----- Debt Collection	68
	2.1.8----- Corporate Credit Card	73
	2.1.9----- Parking Infringement Appeals	81
	2.1.10 ----- Infringement Debt Management	81
	2.1.11 ----- Community Grants & Sponsorship	82
	2.1.12 ----- Leeuwin Carpark (No 1) & Launching Ramp – Parking for Ratepayers	84
	2.1.13 ----- Rubbish Collection Charge – Domestic Service – No Separate Charge	86
	2.1.14 ----- Motor Vehicle Acquisition & Usage	87
	2.1.15 ----- Employee Use of Council Equipment	89
	2.2 RISK MANAGEMENT .....	90
	2.2.1----- Legal Representation for Council Members and Employees	90
	2.2.2----- Use of Information Technology	94
	2.2.3----- Related Party Disclosures	108
	2.2.4----- Risk Management	112
	2.2.5----- Internal Audit Charter	114
	2.2.6----- Requests for New or Capital Upgrades to Existing Community Buildings	116

3.	REGULATORY SERVICES	119
3.1	PLANNING .....	119
3.1.1	----- Residential Design Guidelines	119
3.1.2	----- Signage Design Guidelines - Local Planning Policy	119
3.1.3	----- Town Centre Redevelopment Guidelines – Local Planning Policy	119
3.1.4	----- George Street Mixed Use Precinct New Development Contribution to the Management of Access and Parking – Local Planning Policy	119
3.1.5	----- Community Design Advisory Committee	119
3.1.6	----- Community Design Advisory Committee	119
3.1.7	----- Wood Encouragement - Council	119
3.1.8	----- Wood Encouragement – General	119
3.1.9	----- Percent for Public Art – Local Planning Policy	119
3.2	ENVIRONMENTAL HEALTH.....	120
3.2.1	----- Healthy Eating	120
3.2.2	----- Noise Attenuation	122
4.	OPERATIONS	129
4.1	PUBLIC INFRASTRUCTURE.....	129
4.1.2	----- Public Art Panel	131
4.1.3	----- Public Art	138
4.1.4	----- Directional Signs	146
5.	RANGER SERVICES	148
5.1	DOGS .....	148
5.1.1	----- Dog Management – Community Safety	148
5.1.2	----- Dangerous Dog Declarations	154

## 1. OFFICE OF THE CEO

### 1.1 ELECTED MEMBERS

#### 1.1.1 Payment of Council Members Fees and Allowances

<b>Type:</b>	Office of CEO – Elected Members
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

To clarify the payment method for disbursement of Council member fees and allowances.

#### Policy Scope

This policy relates to elected members.

#### Policy

Payments to Council members to be paid as a proportionate lump sum retrospectively in the month following the end of each month, with payments to Council members who resign or retire prior to the end of a month being paid on a pro-rata basis.

Newly elected members may seek reimbursement of ICT hardware setup costs as an advance to the ICT Allowance.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	16/12/97
<b>Policy Amended/Reviewed:</b>	18/3/08, 16/2/16
<b>Former Policy No:</b>	4.2.2

### 1.1.2 ICT Support for Elected Members

<b>Type:</b>	Office of the CEO – Elected Members
<b>Legislation:</b>	Section 5.99A of the <i>Local Government Act 1995</i> Regulation 31 of the <i>Local Government (Administration) Regulations 1996</i>
<b>Delegation:</b>	
<b>Other Related Document:</b>	Policy 1.1.1 Payment of Council Member Fees

#### Objective

The purpose of this Policy is to:

- establish the protocols for providing Information Communication Technology (ICT) support for elected members to enable the provision of information to elected members in an electronic format;
- outline the expectation in relation to expenditure of elected members annual ICT Allowance.

#### Policy Scope

This policy applies to all elected members and supports the electronic transfer of documents and information to enable the Council to make informed decisions.

#### Policy

In accordance with section 5.99A of the *Local Government Act 1995* elected members are provided with an annual ICT allowance payable to them monthly during their term of office.

This allowance in part may be used to:

- purchase a digital tablet device, with sim card.
- pay for the monthly data plan for the device – the plan will be terminated on vacating the position.

The allowance may also be used for telecommunication expenses.

The Town will provide training to elected members to develop competencies in the use of the allocated digital tablet device.

The remaining balance of the ICT Allowance will be paid monthly to the elected member.

Any loss of, or damage to the device is the responsibility of the elected member.

All equipment purchased via the annual ICT Allowance remains the property of the elected member.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/6/16
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.1.5

### 1.1.3 Notice of Motions by Elected Members

<b>Type:</b>	Office of the CEO – Elected Members
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

To stipulate the deadline for submission of notice of motions in the preparation of Council agendas.

#### Policy Scope

This policy relates to elected members seeking to propose a notice of motion.

#### Policy

That notices of motion for the next Council meeting be received seven clear days before the finalisation of the agenda.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	16/9/14
<b>Policy Amended/Reviewed:</b>	21/7/15
<b>Former Policy No:</b>	4.1.3



### 1.1.4 Legal Advice

<b>Type:</b>	Office of the CEO – Elected Members
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

This policy is intended to provide clarity regarding the release of legal advice to elected members.

#### Policy Scope

This policy relates to all legal advice received for Council business.

#### Policy

The obtaining of legal advice where considered appropriate is a function of the role of CEO to enable legal administration of the Council's business. Legal advice is to be made available to elected members where:

- legal advice is required to ensure that informed decisions can be made by elected members,
- legal advice is obtained regarding a litigation risk,
- Council has requested legal advice,
- legal advice relates to issues of governance.

All legal advice is confidential and is not to be circulated or divulged to a third party.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	17/11/15
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.1.4

### 1.1.5 Honorary Freeman of the Town of East Fremantle

<b>Type:</b>	Office of the CEO – Elected Members
<b>Legislation:</b>	N/A
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	Honorary Freeman of the Town of East Fremantle Procedure PRO/1.1.5

#### Objective

To recognise outstanding and meritorious service to the Town of East Fremantle

#### Policy Scope

This policy applies to all applications for the award of Honorary Freeman of the Town of East Fremantle.

#### Policy

The status of Honorary Freeman of the Town is the Town of East Fremantle's highest award.

Nominations for Freeman of the Town are to comply with Council's Honorary Freeman of the Town procedures.

An Honorary Freeman of the Town is to be invited to all civic functions of the Town.

An Honorary Freeman of the Town is to receive a special badge which identifies him/her as Freeman of the Town.

Nominations are to be made in the strictest confidence without the knowledge of the nominee and Council is to consider the matter behind closed doors. No record of the nominee's name is to be recorded in the Council or Committee minutes whether supported or not by Council.

#### Attachment

Freeman of the Town Procedure & Application Form

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	19/8/14
<b>Policy Amended/Reviewed:</b>	21/7/15
<b>Former Policy No:</b>	1.1.1

## HONORARY FREEMAN OF THE TOWN OF EAST FREMANTLE PROCEDURE (PRO1.1.5)

### **Objective**

The objective of this procedure is to provide guidelines for determining any nomination for Freeman of the Town.

### **Procedure**

Nominations are to be lodged on the attached form with the Chief Executive Officer detailing the reasons why the person is worthy of the award and is to be signed by at least six members of the Council.

The Chief Executive Officer is to consider nominations for the granting of the status of Honorary Freeman of the Town and make a recommendation to Council on the merit of the nomination.

The decision to make the award is to be supported by a Special Majority of the Council (75%).

## Nomination - Honorary Freeman

Name of Person Nominated for consideration:

---

Please complete in detail:

1.	Length of service in a field (or fields) of activity:
2.	Level of commitment to the field (or fields) of activity
3.	Personal leadership qualities

4.	any benefits to the community of the Town of East Fremantle and include more broadly, to the state of Western Australia or to the nation resulting from the nominee's work
5.	Special achievements of the nominee.

Signed (Elected Members)

_____	_____
_____	_____
_____	_____

### 1.1.6 Elected Member Communication

<b>Type:</b>	Office of the CEO – Elected Members
<b>Legislation:</b>	<a href="#">Local Government (Rules of Conduct) Regulations 2007</a> State Records Act 2000 - <a href="#">SRC Standard 8 – Managing Digital Information</a> <a href="#">State Records Office Guideline – Management of Digital Records</a>
<b>Delegation:</b>	
<b>Other Related Document:</b>	Code of Conduct Policy 1.2.1

#### Objective

To establish protocols for the Town of East Fremantle official communications with our community to ensure the Town is professionally and accurately represented, to maximise a positive public perception and response to the Town.

#### Policy Scope

This policy applies to:

1. communications initiated or responded to by the Town of East Fremantle with our community; and
2. elected members when making comment in either their Town role or in a personal capacity.

#### Policy Statement

##### 1. Official Communications

The purposes of Town’s official communications include:

- sharing information required by law to be publicly available.
- sharing information that is of interest and benefit to the Community.
- promoting the Town of East Fremantle events and services.
- promoting Public Notices and community consultation / engagement opportunities.
- answering questions and responding to requests for information relevant to the role of the Town.
- receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Town of East Fremantle’s official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Our communications will always be respectful and professional.

The Town of East Fremantle will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- website;
- advertising and promotional materials;

- media releases prepared for the Mayor, to promote specific Town of East Fremantle positions;
- social media; and
- community newsletters, letter drops and other modes of communications undertaken by the Town's Administration at the discretion of the CEO.

## **2. Speaking on behalf of the Town of East Fremantle**

The Mayor is the official spokesperson for the Town and may represent the Town of East Fremantle and may represent the Town in official communications, including; speeches, comment, print, electronic and social media. [ s.2.8(1)(d) of the *Local Government Act 1995*]

Where the Mayor is unavailable, the Deputy Mayor may act as the spokesperson.  
[s.2.9 and s.5.34 of the *Local Government Act 1995*]

The CEO may speak on behalf of the Town, where authorised to do so by the Mayor.  
[s.5.41(f) of the *Local Government Act 1995*]

The provisions of the *Local Government Act 1995* essentially direct that only the Mayor, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of Mayor to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Mayor has had opportunity to speak on behalf of the Town.

Communications by Elected Members, whether undertaken in an authorised official capacity or as a personal communication, must not:

- bring the Town into disrepute;
- compromise the person's effectiveness in their role with the Town;
- imply the Town's endorsement of personal views;
- imply the Elected Member is speaking on behalf of the Town, unless authorised to do so; or
- disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Town.

Elected member communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

## **3. Responding to Media Enquiries, Developing Media Statements, Press Releases**

All enquiries from the Media for an official Town of East Fremantle comment, whether made to an individual Elected Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Mayor or CEO (where authorised) to make an official response on behalf of the Town.

Elected Members may make comments to the media in a personal capacity – refer to clause 7.1 below.

## **4. Website**

The Town of East Fremantle will maintain an official website, as our community's on-line resource to access to the Town's official communications.

## **5. Social Media**

The Town of East Fremantle uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the Town

to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Town of East Fremantle currently maintains the following Social Media accounts:

- Facebook

The Town of East Fremantle may also post and contribute to Social Media hosted by others, so as to ensure that the Town's strategic objectives are appropriately represented and promoted.

The Town of East Fremantle actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The Town will moderate its Social Media accounts to address and where necessary delete content deemed to be:

- offensive, abusive, defamatory, inaccurate, false or misleading;
- promotional, soliciting or commercial in nature;
- unlawful or incites others to break the law;
- information which may compromise individual or community safety or security;
- repetitive material copied and pasted or duplicated;
- content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- content that violates intellectual property rights or the legal ownership of interests or another party; and
- any other inappropriate content or comments at the discretion of the Town of East Fremantle.

Where a third party contributor to the Town's social media account is identified as posting content which is deleted in accordance with the above, the Town may at its complete discretion block that contributor for a specific period of time or permanently.

Social Media is not an official forum for providing detailed responses to comments posted on the Town of East Fremantle social media platforms and where appropriate the Town's facebook administrator may use the following statement if a comment or query comes from a member of the public via social media:

*"Hi <<name>>, thank you for connecting with us on Facebook. We are unable to action requests via Social Media - please email your message to [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au). Thank you for your kind attention. "*

#### **5.1 Use of Social Media in Emergency Management and Response**

The Town will use the following Social Media accounts to communicate and advise our community regarding Emergency Management:

- Facebook
- Website

### **6. Record Keeping and Freedom of Information**

Official communications undertaken on behalf of the Town of East Fremantle, including on the Town's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Town's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.



Elected Member communications that relate to their role as an Elected Member are subject to the requirements of the Town’s Record Keeping Plan and the *State Records Act 2000*. Elected Members are responsible for transferring these records to the Town’s administration. Elected Member records are also subject to the *Freedom of Information Act 1992*.

## 7. Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Elected Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

### 7.1 Elected Member Statements on Town Matters

An Elected Member may choose to make a personal statement publicly on a matter related to the business of the Town of East Fremantle.

Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:

- clearly state that the comment or content is a personal view only, which does not necessarily represent the views of the Town of East Fremantle.
- be made with reasonable care and diligence;
- be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
- be factually correct;
- avoid damage to the reputation of the local government;
- not reflect adversely on a decision of the Council;
- not reflect adversely on the character or actions of another Elected Member or Employee;
- maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, Employee or community member.

An Elected Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995* and may be referred for investigation.

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	20/11/18
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.4.4

## 1.2 HUMAN RESOURCES

### 1.2.1 Code of Conduct for Council Members, Committee Members and Staff

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

#### Objective

This policy provides Council Members and staff 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 and regulations which incorporates four fundamental aims to result in:-

- (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 staff. 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, staff 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 will be the focus of the Council Member's public life.

The Role of Council Members as set out in s2.10 of the Local Government Act 1995 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'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 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 Staff*

The role of staff is determined by the functions of the CEO as set out in S 5.41 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 S 2.7 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.*
- (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 Staff**

An effective Councillor 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 staff 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 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 staff to carry out particular functions;
- refrain from publicly criticising staff 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 staff 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) Staff 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, 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 be scrupulously avoided.
- (c) Council Members, Committee Members and staff are to lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government 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 staff who exercise a recruitment or other discretionary function are required to make disclosure before dealing with relatives or close friends and are required to disqualify themselves from dealing with those persons.
- (e) Staff are required to 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 staff are to 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 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 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 staff are 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 upon its creation unless otherwise agreed by separate contract.

### 3.3 *Improper or Undue Influence*

Council Members and staff are not to take advantage of their position to improperly influence other Council Members or staff 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 *Gifts*

**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.*

- (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 staff 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 Government 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 Government 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 Government.
- (b) Council Members are required to represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

##### *4.2 Honesty and Integrity*

Council Members, Committee Members and staff are required to:

- (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 dealing with each other.

##### *4.3 Performance of Duties*

- (a) While on duty, staff are required to give their whole time and attention to the Local Government'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.
- (b) Council Members and Committee Members are required 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 staff are required to 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 staff are required to give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

#### 4.5 *Administrative and Management Practices*

Council Members, Committee Members and staff are required to 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 staff 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 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 staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. 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 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:



- (a) be scrupulously honest in their use of the Local Government'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 resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Local Government'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 in accordance with Local Government policy and the provisions of the Local Government Act.

**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.

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	24/9/96
<b>Policy Amended/Reviewed:</b>	27/4/98, 17/8/99, 21/8/01 15/9/15 & 20/10/15
<b>Former Policy No:</b>	4.1.2

### 1.2.2 CEO Leave Approval

<b>Type:</b>	Office of the CEO – Human Resources
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	DA1 Acting Chief Executive Officer
<b>Other Related Document:</b>	Employment Contract

#### Objective

This policy is intended to provide guidance to the Chief Executive Officer about the taking of leave and the recording leave transactions.

#### Policy Scope

This policy will affect the Chief Executive Officer.

#### Policy

##### Leave Applications

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

The Chief Executive Officer shall provide an appropriate leave form for the Mayor’s signature to substantiate the leave transactions recorded on the payroll system.

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

##### Leave Accruals

Leave shall be taken regularly to promote wellbeing and to avoid leave balances accruing to excessive levels.

The Chief Executive Officer shall not accrue, without Council approval, more than;

- ~~1. 5 days executive leave, or~~
- ~~2. 10 weeks annual leave.~~

Long service leave must be taken within three years of the leave becoming due unless Council approves otherwise.

Council will be advised of the leave balances annually after the anniversary of the contract of employment in conjunction with the CEO’s annual performance review.

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	18/08/15
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.1.1

### 1.2.3 Staff Recruitment and Retention

<b>Type:</b>	Office of the CEO – Human Resources
<b>Legislation:</b>	EEO Act 1984
<b>Delegation:</b>	
<b>Other Related Document:</b>	

#### Objective

To establish attraction and retention strategies to ensure the Town is an ‘Employer of Choice’.

#### Policy Scope

This Policy will affect all employees with the Town.

#### Policy

All employees are expected to work within the Town of East Fremantle’s values, Code of Conduct, policies and procedures and display the following behaviours:

**Honesty and integrity:** treat others with respect, fairness, consistency, courtesy and honesty.

**Delivery of service:** provide a high level of customer service. Strive to learn. Actively seek and evaluate new ways of doing things. Lead by example.

**Teamwork and commitment:** work as a team and assist each other for the betterment of the Town, its residents and visitors.

**Caring and empathy:** be considerate of other and believe in their ability. Encourage and acknowledge effort and initiative.

The Town offers a varied range of benefits to its employees including:

- Training and Professional Development opportunities. Individual Training and Professional Development Plans established and reviewed annually.
- Eighteen (18) weeks paid parental leave if the employee is the primary care giver (in accordance with the Federal Governments Parental Leave Pay)
- Flexible working hours / one RDO per fortnight or month.
- Generous superannuation scheme (the Town contributes up to 14.5%).
- Salary Sacrifice for additional superannuation contributions.
- Taking of annual leave in single day periods at a time or times agreed with supervisor / manager.
- Service recognition.
- Free Employee Assistance Program (free counselling whether it is work related or personal – available to immediate family members also).
- Smoke free workplace.
- Promotion of health and wellbeing including:
  - Free annual flu vaccinations
  - Skin screenings (undertaken approximately every two years).

- Uniform subsidy.
- Unlimited tea and coffee supplies.
- Free car parking.

### **Safe working environment**

The Town is committed to achieving best practice in occupational safety and health by building a safety culture dedicated to minimising risk and preventing injuries and ill health to employees, contractors and the general public by ensuring all can operate in a safe and healthy environment whilst at their workplace.

The Town has adopted an Occupational Safety and Health policy and associated procedures and has established an Occupational Safety and Health Committee.

### **Equal Opportunity**

The Town of East Fremantle is committed to a policy of equal employment opportunity, fair treatment and non-discrimination for all existing and future employees.

The Town has adopted an Equal Opportunity Policy and there are Work Place Behaviour procedures in place to ensure:

- Our workplace is accountable and free from harassment.
- Our workplace is free from unlawful discrimination.
- Fair practice in the workplace.
- Management decisions are made without bias.
- Recognition of and respect for the social and cultural backgrounds of all staff, Members and customers.
- Improving productivity by ensuring:-
  - The best person is recruited and / or promoted
  - Skilled staff are retained
  - Training and development are linked to employee and the Town's needs.
  - Striving to ensure fair outcomes in areas of employment, including:
    - Recruitment
    - Training and development
    - Promotion and transfer
    - Supervision and management of employees
    - Access to information
    - Conditions of employment
    - Access to Employee Assistance Program.

### **Training and Professional Development**

The Town of East Fremantle recognises that continuing focus on the career development of its employees is a beneficial strategy in retaining staff and developing each employee's potential.

The Town supports the development and use of structured career path plans and will provide all employees with the opportunity to participate in training and development programs at the Town of East Fremantle's expense where training / development complements the Town's goals and strategies and is consistent with the skills identified during the performance appraisal process.

Education, being general, tertiary and professional skills and qualifications is the responsibility of the individual employee, but the Town may support employees who endeavour to further their

education (if it relates to their position), through the provision of a financial subsidy and / or time off for study which will be identified and included in the employees Training Plan by the employee’s Manager and approved by the Chief Executive Officer.

**Recognition of Service**

The Town recognises the importance of rewarding staff for their commitment to the Town:

*Staff attaining ten years of service:* Presentation of a certificate and a gift voucher or equivalent to the value of two hundred dollars (\$200).

*Staff attaining twenty years of service:* The Town will acknowledge the contribution of employees who have completed twenty years of service with the Town by presenting a suitably engraved plaque at a function to be held at the employee’s workplace and a gift voucher or equivalent to the value of five hundred dollars (\$500).

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Human Resources Coordinator
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/3/17
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.2.5

### 1.2.4 Gratuity Payment

<b>Type:</b>	Office of the CEO – Human Resources
<b>Legislation:</b>	Local Government Act 1995 Local Government (Administration) Regulations 1996
<b>Delegation:</b>	DA74 Authority to make Gratuity Payments to Departing Staff
<b>Other Related Document:</b>	Nil

#### Policy Statement

The Policy, which is **discretionary**, allows the CEO and Council to make a payment to recognise the loyal and dedicated service of employees to the Town of East Fremantle.

When an employee leaves their employment or is made redundant, they may be given a good or service as a token of appreciation for their commitment and service to the Town of East Fremantle.

#### Policy Scope

This Gratuity Policy outlines the circumstances in which gratuity payments may be made to an employee. This policy should be read in conjunction with section 5.50 of the *Local Government Act 1995* and *Local Government Administration Regulations 1996*, specifically regulation 19a. A gratuity payment is paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument. This policy does not form a contractual entitlement for any employee of the Local Government.

#### Policy

##### Commitment

The Town of East Fremantle is committed to recognising long serving employees within the parameters set by the *Local Government Act 1995* and the associated regulations.

##### Eligibility for Gratuity Payments

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Local Government for any of the reasons identified below:

- Resignation (not as a result of any performance management or investigation being conducted by the Local Government);
- Retirement; or
- Redundancy.

An employee who has been dismissed by the Town of East Fremantle for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy.

Council delegates, in the case of any payment up to the value of **\$1,000**, to the Chief Executive Officer, following consultation with the Mayor. Any payment over the value of **\$1,000**, will require the express approval of Council.

### Prescribed Amounts for Gratuity Payments

Number of Years' Service	Amount of Gratuity
Continuous service 0 years and up to 10 years	A Statement of Service and a gift, or contribution towards a gift, up to the value of \$0
CEO discretion	
5 to a maximum of 10 Years Continuous Service	\$100 per year for every completed year over 5 years of continuous service up to a maximum of \$500
10 to a maximum of 20 Years Continuous Service	\$100 per year for every year over 10 years of continuous service up to a maximum of \$1,000  Items are to be presented to the employee by the Mayor or nominated representative, at a function to be determined by the Chief Executive Officer.
Council discretion	
20 Years Continuous Service and above	<i>\$150 per year of continuous service up to a maximum of \$5,000</i>  <i>A report is to be presented to Council for approval prior to payment.</i>  <i>Items are to be presented to the employee by the Mayor or nominated representative, at a function to be determined by the Chief Executive Officer.</i>

In deciding if a gratuity will be granted, the CEO or Council will take into consideration the service record of the employee. Particular attention will be paid to the employee's attitude (loyalty & dedication) towards Council's objectives and the willingness to contribute over their term of employment.

The Town of East Fremantle acknowledges that at the time this policy was introduced, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by, legislation or a relevant industrial instrument. The Town of East Fremantle has considered these provisions when setting the prescribed amount of any gratuity payment in this policy.

#### Determining Service

For the purpose of this policy, continuous service shall be deemed to include:

- any period of absence from duty on annual leave, long service leave, paid compassionate leave, accrued paid personal leave and public holidays;
- any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or
- any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.

For the purpose of this policy, continuous service shall not include:

- any period of unauthorised absence from duty unless Town of East Fremantle determines otherwise;

- any period of unpaid leave unless the Town of East Fremantle determines otherwise; or
- any period of absence from duty on parental leave unless the Town of East Fremantle determines otherwise.

#### **Financial Liability for Taxation**

The employee accepts full responsibility for any taxation payable on a gratuity payment, and agrees to fully indemnify the Town of East Fremantle in relation to any claims or liabilities for taxation in relation to the gratuity payment.

#### **Payments in addition to this Policy**

The Town of East Fremantle agrees not to make any gratuity payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and the Town of East Fremantle has caused local public notification to be given in relation to the variation.

#### **Financial Implications**

- The Town acknowledges that at the time the policy was introduced, the financial implications to the Town were understood and that these financial implications had been investigated based on the workforce position current at that time.
- The Town will take reasonable steps to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.

#### **Consequences of Breaching this Policy**

The policy constitutes a lawful instruction to anyone involved in administering a gratuity payment. Any breaches of the policy may lead to disciplinary action.

#### **Variation to this Policy**

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	CEO
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	19/06/18
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.2.8



### 1.2.5 Staff Education and Study Leave

<b>Type:</b>	Office of the CEO – Human Resources
<b>Legislation:</b>	
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

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

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

#### Policy

Study assistance relates to any qualification gained through University/TAFE/College which has a national recognisable attainment. Any approved course of study offered by a recognised institution or organisation, eg Australian Institute of Management (AIM), and Western Australian Local Government Association (WALGA).

Permanent employees who have completed ~~their probationary period~~ [12 months service](#) may be eligible for study assistance subject to the conditions of this Policy.

Approval may be granted only where there is clear relevance between current or prospective duties and the studies to be undertaken, subject to CEO approval.

The Chief Executive Officer is authorised to approve Study Assistance based on advice from the relevant Manager/Executive Manager.

Applications from the CEO for recognised study programmes will be authorised by the Mayor & Deputy Mayor.

All requests for assistance from the Town should be made and approved within a financial year and not be carried into a second financial year.

Authorisation prior to commencement of the program is required, in order that the contents of the program can be assessed to ascertain the relevance to current (or prospective) work duties and responsibilities.

The Town will allocate in the Annual Budget a sum to assist with the costs associated with employee study assistance.

#### Financial Assistance

The Town will consider reimbursement [up to \\$2,500](#) in any year for education through a recognised provider (i.e. TAFE or University), upon payment receipt and statement of results confirming the course/ unit has been successfully completed to the satisfaction of the Chief Executive Officer.

When it is financially advantageous to do so, or at the discretion of the CEO, the Town will consider paying the fees incurred upfront providing a Deed of Agreement is entered into with the employee. The Deed of Agreement will include the following items:

- (a) The Town may pay in advance for an employee who wishes to pay their fees up front in order to receive the discount offered by their respective Educational Institution.
- (b) Employees who receive this assistance from the Town will be required to pay back 100% of the Town's contribution should they leave the Town's employment within 12 months service following the completion of each unit of study.
- (c) Should an employee leave the Town part way through completion of a unit(s) of study, the employee will be required to pay back the entirety of the Town's contribution made available to the employee for that unit of study.
- (d) If necessary the Town will deduct 100% of the contribution from an employee's termination pay, if they leave prior to 12 months service following the completion of each unit of study, and 100% for any incomplete unit of study. Any payments made by the Town for incomplete units of study will be recovered in full from the employee.
- (e) If the course/unit is not completed, or not successfully passed, a determination will be made by the Chief Executive Officer as to whether the funds will need to be refunded to the Town.

The Town will not make any contribution towards the books, parking, campus fines, memberships, guild fees, travel costs or other costs associated with the course of study undertaken (ie no mileage will be paid).

The need for an employee to repeat a unit/course shall be deemed to be unsatisfactory performance and the employee will not receive further assistance from the Town in relation to that particular unit/course.

#### **Time off for Study**

The Town will consider up to five (5) hours per week, subject to operational needs, paid time off for employees who wish to gain higher education through a recognised provider (ie University or TAFE). For part-time employees the time off will be on a pro-rata basis.

- For time off to study to be approved, employees must satisfy the Town that all endeavours have been made to study outside working hours, eg evening classes, correspondence, etc, and that rostered days off are being utilised (this may include a change to the rostered day off in order to accommodate study hours).
- The five (5) hours per week shall include travel time to and from the place of study.
- Reasonable time for examinations will be considered.
- A study assistance application form must be completed and approved prior to time off for study being commenced.

#### **Variation to this Policy**

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	18/9/2018
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.2.10

## 1.2.6 Employee Use of Council Equipment

<b>Type:</b>	Office of the CEO – Human Resources
<b>Legislation:</b>	
<b>Delegation:</b>	
<b>Other Related Document:</b>	

### Objective

This policy is intended to advise staff of Council’s position on the private use of Council equipment.

### Policy Scope

This policy will affect all staff.

### Policy

There is to be no private use of the Town’s equipment by employees in any circumstances, eg by employees in lieu of unpaid overtime.

All Town equipment should be marked to clearly identify it as belonging to the Town.

Any “private works” should be recorded in detail and those records archived and kept as official Council records.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	17/02/1998
<b>Policy Amended/Reviewed:</b>	18/03/2008
<b>Former Policy No:</b>	F8.3

## 1.3 COMMUNICATIONS & COMMUNITY ENGAGEMENT

### 1.3.1 Social Media

<b>Type:</b>	Office of the CEO – Communications & Community Engagement
<b>Legislation:</b>	
<b>Delegation:</b>	
<b>Other Related Document:</b>	Code of Conduct Policy (1.2.1); Workplace Behaviours

#### Objective

To provide protocols for using social media to undertake official business and guidelines for employees in their personal use of social media.

For the purpose of this Policy ‘employees’ denotes employees, volunteers, contractors and if applicable Elected Members.

#### Policy Scope

The Social Media Policy outlines protocols for using social media to undertake official Town of East Fremantle Business and provides guidance for employees in their personal use of social media.

This policy aims to inform employees how to use social media appropriately and has been developed to assist employees to use social media so they can participate in the use of social media while being mindful of their responsibilities.

The Social Media Policy applies to all Town of East Fremantle employees volunteers and managers should ensure their staff and volunteers are aware and understand this policy.

Reference should also be made to the Town of East Fremantle’s Code of Conduct.

#### Policy

This Policy applies to the official use of social media, where employees have been authorised by the Chief Executive Officer to use social media as a communication tool, to engage the community or to distribute content on behalf of the Town.

This includes posting to the Town’s official social media account/s (eg Facebook) and participating as a representative on a third-party site (eg news comment, online forum).

This policy also provides guidance to employees in their personal use of social media. Employees are reminded of their responsibilities under the Town of East Fremantle’s Code of Conduct and other policies, procedures and processes.

#### Official use of social media

The same high standards of conduct and behaviour expected of the Town staff also applies when participating online through social media. Online participation should reflect and uphold the values, integrity and reputation of the Town of East Fremantle.

Officers managing the Town of East Fremantle social media account/s are responsible for engaging online with the general public and other stakeholders in an official capacity.

Statements / comments made from the Town's social media account/s must not:

- endorse or make judgements about specific individuals, groups, businesses, services or agencies.
- discuss circumstances surrounding the Town's specific relationship with individuals, groups, businesses, services or agencies.
- make personal judgements about any matter pertaining to the Town of East Fremantle, including decisions of Council, management, staff, policy, procedure or process.
- engage in any on-line discussion involving specific individual circumstances or personal details. If this occurs the employee should direct the person/s involved to an alternative medium (eg email, telephone, letter) as appropriate.

#### **Principles for official use of social media**

All employees who are authorised to use or manage social media as an official communication tool need to be familiar with and apply the following principles:

- The Town's official social media account/s must be administered by an authorised officer/s.
- Before commencing a social media project it must be approved by the executive manager of the relevant department and the Chief Executive Officer.
- Always use authorised Town of East Fremantle contact details, not personal details, when posting to or responding from social media accounts.
- Maintain confidentiality and only post publicly available information. Under no circumstances should official or confidential information be disclosed.
- Do not make commitments or engage in activities on behalf of the Town unless you are authorised by the Chief Executive Officer to do so.
- Protect your own privacy and personal information and do not disclose private details of other employees. Do not disclose details of private conversations unless you have obtained explicit consent from all relevant parties.
- Avoid statements that advocate or criticise decisions, policies, procedures and processes of the Town.
- Always be courteous, polite and respectful. Be sensitive to diversity and avoid arguments or making personal attacks. Do not post obscene, defamatory, threatening, harassing, discriminatory or hateful content.
- Make sure the information you publish is correct as people may make decisions based on the information you post.
- Respect copyright.
- Keep records of all posts you make in an official capacity as set out in the Town's Record Keeping Procedures and Record Keeping Plan.
- Review content before you post it and have another employee review the content before posting it.

## Personal use of social media

Town of East Fremantle employees should be aware that content published on social media is, or may become, publicly available even from personal social media accounts.

Employees must ensure they:

- are mindful that their behaviour at all times is bound by the Town's Code of Conduct, even outside work hours and when material is posted using an alias or pseudonym.
- make clear that any views expressed are their own and not those of the Town of East Fremantle.
- do not use a work email address to register personal social media accounts.
- do not make comments that are obscene, defamatory, threatening, harassing, discriminatory or hateful to or about, work, colleagues or peers, Elected Members or the Town of East Fremantle.
- do not to publish, post or release any information that is considered confidential, private or not public, including confidential information in regards to the Town of East Fremantle, personal information of employees, Elected Members and other individuals associated with the Town of East Fremantle.
- do not post comments or images that are or could be perceived to be:
  - made on behalf of the Town of East Fremantle.
  - compromising the capacity to fulfil duties as an employee of the Town in an impartial and unbiased manner (this applies particularly where comment is made about a decision of Council, management, staff, policy, procedure or process).
  - unreasonable criticism about an individual, community group, or other stakeholders.
  - compromising public confidence in the Town.
- remember the Internet is not anonymous and everything written on the Web can be traced back to its author one way or another.
- do not return fire, if a negative post or comment is found online about the Town of East Fremantle or one of its representative, do not counter with another negative post.

As a local government employee, there is no clear line between your work life and your personal life. Always be honest and respectful in both capacities.

Employees should be aware that the Town may observe content and information made available by employees through social media.

As comments made by staff on their personal Facebook account may not be considered private, employees should use their best judgement, when posting material, that it is neither inappropriate nor harmful to the Town of East Fremantle, its members of council, employees or residents.

***It should also be noted that comments / postings made by staff on their personal Facebook Account pertaining to the Town that are or could be perceived to be in breach of the Town of East Fremantle Code of Conduct or any other Town policy, procedure or process will be dealt with seriously and this may impact on the employee's employment with the Town.***

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Human Resources Coordinator
<b>Decision making Authority:</b>	
<b>Policy Adopted:</b>	21/3/17
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.4.1

## 2. CORPORATE SERVICES

### 2.1 FINANCIAL MANAGEMENT

#### 2.1.1 Disposal of Surplus Property

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	LGA 1995 s3.39 Power to remove and impound, s3.47 Disposal of confiscated or uncollected goods, s3.58(2),(3) & (5) Disposing of property
<b>Delegation:</b>	DA63 Disposing of Property, Confiscated or Uncollected Goods
<b>Other Related Document:</b>	

#### Objective

To provide public transparency and guidance to officers in the disposal of minor surplus goods, plant and equipment or confiscated or uncollected goods to achieve the best possible price.

#### Policy Scope

This policy will affect the Chief Executive Officer exercising delegated authority in the disposal of surplus plant and equipment or confiscated goods.

#### Policy Classifications

##### *Surplus*

The property has served its useful life and no longer provides a productive capacity.

##### *Confiscated*

Disposal or sale of goods that have been:

- ordered to be confiscated under Section 3.43
- impounded and have not been collected within the periods shown in LGA s3.47(2b).

#### Policy

The Chief Executive Officer acting under delegated authority may dispose of goods, plant and equipment that are surplus to the requirements of the Town, or confiscated or uncollected goods where the market value of the property is less than \$50,000. Conditions governing the disposal of property are set out below:

Equipment that is surplus to the requirements of the Town can be disposed of where the market value of the property is less than \$50,000.

All goods, plant and equipment with an estimated market value above \$1,000 are to be:

- advertised for sale in the local area; or
- sold by public auction; or
- offered for sale by public tender.

All goods, plant and equipment with an estimated market value of \$1,000 or less are to be:



- advertised for sale in the local area
- offered for sale in a transparent and accountable manner.

The cost of selling surplus items is not to exceed the market value of those items.

The CEO may either proceed with such a sale or if appropriate instead donate the property available for sale to suitable not for profit community groups or schools.

In the absence of any sale being made in accordance with the above, it is at the absolute discretion of the CEO to dispose of any surplus goods, plant and equipment in any manner thought fit by the CEO.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	15/9/15
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No.</b>	4.2.1

## 2.1.2 Investment of Surplus Funds

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Section 6.14 of the <i>Local Government Act 1995</i> Part 111 Investments of the <i>Trustees Act 1962</i> Regulation 19, 19C, 28 & 49 of the <i>Local Government (Financial Management) Regulations 1996</i> <i>Australian Accounting Standards</i>
<b>Delegation:</b>	DA6 Investment of Funds
<b>Other Related Document:</b>	

### Objectives

This policy provides guidelines on how to invest the local government’s surplus funds, with consideration of risk and at the most favourable rate of interest available to it at the time, while ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration is to be given in preservation of capital, liquidity and the return of investment;

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated redemption of an investment.
- The investment is expected to achieve a predetermined market average rate of return that takes into account the Council’s risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

### Fossil Fuel Free Investments

Prior to placing investments, preference will be given to competitive quotations from financial institutions that are deemed not to invest in or finance the fossil fuel industry where:

- a) the investment is compliant with Council’s investment policy with regards to risk management guidelines, and
- b) the investment rate of return is favourable to Council relative to other investment quotations that may be on offer within a competitive environment.

### Policy Scope

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council’s investment portfolio. This policy requires officers to disclose any conflict of interest to the CEO.

This investment policy prohibits any investment carried out for speculative purposes including:

- Deposits with an institution that is not an authorised deposit-taking institution as defined in the *Banking Act 1959 (Commonwealth) Section 5*;
- The use of leveraging (borrowing to invest) of an investment;



Portfolio % >1 year <3 years

40% Max

Investment performance is benchmarked against the cash rate.

A monthly report will be provided to Council, in support of the monthly financial activity statement, which will detail the investment portfolio in terms of divestment of **fossil fuel** industry supported investments, performance, percentage exposure of total portfolio by rating category and maturity date framework.

If any of the investments are downgraded such that they no longer fall within the risk management guidelines, they will be divested as soon as practicable.

The table below details two rating agencies' credit ratings for short and long term investments. It includes a grade explanation for each credit rating, which can be substituted, if required, with similar categories of rating from other recognised ratings agencies.

The short term <365 days rating as defined by Standard & Poors (or Fitch) is:

<b>A1+(F1+)</b>	Superior, extremely strong degree of safety for timely payment
<b>A1 (F1)</b>	Superior, a strong degree of safety for timely payment
<b>A2 (F2)</b>	Strong, a satisfactory capacity for timely payment

The long term ratings as defined by Standard & Poors and Fitch is:

<b>AAA</b>	Highest quality, an extremely strong capacity to repay
<b>AA+ to AA-</b>	High quality, a very strong capacity to repay
<b>A+ to A-</b>	Above average quality, a strong capacity to repay

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/06/16
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.2.3

### 2.1.3 Purchasing

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
<b>Delegation:</b>	DA35 Ordering Thresholds
<b>Other Related Document:</b>	Purchasing Procedures PRO2.1.3

#### Objective

The objectives of this Policy are to ensure that all purchasing activities:

- demonstrate that best value for money is attained for the Town;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures of the Town;
- mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and
- are conducted in a consistent and efficient manner across the Town and that ethical decision making is demonstrated.

#### Policy Scope

This policy will affect all staff members.

#### Policy

The Town of East Fremantle (the “**Town**”) is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and complies with the *Local Government Act 1995* (the “**Act**”) and Part 4 of the *Local Government (Functions and General) Regulations 1996*, (the “**Regulations**”). Procurement processes and practices to be complied with are defined within this Policy and the Town’s prescribed procurement procedures.

#### Ethics and Integrity

##### *Code of Conduct*

All officers and employees of the Town undertaking purchasing activities must have regard for the Code of Conduct requirements and shall observe the highest standards of ethics and integrity. All officers and employees of the Town must act in an honest and professional manner at all times which supports the standing of the Town.

##### *Purchasing Principles*

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Town's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Town's by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

## **Value for Money**

### *Policy*

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved for the Town.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

### *Application*

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;
- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the Town's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

## **Purchasing Requirements**

### *Legislative / Regulatory Requirements*

The requirements that must be complied with by the Town, including purchasing thresholds and processes, are prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Town.

Purchasing that is **\$150,000 or below in total value** (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 7 of this Purchasing Policy.

Purchasing that **exceeds \$150,000 in total value** (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under section 8 of this Policy is not deemed to be suitable.

*Purchasing Value Definition*

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST);
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Town will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.
3. Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

*Purchasing from Existing Contracts*

Where the Town has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Town must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders on its own accord.

**Purchasing Thresholds**

The table below prescribes the purchasing process that the Town must follow, based on the purchase value:

Purchase Value Threshold	Purchasing Requirement
Up to \$5,000 (exc GST)	<p>Purchase directly from a supplier using a Purchasing or Corporate Credit Card issued by the Town, or obtain at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government Common Use Arrangement (CUA); or</li> <li>• from the open market.</li> </ul> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a brief outline of the specified requirement for the goods; services or works required; and</li> <li>• value for money criteria, not necessarily the lowest price.</li> </ul>

	<ul style="list-style-type: none"> <li>The procurement decision is to be represented using the Brief Evaluation Report Template.</li> </ul>
Over \$5,001 and up to \$20,000 (exc GST)	<p>Obtain at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> <li>an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or</li> <li>from the open market.</li> </ul> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>a written brief outline of the specified requirement for the goods; services or works required; and</li> <li>value for money criteria, not necessarily the lowest price.</li> <li>The procurement decision is to be represented using the Brief Evaluation Report Template.</li> </ul>
Over \$20,001 and up to \$50,000	<p>Obtain at least three (3) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> <li>an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>from the open market.</li> </ul> <p><u>The purchasing decision is to be based upon assessment of the suppliers response to:</u></p> <ul style="list-style-type: none"> <li><u>a written brief outline of the specified requirement for the goods; services or works required; and</u></li> <li><u>value for money criteria, not necessarily the lowest price.</u></li> <li><u>the procurement decision is to be represented using the Brief Evaluation Report Template.</u></li> </ul>
Over \$50,001 and up to \$150,000 (exc GST)	<p>Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> <li>an existing panel of pre-qualified suppliers administered by the Town; or</li> <li>a pre-qualified supplier on the WALGA Preferred Supply Program (e-Quotes) or State Government CUA; or</li> <li>from the open market.</li> </ul> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Town through the WALGA preferred supply program or State Government CUA) are not required to be invited using</p>



	<p>a Request for Quotation form, however at least three written quotes are still required to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a detailed written specification for the goods, services or works required and</li> <li>• pre-determined evaluation criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be represented using the Evaluation Report template.</p>
<p>Over \$150,000 (exc GST)</p>	<p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed under section 8 of this Policy, conduct a public Request for Tender process in accordance with the Regulations, this policy and the Town's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>The purchasing decision is to be based upon the suppliers response to:</p> <ul style="list-style-type: none"> <li>• a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and</li> <li>• pre-determined evaluation criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be represented using the Evaluation Report template.</p>

### Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement;
- the purchase is from a Regional Local Government or another Local Government;
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- within 6 months of no tender being accepted;
- where the contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- the purchase is from a pre-qualified supplier under a Panel established by the Town; or
- any of the other exclusions under Regulation 11 of the Regulations apply.

### Inviting Tenders under the Tender Threshold

Where considered appropriate and beneficial, the Town may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$150,000 or less in value, the Town's tendering procedures must be followed in full.

### **Sole Source of Supply**

Where the purchasing requirement is over the value of \$5,000 and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Town is satisfied and can evidence that there is only one source of supply for those goods, services or works. The Town must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the justification must be endorsed by the Chief Executive Officer, prior to a contract being entered into.

From time to time, the Town may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.

### **Anti-Avoidance**

The Town shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

### **Emergency Purchases**

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the Town in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

### **Record Management**

Records of all purchasing activity must be retained in compliance with the *State Records Act 2000 (WA)*; the Town's Records Keeping Plan and associated procurement procedures.

For each procurement activity, such documents may include:

- the Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- request for Quotation/Tender documentation;
- copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- copies of quotes/tenders received;
- evaluation documentation, including individual evaluators note and clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;
- all correspondence to respondents notifying of the outcome to award a contract;
- contract Management Plans which describes how the contract will be managed; and
- copies of contract(s) with supplier(s) formed from the procurement process.

### **Sustainable Procurement and Corporate Social Responsibility**

The Town is committed to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR). Where appropriate, the Town shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value for money outcomes in accordance with the Town's sustainability objectives.

### **Local Economic Benefit**

The Town encourages the development of competitive local businesses within its boundary and as much as practicable, the Town will:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders
- avoid bias in the design and specifications for Requests for Quotation and Tenders
- provide adequate and consistent information to potential suppliers.

### **Purchasing from Disability Enterprises**

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Town is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au). This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

### **Purchasing from Aboriginal Businesses**

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Town is not required to publicly invite tenders if the goods or services are to be supplied from a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on [www.abdwa.com.au](http://www.abdwa.com.au), where the expected consideration under contract is worth \$250,000 or less. This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

### **Panels of Pre-Qualified Suppliers**

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the Town determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';

- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- the Town has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Town will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

#### *Establishing a Panel*

Should the Town determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Town.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Town will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Town must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

#### *Distributing Work Amongst Panel Members*

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Town intends to:

- obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 20; or
- purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 19 (b).

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability

of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or

- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Town is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Town may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

#### *Purchasing from the Panel*

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications may be made through eQuotes, or any other electronic quotation facility or otherwise must all be captured on the Town's electronic records system. A separate file is to be maintained for quotation processes made under each Panel that captures all communications between the Town and Panel members.

#### *Recordkeeping*

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- the Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- request for Applications documentation;
- copy of public advertisement inviting applications;
- copies of applications received;
- evaluation documentation, including clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;
- all correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- contract Management Plans which describes how the contract will be managed; and
- copies of framework agreements entered into with pre-qualified suppliers.

The Town is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number

shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Town.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	16/8/16
<b>Policy Amended/Reviewed:</b>	19/6/18
<b>Former Policy No:</b>	4.2.4

Attachment

Purchasing Procedures

## PURCHASING PROCEDURES (PRO2.1.3)

(Amended 20/11/18, 16/07/19)

1. Council purchase orders are to be signed only by Officers authorised by Council, namely the :
  - Chief Executive Officer; (unlimited)
  - Executive Manager Corporate Services; Limit \$50,000
  - Executive Manager Regulatory Services; Limit \$50,000
  - Principal Environmental Health Officer; Limit \$1,500
  - Operations Supervisor; Limit \$15,000
  - Operations Manager; Limit \$50,000
  - Manager Administration and Finance, Limit \$15,000
  - Projects Coordinator; Limit \$5,000
  - HR Coordinator; Limit \$5,000
  - Coordinator Capacity Building; Limit \$1,500
  - Executive Assistant to CEO; Limit \$1000
  - Coordinator Planning and Building; Limit \$500
  - Coordinator CHSP (CHSP related purchases only); Limit \$1,500
  - Assistant Coordinator CHSP (CHSP related purchases only); Limit \$500
  - Administration Support Officer – Operations; Limit \$500or those Officers acting in the positions from time to time;
2. Authority limitations apply to any purchase including signing of contracts in accordance with Delegation DA8 and DA9;
3. An official purchase order must be placed for all goods or services (including consultants' opinions, eg legal, engineering, town planning, etc) ordered;
4. Standing Purchase Order – these are commitments made against a particular supplier for good or services that are regularly procured over a specified period, usually one financial year. The full value of the commitment is restricted to the amount in the approved budget, allowing for a spread over more than one supplier. Standing order numbers will need to be quoted to the supplier for inclusion in their invoice. Do not provide a printed copy of “Standing Purchase Orders” to suppliers. Standing orders will be expedited by Finance at the end of each financial year and will need to be re-established in the new financial year.
5. Emergency Order – emergency orders can only be processed outside the procurement process when any of the following events are likely to occur:
  - Possible cause of injury or loss of life
  - Potential to result in destruction of property
  - Possible loss or disruption to the Town’s stakeholders or core functions
  - Will seriously impair the reputation of the Town in the local or wider communityIn such cases, the purchaser will initially make a purchase commitment with a third party without following all the processes in this procedure. The purchase order is to be raised as soon as possible following the initial commitment.
6. When ordering by telephone a purchase order number must be quoted and the original of the order to be forwarded to the supplier endorsed “Confirmation of Telephone Order on “(date)”;

7. All Officers are to ensure that when issuing a Council order for goods or services that a current account number (which will reflect the Budget estimate for those goods or services) be quoted on the Council order. This will ensure that:-
  - 7.1 expenditure is allocated to the correct Budget item (with the job number account being noted on the Council order); and
  - 7.2 that sufficient funds are identified against the job number account before expenditure is authorised;
8. In order that costs are adequately controlled before issuing a Council purchase order Officers must check against their current Budget estimates for the current financial year and monthly expenditure reports to ensure that there are sufficient funds to cover the cost of the goods or services being ordered;
9. Roles of Finance:
  - Finance Officers will provide initial training and support to Authorised Purchasing Officer;
  - Finance staff will review purchase orders prior to paying invoices to ensure compliance with the Purchasing Policy including ensuring that all relevant quotes are attached. Should there be any non-compliance, payment of the invoice will be placed on hold. An email will be sent to the Purchaser seeking a valid reason which will need to be confirmed by the CEO. Once this has been received, payment will be processed.
  - Goods receipt amounts will be matched to supplier's invoice and processed for payment in line with their terms. Any variance greater than 10% will be referred back to the Purchaser.
  - Purchase orders will be reviewed every three months to ensure obsolete orders are expedited.
10. Where possible, Council use environmentally friendly paper products including recycled paper;
11. All purchases must also comply with Policy 2.1.3 – Purchasing Policy.



## 2.1.4 Rates Exemption

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	<i>Local Government Act 1995</i> <i>Charities Act 2013</i>
<b>Delegation:</b>	DA79 Determine Applications for Rate Exemption
<b>Other Related Document:</b>	

### Objective

Establish a consistent approach to determine whether land is not ratable under Section 6.26 of the *Local Government Act 1995*.

### Policy Scope

This policy is applicable to local organisations and ratepayers within the Town of East Fremantle who are eligible for a charitable rate exemption.

### Definitions

*Charity* has the meaning given to it by the *Charities Act 2013 (Commonwealth)*;

*Charitable purpose* has the meaning given to it by the *Charities Act 2013 (Commonwealth)*.

### Policy

Council is committed to adhering to the *Local Government Act 1995* and providing guidance to applicants who apply for an exemption of local government land rates charges for charitable purposes. This policy relates to the charitable rates exemption to charitable organisations based within the Town that provide assistance to the Town broader community.

### Land Use

The land use for which the charitable organisation is applying for an exemption under section 6.26(2)9g) of the *Local Government Act 1995* must be for the exclusive use for charitable purposes as defined in the *Charities Act 2013* and these include:

- (a) the purpose of advancing health;
- (b) the purpose of advancing education;
- (c) the purpose of advancing social or public welfare;
- (d) the purpose of advancing religion;
- (e) the purpose of advancing culture;
- (f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;
- (g) the purpose of promoting or protecting human rights;
- (h) the purpose of advancing the security or safety of Australia or the Australian public;
- (i) the purpose of preventing or relieving the suffering of animals;
- (j) the purpose of advancing the natural environment; or

- (k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j); and

must not be a disqualifying purpose under the meaning given by the *Charities Act 2013* (Commonwealth).

**Land Used Exclusively for Charitable Purposes**

Property must be used exclusively by the charitable organisation for charitable purposes defined by the *Charitable Uses Act 1601* as generally for the following purposes:

- (a) the relief of poverty;
- (b) the advancement of education;
- (c) the advancement of religion; and
- (d) other purposes beneficial to the community

**Application for Rate Exemption**

To be considered by the Town for approval, each application for a charitable rate exemption under *section 6.26(2)(g) of the Local Government Act 1995* must be made in writing by completing an Application for Rate Exemption form.

**Delegation**

In accordance with this policy it is a requirement for organisations who have been approved for rates exemption, to reapply for a rate exemption each financial year. This policy allows the Council of the Town of East Fremantle to delegate to the Chief Executive Officer and any of its powers under the Act to approve applications for Rates Exemptions.

**Review of Policy**

All exemptions will be reviewed every two years and confirmation from the charitable organisation that the above purposes still apply will be required to continue receiving the exemption.

Correct forms must be used and these can be acquired by contacting the Town of East Fremantle Rates Section.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/08/18
<b>Policy Amended/Reviewed:</b>	16/07/19
<b>Former Policy No:</b>	4.2.9

## 2.1.5 Donations

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	DA51 Donations to Community Groups and Individuals
<b>Other Related Document:</b>	Community Grants & Sponsorship Policy 2.1.11

### Objective

To ensure that funds allocated within the budget for donations to the community and recreation clubs are allocated in a rational manner without Council being required to consider such requests in what might be considered an emotive atmosphere.

Council shall adopt a schedule of donations to organisations for inclusion in the annual budget and when an application is received from such an organisation then administrative action shall be taken in accordance with the amounts stated in the policy.

### Policy

Council will make an allocation in the annual budget of an amount for donations requested on an adhoc basis during the year. The criteria for allocating to requests will be on the following basis:

(a) **Charitable and Community Benefit Organisations**

Public Appeals from organisations that provide a service to persons resident in the community of East Fremantle – Limit \$200

(b) **Youth Sponsorship**

i. Applications from individuals who are representing the State or competing at national or international level whether as an individual or as part of a team.

ii. Applications for intellectual and cultural representation will be considered with this item.

Limit interstate \$300 and international \$500 as a contribution to travel costs.

Applications cannot be considered from persons who previously received a sponsorship in the current or previous financial year.

(c) **Amounts Determined by Council**

i. Funding for appeals, which arise from major events or catastrophes and are usually part of a Lord Mayor’s Appeal such as Floods, Fire, Cyclones etc.

ii. Council may determine contribution in excess of the limits specified above where there are extraordinary costs involved in the funding application.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	16/12/1997
<b>Policy Amended:</b>	18/3/2008, 20/11/2018
<b>Former Policy No:</b>	4.2.11

## 2.1.6 Supplier Payments

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Functions and General) Regulations 1996
<b>Delegation:</b>	
<b>Other Related Document:</b>	Purchasing Policy 2.1.3 Corporate Purchasing Card Policy 2.1.8 General Conditions of Contract for the Supply of Goods & Services under a Purchase Order PRO2.1.6

### Policy Statement

This Policy, which is **mandatory**, allows the CEO to make payments to creditors in order to carry out the ordinary course of business with respect to the payment of accounts for the Town of East Fremantle.

### Policy Scope

This Supplier Payments Policy outlines the manner in which creditor payments are to be made to a supplier. This policy should be read in conjunction with section 6.5 of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, specifically:

- regulation 5, which specifies the CEO’s duties as to financial management
- regulation 11, which specifies that procedures are to be made for the correct authorisation and payment of accounts, and
- regulation 13, which specifies that a list of payments made is required to be presented at ordinary council meetings.

*Local Government (Functions and General) Regulations 1996* are also complied with in relation to adhering to the Town of East Fremantle’s purchasing policy (*Regulation 11A*).

This policy will also specify the manner in which creditors are to be established and to ensure that the payment of creditor invoices are made in a timely manner and in accordance with the Town of East Fremantle’s terms of trade.

The policy will also specify how the timely payment of invoices will be measured and monitored.

This policy does not cover payments made via the use of a Corporate Purchasing Card. Please refer to Policy 4.3.6 for compliance with the Corporate Purchasing Card Policy.

### Policy

#### Creation of a new creditor or the updating of an existing creditor

Before a creditor is paid, all staff members liaising with creditors must provide the creditor with a “New / Update Creditor Details” form. This form is completed by the creditor and returned to the Finance Officer so that the creditor master file can be established in the finance system. The Finance Officer will allocate the creditor with a new Creditor Code, which is a sequential number that follows the creditor number file list. This form is also used when a change is required to a creditor’s master file details.

This form details the creditor/supplier details, including their bank account details. Once entered by the Finance Officer into the finance system the form is reviewed by the Manager Finance and Administration, and authorised by the Executive Manager Corporate and Community Service.

The correct completion of the “New / Update Creditor Details” form will ensure that there is no delay in the payment of a creditor’s invoice.

All creditors will also receive a *General Conditions of Contract for the Supply of Goods and Services Under a Purchase Order* document. This document details the terms and conditions that the Town of East Fremantle (the Principal) and the supplier (the Contractor) must adhere to in the provision of goods and services.

#### **Receipt of invoices for payment**

All invoices received for payment by the Town of East Fremantle are to be submitted to the Finance Officer. On receipt of an invoice the Finance Officer date stamps the invoice. The Finance Officer will then begin the process to ensure that an invoice is correctly certified and authorised, data entered correctly into the finance system, and paid within its credit terms or in accordance with any contractual agreement.

#### **Responsibilities of the Certifying Officer and Authorising Officer**

Once an invoice has been received, the Finance Officer stamps the invoice with the Certifying Stamp and delivers the invoice to the certifying officer for signing.

The invoice is then certified by the staff member incurring the expenditure on behalf of the Town of East Fremantle to ensure the following:

- that the receipt of the goods and services is in accordance with the conditions of the Town’s purchase order/contract, and
- that any variations to works or price has been minor in nature.

The Finance Officer also stamps the invoice with the “Authorisation for Payment” stamp. The staff member responsible for authorising the payment signs the invoice to ensure the following:

- that the quantity and price per item match the quotation
- that the nominated account to be charged is valid, appropriate and that there are sufficient funds available to cover the allocation of costs associated with the invoice, and
- that the staff member is duly authorised to approve the expenditure.

#### **Duties of the Finance Officer prior to making payment**

The Finance Officer then checks the validity of the invoice to ensure that it is in accordance with ATO requirements, details of which are as follows:

- the invoice is addressed to The Town of East Fremantle
- the creditor’s identity – their name and business address
- the creditor’s Australian Business Number
- the date the invoice was issued
- a description of the goods and services, including the quantity (if applicable) and the price, and
- The GST amount (if any) payable.

Should the invoice received not be a valid tax invoice the Finance Officer is required to withhold 46.5% withholding tax from the payment of the creditor. An exception to this is where an ATO *Statement by a Supplier* form is completed and provided with the invoice.

#### **Payment of Accounts Payable Invoices**

Once the invoice has been duly certified and authorised, the Finance Officer enters the invoice into the finance system and matches the invoice to the authorised purchase order recorded against the

creditor that has been established in accordance with the Town of East Fremantle's *Purchasing Policy No. 4.2.4*.

For invoices that do not have a purchase order, a *Creditor Processing Form* is required to be completed. This form ensures that invoice is duly certified and authorised, is a valid tax invoice, is within budget and the nominated general ledger account to be charged is correct.

The payment of utilities do not require a purchase order or a *Creditor Processing Form*, however, the payment of these expenditures is monitored against budget.

The Finance Officer ensures that Council purchase orders or "Creditor Processing Form" are signed only by Officers authorised by Council, namely the:

- Chief Executive Officer; (as per Budget)
- Executive Manager Corporate Services; Limit \$50,000
- Executive Manager Regulatory Services; Limit \$50,000
- Principal Environmental Health Officer; Limit \$1,500
- Operations Supervisor; Limit \$15,000
- Operations Manager; Limit \$50,000
- Manager Administration and Finance, Limit \$15,000
- Projects Coordinator; Limit \$5,000
- HR Coordinator; Limit \$5,000
- Coordinator Capacity Building; Limit \$1,500
- Executive Assistant to CEO; Limit \$1,000
- Coordinator Planning and Building; Limit \$500
- Coordinator CHSP (CHSP related purchases only); Limit \$1,500
- Assistant Coordinator CHSP (CHSP related purchases only); Limit \$500
- Operations Administrative Support Officer; Limit \$500

or those Officers acting in the positions from time to time.

The Town will comply with any agreed payment terms and endeavours to take advantage of discounts offered for prompt payment.

If no payment terms are specified on the invoice, the invoice will pay within 30 days of receipt.

EFT and cheque payments are processed fortnightly on Wednesdays, unless a prompt payment is required.

The Finance Officer prepares a batch of invoices for payment from the finance system together with the *Creditors to be Paid* listing, and an *Authorisation Form* that must be authorised by any two (2) of the following:

- (1) Chief Executive Officer
- (2) Executive Manager Corporate Service
- (3) Manager Finance

Once the batch is reviewed and authorised the payment of the invoices can be prepared. Payments are generally made via EFT or when required by cheque.

Two signatories are required to authorise an EFT and to sign a cheque.

Cheques are pre-printed on Council stationery, pre-numbered and issued in numerical sequence. Unused cheques are stored securely.

#### **Monthly Council Meetings - submission of accounts paid**

Each month the Finance Officer prepares a listing of payments made by the Town of East Fremantle. The listing is reviewed by the Manager Finance & Administration and Executive Manager Corporate Services and presented to Council for approval.

#### **Record Keeping**

On completion of a payment run the Finance Officer attaches the invoices to the EFT remittance or plain paper copy of the cheque (as appropriate) and files the batches sequentially in folders stored securely.

#### **Measuring and monitoring the performance of supplier payments**

The Finance Officer maintains a *Creditors Non Compliance and Improvements Register*. This register monitors issues of non-compliance between the approval of purchase orders and the approval of invoices for payment. The following supplier payment issues are monitored:

- invoices that vary greater than 10% above the purchase order amount
- purchase orders that are dated after the invoice date
- purchase orders that do not follow the correct quote procedure in accordance with the Purchasing Policy
- the justification for a sole supplier arrangement
- purchase orders have a request for tender or a request for quote number state when applicable
- purchase orders have a WALGA or Common Use Arrangement contract number stated when applicable

On completion of a payment run the Finance Officer enters the details of any invoice which has been paid after 30 days or after its terms of trade (if less than 30 days) into the *Late Creditor Payments Register*.

The maintenance of these registers detail any non-compliance, measures the number of invoices that are non-compliant and allows the Finance team to improve the performance of the Town of East Fremantle in paying its invoices.

The use of these registers will also assist in identifying any breaches of this policy.

#### **Consequences of Breaching this Policy**

The policy constitutes a lawful instruction to staff members involved in administering accounts payable transactions. Any breaches of the policy may lead to disciplinary action.

#### **Variation to this Policy**

This policy may be varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

<b>Responsible Directorate:</b>	Finance and Administration
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	19/03/19
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.2.12

#### **Attachment**

General Conditions of Contract for the Supply of Goods and Services under a Purchase Order

## **GENERAL CONDITIONS OF CONTRACT FOR THE SUPPLY OF GOODS AND SERVICES UNDER A PURCHASE ORDER (PRO2.1.6)**

### **1 SUPPLY OF GOODS AND SERVICES**

- 1.1 The Contractor must supply the Goods or Services to the Principal in accordance with the Contract.
- 1.2 Unless expressly agreed to in writing by the Principal and referenced in the Contract, to the extent permitted by Law, no other terms or conditions, including the Contractor's own terms and conditions even where they have been provided to the Principal or signed by a representative of the Principal, will apply or have any legal effect in connection with the supply of the Goods, the performance of the Services or the Contract.
- 1.3 Where the Contract relates to Goods or Services the subject of a separate contract between the Contractor and the Principal, the terms of the separate contract also apply to the extent of any inconsistency with the Contract unless the Principal has clearly stated otherwise on the Purchase Order.

### **2 CONTRACTOR'S OBLIGATIONS**

- 2.1 The Contractor must ensure that it and the Contractor's Personnel, in performing the Contractor's Obligations under the Contract:
  - (a) comply with all applicable Laws, any standards and procedures made available by the Principal to the Contractor, and any reasonable instructions given by the Principal;
  - (b) do not interfere with the Principal's activities or the activities of any other person at the Delivery Point or any place the Contractor provides the Services;
  - (c) carry out and perform the Contractor's Obligations in a safe manner in a way which does not prejudice safe working practices, safety and care of property or continuity of work;
  - (d) unless otherwise set out in the Contract, supply all plant, resources and equipment necessary to perform the Services; and
  - (e) provide all such information and assistance as the Principal reasonably requires.

### **3 RECEIPT, INSPECTION AND ACCEPTANCE OF GOODS AND SERVICES**

- 3.1 The Contractor must deliver the Goods in full to the Delivery Point and perform the Services at the times stated in the Contract. In this respect, time will be of the essence of the Contract.
- 3.2 Acceptance of the Goods or Services by the Principal does not constitute approval of the Goods or Services or prejudice any claim the Principal may have in connection with the Goods or Services.
- 3.3 Acceptance of the Goods or Services occurs on the earlier of:
  - (a) a representative of the Principal notifying the Contractor in writing that the Goods or Services have been accepted; or
  - (b) the lapse of 14 days after delivery of the Goods to the Delivery Point without the Principal notifying the Contractor in writing that the Goods have been rejected.



3.4 The Contractor must allow the Principal or a representative of the Principal, upon 2 Business Days' written notice from the Principal and during standard business hours, to inspect, examine, review and witness tests of the Goods or Services, or the performance of the Goods or Services and to carry out site inspections at the Contractor's premises.

#### **4 TITLE AND RISK**

4.1 Title in the Goods will pass from the Contractor to the Principal upon payment of the Contract Price. The Contractor warrants that title in the Goods will be transferred to the Principal without any encumbrances or liens.

4.2 Risk in the Goods will pass to the Principal on acceptance of the Goods in accordance with clause 3.3.

#### **5 VARIATIONS**

The Contractor must not change the Goods or Services, including an addition, reduction or omission to any part of the Goods or Services except in accordance with a written direction of the Principal in which case the Contractor must comply with that direction and the Contract Price will be adjusted by an amount agreed in writing by the parties.

#### **6 INVOICING AND PAYMENT**

6.1 The Principal must pay the Contract Price to the Contractor for the Goods and the Services.

6.2 The Contract Price is inclusive of all costs and expenses including packaging, freight, delivery, insurance, the cost of any miscellaneous services, compliance with the Contract and Taxes and, subject to clause [5](#), no additional amounts will be payable by the Principal.

6.3 Subject to clause [6.4](#), on or promptly after the later of the Date of Delivery of the Goods or the Date of Completion of the Services (as applicable), the Contractor must submit an Invoice to the Principal for the amount due to the Contractor.

6.4 If agreed in writing by the Principal, the Contractor may submit an Invoice to the Principal at the end of each month for any Services performed during that or previous months provided those Services have not already been included in a previous Invoice issued to the Principal.

6.5 An Invoice must include:

- (a) the Purchase Order number;
- (b) a description of the Goods delivered, including the quantity of Goods and the Date of Delivery; or
- (c) a description of the Services performed;
- (d) the amount being claimed for the Goods and the Services;
- (e) the amount of any applicable GST;
- (f) if applicable, Include the Walga Preferred Supplier discount associated with the purchase and
- (g) any further information reasonably requested by the Principal.

6.6 If an Invoice does not contain the information required in clause 6.5, the Principal may, at its option, complete the missing details or return the incomplete Invoice to the Contractor, in which case the Contractor must submit a replacement Invoice compliant with clause 6.5.

- 6.7 Subject to the Contractor submitting an Invoice in accordance with clause 6.5 or a compliant Invoice in accordance with clause 6.6, the Principal must pay the amount payable within 30 days or as otherwise agreed by the parties.
- 6.8 Payment under this clause 6 will not be taken as proof or admission that all, or any part of, the Goods or the Services have been delivered or performed (as the case may be) to the satisfaction of the Principal, but will be taken to be payment on account only.
- 6.9 The Contractor agrees that the Principal may:
- (a) deduct from moneys due to the Contractor any money due or which may become due from the Contractor to the Principal under, or in connection with, the Contract; and
  - (b) withhold payment of any amounts payable under the Contract pending resolution of any dispute.

## **7 GOODS AND SERVICES TAX**

- 7.1 If GST is imposed on any supply made by the Contractor in connection with the Contract, the Contractor may recover from the Principal, in addition to the Contract Price, an amount equal to the GST payable in respect of that supply.
- 7.2 The Contractor must first provide the Principal with an Invoice before the Principal will pay the GST amount to the Contractor.

## **8 QUALITY OF GOODS AND SERVICES**

- 8.1 The Contractor must ensure that:
- (a) all Goods or Services conform to the description of the Goods or Services set out in the Contract;
  - (b) all Goods and Services are fit for their intended purpose and to the extent Services performed are design Services, the works being designed will be fit for their intended purpose;
  - (c) if the Contractor provided the Principal with a demonstration of the Services or represented that a result could be achieved by the Services before the Principles issues the Purchase Order, the Services correspond in nature and quality with the services demonstrated or the services that achieved that result (as the case may be); and
  - (d) any Goods are new and of merchantable quality.
- 8.2 The Contractor warrants that the Contractor's Personnel engaged to perform the Services have all the necessary skills, training and qualifications to carry out the Services in accordance with the Contract.
- 8.3 The Contractor must ensure that the Principal has the full benefit of any manufacturer's warranties that may be applicable to the Goods (and the Contractor must, at its cost, pursue any manufacturer's warranties on the Principal's behalf).

## **9 DEFECTS**

- 9.1 At any time prior to the expiry of the Defects Liability Period, the Contractor must, at its cost and at the Principal's direction, promptly rectify all Defects other than a Defect caused by the negligence of the Principal.
- 9.2 Nothing in this clause 9 prejudices any other right that the Principal may have against the Contractor arising out of the failure of the Contractor to supply the Goods or perform the Services in accordance with the Contract.
- 9.3 If the Principal directs the Contractor to rectify a Defect and the Contractor fails to rectify that Defect within a reasonable time specified by the Principal:
- (a) the Principal may, without prejudice to any other rights the Principal may have against the Contractor, rectify the Defect itself; and
  - (b) the rectification costs incurred by the Principal will be a debt due and payable on demand from the Contractor to the Principal.
- 9.4 Where any Defect has been rectified under the Contract, the rectification work will be the subject of an additional Defects Liability Period commencing on the date the relevant rectification works are completed.

## **10 CONFIDENTIAL INFORMATION**

The Contractor must not use any Confidential Information or disclose any Confidential Information other than to any of the Contractor's Personnel who need the information to perform the Services or deliver the Goods, to the Contractor's legal advisers or where required by Law.

## **11 INTELLECTUAL PROPERTY**

- 11.1 Subject to clause 11.3, the Contractor IP remains vested in the Contractor and the Principal IP remains vested in the Principal.
- 11.2 The Principal will own all Intellectual Property that the Contractor creates in the performance of the Services and the supply of the Goods.
- 11.3 The Contractor grants to the Principal a non-exclusive, perpetual, royalty-free, irrevocable, transferable, sub- licenseable licence (with the right to grant sub-licenses on the same terms) to use the Contractor IP to the extent necessary to use the Goods and the Services.

## **12 INSURANCE**

- 12.1 Where the Contract is for Goods, the Contractor must effect and maintain with a reputable insurer *goods insurance* covering insurance of the Goods against all risks to the point of delivery at the Delivery Point and, if the Goods are rejected by the Principal, from the time the Contractor collects the Goods from the Principal, for an amount not less than the full replacement costs of the Goods.
- 12.2 Where the Contract is for Services, the Contractor must effect and maintain with a reputable insurer the following insurance policies for the entirety of the term of the Contract:
- (a) *public and products liability insurance* covering liability for damage to property and the death of or injury to any person (other than as covered under a workers compensation policy) in an amount of not less than \$10 million in respect of each and every claim, unlimited as to the number of occurrences for public liability;

- (b) workers compensation insurance as required by Law, including cover for common law liability for an amount of not less than \$50 million for any one occurrence;
- (c) *motor vehicle insurance* covering all vehicles, plant and equipment (whether owned, hired or leased) used in connection with the Contract for loss or damage of not less than the market value and third party liability of not less than \$20 million in respect of each and every claim;
- (d) insurance covering the Contractor's own property, goods, materials owned, hired, leased or used by the Contractor, for an amount not less than the market value of those insured items; and
- (e) any additional insurance required by an applicable Law or reasonably requested by the Principal; and
- (f) where the Contractor is providing professional services, *professional indemnity insurance* of not less than \$2 million for each claim and in the aggregate for all claims arising in the same insurance period, covering the liability of the Contractor for any professional services provided by the Contractor and the Contractor's Personnel under the Contract. Where this insurance is effected on a 'claims made' basis, the policy must be maintained for a period of at least 7 years after the Completion Date or the earlier termination of the Contract.

12.3 The Contractor must provide to the Principal, within 3 business days of a written request, certificates of currency for each of the insurance policies required under clauses 12.1 or 12.2 (or both, as applicable).

12.4 Subject to clause 17.4, if the Contractor subcontracts any part of the Contractor's Obligations, then the Contractor must ensure that every subcontractor effects and maintains all of the insurances required under clause 12.1 or 12.2 (or both, as applicable), as appropriate for the work being performed by that subcontractor, before the subcontractor commences any of the Contractor's Obligations.

### **13 INDEMNITY AND LIMITS OF LIABILITY**

13.1 The Contractor indemnifies the Principal and the Principal's officers, employees, agents and contractors for and against any claims (including third party claims) and losses suffered or incurred by any of them arising out of, or in connection with, any wrongful act or omission of the Contractor or any of the Contractor's Personnel. This indemnity will be reduced to the extent that the claim or loss is caused by the negligence of the Principal or the Principal's personnel.

13.2 Neither party is liable to the other for Consequential Loss.

### **14 TERMINATION**

14.1 The Principal may terminate the Contract by notice to the Contractor:

- (a) at any time and in its absolute discretion by giving 7 days' notice to the Contractor;
- (b) if the Contractor commits a breach of the Contract and fails to remedy that default within 14 days of the Principal giving notice of the breach; or
- (c) immediately if an Insolvency Event occurs.

14.2 On termination of the Contract, the Contractor must promptly return to the Principal any of the Principal's Confidential Information, property and documents which the Principal owns or in which the Principal has an interest.

14.3 If the Contract is terminated under clause 14.1(a):

- (a) the Principal must pay the Contractor that part of the Contract Price for any Contractor's Obligations performed prior to termination that have not already been paid by the Principal; and
- (b) the Contractor is not entitled to, and the Principal is not liable for, any additional amounts whatsoever.

14.4 Subject to clause 14.3, termination of the Contract, however it may occur, does not prejudice any claim that either party may have against the other under the Contract on termination.

## 15 NOTICES

Any notice or other communication relating to the Contract must be in writing, signed by the sender or its agent, and either hand delivered, sent by pre-paid post, faxed or emailed to the other party at the address, fax number or email address set out in the Purchase Order.

## 16 DISPUTES

16.1 Neither party may commence any action, bring any proceedings or seek any relief or remedy in a court, except interlocutory or equitable relief, from a court in respect of a dispute until they have complied with the dispute resolution process in accordance with this clause [16](#).

16.2 If any dispute arises between the parties in relation to the Contract, either party must give notice of the dispute to the other party.

16.3 A senior representative of each of the parties must promptly meet and attempt to resolve the dispute. If the parties are unable to resolve a dispute within 21 days of the notice referred to in clause [16.2](#), then either party may issue court proceedings.

## 17 GENERAL

17.1 The Contract states all the express terms of the agreement between the parties in respect of its subject matter. It supersedes all prior representations, discussions, negotiations, understanding and agreements in respect of its subject matter.

17.2 The Contract is governed by the law in force in Western Australia and each party irrevocably submits to the non-exclusive jurisdiction of courts exercising jurisdiction in Western Australia.

17.3 The Contractor must not assign or novate the Contract or assign any other right, benefit or interest under the Contract to any person or entity without the prior written consent of the Principal.

17.4 The Contractor must not, without the prior written consent of the Principal, which consent must not be unreasonably withheld, subcontract any of the Contractor's Obligations.

17.5 No term or provision of the Contract will be construed against a party on the basis that the Contract or the term or provision in question was put forward or drafted by that party.

17.6 The Contract is a non-exclusive contract for the supply of Goods or Services and it does not prevent the Principal from entering into other contracts for the supply or performance of the same or similar goods or services with other contractors.

17.7 Any provision of the Contract which is illegal, void or unenforceable will be ineffective to the extent only of that illegality, voidness or unenforceability without invalidating the remaining provisions. If the Principal is restructured by Law, then the rights and obligations of the Principal under the Contract are novated to and assumed by the appropriate legal entity as determined by the Principal or the successors of the Principal under the restructure.

17.8 Clauses 4, 6.8, 6.9, 10, 11, 12.2(f), 13, 14.4 and 17 survive the termination or expiry of the Contract.

## 18 DEFINITIONS

**Completion Date** means the date on which performance of the Services is completed.

**Conditions of Contract** means these general conditions of contract for the supply of goods and services under a purchase order.

**Confidential Information** means the Contract and information (regardless of its form) which is disclosed directly or indirectly by the Principal to the Contractor or Contractor's Personnel which is treated or designated as confidential, or which the Contractor or the Contractor's Personnel ought to know is confidential, but does not include information which is or becomes public knowledge (other than by the Contractor's disclosure or breach of the Contract).

**Consequential Loss** means any loss of production, loss or revenue, loss of profit, loss of business reputation, business interruptions, loss of opportunities, loss of anticipated savings or wasted overheads.

**Contract** means the Conditions of Contract and the relevant Purchase Order.

**Contract Price** means the price for the Goods or Services (exclusive of GST) set out in the Purchase Order.

**Contractor** means the contractor specified in the Purchase Order.

**Contractor IP** means any Intellectual Property of the Contractor (or Intellectual Property licensed to the Contractor by a third party) which:

- (a) is in existence before the date of the Contract or comes into existence after the date of the Contract other than in connection with the Contract, the Goods or the Services; and
- (b) which the Contractor makes available, contributes, brings to or uses in connection with the Contract.

**Contractor's Obligations** means all of the Contractor's obligations under the Contract.

**Contractor's Personnel** means the Contractor's officers, employees, agents and subcontractors and their respective employees and agents.

**Date of Delivery** means the date on which the Goods are delivered to the Delivery Point.

**Day** means a business day that is not a Saturday, Sunday, a public holiday in Western Australia or 27, 28, 29, 30 or 31 December.

**Defect** means any defect, error, damage, deficiency, fault or inadequacy in the design, performance, workmanship, quality or makeup of the Goods or Services.

**Defects Liability Period** means a period of 12 months commencing:

- (a) in respect of the Goods, on the Date of Delivery; and
- (b) in respect of the Services, on the Completion Date,

and, where relevant, any additional period of time specified in accordance with clause 9.4.

**Delivery Point** means the place set out in the Purchase Order for delivery of the Goods or otherwise notified by the Principal in writing.

**Goods** means any goods, materials, supplies, equipment or other items set out in the Purchase Order.

**GST** means goods and services tax or similar value added tax levied or imposed in Australia pursuant to *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**Insolvency Event** means in respect of the Contractor, the following events: appointment of an administrator, appointment of a liquidator, appointment of a provisional liquidator, appointment of a controller (including any receiver or receiver and manager), insolvency, bankruptcy, winding up or any event analogous to these events.

**Intellectual Property** means all intellectual and industrial property rights, including trade marks, copyright (including future copyright), inventions, patents, designs, circuits and other eligible layouts, database rights, including any application or right to apply for registration of any of these rights.

**Invoice** means any document or record treated by the Commissioner of Taxation as an invoice or as a document entitling a recipient to an input tax credit.

**Law** means any law in force in Australia, whether common law, equity or any law under any statute, subordinate legislation, ordinance or code.

**Principal** means the party ordering or receiving the Goods or Services in accordance with the Contract, being that party specified in the Purchase Order.

**Principal IP** means any Intellectual Property of the Principal (or licensed to the Principal by a third party) which the Principal makes available, contributes, brings to or uses in connection with the Contract.

**Purchase Order** means the Principal's purchase order form for the Goods or Services.

**Services** means any services set out in the Purchase Order, including the delivery of any goods and performance of services ancillary to the Services.

**Tax** means any income, land, indirect and other taxes, levies, imposts, deductions, charges, duties, compulsory loans and withholdings, including financial institutions duty, debits tax or other taxes whether incurred by, payable by return or passed on to another person and includes any interest, penalties, charges, fees, fines or other amounts imposed in respect of any of the above, but does not include GST.

## 19 INTERPRETATION

In the Contract:

- (a) a reference to "Goods or Services" is to be read as "Goods or Services, or both of them, as applicable";
- (b) the singular includes the plural and the plural includes the singular;

- (c) a reference to a clause or party of the Contract is a reference to a clause of, and a party to, the Contract;
- (d) a reference to legislation includes all delegated legislation made under it and amendments, consolidations, replacements or re-enactments of any of them;
- (e) the words 'include', 'includes' and 'including' must be construed without limitation as to what else might be included; and
- (f) Part 1F of the Civil *Liability Act 2002* (WA) does not apply to the Contract.



## 2.1.7 Debt Collection

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Refer to References
<b>Delegation:</b>	DA76 Write Off Debt
<b>Other Related Document:</b>	

### Objective

The purpose of this policy is to outline the Town of East Fremantle process for efficient and effective collection of outstanding debtor amounts including rates and service charges.

### Policy Scope

The Town of East Fremantle will exercise its debt recovery powers, as outlined in Part 6 of the *Local Government Act 1995*, in order to reduce the overall debt burden on ratepayers. It will be guided by the principles of:

- ensuring that debt collection procedures are carried out in a fair and equitable manner;
- making the processes used to recover outstanding debt clear, simple to administer and cost effective;
- transparency by making clear the obligations of its ratepayers and sundry debtors to the processes used by Council in ensuring that they meet their financial obligations;
- equity by having regard to providing the same treatment for ratepayers and sundry debtors with similar circumstances;
- flexibility by responding where necessary to changes in the local economy;
- ensuring the Town of East Fremantle is compliant with all regulatory obligations;
- promoting effective governance and definition of roles and responsibilities;
- upholding recognition from the public and industry for the Town of East Fremantle practices that withstand probity.

### Definitions

**Debtor** an individual, organisation or other party that transacts with the Town where goods or services are provided, use of facilities are made available, fines and license fees are levied and any other transaction that results in an expected future payment to the Town.

**General Procedure Claim (GPC)** means the claim lodged with the Magistrates Court where the value of the claim or the relief claimed does not exceed \$75,000.

**Property Seizure and Sale Order (PSSO)** is a court order that authorises a bailiff to seize and sell as much of the judgment debtor's real or personal property as necessary to satisfy the judgment debt wholly or partially.

## Policy

### 1. Recovery of Sundry Debtor Accounts

The recovery of outstanding sundry debtors will be collected in a fair and timely manner. Sundry debts are due for payments 30 days from date of issue. The process for sundry debt collection is as follows:

- a) Sundry debtors will be issued an invoice as soon as possible after the amount is known, providing 30 day payment terms.
- b) A statement will be issued at the end of the subsequent month following the initial 30 day payment term, requesting payment, with a reminder sticker/stamp to be affixed to the Statement requesting payment within 14 days.
- c) At the end of 14 days, a Final Notice letter will be issued advising that legal action may be taken without further warning should the debt remain outstanding beyond 7 days.

Where the customer fails to pay in full by the expiry of the period defined above, credit may be suspended or services limited and legal action may be commenced.

Legal action – debts will be assessed to ascertain the ability to recover. If the cost of legal action exceeds the amount of the debt, the amount may be considered for write off, subject to Council delegation, once all non-legal recovery actions have been exhausted.

### 2. Recovery of Rate and Service Charges

The recovery of outstanding rates will be collected in a fair and timely manner. Rate notices are due for payment 35 days from date of issue in accordance with the *Local Government Act 1995*.

*Amounts that remain outstanding past the prescribed due date will have interest applied.*

Interest is calculated on the number of days from the due date of payment until the day the payment is received by the Town of East Fremantle. This includes overdue amounts where the rate payer has elected to pay by an instalment option.

*Accounts unpaid by the due date shown on the Rate Notice*

Where accounts remain outstanding after the prescribed due date, a Final Notice shall be issued requesting full payment within fourteen (14) days unless the rate payer has entered into a payment arrangement which has been agreed upon by both parties.

Final Notices are not to be issued to eligible persons registered to receive a pensioner or senior rebate under the *Rates and Charges (Rebates and Deferments) Act 1992*, as such persons have until 30 June of the current financial year to make payment, without incurring any penalty interest. Final notices will, however, be issued to registered pensioners or seniors where there are unpaid charges which are not subject to a rebate or deferment eg: rubbish collection charges.

*Accounts unpaid after the expiry date shown on the Final Notice*

Where amounts remain outstanding after the expiry date shown on the Final Notice, recovery action will commence based upon a risk management approach as determined by the value and type of debt and may include such action as referral to Council's debt collection agency. As a minimum, a letter of demand on Solicitor letterhead will be sent to all overdue rate accounts where a final notice has not been paid, and the amount of rates outstanding is more than \$500.

*Seizure of Rent for Non Payment of Rates*

Where the property owner of a leased or rented property on which Rates and Service Charges are outstanding cannot be located or refuses to settle Rates and Service Charges owed, a Notice may be served on the lessee or tenant under the provisions of Section 6.60 of the *Local Government Act 1995* requiring the lessee or tenant to pay to the Town the rent due that they

would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid.

*Options to recover rates debt where rates are in arrears for in excess of (3) years*

Under the guidance of the Towns debt collection service provider, legal action may be undertaken to recover outstanding rates and charges. This action may include General Procedure Claims and Property Seizure and Sale Orders (Goods). Any costs incurred in undertaking legal action in a Court of competent jurisdiction are recoverable from ratepayers under *section 6.56 of the Local Government Act 1995*.

*Alternative payment arrangement*

Where ratepayers are unable to make payment of their rates by one of the prescribed instalment options, they may apply for a special payment arrangement in order to avoid legal action for recovery. Special payments arrangements are to involve regular weekly, fortnightly or monthly repayments of a fixed amount, and are to achieve full payment of outstanding rates by the end of the financial year. A minimum payment of an equivalent of \$50 per week is to apply. Special payment arrangements will incur a one-off Administration Fee in accordance with Council's adopted Fees and Charges. Interest on overdue amounts accrues at the prevailing interest rate as set out in the adopted Fees & Charges.

Each Alternative Payment Arrangement requires the approval of the Executive Manager Corporate Service in accordance with Delegation DA14 – Rates and Services Charges.

*Options to recover rates debt where rates are in arrears for in excess of three (3) years.*

(i) Lodging a Caveat on the Title for Land

If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years a caveat may be registered on the title for the land, under the provisions of *Section 6.64 (3) of the Local Government Act 1995*. The approval of Council is required before this course of action is undertaken.

(ii) Sale of Property

If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least five (5) years, Council may take possession of the land under the provisions of *Section 6.64 of the Local Government Act 1995*. The approval of Council is required to be obtained before this course of action is undertaken.

**3. Write off Debts and Financial Hardship**

The Chief Executive Officer and the Executive Manager Corporate Services have the authority to write-off individual debts up to \$500.00 in accordance with Delegation DA76 – Write off Debt.

Where a person is experiencing financial hardship and is unable to pay their outstanding debt, the Town may assist the applicant, where applicable, to negotiate an Alternative Payment Arrangement.

Pursuant to section 6.49 of the Local Government Act 1995, where a person is assessed to be under financial hardship, a special payment arrangement will be offered, and Council resolves to waive all administration charges and penalty interest associated with the assessment, on the proviso that all rates and charges (arrears plus current) and paid in full by the end of the current financial year.

Rate payers who are requesting a payment arrangement and to waive all administration charges and penalty interest associated with their rates assessment by claiming financial hardship will be required to provide evidence.

Types of evidence required include:

- Loss of employment
- The unexpected death of family member
- Loss of income or failure of a business
- Adversely effected by a major disaster
- Destruction or severe damage to your home, necessitating relocation of the family
- Victim of domestic violence
- Other evidence to support the link between the above circumstance and financial hardship

All write-offs above \$500.00 will be reported to Council on a bi-annual basis and will include:

- Name of Debtor / Rate Payer
- Amount to be written off
- Description of invoice / Assessment Number
- Reason for write-off.

For a debt to be written off one of the following conditions must be satisfied:

- The debtor cannot be located
- Uneconomical to pursue the debt
- The hardship circumstances of the debtor do not warrant the taking or continuation of recovery action
- Legal proceedings through the courts have proved, or on legal advice would prove, unsuccessful.

#### **4. Management Reporting**

##### *Rates Debtors:*

The Town has adopted a benchmark target of 5% for its outstanding rates ratio. The monthly financial report to Council is to include a receivables note detailing the total amount of rates outstanding, and a breakdown of rates outstanding between one and two years, two and three years, and more than three years. Management are required to maintain a status report of recovery action against all rates in arrears of more than one year.

##### *Sundry Debtors:*

The Town has adopted a benchmark of less than 10% of sundry debtors exceeding 90 days outstanding. The monthly financial report to Council is to include an aged receivables note detailing the total amount outstanding against current, 30 days, 60 days and 90+ days. Management are required to maintain a status report of recovery action against all sundry debts in arrears of more than 90 days.

##### *Roles and Responsibilities*

- The Chief Executive Officer shall be responsible for the application of delegations of authority in regards to the Policy.
- The Executive Manager Corporate Services shall be responsible for referring matters to Council in regards to this Policy and the collection of outstanding debts.
- The Manager Administration and Finance shall be responsible for the review and monitoring of the operations of the Policy.
- The Corporate Service Team shall be responsible for the day to day operations of the Policy.

#### **5. Legislation**

- Local Government Act 1995: Part 6, Division 4, Clause 6.13 - Interest on money owing to local governments

- Local Government Act 1995: Part 6, Division 6, Subdivision 4, Clause 6.45 – Options for payment of rates and service charges
- Local Government Act 1995: Part 6, Division 6, Subdivision 4, Clause 6.51 - Accrual of interest on overdue rates or service charges
- Local Government Act 1995: Part 6, Division 6, Subdivision 5, Clause 6.56 - Rates or service charges recoverable in court
- Local Government Act 1995: Part 6, Division 6, Subdivision 5, Clause 6.60 - Local government may require lessee to pay rent
- Local Government Act 1995: Part 6, Division 6, Subdivision 6, Clause 6.64 - Actions to be taken
- Local Government (Financial Management) Regulations 1996
- Rates and Charges (Rebates and Deferments) Act 1992

<b>Responsible Directorate</b>	Corporate Services
<b>Reviewing Officer</b>	Executive Manager Corporate Services
<b>Decision Making Authority</b>	Council
<b>Policy Adopted</b>	18/9/18
<b>Policy Amended/Review:</b>	19/2/19
<b>Former Policy No:</b>	4.4.2

## 2.1.8 Corporate Credit Card

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Functions and General) Regulations 1996
<b>Delegation:</b>	
<b>Other Related Document:</b>	Purchasing Policy 2.1.3 Supplier Payments Policy 2.1.6 Corporate Credit Card Procedures (PRO2.1.8) Request to use Town Credit Card Credit Card Acquittal

### Policy Statement

This Policy, which is **mandatory**, allows the CEO to pay for expenditure, incurred in carrying out the ordinary course of business for the Town of East Fremantle, via the use of a Corporate Credit Card.

### Policy Scope

This Corporate Credit Card Policy outlines the manner in which the corporate credit card can be used and provides clear guidance and responsibilities of the card users and ensures protection of the Town of East Fremantle’s funds. This policy should be read in conjunction with section 6.5 of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, specifically:

- regulation 5, which specifies the CEO’s duties as to financial management
- regulation 11, which specifies that procedures are to be made for the correct authorisation and payment of accounts, and
- regulation 13, which specifies that a list of payments made is required to be presented at ordinary council meetings.

*Local Government (Functions and General) Regulations 1996* are also complied with in relation to adhering to the Town of East Fremantle’s Purchasing Policy (*Regulation 11A*).

A purchase order is not required when a corporate credit card is used. However, in order to adhere to the *Local Government Act and Regulations*, a *Request to Use Town Credit Card* form must be completed by staff members who are not cardholders. This form ensures that the expenditure is duly authorised, that a valid tax invoice is obtained, is within budget and the nominated general ledger account to be charged is correct. A reason must also be given as to why a purchase order has not been raised.

As the cardholders are part of the Executive Management Team of the Town of East Fremantle, and individual credit card limits are below their delegated purchasing authority limits, expenditure incurred via credit card is therefore in accordance with appropriate delegated authority.

Each month the cardholder is required to prepare a *Credit Card Acquittal* form. The acquittal ensures that the expenditure is duly authorised, valid tax invoices/receipts are attached, is within budget and the nominated general ledger account to be charged is correct.

Each month a listing of payments made via Corporate Credit Cards is required to be presented to Council for approval.

## Policy

### Eligibility

The provision of a Corporate Credit Card is a facility offered by Council to Management occupying certain positions which must be authorised by the CEO.

If a staff member is not an authorised cardholder and requires the use of a Corporate Credit Card for purchasing purposes, the staff member on approval from their Manager is required to complete a *Request to Use Town Credit Card* form, (held with the Finance Officer or Customer Service Officer) which includes showing the applicable general ledger account and IE code of the purchase. Once completed, the staff member must obtain the signature of the credit cardholder. Once authorised, the staff member can complete the purchase.

### Guidelines for credit card usage

- The card must be used for Council business expenditure only. The monthly limit assigned to each card holder is \$5,000 and the card holder must ensure there are sufficient funds in the budget prior to usage;
- The card must not be used for personal use;
- The card must not be used for the withdrawal of cash through any facility, whether it is a Bank, ATM or EFTPOS facility;
- The card must not be used by officers' other than the cardholder, unless the cardholder has given prior approval on the Credit Card Request form, held by the Finance Officer;
- The card must not be used for fuel purchases in instances where the cardholder has a Fuel Card facility available;
- The cardholder must obtain all tax invoices and/or receipts from the Creditor and maintain any other records of their transactions to facilitate the reconciliation and costing of transactions for that card. These invoices/receipts must be handed to the Finance Officer as soon as they are received from the Creditor;
- The cardholder must practice due diligence and strict care to maintain the security of their card, ensuring that it is kept in their possession at all times;
- The card must be returned to the Manager Finance and Administration, prior to leave periods in excess of four weeks. The card must also be returned if the cardholder is reassigned to a new position where the use is not required or where their employment is terminated;
- Cards must not be used to obtain personal rewards such as frequent flyer points or any other rewards, including flight point awards;
- The card shall not be used for payment of fines, for example a parking or a speeding offence which was incurred whilst on Council business;
- No direct debits are to be utilised;
- The card should only be used in limited circumstances when a Creditor will not accept payment via EFT or cheque, otherwise a purchase order must be raised and the Creditor paid in accordance with the Towns Supplier Payments Policy.
- The card is permitted to be used when payment is expected COD.
- No "tips" shall be paid using a Corporate Credit Card.

### **Where an inappropriate expense occurs**

Where an inappropriate expenditure occurs, the value of the expenditure shall be recovered from the cardholder. Should there be an accidental contravention, the Manager of Finance and Administration is to be notified and the Council reimbursed immediately.

### **Formal acknowledgement of procedure conditions**

Managers issued with Corporate Credit Cards are in a position of trust with regard to the use of public funds. Improper use of that trust may render the cardholder liable to disciplinary action, legal action or criminal prosecution.

All Corporate Credit Card holders are to acknowledge receipt of their corporate credit card by signing a *Corporate Credit Card Acknowledgment and Conditions of Use* form (attachment A).

All Corporate Credit Cards issued will be recorded on the Credit Card holders Personnel file. (Human Resources)

### **Cardholder responsibilities**

Cardholders are required to abide by the Town's internal procedures as follows:

- The Corporate Credit Card must be signed with the card holder's signature immediately upon receipt;
- Card holders are to ensure that the proposed transactions will not cause the credit limit to be exceeded;
- A compliant Tax Invoice/receipt must be obtained for all purchases and lodged with the Finance Officer;
- Should a cardholder fail to obtain a Tax Invoice, they must make all reasonable attempts to obtain a copy. If they cannot obtain a copy, the cardholder will be required to immediately lodge a written explanation advising as to the reason;
- Tax invoices must be authorised with a Council stamp showing the general ledger account number, IE code, description of the purchase and the card holder's signature; and
- The banks Credit Card Monthly Statements will be issued to the cardholders for review and signatory (must be returned within one business day) and for approval by the CEO.

Each month the cardholder is required to prepare a *Credit Card Acquittal* form. The acquittal ensures that the expenditure is duly authorised, valid tax invoices/receipts are attached, is within budget and the nominated general ledger account to be charged is correct.

Repeat failure to acquit monthly statements in a timely manner may result in the Corporate Credit Card being cancelled.

Where cardholders fail to fulfil the above requirements, the CEO may cancel the card and revoke purchasing delegations.

### **Procedure for lost, stolen or damaged cards**

Cardholders are personally responsible and accountable for the safe custody of the issued card. Cardholders must:

- keep the Corporate Credit Card with them at all times. This will ensure the card is secure at all times to safeguard against theft or loss;
- report the loss or theft of a card to the supplying bank immediately in accordance with the bank's



terms and conditions, and notify the Manager Finance and Administration;

- not disclose or carry with the card any PIN that has been issued with the card.

#### **Procedures for cessation of employment**

Upon cessation of employment with the Town, the card holder must ensure that:

- all outstanding transactions are cleared and properly accounted for;
- the card is returned to the Manager Finance and Administration for cancellation and destruction; and
- sign off the return of the Credit Card from Human Resources.

#### **Duties of the Finance Officer**

The Finance Officer is responsible for the data entry of corporate credit card transactions into the finance system and checks the validity of all tax invoices attached to ensure that they are in accordance with ATO requirements.

#### **Payment of Credit Card Balance**

On a monthly basis the Commonwealth Bank draws on the Town's General Municipal Account to pay for the balance outstanding on the Corporate Credit Card.

#### **Monthly Council Meetings - submission of payments made via credit card**

Each month the Finance Officer prepares a listing of payments made by the Town of East Fremantle via credit card. The listing is reviewed by the Manager Finance & Administration and Executive Manager Corporate and Community Service and presented to Council for approval.

#### **Record Keeping**

On completion of monthly processing the Finance Officer attaches the invoices to the Credit Card Acquittal form and Credit Card Statement and files the batches sequentially in folders stored securely.

#### **Consequences of Breaching this Policy**

The policy constitutes a lawful instruction to staff members involved in administering corporate credit card transactions. Any breaches of the policy may lead to disciplinary action.

#### **Variation to this Policy**

This policy may be varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

<b>Responsible Directorate:</b>	Finance and Administration
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	19/03/19
<b>Policy Amended/Reviewed:</b>	
<b>Next Review Date:</b>	4.3.6

**ATTACHMENT A**

**Corporate Credit Card Acknowledgment and Conditions of Use**

To the CEO

I.....(position).....

acknowledge receipt of a Town of East Fremantle Corporate Credit Card and acknowledge that:

1. I am aware of my responsibilities and duties as a Corporate Credit Card holder;
2. I will only use the Corporate Credit Card within the approved financial limits and for approved purposes;
3. I am aware that transactions made with the card are subject to authorisation and audit procedures;
4. I will reimburse the Town of East Fremantle for the cost of purchases that are deemed not for the use of the Town, or Town related business;
5. I will keep the card safe from unauthorised use at all times;
6. I will return the card to the Manager of Administration and Finance:
  - (i) on request of the CEO;
  - (ii) if required by the CEO, prior to my assuming duties in another position within the Town of East Fremantle; or
  - (iii) on termination of employment with the Town of East Fremantle;
  - (iv) once it has been deemed by the CEO that I no longer require a Corporate Credit Card.
7. I will advise the Manager Administration and Finance and the Commonwealth Bank immediately if the Corporate Credit Card has been lost, mislaid, stolen or misused;
8. I am aware that when no documentation is available to support a particular transaction, I will provide a written explanation detailing the reason and detail the nature of the expense. I will also acknowledge that the expense is business related and also show the general ledger account and IE code for the purchase;
9. I will not use the Corporate Credit Card for any personal or private use;
10. I will not use the Corporate Credit Card to obtain cash;
11. I will not use the Corporate Credit Card for the purchase of fuel when I have been provided with a fuel card;
12. The card should only be used when a Creditor will not accept payment via EFT or cheque. It is to be used when payment is expected COD;
13. No direct debits are to be utilised.

Corporate Card holder's Signature.....  
Date.....

CEO Signature.....Date.....

## CORPORATE CREDIT CARD USE PROCEDURE (PRO2.1.8)

### 1.0 OBJECTIVE

This procedure aims to create a sound framework for the use of Corporate Credit Cards and provides clear guidance and responsibilities of the card users and ensures protection of the Town's funds.

### 2.0 RELATED POLICIES

- Purchasing Policy (No 2.1.3)
- Corporate Credit Card Policy (No 2.1.8)

### 3.0 ELIGIBILITY

The provision of a Corporate Credit Card is a facility offered by Council to Management occupying certain positions which must be authorised by the CEO.

If you are not an authorised cardholder and require the use of a Corporate Credit Card for purchasing purposes, please advise your Manager and complete a Credit Card Request form, (held with the Finance Officer) which includes showing the applicable general ledger account and IE code of the purchase. Once completed, you must obtain the signature of the credit card holder of which you are using. Once authorised, you can complete the purchase.

### 4.0 GUIDELINES FOR CREDIT CARD USAGE

- The card must be used for Council business expenditure only. The monthly limit assigned to each card holder is \$5,000 and the card holder must ensure there are sufficient funds in the budget prior to usage;
- The card must not be used for personal use;
- The card must not be used for the withdrawal of cash through any facility, whether it is a Bank, ATM or EFTPOS facility;
- The card must not be used by officers' other than the cardholder, unless the cardholder has given prior approval on the Credit Card Request form, held by the Finance Officer;
- The card must not be used for fuel purchases in instances where the cardholder has a Fuel Card facility available;
- The cardholder must obtain all tax invoices and/or receipts from the Creditor and maintain any other records of their transactions to facilitate the reconciliation and costing of transactions for that card. These invoices/receipts must be handed to the Finance Officer as soon as they are received from the Creditor;
- The cardholder must practice due diligence and strict care to maintain the security of their card, ensuring that is kept in their possession at all times;
- The card must be returned to the Manager Administration and Finance, prior to leave periods in excess of four weeks. The card must also be returned if the cardholder is reassigned to a new position where the use is not required or where their employment is terminated;
- Cards must not be used to obtain personal rewards such as frequent flyer points or any other rewards, including flight point awards;
- The card shall not be used for payment of fines, for example a parking or a speeding offence which was incurred whilst on Council business;
- No direct debits are to be utilised;

- The card should only be used when the Creditor will not accept payment via EFT or cheque. It is to be used when payment is expected COD.
- No “tips” shall be paid using a Corporate Credit Card.

#### **4.1 Where an Inappropriate Expense Occurs**

Where an inappropriate expenditure occurs, the value of the expenditure shall be recovered from the card holder. Should there be an accidental contravention, the Manager of Administration and Finance is to be notified and the Council reimbursed immediately.

### **5.0 FORMAL ACKNOWLEDGEMENT OF PROCEDURE CONDITIONS**

Managers’ issued with Corporate Credit Cards are in a position of trust with regard to the use of public funds. Improper use of that trust may render the cardholder liable to disciplinary action, legal action or criminal prosecution. All Corporate Credit Card holders are to acknowledge receipt of the Corporate Credit Card and instructions for use. The acknowledgement will include a signed agreement to abide by all Town of East Fremantle card supplier guidelines including conditions of use (attachment A).

All Corporate Credit Cards issued will be recorded on the Credit Card holders Personnel file. (Human Resources)

### **6.0 CARD HOLDER RESPONSIBILITIES**

Card holders are required to abide by the Town’s internal procedures as follows:

- The Corporate Credit Card must be signed with the card holder’s signature immediately upon receipt;
- Card holders are to ensure that the proposed transactions will not cause the credit limit to be exceeded;
- A compliant Tax Invoice/receipt must be obtained for all purchases and lodged with the Finance Officer;
- Should a card holder fail to obtain a Tax Invoice, they must make all reasonable attempts to obtain a copy. If they cannot obtain a copy, the cardholder will be required to immediately lodge a written explanation advising as to the reason;
- Tax invoices must be authorised with a Council stamp showing the general ledger account number, IE code, description of the purchase and the card holder’s signature; and
- The banks Credit Card Monthly Statements will be issued to the card holders for review and signatory (must be returned within one business day) and also approval by the CEO.

As part of the acquittal process (as per above), the card holder is to certify that all charges shown are correct. Repeat failure to acquit monthly statements in a timely manner may result in the Corporate Credit Card being cancelled.

Where card holders fail to fulfil the above requirements, the CEO may cancel the card and revoke purchasing delegations

### **7.0 PROCEDURE FOR LOST, STOLEN OR DAMAGED CARDS**

Card holders are personally responsible and accountable for the safe custody of the issued card. Card holders must:

- keep the Corporate Credit Card with them at all times. This will ensure the card is secure at all times to safeguard against theft or loss;

- report the loss or theft of a card to the supplying bank immediately in accordance with the bank's terms and conditions, and notify the Manager Administration and Finance;
- not disclose or carry with the card any PIN that has been issued with the card.

#### **8.0 PROCEDURES FOR CESSATION OF EMPLOYMENT**

Upon cessation of employment with the Town, the card holder must ensure that:

- all outstanding transactions are cleared and properly accounted for;
- the card is returned to the Manager Administration and Finance for cancellation and destruction; and
- sign off the return of the Credit Card from Human Resources.

**2.1.9 Parking Infringement Appeals**

**2.1.10 Infringement Debt Management**

The review of these Policies is the subject of a separate report within this Council Agenda

### 2.1.11 Community Grants & Sponsorship

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	
<b>Delegation:</b>	
<b>Other Related Document:</b>	Community Assistance Grants & Sponsorship Funding Guidelines Community Grants & Sponsorship Process

#### Objective

To provide financial assistance to community groups and individuals that will build capacity within the community, stimulate volunteering and youth development, and deliver sustainable, accessible and demonstrated social, environmental and economic benefits.

#### Policy Scope

Funding for individuals and incorporated not-for-profit organisations/associations that are resident-based or those providing services within the East Fremantle community.

#### Policy

The Community Grants Assistance Program aims to provide assistance to individuals and incorporated associations that can deliver meaningful benefits and outcomes in the following target areas:

- Community Development
- Sport and Recreation
- Economic Development
- Environment and Heritage
- Culture and the Arts
- Emergency Services

#### Grant Categories

“Community Assistance Grants” refers to funding towards infrastructure and equipment. Examples of this type of funding are uniforms or equipment.

“Sponsorships” refers to funding towards events, projects (annual or one off), Community Bus use and Photocopying/Printing.

Funding of up to \$5,000 will be considered for Community Assistance Grants.

Funding of up to \$3,000 will be considered for Sponsorship Funding.

Council contributions will generally be limited to:

\$0 - \$1,000	100% funded
\$1,001 - \$3,000	50% matching contribution (dollar for dollar up to \$3,000)
\$3,001 - \$5,000	1/3 matching contribution

The value of in-kind work undertaken by volunteers may not exceed one third of the completed value of the project. The voluntary work should be described and valued at a rate of \$20 per hour (generally \$15 per hour for unskilled works and \$20 per hour for skilled labour).

Minor grants are to be considered by the Mayor. Formal acquittal processes are not mandatory but may be requested if considered appropriate.

### **Funding Application Assessment Criteria**

Consideration will be given to priority areas, not limited to, emergency services, education, youth, sports, recreation, heritage and culture within the Town of East Fremantle.

Only one application for assistance towards one project will be assessed for the provision of minor sporting, recreation, cultural or other project.

The applicant organisation must operate from the Town of East Fremantle and beneficiaries must be residents of the Town of East Fremantle. If managed by an outside group, demonstrated evidence that a high percentage of members/users reside in the Town of East Fremantle must be included in the application.

Only groups who can demonstrate that they are a not-for-profit community organisation will be considered eligible for funding.

### **Community Grants Committee**

The Community Grants Advisory Group will consist of the following membership;

- Mayor (or his/her representative) & Councillor
- 2 x staff members
- 2 x Community members.

### **Retrospective Funding**

No application for retrospective projects will be considered as part of this grant/funding scheme.

Projects may not materially commence before the announcement of successful applicants.

### **Ineligibility**

State and Federal Government agencies, incorporated associations whose members derive individual benefit or financial return from their activities, individuals outside of Travel Subsidy and Youth Encouragement grants.

### **Perception of Bias**

In accordance with best practice public sector transparency and accountability principles, all committee members and staff who are, or have in the last three years, been a board member, committee member, executive member or life member of an association applying for funds, shall disqualify themselves from all aspects of the consideration process from receipt of application through to consideration at the Community Grants Committee.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	CEO
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/06/16
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	1.2.2



### 2.1.12 Leeuwin Carpark (No 1) & Launching Ramp – Parking for Ratepayers

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	LGA 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	Parking and Parking Facilities Local Law Leeuwin Carpark & Launching Ramp – Parking for Ratepayers Procedure PRO2.1.12

#### Objective

To provide subsidised parking for East Fremantle ratepayers using the Leeuwin (No 1) carpark and launching ramp.

#### Policy Scope

This policy will affect:

- resident/owners of the Town who own a boat and trailer
- reception staff in checking documentation for issue of a parking permit
- Council's Ranger Services in administering the use of parking permits

#### Policy

To issue a permit to eligible East Fremantle ratepayers who are occupiers of their rateable property to park their vehicle and boat trailer in the Leeuwin (No 1) Carpark.

Permits are available to East Fremantle owner/occupiers who are required to produce evidence that the motor vehicle, boat and trailer are registered at their normal abode. Originals of driver's licence, motor vehicle, trailer and boat registrations must be presented when making application.

#### Attachment:

Leeuwin Carpark & Launching Ramp – Parking for Ratepayers Procedure

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Manager Finance & Administration
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	18/11/97
<b>Policy Amended/Reviewed:</b>	21/3/00, 16/2/16, 11/12/18
<b>Former Policy No:</b>	2.2.1

## **LEEWIN CARPARK & LAUNCHING RAMP – PARKING FOR RATEPAYERS PROCEDURE (PRO2.1.12)**

### **Objective**

To ensure permits for subsidised parking for East Fremantle ratepayers using the Leeuwin (No 1) carpark and launching ramp are issued as per the Policy.

### **Procedure**

1. For renewal, owner/occupiers of the Town of East Fremantle are to produce evidence that the motor vehicle, boat and trailer are registered at their normal abode. Originals of driver's licence, motor vehicle, trailer and boat registrations must be presented every year when making application.
2. Provide a permit in the form of a sticker that is required to be placed on the driver's side of the front window (bottom right). If the permit is not displayed correctly, a parking infringement notice may be issued.
3. The permit is only valid when both the authorised vehicle and trailer are attached and parked within the No 1 (Leeuwin) car park.
4. The holder of the permit is required to comply with all other local laws in the parking area. It does not entitle the holder to a reserved parking bay.
5. Maximum of one permit per owners of rateable property, regardless of additional properties owned.
6. All permits expire on 31 August each year and only one permit is to be issued per year.
7. Any breach of condition may result in revocation of parking permit and a refusal of future applications.
8. Council staff maintain a register of all permits.

### 2.1.13 Rubbish Collection Charge – Domestic Service – No Separate Charge

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	LGA 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

To record Council's determination regarding the levying of domestic rubbish charges.

#### Policy Scope

This policy will affect all ratepayers (residential) of the Town.

#### Policy

Council will not levy separate charges for rubbish or recycling collections for household/domestic properties.

<b>Responsible Directorate:</b>	Finance & Administration
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	16/12/97
<b>Policy Amended/Reviewed:</b>	18/03/08
<b>Former Policy No:</b>	F2.2

### 2.1.14 Motor Vehicle Acquisition & Usage

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	LGA 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

To provide effective asset management in respect of Council owned vehicles.

#### Policy Scope

This policy applies to employees who gain benefit from the use of Town owned motor vehicles b either private or commuter use of such vehicles.

#### Policy

The primary purpose of the acquisition of motor vehicles by the Town of East Fremantle is to meet Council's transportation requirements associated with business needs. A secondary and subservient purpose is to acknowledge the current marketplace environment and to make vehicles available for private and commuting purposes for designated employees as part of an employee's overall salary package.

#### Vehicle value

The value of vehicle use by an employee will be determined on an annual basis and published annually in association with the Town's annual budget.

#### Chief Executive Officer

At this level it is considered that the type of vehicle and hence the upper vehicle value will be set as part of the approved contract of employment.

#### Executive Managers/Managers

Vehicle purchases for Executive Managers and Managers will be in accordance with best overall value to the Town and in accordance with contract of employment.

#### Operational Staff Vehicles

These vehicles are selected on the best overall value to the Town based on the operational requirements of that vehicle. These vehicles are on occasion allocated to employees for Commuter Use only, in line with the Vehicle Allocation Policy.

#### Vehicle Specification

The Town's fleet vehicle specification includes a minimum Australian Greenhouse Office rating of 4 stars for fuel efficiency and greenhouse gas emissions and a 3 star rating for air pollution.

Cars are normally to be 4 cylinder. Utility vehicles are to be 4 or 6 cylinder vehicles depending on operational requirements.

The vehicles are also required to have an Australian New Car Assessment Program (ANCAP) 4 star rating for safety for all sedans, wagons and utilities (sedan based), and 3 star rating for other commercial vehicles.

All vehicle prices are determined utilising the Council Purchasing Services of the Western Australian Local Government Association (WALGA) using the State Government Regulations 1996, Part 4, Section 111 (2b) and (2d). The vehicle must be available to be purchased from the vehicles listed in this contract.

#### **Replacement of vehicles**

All vehicles are to be replaced at the optimum period for changeover (see table below) , in order to achieve the lowest possible operating costs for each vehicle and as per the Town's plant and equipment replacement program and budgets.

Sedans 2 years or 40,000km
Utilities (Petrol) 3 years or 60,000km
Utilities (Diesel) 4 years or 80,000km
Trucks and heavy plant 3 to 8 years

#### **Maintenance**

- (a) All repairs, maintenance and replacements are to be at the Town's cost.
- (b) Insurance and licensing of vehicles is arranged by the Town of East Fremantle for both business and private use.
- (c) The authorised employee is responsible for ensuring the vehicle is made available for service in accordance with the manufacturer's recommended service schedules.
- (d) Vehicle faults which occur between services are to have repairs arranged immediately.

#### **Business Use of Vehicles**

The only business use a Town vehicle is permitted to be used for, is business directly related to the Town.

<b>Responsible Directorate:</b>	Finance & Administration
<b>Reviewing Officer:</b>	Manager Finance & Administration
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	18/03/08
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	F8.5

### 2.1.15 Employee Use of Council Equipment

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	LGA 1995
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

To set out Council’s position in relation to the use of Council Equipment.

#### Policy Scope

This policy applies to employees of the Town of East Fremantle.

#### Policy

There is to be no private use of the Town’s equipment by employees in any circumstances, eg by employees in lieu of unpaid overtime.

All Town equipment should be marked to clearly identify it as belonging to the Town.

Any “private works” should be recorded in detail and those records archived and kept as official Council records.

<b>Responsible Directorate:</b>	Finance & Administration
<b>Reviewing Officer:</b>	Manager Finance & Administration
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	17/02/98
<b>Policy Amended/Reviewed:</b>	18/03/08
<b>Former Policy No:</b>	F8.3

## 2.2 RISK MANAGEMENT

### 2.2.1 Legal Representation for Council Members and Employees

<b>Type:</b>	Corporate Services – Risk Management
<b>Legislation:</b>	LGA 1995 s6.7(2) Municipal fund & s9.56 Certain persons protected from liability for wrongdoing
<b>Delegation:</b>	DA44 Legal Representation Costs for an Elected Member or Employee
<b>Other Related Document:</b>	

#### Objective

To provide legal and financial protection for elected members and staff in carrying out their legislative functions or responsibilities in a correct and appropriate manner.

#### Policy Scope

This policy will affect elected members and employees.

#### Policy

Explanation of Key Terms

**approved lawyer** is to be –

- (a) A ‘certified practitioner’ under the Professions Act 2008;
- (b) from a law firm on the Town’s panel of legal service providers, if relevant, unless the Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- (c) approved in writing by the Council or the CEO under delegated authority.

**council member or employee** means a current or former commissioner, council member, non-elected member of a council committee or employee of the Town.

**legal proceedings** may be civil, criminal or investigative.

**legal representation** is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –

- (a) a matter or matters arising from the performance of the functions of the council member or employee; and
- (b) legal proceedings involving the council member or employee that have been, or may be, commenced.

**legal representation costs** are the costs, including fees and disbursements, properly incurred in providing legal representation.

**legal services** includes advice, representation or documentation that is provided by an approved lawyer.

**payment by the Town of legal representation costs may be either by –**

- (a) a direct payment to the approved lawyer (or the relevant firm); or*
- (b) a reimbursement to the council member or employee.*

### **1. Payment Criteria**

1.1 There are four major criteria for determining whether the Town pay the legal representation costs of a council member or employee. These are –

- (a) the legal representation costs relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
- (b) the legal representation cost are in respect of legal proceedings that have been, or may be, commenced;
- (c) in performing his or her functions, to which the legal representation relates, the council member or employee have acted in good faith, and have not acted unlawfully or in a way that constitutes improper conduct; and
- (d) the legal representation costs do not relate to a matter that is of a personal or private nature.

### **2. Examples of Legal Representation Costs That May Be Approved**

2.1 If the criteria in clause 1 of this policy are satisfied, the Town may approve the payment of legal representation costs –

- (a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
- (b) to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions – for example, where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
- (c) where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.

2.2 The Town does not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

### **3. Application for Payment**

3.1 A Council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the Council or the CEO.

3.2 The written application for payment of legal representation costs is to give details of

- (i) the matter for which legal representation is sought;
- (ii) how that matter relates to the functions of the council member or employee making the application;
- (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;



- (iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
  - (v) an estimated cost of the legal representation; and
  - (vi) why it is in the interests of the Town for payment to be made.
- 3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4 As far as possible, the application is to be made before commencement of the legal representation to which the application relates.
- 3.5 The application is to be accompanied by a signed written statement by the applicant that he or she –
- (a) has read, and understands, the terms of this policy;
  - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
  - (c) undertakes to repay to the Town any legal representation costs in accordance with the provisions of clause 7.
- 3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.
- 3.7 An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.

#### **4. Legal Representation Costs - Limit**

- 4.1 The Council in approving an application in accordance with this policy sets a limit on the costs to be paid based on the estimated costs in the application.
- 4.2 A council member or employee may make a further application to the Council in respect of the same matter.

#### **5. Council's Powers**

- 5.1 The Council may –
- (a) refuse
  - (b) grant; or
  - (c) grant subject to conditions,
- an application for payment of legal representation costs.
- 5.2 Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

- 5.3 In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Town’s council members “or employees” insurance policy or its equivalent.
- 5.4 The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The Council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - (b) given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7 Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Town are to be repaid by the Council member or employee in accordance with clause 7.

**6. Delegation to the Chief Executive Officer**

- 6.1 In cases where a delay in the approval of an application may be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.

**7. Repayment of Legal Representation Costs**

- 7.1 A council member or employee whose legal representation costs have been paid by the Town is to repay the Town –
- (a) all or part of those costs – in accordance with a determination by the Council under clause 5.7;
  - (b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Town paid the legal representation costs.
- 7.2 The Town may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

<b>Responsible Directorate:</b>	Chief Executive Officer’s Office
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	20/10/15
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.3.1

## 2.2.2 Use of Information Technology

<b>Type:</b>	Corporate Services - Risk Management
<b>Legislation:</b>	Copyright Act 1968 Censorship Act 1995
<b>Delegation:</b>	
<b>Other Related Document:</b>	Acceptable internet Use Procedures PRO2.2.2

### Objective

This policy provides guidelines for the proper usage of all information technology facilities, including electronic data exchange, via internal and external data networks. It includes: internet access, internet Email, internal Email (Exchange), facsimile and any other electronic data transfer using the Town of East Fremantle information technology facilities.

### Policy Scope

This Policy sets the conditions of use for the Town of East Fremantle information technology facilities, including the use of the internet and electron mail (Outlook) for all employees, volunteers, contractors and Elected Members.

For the purpose of this Policy 'employees' denotes employees, volunteers, contractors and if applicable Elected Members.

### Policy

#### 1. Purpose

This Policy applies to:

- a) All employees of the Town of East Fremantle, whether they are permanent, temporary or contracted;
- b) All contractors and volunteers; and
- c) Elected Members using Council equipment.

It is important therefore that all persons understand and acknowledge their obligations in this area.

Town of East Fremantle employees are accountable for the use of their Town's Information Technology (IT) facilities. If these facilities are improperly used, persons found misusing Town facilities may be subject to formal disciplinary actions and, potentially, criminal prosecutions.

The Town's IT network and its connections to other networks are to be used only in a manner that is consistent with the Town's business purposes and within the principles and guidelines of this Policy and associated procedures.

This document sets out the Town of East Fremantle's position on the proper use of its IT facilities. The principles sustaining the proper use of the Town of East Fremantle IT facilities are:

- The use of IT Facilities should be consistent with the Town of East Fremantle business operations.

- Limited personal use is permitted but must not interfere with the Town of East Fremantle business operations.
- The Town of East Fremantle will not be responsible for the loss of any personal information and / or data stored on any Town owned device, including computers, iPads and mobile telephones.
- Improper use of the Town of East Fremantle IT facilities will be addressed in accordance with this policy and may lead to disciplinary action, criminal prosecution, or both.

The purpose of these guidelines is to safe guard the Town of East Fremantle as well as the individual from the misuse of the Town’s IT facilities.

## 2. Security

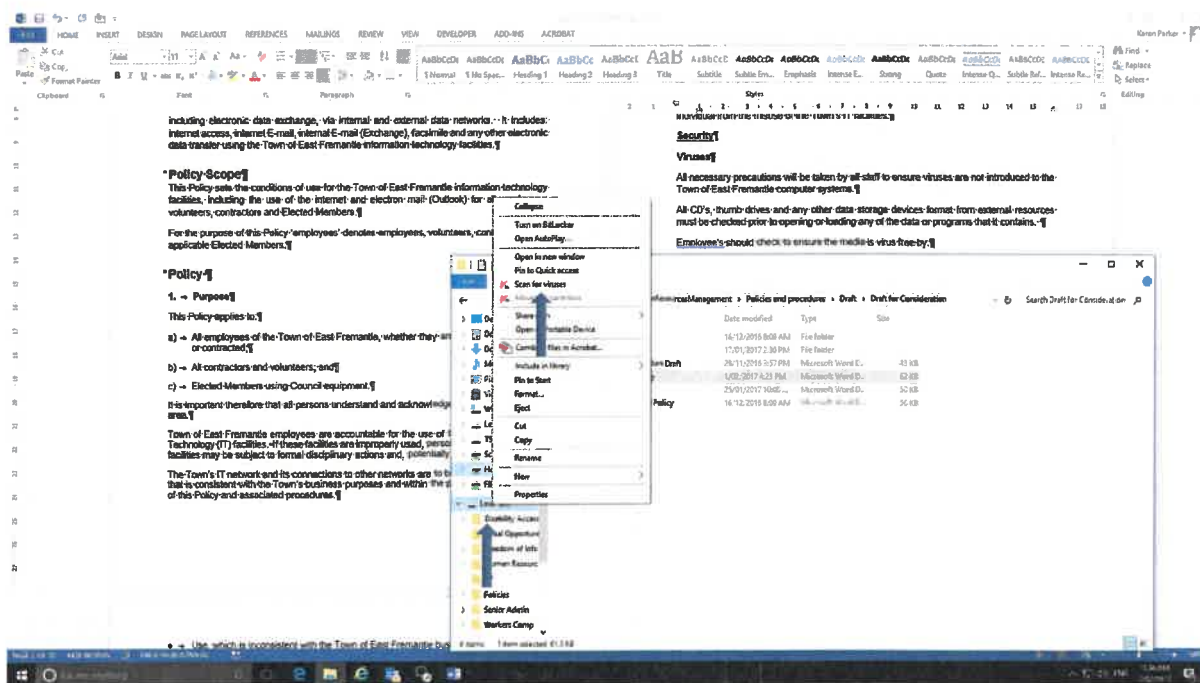
### Viruses

All necessary precautions will be taken by all staff to ensure viruses are not introduced to the Town of East Fremantle computer systems.

All CD’s, thumb drives and any other data storage devices format from external resources must be checked prior to opening or loading any of the data or programs that it contains.

Employees should check to ensure the media is virus free by:

1. Right click with the mouse on the ‘media’ in ‘file explorer’ and
2. Select ‘scan for viruses’



### Login Protocols

All users must be issued with a unique User Identification and a password.

Employees must not give out user details and passwords of the computer system to other Elected Members, employees, volunteers and non-employees.

Employees must provide a copy of their password for any Town owned iPads or mobile telephone to the IT Coordinator to be placed on a Register. If the employee updates / changes the password they must inform the IT Coordinator of the change.

### **3. Improper Use of IT Facilities**

The improper use of IT facilities may compromise the Town of East Fremantle's business objectives, expose the Town to unfavourable publicity and breach the right of other employees under legislation such as the Discrimination Act. Town of East Fremantle employees, therefore have an ethical and legal obligation not to use the IT facilities improperly.

Without limiting its definition, the improper use of IT facilities may entail one or more of the following:

- Use, which is inconsistent with the Town of East Fremantle business purposes.
- Excessive access of the internet during work time.
- Use which is outside the scope of an employee's authority or contrary to guidelines and legislation applying to the Town's IT facilities.
- Use which is contrary to broader requirements of the Town of East Fremantle employees such as conditions of employment, anti-discrimination legislation, Town of East Fremantle policies, etc.

#### *Penalties for Improper Use*

Any user violating this policy, applicable state and federal laws or Town of East Fremantle policies and procedures are subject to Town of East Fremantle disciplinary options.

In addition, any unauthorised access or attempted access to the Local Government computer system or attempted access to any state or Federal Government computing and/or network system is a violation of Australian law and is subject to criminal prosecution.

Should an employee receive an email which breaches the Town's policy pertaining to emails, they should:

- Reply to the email requesting that the sender refrain from sending any such emails in the future;
- Delete the email and any attachments;
- Under no circumstances forward the email; and
- Report the matter to their supervisor.

If an employee becomes aware that there are breaches of the Town's Policy pertaining to the use of the Internet occurring the matter should be reported immediately to their manager.

#### *Examples of Unethical and Unacceptable Use*

Use of the Internet for unethical or unacceptable purposes/activities is not permitted. This includes but is not limited to any of the following activities:

- Violating federal or state laws, in particular Division 6 of the 1995 Censorship Act.
- Violating institutional or third party copyright, licence agreements or other contracts.
- Transmitting, or causing to be transmitted, any communications that may be construed as harassment or disparagement of others based on the criteria of anti-discrimination legislation and Town of East Fremantle's relevant policies.

Publishing from a work PC on or over the Internet any information which violates or infringes upon the rights of any other person or any information of an abusive, profane nature or material likely to be sexually offensive.

Information published on chat sites, such as Facebook from the employee's / volunteer's personal computer.

#### 4. Copyright / Defamation

Copyright is a set of exclusive rights conferred to by law on authors of original material, such as literary works, dramatic works, films, records and the like. All software has copyright. Software programs, whether public domain 'freeware' (owner has given the copyright free), 'shareware' (owner may allow software to be copied and distributed free of charge provided users pay a certain fee), a commercial application or developed by a Government Agency (normally purchased as stand-alone or as multiple-copy site licenses) will come with the definition of a 'computer program' in the Copyright Act 1968 and will thus qualify as a 'literary work' under the Act.

Breaches of copyright legislation can attract severe penalties.

All outgoing emails will include a disclaimer.

#### 5. Records Management Procedures

All electronic documents are subject to the same record keeping requirements as hard copy documents, ie incoming and outward work related emails will be registered in the Synergy Record System.

Elected Members should forward all electronic documents relating to the business of Council to the Records Officer.

#### Attachment

Acceptable Internet Use Procedure

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Human Resources Coordinator
<b>Decision making Authority:</b>	
<b>Policy Adopted:</b>	21/3/2017
<b>Policy Amended/Reviewed</b>	
<b>Former Policy No:</b>	4.3.2

## USE OF INFORMATION TECHNOLOGY (PRO2.2.2)

### Acceptable Internet Use

#### Statement

The Internet will be used in a lawful manner that is consistent with the Town of East Fremantle standards of business conduct and as part of the normal execution of a person's job responsibilities.

#### Aim

The Internet is a worldwide network linking millions of computers and people. The Internet permits the sharing of information and ideas between businesses, academic and research organisations, and the community at large.

The aim of this document is to outline the procedures and practices to be employed at all times when using the Internet in the Town of East Fremantle workplace. In doing so, the document specifically draws attention to Equal Employment Opportunity (EEO) legislation which has a direct impact on the use of the Internet.

The procedure also provides for stored information derived from the Internet to be regarded as official records and, as such, professionally managed. In establishing that certain information derived from the Internet is considered to be "records", procedures are defined covering the requirement to retain the information in record keeping systems for as long as required under the terms of the *Local Government Retention and Disposal Schedule*.

#### Procedure

##### 1. AUTHORISATION TO USE INTERNET SERVICES

Town of East Fremantle personnel requiring Internet services must obtain authorisation before attempting to use the services. This is provided through the user profile set up by Focus Networks following a formal request from the Town's IT Coordinator.

Town of East Fremantle personnel are not permitted to use another officer's user profile.

Internet (log on) accounts are owned by Town of East Fremantle, therefore, Internet access and information obtained is not considered personal under any circumstances. All user profiles / accounts issued by Town of East Fremantle remain the property of Town of East Fremantle at all times.

##### 2. RISK MANAGEMENT

###### A *Internet Security*

- Town of East Fremantle security is maintained by use of a firewall, a dedicated machine that controls the flow of traffic through a gateway to the rest of the Internet. Unauthorised outside access from the Internet to the Town of East Fremantle internal network is not permitted.
- To minimise the risk associated with access to the Internet all Town of East Fremantle personnel must follow the guidelines contained in this policy.
- The Town of East Fremantle reserves the right to monitor the use of the Internet to ensure policy compliance.

- All Town of East Fremantle computers with Internet access must have virus scan and virus software update established.
- No unauthorised software is to be downloaded from the Internet without the permission of the Chief Executive Officer as this may expose the Town of East Fremantle to a potential breach of copyright.
- The Town receives a monthly report from their IT Consultants detailing the types of sites employees have or have attempted to access as well as virus threats the system has prevented from infecting the servers and computers. The IT Consultants can provide detailed reports for each user upon request by the Town's authorised representatives.

*B. Quality of Information*

Town of East Fremantle personnel need to be aware that materials published on the Internet may not have undergone rigorous quality assurance. Personnel should exercise extra caution and care to ensure the accuracy of Internet information and the authenticity of the authors.

*C. Legal Aspects*

Users of the Internet must respect the law and the legal rights of others. Copying from the Internet should be regarded in the same manner as copying from any other source.

Copyright does apply to information on the Internet.

Transmission and receiving of any material through the Internet in violation of any Australian Law is prohibited. This includes, but is not limited to, copyright material, threatening or obscene material, material breaching the Equal Opportunity Act or material protected by trade secret.

3. ACCEPTABLE USAGE

Authorised Town of East Fremantle personnel will use the Internet services in a responsible and professional manner to enhance the efficient operation of the organisation. The Internet can be used by Town of East Fremantle personnel provided the usage does not contravene the laws of Western Australia; there is no additional cost to the Town of East Fremantle nor commercial gain to the personnel.

4. UNACCEPTABLE USE OF THE INTERNET

Town of East Fremantle personnel are not to use Town resources to access the Internet for the following purposes:

- viewing, copying, printing, storing or distributing offensive or pornographic material;
- viewing, copying, printing, storing or distributing libellous, fraudulent, nuisance or malicious material;
- viewing, copying, printing, storing or distributing any material that violates an individual's rights under the Equal Opportunity Act. For instance, it is illegal to discriminate based on sex, race, age, disability, marital status, religious or political beliefs. This includes jokes, pictures, photos, sketches, or any other material that may be offensive to or prejudiced against an individual or group of individuals;
- copying and storing of images and video clips that are not directly related to Town of East Fremantle's aims and objectives;
- copying, storing or receiving unauthorised software;
- transmission and/or storage of copyrighted material;



- commercial activities for personal gain or profit;
- product advertisement or political lobbying;
- disclosure of material which is prohibited under state government legislation or policy;
- accessing, distributing or storing material which could damage the reputation of the Authority or lead to civil liability action;
- false representation;
- solicitation of other people including other employees;
- providing information about or lists of, government employees to others;
- commercial solicitations of non-departmental business;
- activities that interfere with your job or jobs of other employees;
- activities that interfere with the operation of any computer network;
- violating any law or rights of any person or group accessing the service under another user name and password; and
- use of departmental equipment to unlawfully access other network or systems

**Accessing an inappropriate Internet site will have serious consequences and could lead to dismissal.**

Accidental access to inappropriate websites.

Whilst using the Internet there could be occasions when inappropriate sites are accidentally accessed. Should this occur, **you must** immediately:

1. leave the site;
2. advise your immediate superior of the incident.

5. SECURITY

Internet accounts are personal and must not be used by anyone other than the person issued with the account. Town of East Fremantle personnel will be held responsible for all activities and the viewing of material originating from their account. Sharing of Internet access privileges is not permitted.

Town of East Fremantle personnel must log-off their computer when leaving it unattended or lock the screen to prevent unauthorised use of the logon and the computer.

6. SENDING INFORMATION

Town of East Fremantle personnel must ensure before they transmit information, via the Internet, that they have the proper authority to do so.

7. RECORD AND NON-RECORD INTERNET INFORMATION

The following should be registered in Synergy and stored as official Town of East Fremantle records:

- Internet correspondence which contains information relevant to making a decision within or concerning the Town of East Fremantle.
- Internet correspondence conveying information which has the potential to affect business decisions within or concerning the Town of East Fremantle.
- Internet correspondence which commits the Town of East Fremantle to certain courses of action, allocation of resources or provision of services.

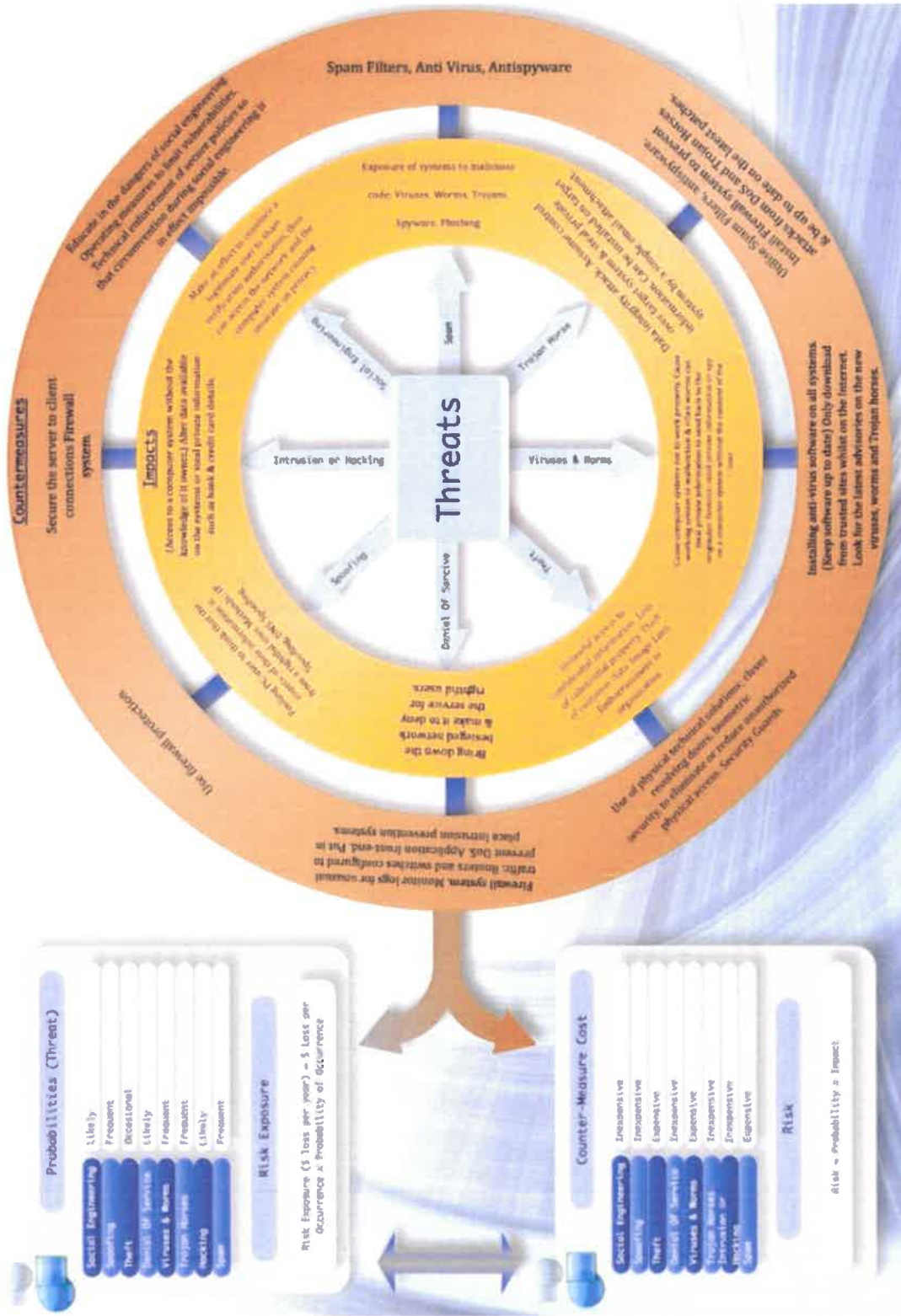
- Internet correspondence which contains information with historical value or data which may be required in the future.

#### 8. BACKUP

The Town of East Fremantle will backup all network server electronic transactions for business continuation purposes only.

It is the responsibility of the individual users to backup their own critical information saved in local drives, USBs or other media (hard copy).

## 5. GENERAL TECHNICAL THREATS AND COUNTER MEASURES



## **Electronic Mail Procedure**

### **Statement**

Electronic mail (email) will be used in a lawful manner that is consistent with the Town of East Fremantle standards of business conduct and as part of the normal execution of a person's job responsibilities.

### **Aim**

Email has evolved to become the primary business communication tool within Town of East Fremantle. To a large extent it is replacing internal memos and phone calls. With the use of email, Town of East Fremantle personnel send key information to each other and at the same time to all interested parties. The speed of response and the 'informal' nature of the medium result in fairly rapid decisions being facilitated. Email is one of the most effective and efficient means of communication within an organisation and with clients or other agencies. Messages are easy to send and mass distribution is almost instantaneous. Importantly, email and documents deserve the same level of management that is given to all other forms of business records.

The aim of this document is to outline the procedures and practices to be employed at all times when using email in the Town of East Fremantle workplace. In doing so, the document specifically draws attention to the Equal Employment Opportunity (EEO) legislation which has a direct impact on the use of email.

The procedure also provides for stored electronic messages derived from Town of East Fremantle's business transactions to be regarded as official records and, as such, professionally managed. In establishing that electronic messages are records, procedures are defined covering the requirement to retain electronic messages in record keeping systems for as long as required under the terms of the *State Records Act 2000*.

### **Procedure**

#### **1. AUTHORISATION TO USE EMAIL**

Town of East Fremantle personnel are provided authorisation to use email via their User Profile set up through Focus Networks.

It is not permissible to use an account held by another Town of East Fremantle person.

All email (logon) accounts are owned by Town of East Fremantle, therefore, email sent or received is not considered personal under any circumstances. All accounts issued by Town of East Fremantle and the information in the accounts remain the property of Town of East Fremantle at all times.

#### **2. EMAIL SECURITY**

2.1 Town of East Fremantle security is maintained by use of a firewall, a dedicated machine that controls the flow of traffic through a gateway to the rest of the Internet (the Internet is used to transmit email outside of Town of East Fremantle). Unauthorised outside access from the Internet to the Town of East Fremantle internal network is not permitted.

2.2 Town of East Fremantle may monitor the use of email to ensure policy compliance.

2.3 All Town of East Fremantle personal computers with email access must have virus scan and virus software update established.

- 2.4 No unauthorised software is to be downloaded using email without the permission of the Chief Executive Officer. Such an act may expose Town of East Fremantle to computer viruses and/or may result in Town of East Fremantle breaching copyright.
- 2.5 Email accounts are allocated to an individual and must not be used by anyone other than the owner. Town of East Fremantle personnel will be held responsible for all correspondence originating from individual accounts. Sharing of email accounts is not permitted.
- 2.6 Town of East Fremantle personnel must log-off a computer when leaving it unattended or lock the screen to prevent unauthorised use of the login and the computer.

### 3. RISK MANAGE YOUR EMAIL MESSAGES

- 3.1 Unlike non-electronic communication, an email message can be created and sent to one or many recipients through the use of a keystroke, without review or reflection. Often such messages are sent to provide a quick reply but may result in a misunderstanding of the tonal qualities and intent of the email. Once an email is sent, it is not possible to retrieve or edit the message.
- 3.2 Distribution lists are easy to create and readily facilitate the sending of mail to many recipients. If an out of date or incorrect mailing list is used, messages can be dispatched to unintended destinations. This may not only be embarrassing but could have commercial or legal implications.
- 3.3 Email intended for one person sometimes may be widely distributed because of the ease with which recipients can forward it on to others. A reply to an email message may inadvertently be posted on an electronic bulletin board and, as a result, be distributed to all subscribers to the bulletin board service.
- 3.4 All Town of East Fremantle personnel should be aware of the potential of misunderstanding and distribution errors with regards to email and should manage their usage of email to reduce the risk of such errors occurring.

### 4. LEGAL OBLIGATIONS

Users of email must respect the law and the legal rights of others. Transmission of any material by email in violation of any Australian law is prohibited. This includes, but is not limited to, copyright material, threatening or obscene material, material contrary to the EEO principles or material protected by trade secret.

Remember, plagiarising information from emails should be regarded in the same manner as copying from any other source. Copyright does apply to information transmitted via email.

### 5. PRIVACY

There is currently no legislation in Australia that contains any privacy provisions relating to email communications.

The Town of East Fremantle cannot guarantee the privacy or confidentiality of email messages. While the Town of East Fremantle will not monitor the contents of email messages as a routine procedure, it may read, copy, store and disclose the contents of email messages at any time.

Email is inherently not secure. Employees often believe that email is private, that nobody but the recipients will read the messages and that they are free to say anything. Email should be treated as though it is a conversation that has been written down. It can be "overheard".

Even after a user deletes an email record from a computer or email account, it may exist on backup facilities. Email messages can be saved indefinitely on the receiving computer. Copies can easily be made and forwarded to others either electronically or on paper. A message is not "deleted" from the system until all recipients of the message, and recipients of any forwarded or attached copies, have deleted their copies.

Email, whether or not created or stored on the Town of East Fremantle's equipment, may constitute an official record subject to disclosure under the Freedom of Information Act or other laws.

Mail sent to outside organisations will be subject to the policies of those organisations. These policies may differ from those of the Town of East Fremantle, especially in relation to privacy.

While it is not the practice of the Town of East Fremantle's management to read or to discuss the content of any message, it may be necessary to read an email message that has failed to reach its destination. This may be required to assist with the determination of the intended addressee and to redirect the message to the correct address.

#### 6. ACCEPTABLE USAGE

Authorised Town of East Fremantle personnel will use the email services in a responsible and professional manner to enhance the efficient operation of the organisation. Town of East Fremantle personnel can use email provided usage does not contravene the laws of Western Australia, there is no additional cost to the Town of East Fremantle, there is no commercial gain to the employee and there is no risk that the email may cause offense or distress to another person.

Private emails from employee's Town account should be for general purposes only and not related to personal business, complaints or any other subject that may breach the Town's Code of Conduct, policies and procedures. Personal emails will be monitored, breaches will be dealt with seriously and may result in disciplinary action.

#### 7. UNACCEPTABLE USE OF EMAIL

Inappropriate use of Email will have serious consequences and could lead to dismissal.

Town of East Fremantle personnel must ensure before they transmit information via email that they have the proper authority to do so. Town of East Fremantle personnel shall not use email in the following circumstances:

- To create or distribute offensive or pornographic material;
- Private use when the content of the emails may cause embarrassment to the Town or any other person; private business use; subscriptions to internet sites (newsletters etc) and any other reason as directed by the Chief Executive Manager and / or Senior Manager from time to time.
- To create or distribute libellous, fraudulent, nuisance or malicious material;
- To create or distribute any material that violates an individual's rights under EEO legislation (that is, it is illegal to discriminate based on sex, race, age, disability, marital status, religious

- or political beliefs). This includes jokes, pictures, sketches, or any other material that may be offensive to or prejudiced against an individual or group of individuals;
- To distribute images and video clips that are not directly related to Town of East Fremantle's aim's and objectives;
  - The transmission and/or storage of copyrighted material;
  - Commercial activities for personal gain or profit;
  - Product advertisement or political lobbying;
  - Disclosure of material which is prohibited under state government legislation or policy;
  - Accessing, distributing or storing material which could damage the reputation of the Authority or lead to civil liability action;
  - False representation;
  - Solicitation of other people including other employees;
  - Providing information about or lists of, government employees to others;
  - Commercial solicitations of non-departmental business;
  - Activities that interfere with your job or jobs of other employees;
  - Activities that interfere with the operation of any computer network;
  - Violating any law or rights of any person or group accessing the service under another user name and password; and
  - The use of departmental equipment to unlawfully access other network or systems.

#### 8. EMAIL MESSAGES WHICH SHOULD BE STORED AS OFFICIAL RECORDS

Electronic messages are to be captured and maintained as functioning records and require the preservation of their structure, context and content. The following should be stored as official Town of East Fremantle records:

- Emails which contain information which is relevant with regards to making a decision within or concerning the Town of East Fremantle.
- Emails which convey information which has the potential to affect business decisions within or concerning the Town of East Fremantle.
- Emails which commit the Town of East Fremantle to certain courses of action, allocation of resources or provision of services.
- Emails which contain information with historical value or data which may be required in the future.

#### 6. PERSONAL RESPONSIBILITY FOR STORING EMAIL MESSAGES

The sender is the person who must take responsibility for storing the information sent. An officer, who receives and annotates the message and then forwards it to other recipients, by taking such action, becomes a sender. As a sender, this person must ensure that the newly annotated message is recorded again.

#### 7. JUNK MAIL

Overloading of the email system by sending junk mail must be avoided. Town of East Fremantle personnel must not unnecessarily distribute documents to extremely large groups of people or "broadcast" inappropriate messages to lists or individuals without first checking with management.

If a message does not relate to an official business transaction, personnel should be selective in determining whether the message should be sent and to whom it should be sent.

Sending and receiving of large files, attachments and images (over 1 megabyte) is discouraged, as this can have a serious long term effect on the communications network and email performance.

#### 11. BACKUP

The Town of East Fremantle will backup daily all electronic transactions for business continuation purposes only.

Deleting an email message automatically deletes any attached files. It is the user's responsibility to save any files attached to email messages (in Synergy) that may be required in the future relating to the business of the Town of East Fremantle.



### 2.2.3 Related Party Disclosures

<b>Type:</b>	Corporate Services – Risk Management
<b>Legislation:</b>	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Australian Accounting Standard – AASB124 Related Party Disclosures
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	AASB124 Related Party Disclosures – Fact Sheet AASB124 Related Party Disclosures – Implementation Guide June 2017 E17/4866 Related Party Disclosures Declaration Form

#### Objective

This policy is to stipulate the information to be requested from related parties to enable an informed judgement to be made in order to comply with the requirements of AASB124 – Related Party Disclosures.

#### Policy Scope

*Related Party:* A person or entity that is related to the local government that is preparing its financial statements (the Town).

A person or a close member of that person’s family is related if that person:

- (a) has significant influence over the reporting entity; or
- (b) is a member of the key management personnel of the reporting entity.

An entity is related if any of the following conditions applies:

- (a) the entity and the reporting entity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others); or
- (b) a person is a member of the key management personnel of the entity;
- (c) the entity is controlled or jointly controlled by a person identified above.

*Key Management Personnel (KMP):* Those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity.

KMP for local governments would include elected members and senior staff (CEO, Executive Managers and Operations Manager).

*Close Member of the Family of a Person:* Those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity and include:

- (a) that person’s children and spouse or domestic partner;
- (b) children of that person’s spouse or domestic partner;
- (c) dependents of that person or that person’s spouse or domestic partner; and
- (d) any other close family member.

*Related Party Transactions:* A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

## **Policy**

The objective of the standard is to ensure that the Town's financial statements contain disclosures necessary to draw attention to the possibility that its financial position may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties in line with the requirements of AASB124 – Related Parties.

It is important to note that AASB 124 is not designed to detect and report fraud or misconduct. It is more so to enhance transparency and accountability of Council transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Town must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this policy is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

### **Identification of Related Parties**

AASB 124 provides that the Town of East Fremantle will be required to disclose in its Annual Financial reports; related party relationships, transactions and outstanding balances.

Related parties include person(s) who have significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

Key management personnel are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the standard, the Town has identified the following persons as meeting the definition of *Related Party*:

1. Elected Members.
2. Key management personnel being the Chief Executive Officer employed under section 5.36 of the *Local Government Act 1995* and senior employees appointed under section 5.37 of the *Local Government Act 1995*, who heavily influence Council decision-making and/or direct and control significant functions of Council.
3. Close members of the family of any person listed in point 1 or 2, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner, as defined by AASB124.
4. Entities that are controlled or jointly controlled by an Elected Member, key management personnel or their close family members (entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

The Town will therefore be required to assess all transactions made with these persons or entities.

### **Identification of Related Party Transactions**

A related party transaction is a transfer of resources, services or obligations between the Town (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Payment of rates issued by the Town.

- Payment of fines issued by the Town.
- Use of Town owned facilities such as buildings, parks, ovals and other public open spaces (whether a fee is charged or not).
- Attending council functions that are open to the public.
- Employee compensation, whether it is for key management personnel or close family members of key management personnel.
- Application fees paid to the Town for licences, approvals or permits.
- Lease agreements for housing rental (whether for a Town owned property or property sub-leased by the Town through a Real Estate Agent).
- Lease agreements for commercial properties.
- Monetary and non-monetary transactions between the Town and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Town (trading arrangement).
- Sale or purchase of any property owned by the Town, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Town.
- Loan Arrangements.
- Contracts and agreements for construction, consultancy or services.

Some of the transactions listed above occur on terms and conditions, no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with council and are referred to as an Ordinary Citizen Transaction (OCT). Where the Town can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

#### **Disclosure Requirements**

For the purposes of determining relevant transactions in point 2 above, Elected Members and key management personnel as identified above, will be required to complete a *Related Party Disclosures - Declaration* form for submission to the Town.

#### **Ordinary Citizen Transactions (OCTs)**

The Chief Executive Officer will provide a recommendation to Council annually, declaring that in his or her opinion, based on the facts and circumstances, the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the quarterly *Related Party Disclosures - Declaration* form will be required.

- Payment of rates issued by the Town.
- Payment of fines issued by the Town.
- Use of Town owned facilities such as buildings, parks, ovals and other public open spaces (whether charged a fee or not).
- Attending council functions that are open to the public.

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, Elected Members and key management personnel will be required to make a declaration in the *Related Party Disclosures - Declaration* form about the nature of any discount or special terms received.

#### **All other transactions**

For all other transactions listed in point 2 above, Elected Members and key management personnel will be required to make a declaration in the *Related Party Disclosures - Declaration* form.

**Frequency of disclosures**

Elected Members and key management personnel will be required to complete a *Related Party Disclosures - Declaration* form each quarter, commencing 1 July 2017.

The *Related Party Disclosures – Declaration* form must be completed by Elected Members and key management personnel prior to termination of office or termination of employment.

**Confidentiality**

Generally, related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

**Materiality**

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Chief Executive Officer
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/8/18
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.3.3

## 2.2.4 Risk Management

<b>Type:</b>	Corporate Services – Risk Management
<b>Legislation:</b>	AS/NZS ISO 31000:2009
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	Risk Management Procedures (Attached)

### Objective

The Town of East Fremantle’s (“the Town”) Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Town’s strategies, goals or objectives.

### Definitions

(From AS/NZS ISO 31000:2009)

**Risk:** Effect of uncertainty on objectives.

*Note 1: An effect is a deviation from the expected – positive or negative.*

*Note 2: Objectives can have different aspects (such as financial, health & safety and environmental goals) and can apply at different levels (such as strategic, organisationwide, project product or process).*

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

### Policy

It is the Town’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Town, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Town’s Integrated Planning Framework.

The Town’s Senior Staff Group will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee, elected member, volunteer and contractor within the Town is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

### Risk Management Objectives

- Optimise the achievement of our vision, experiences, strategies, goals and objectives.

- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

### **Risk Appetite**

The Town defined its risk appetite through the development and endorsement of the Town's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Town's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's appetite and are to be noted within the individual risk assessment and approved by a member of the Senior Staff Group.

### **Roles, Responsibilities & Accountabilities**

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

### **Monitor & Review**

The Town will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

### **Attachment**

Risk Management Procedures

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/3/2017
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.3.4

## 2.2.5 Internal Audit Charter

<b>Type:</b>	Corporate Services – Risk Management
<b>Legislation:</b>	Local Government (Audit) Regulations
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

### Objective

Internal audit provides an independent and objective review and advisory service to:

- provide assurance to Council and the Chief Executive Officer that the Town’s financial and operational controls designed to manage the organisation’s risks and achieve its objectives, are operating in an efficient, effective and ethical manner; and
- assist management in improving and monitoring the Town’s risk management, internal control and legislative compliance functions.

### Definitions

“Risk”: AS/NZS ISO 31000:2009 defines risk as “the effect of uncertainty on objectives”.

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. An objective may be financial, related to health and safety, or defined in other terms.

“Risk Management”: The application of coordinated activities to direct and control an organisation with regard to risk.

### Policy

#### Scope of internal audit

Internal audits may cover any programs and activities of the Town and encompass the review of all financial and non-financial policies and operations.

#### Independence

- Independence is essential to the effectiveness of the internal audit function.
- Internal audits will be performed by either using a dedicated internal audit resource reporting to the Office of the Chief Executive Officer or independent external contractors.
- Internal auditors report functionally to Council through the Audit Committee and are accountable to the Chief Executive Officer for the efficient and effective operation of the internal audit function.

#### Authority and confidentiality

Internal auditors are authorised to:

- have full free and unrestricted access to any and all of the Town’s records and other documentation, premises and Town employees; and
- obtain assistance as required from Town employees.

Internal auditors are responsible and accountable for maintaining the confidentiality of the information they receive during the course of their work.

### **Roles and responsibilities**

The internal audit activity encompasses, but is not limited to, the examination and evaluation of the adequacy and effectiveness of the Town's governance, risk management and internal controls as well as the quality of performance in carrying out assigned responsibilities to achieve the Town's strategic objectives. This may include:

- evaluating risk exposure relating to achievement of the Towns strategic objectives;
- evaluating the reliability and integrity of information and the means used to identify, measure, classify and report such information;
- evaluating the systems established to ensure compliance with those policies, plans, procedures, laws and regulations which could have a significant impact on the organisation;
- evaluating the means of safeguarding assets and – as appropriate – verifying the existence of such assets;
- evaluating the effectiveness and efficiency with which resources are employed;
- evaluating operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are carried out as planned;
- monitoring and evaluating governance processes;
- monitoring and evaluating the effectiveness of the Towns risk management processes;
- evaluating the quality of performance of external auditors and the degree of coordination with internal audit;
- providing advice related to governance, risk management and internal control as appropriate;
- reporting significant risk exposures and internal control issues, including fraud risks and governance issues; and
- evaluating specific operations at the request of Council and the Chief Executive Officer.

### **Relationship with external audit**

Internal and external audit activities will be coordinated to help ensure the adequacy of overall audit coverage and to minimise duplication of effort.

<b>Responsible Directorate:</b>	Office of the CEO
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	20/11/18
<b>Policy Amended:</b>	
<b>Former Policy No.</b>	4.3.5



## 2.2.6 Requests for New or Capital Upgrades to Existing Community Buildings

<b>Type:</b>	Corporate Services – Risk Management
<b>Legislation:</b>	
<b>Delegation:</b>	
<b>Other Related Document:</b>	

### Objective

To provide a coordinated approach to the assessment and approval of requests for new or capital upgrades to existing community buildings.

### Policy Scope

This Policy applies to all Town owned or managed sport and recreation facilities, clubrooms, community centres and community halls.

### Policy

#### 1. Definitions:

“**capital upgrades**” means extensions or upgrades to existing assets to cater for growth or increased levels of service.

“**community buildings**” means any Town owned or managed sport and recreation facilities, clubrooms, community centres and community halls.

#### 2. Statement:

In alignment with current asset management practices, it is the Town’s position that the development and upgrade of community buildings should seek to achieve the following:

- value for money;
- sustainable utilisation levels;
- provide “fit-for-purpose” use;
- meet current building standards;
- promote the strategic planning principles endorsed by Council; and
- minimise impacts from activities held in the buildings that may adversely affect local residents

#### 3. Proposal Categories:

Proposals for the construction of new community buildings or capital upgrades to existing facilities buildings generally fall into one of four categories:

- (i) Proposals for facilities works where the Town provides all funding.
- (ii) Proposals for works where community-based organisations seek external funding (eg grants) which require Council support and/or contributions.
- (iii) Proposals for works where community-based organisations self-fund a portion of the works and seek Council contributions for the remaining cost of the project.
- (iv) Proposals for works where community-based groups or lessees self-fund the whole

development.

### **3.1 Categories (i), (ii) & (iii) — Application Requirements:**

Community organisations seeking external funding or Council support and/or contributions for new community buildings or capital upgrades to existing community buildings are required to:

- meet eligibility criteria set by the Town and/or funding agencies; and
- submit an application form which includes a project plan, project budget (i.e. QS Report) and concept drawings.

All proposals will be assessed on the criteria outlined below and must be completed to the satisfaction of the Chief Executive Officer.

Supported applications must be approved by Council. A decision to list such an application as a priority will not be reconsidered during the financial year in which the application was made.

#### Needs Assessment

Any building proposals within the Town, whether they are for new buildings or for capital upgrades, must demonstrate an alignment with the Town's strategic objectives and planning priorities if they are to be supported.

A formal assessment matrix will be used to identify the need for the proposal at the direction of the Chief Executive Officer. The matrix will address, but will not be limited to:

- real and projected needs for the proposal;
- community benefits and impacts;
- alignment with planning documents and strategic planning principles;
- financial impacts to the club/group and to Council;;
- sustainability issues; and
- possible alternatives.

Minimum standards will be set for Town managed facilities with regard to site design and finishes in accordance with the Town's Asset Management Plans. Any requirements over and above these standards are the responsibility of the organisation/group leasing the facility to provide.

#### Support for External Funding Applications

Where the Town has supported external applications for funding and has committed to providing a portion of the funds, but the application is unsuccessful, the proposal may proceed if the applying body contributes all the remaining funds.

### **3.2 Category (iv) – Self Funded Upgrades**

Local community organisations may make applications to the Town to self-fund an upgrade to a Town facility. The application to the Town must include the following:

- Application form
- Project budget
- Compliance with all legislative requirements.
- Plans for the works.
- Demonstrated capacity to complete works.

The Town will not guarantee that approval will be granted to requests for community organisations self-funded upgrades. In considering the application the Town will consider the following issues:

- Impact of facilities and associated user groups.
- The proposed works and long-term impact on the life of the property.
- Impact on local community.
- Ability of community organisations to complete the works
- Ongoing maintenance of proposed upgrade.

#### 4. Alterations to Leased Premises

Where alterations are proposed to any facility owned by the Town that is leased externally, the request will be dealt with in accordance with individual lease agreements and relevant approval processes.

#### 5. Loans and Guarantees

In recognition of the risks associated with the provision of self-supporting loans or guarantees, the Town will generally not enter into any such agreements with any clubs, community organisations or external organisations.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	18/09/18
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	2.2.2



### **3. REGULATORY SERVICES**

#### **3.1 PLANNING**

**3.1.1 Residential Design Guidelines**

**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 and Parking – Local Planning Policy**

**3.1.5 Community Design Advisory Committee**

**3.1.6 ~~Town Planning Advisory Panel~~ Community Design Advisory Committee**

**3.1.7 Wood Encouragement - Council**

**3.1.8 Wood Encouragement – General**

**3.1.9 Percent for Public Art – Local Planning Policy**

The above Planning Policies are not part of this Policy Review and will be reviewed separately

## 3.2 ENVIRONMENTAL HEALTH

### 3.2.1 Healthy Eating

<b>Type:</b>	Regulatory Services – Environmental Health
<b>Legislation:</b>	N/A
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	Health Eating Procedure PRO3.2.1 Dietary Guidelines for Australians The Australian Guide to Healthy Eating

#### Objective

The purpose of this policy is to ensure access to healthy food and drink choices at Council operated facilities, workplaces and Council sponsored events that encourage the community to make food and drink choices that will impact positively on health.

#### Policy Scope

This policy will affect the Town of East Fremantle community, staff, volunteers and visitors and applies to food and drinks funded and or supplied by the Town of East Fremantle.

This policy does not apply to food and drinks that staff, visitors or volunteers bring from home for their personal use or to share for personal celebrations such as birthdays or farewells.

#### Policy

The Town of East Fremantle provides a range of healthy food and drink choices that reflect the Dietary Guidelines for Australians, The Australian Guide to Healthy Eating and other government recommendations for people living in Australia to achieve and maintain good health.

When applying this policy, Town of East Fremantle staff will be guided by the principles outlined in the Healthy Eating Procedures PRO/3.2.1.

#### Attachment

Healthy Eating Procedures

<b>Responsible Directorate:</b>	Regulatory Services
<b>Reviewing Officer:</b>	PEHO
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	17/11/15
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	1.2.1

## HEALTHY EATING PROCEDURES (PRO3.2.1)

### Objective

The objectives of this procedure are to provide a role model for healthy food and drink choices to the Town of East Fremantle community, staff, volunteers and visitors, and support community initiatives that have the potential to impact positively on the health and wellbeing of the community by:

- ensuring healthy food and drink choices are always available;
- increasing the availability of healthy food and drink choices over time;
- promoting healthy food and drink choices in a positive way; and
- presenting health food and drink choices as appealing and attractive alternatives to unhealthy food and drinks.

### Procedure

This procedure applies to all food and drink provided at the Town of East Fremantle operated facilities, services and workplaces as well as council sponsored events. This procedure applies to:

Internal catering and food provision:

- Provision of food and drinks to staff, visitors, volunteers and elected members in the event of meetings, workshops, training events and conferences.
- Provision of tea and coffee facilities for staff at the Town Hall, Dovenby House, Tricolore Day Centre and Council Depot.
- Provision of BBQ meals associated with tool box meetings at the Council Depot.

External catering and food provision:

- Provision of food and drinks at Council's Home and Community Care Program including meals provided at Tricolore Day Centre, during bus trips, and at Sumpton Green for the duration of the holiday program.
- Provision of healthy food and drink options during the annual East Fremantle Festival.

This procedure does not apply to food and drinks that staff, visitors or volunteers bring from home for their personal use or to share for personal celebrations such as birthdays or farewells. It applies to food and drinks funded by the Town of East Fremantle.

### 3.2.2 Noise Attenuation

<b>Type:</b>	Regulatory Services – Environmental Health
<b>Legislation:</b>	Planning & Development Act 2005
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	ToEF Town Planning Scheme No 3 (Part 2) Residential Design Guidelines Policy (3.1.1)

#### Objective

This Noise Attenuation Policy aims to achieve the following:

- Provide a clear framework for addressing noise concerns in (and near) mixed-use areas and areas subject to ambient environmental noise, that may be subject to higher levels of noise than average suburban areas;
- Establish appropriate criteria for measuring and identifying potential noise impacts before they occur;
- Clarify the process and extent of reporting required in certifying proposed noise attenuation measures; and
- Protect the amenity of existing and future residents within (and near) mixed-use precincts and areas subject to ambient environmental noise, through enhanced building design and construction.

#### Policy

In providing for the sustainable co-existence of a mix of land uses (including residential, retail, recreational, commercial and entertainment uses) within, or adjacent to, areas that are likely to be subject to ambient environmental noise, measures need to be taken to minimise the adverse impacts of noise.

There are various provisions for the regulation of noise levels in respect to established land uses<sup>1</sup> This policy is intended to reduce the potential for ‘nuisance’ occurring from noise by providing for the appropriate assessment and design responses to be incorporated within development proposals. This Policy is intended to clarify the Council’s approach to noise-generating and noise-sensitive developments within the Town of East Fremantle.

To achieve appropriate acoustic environments within noise sensitive premises, ambient environmental noise needs to be considered as part of the application for planning approval for

---

<sup>1</sup> Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997 provide powers for officers of the Department of Environment, WA Police Service and authorised Environmental Health officers from Local Governments to regulate noise where it is deemed to constitute a ‘nuisance’.  
The Director Liquor Licensing Division has power to deal with noise issues and anti-social behaviour under section 117 of the Liquor Licensing Act 1988.

developments, and subsequently addressed during design development and documentation for implementation during construction.

## **AMBIENT ENVIRONMENTAL NOISE**

### **Sources**

Ambient environmental noise relates to the measurable existing (or projected) noise levels at a particular location. Environmental noise sources that may occur include:

(a) Traffic Noise

Major roads contribute to the ambient environmental noise of an area. In most cases, these roads are characterised by a daily traffic noise pattern with an average daily traffic count of more than 15,000 vehicles.

(b) Port Operations

The Port of Fremantle is Western Australia's dedicated container port. The Port is a significant noise source which impacts on the amenity of noise-sensitive premises, particularly residential uses. Council's Residential Design Guidelines established three buffer areas surrounding the port within which restrictions or prohibitions on development are applied to ensure the continuation of Fremantle as a working port. The provisions of these Guidelines take precedent and are additional to, the Noise Attenuation Policy.

(c) Noise from Entertainment and Other Uses

Developments that accommodate entertainment and other uses including cafes, restaurants, markets, hotels and other entertainment venues are integral to the vitality and enjoyment of mixed-use localities. Noise emission from such venues is regulated under the Environmental Protection (Noise) Regulations 1997 however, residual 'break-out' noise does occur, contributing to general ambient environmental noise. Alfresco areas associated with hotels, cafés and restaurants can be a major contributor to general ambient environmental noise.

(d) Street Noise

Urban locations containing the mix of lifestyle uses that contribute to the vitality and enjoyment of such areas are also characterised by increased levels of pedestrian activity. The noise associated with this pedestrian activity, including movement to and from different establishments, and persons getting into and out of parked cars can contribute significantly to general ambient environmental noise (particularly when this occurs late at night or early morning). This can create an impact on the amenity of noise sensitive premises, particularly residential.

(e) Mechanical Plant

Air-conditioning and related service hardware can impact on the amenity of noise sensitive premises. In a residential setting, the noise emission from air conditioner condensers can affect the amenity of neighbouring property. In mixed use locations, exhaust fans associated with commercial kitchens, smoke exhaust systems, refrigeration compressors and chillers and other equipment associated with the air conditioning of larger premises are significant noise sources that impact on the general ambient environmental noise.



## MEASURES REQUIRED

### 1. General

In order to address noise from the above sources, the potential noise impacts upon new development shall be addressed at the planning and design stage. Measures to minimise the impacts of noise are to be incorporated at the time of construction.

For residential uses, measures are required to manage noise intrusion from sources, including:

- (a) Traffic noise;
- (b) Port noise;
- (c) Residual break out noise from entertainment uses and venues;
- (d) Street noise; and
- (e) Mechanical plant (on adjoining or adjacent properties).

For commercial uses, measures are required to control noise emissions generated by the use, including:

- (a) Noise break out from non-residential and other uses such as entertainment venues; and
- (b) Mechanical plant.

### 2. Acoustic Reporting Requirements

The Council will require an acoustic report to form part of a proposal for development which it determines may be subject to (or emit) environmental noise. The report shall demonstrate how the proposed development has been acoustically assessed and designed for the purpose of minimising the effects of noise intrusion and/or noise emissions.

Where the Council requires a report, the report shall:

- (a) be prepared by an acoustical consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of Council);
- (b) be lodged during the development approval application stage; and
- (c) to the satisfaction of the Council, address all matters that are required to demonstrate that the acceptable noise criteria will be achieved including:
  - (i) for developments that may receive noise (noise intrusion):
    - the identification of all significant existing and potential environmental noise sources;
    - the measurement of all identified noise sources including, adequate sampling to enable the establishment of reliable design noise levels. For example, for traffic noise, measurements at different times such as during peak traffic times and late at night on weekends;
    - the character of the noise source to be adequately described in terms of frequency analysis (minimum of octave bands);
    - the establishment of appropriate interior design sound levels for various areas of occupancy in accordance with the Noise Criteria (outlined below);
    - a detailed description of the construction measures that are required to be included, or which have been included, in the proposed development to achieve

the noise levels prescribed in the Noise Criteria (outlined below). Calculations shall be based on octave band noise source data and octave band sound reduction performance for construction elements; and

- the provision of the following:
  - date, time and results of measurements;
  - design noise levels used in assessment;
  - design sound levels used for internal spaces; and
  - recommendations for construction.
- (ii) for developments that may emit noise (noise emissions):
  - the identification of all noise sources to be addressed, including alfresco areas for Entertainment Uses such as cafes, restaurants and hotels;
  - determination of noise source levels and character;
  - acoustic data to be in octave bands where noise sources are internal;
  - the establishment of Assigned Levels for noise sensitive premises in the vicinity in accordance with the Environmental Protection (Noise) Regulations 1997;
  - a detailed description of the construction measures that are required to be included, or which have been included, in the proposed development to achieve the noise levels prescribed in the Noise Criteria (outlined below). Calculations shall be based on octave band noise source data and octave band sound reduction performance for construction elements;
  - for commercial premises that have external noise sources, a description of the measures that are required to be included, or which have been included, in the proposed development to comply with the Environmental Protection (Noise) Regulations 1997; and
  - the provision of the following:
    - date, time and results of measurements;
    - design noise levels used in assessment;
    - Assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and
    - recommendations for construction and noise control.

## **ACCEPTABLE NOISE CRITERIA**

### **Noise Intrusion (Residential Development)**

Buildings containing a residential component are to be designed so that the interior of residential units achieve the following design sound levels:

- (a) Leq 35 dB(A) in sleeping areas (bedrooms); and
- (b) Leq 40 dB(A) in living / work areas.

For residential dwellings fronting a major road<sup>2</sup>, a design sound level tolerance of 5 dB in excess of the above levels is acceptable.

---

<sup>2</sup> A major road shall have the same meaning as the definition contained in the Environmental Protection (Noise) Regulations 1997 being "a road estimated to have an average daily traffic count of more than 15,000 vehicles". Major roads within the Town of East Fremantle are the Canning and Stirling Highways. For residential dwellings within 150m of a rail corridor, a design sound level tolerance of 5 dB in excess of the above levels is acceptable.

### **Construction Requirement**

Multi-residential developments shall be constructed to meet the requirements of the Building Code of Australia (BCA) Part F5 – Sound Transmission and Insulation.

For all other development, unless another level is specifically prescribed in this Policy, noise intrusion is to be controlled to achieve the indoor design sound levels for buildings as set out in Australian Standard AS/NZS2107: Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.

### **Noise Emission**

Noise emission from all developments shall comply with the *Environmental Protection (Noise) Regulations 1997*.

### **PLANNING & DESIGN CONSIDERATIONS**

The consideration of sound attenuation at the planning stage of a development can contribute significantly to achieving the required Noise Criteria - as well as reducing the eventual cost of construction. Factors that affect the acoustic performance of a building that should be considered include:

- (a) the identification of existing/potential environmental noise sources;
- (b) development orientation and layout taking into account the location of existing/potential environmental noise sources;
- (c) the location of bedrooms away from noise sources;
- (d) the location of outdoor living areas including balconies and the location of windows away from noise sources;<sup>3</sup>
- (e) the use of development built form (blade walls etc) to screen noise sources; and
- (f) the use of building design elements (balcony balustrades, decorative screens etc) to provide some reduction in noise impact on windows.

### **Design Development (Documentation) Considerations**

At the design documentation stage, working drawings should reflect the outcomes and recommendations in the acoustic report that was prepared and submitted at the planning application stage.

### **Construction Considerations**

Noise attenuation measures that may be addressed in the acoustic report and implemented into the construction of the development to achieve the Noise Criteria include:

- (a) Windows:
  - (i) heavyweight / thicker glass;
  - (ii) double glazing;
  - (iii) allow for window construction to be readily upgraded to double glazing in the future;
  - (iv) special acoustic requirements for window frames; and

---

<sup>3</sup> For further guidance refer to State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning, section 5.3 Noise Criteria which apply to outdoor living areas.

- (v) specific acoustic performance requirements – Laboratory tests data.
- (b) Walls:
  - (i) stud frame walls may require acoustic upgrading;
  - (ii) acoustic attenuation for exhaust vents through wall;
  - (iii) specific acoustic requirements for external doors; and
  - (iv) appropriate selection of garage doors to reduce noise.
- (c) Roof - Ceiling:
  - (i) specific acoustic requirements for sealing roof;
  - (ii) timber framing or insulated metal framing;
  - (iii) upgraded acoustic performance for ceiling;
  - (iv) closing / sealing of eaves;
  - (v) insulation of ceiling void; and
  - (vi) acoustic attenuation for vents through roof.

Attention to sealing all gaps is critical to successful noise amelioration.

#### **Noise Emission**

- (a) Environmental Protection (Noise) Regulations 1997:
  - (i) Assigned Levels identified for various times of day; and
  - (ii) adjustments for noise characteristics identified.
- (b) Noise breakout from premises:
  - (i) acoustic upgrade of windows;
  - (ii) acoustic lobbies at entry and exit points in the building;
  - (iii) acoustic upgrade to walls and roof-ceiling construction;
  - (iv) process for determining maximum allowable internal noise level;
  - (v) use of permanent noise monitoring with integrated audio control system;
  - (vi) management strategies to control breakout noise; and
  - (vii) management strategies for control of noise during deliveries and disposal of rubbish.
- (c) Mechanical Plant:
  - (i) importance of selecting an appropriate location; and
  - (ii) noise control measures required including barriers and enclosures.

#### **NOTIFICATIONS ON TITLE**

Notifications on title may be proposed by the Council as a condition of approval for subdivision/development proposals where the area forms part of (or is adjacent to) a current and/or proposed mixed use area or environmental noise source.

The title notifications are proposed because future resident's response to noise intrusion into their property can be influenced by their expectations for the environment they are entering. In a mixed use environment, the noise levels experienced are generally higher than those within a more traditional suburban environment. At the subdivision and/or development approval stage of any development with a residential component, notifications shall be sought on the title pursuant to

section 70A of Transfer of Land Act 1893, together with section 165 of the Planning and Development Act 2005 to inform prospective future residents of the likelihood of higher noise levels in the locality.

**Sample Conditions of Subdivision and or Development**

1. A Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the Certificate Of Title to the land (the subject of the proposed subdivision/development) prior to works proceeding on site, to notify owners and prospective purchasers of the land, that the land is located in (or adjacent to) an area where non-residential uses may be approved and the land may be affected by activities and noise not normally associated with residential development.
  
2. The Section 70A Notification shall be prepared to the satisfaction of the Town of East Fremantle and all costs of and incidental to the preparation of and registration of the Section 70A notification including related Council Solicitors’ costs shall be met by the applicant or the owner of the land.

<b>Responsible Directorate:</b>	Regulatory Services
<b>Reviewing Officer:</b>	Executive Manager Regulatory Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	15/2/11
<b>Policy Amended/Reviewed:</b>	20/7/15
<b>Former Policy No:</b>	3.1.2

## 4. OPERATIONS

### 4.1 PUBLIC INFRASTRUCTURE

#### 4.1.1 Removal of Graffiti

<b>Type:</b>	Operations – Public Infrastructure
<b>Legislation:</b>	
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	Removal of Graffiti Procedures PRO4.1.1

#### Objective

This policy sets out the criteria for the removal of graffiti within the Town.

#### Policy Scope

This policy will affect private property and Town of East Fremantle assets and infrastructure.

#### Policy

The Town of East Fremantle resolves to remove graffiti within five (5) working days of it being reported and offensive graffiti will be given a higher priority.

The Town of East Fremantle may arrange a contractor to remove graffiti from privately owned property where:

- the property owner has reported the graffiti to the Goodbye Graffiti Hotline by calling 1800 44 22 55 or online at [www.goodbyegrffiti.wa.gov.au](http://www.goodbyegrffiti.wa.gov.au)
- the property owner has submitted a graffiti waiver form to the Town of East Fremantle to enable the removal or painting out of graffiti, without the potential for liability claims.
- the private property adjoins a public walkway or thoroughfare.
- the Town will provide this service on a cost plus 25% recovery basis.

Notwithstanding the above, the Town reserves the right to remove offensive or unsightly graffiti from private property at its discretion.

#### Attachment

Removal of Graffiti Procedures

<b>Responsible Directorate:</b>	Operations
<b>Reviewing Officer:</b>	Operations Manager
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	20/10/15
<b>Policy Amended:</b>	
<b>Former Policy No</b>	2.1.1

## REMOVAL OF GRAFFITI PROCEDURE (PRO4.1.1)

### **Objective**

The Town of East Fremantle undertakes to remove graffiti from Council and private property in the following manner.

### **Procedure**

Graffiti may be reported to Council by a number of means:

- Direct telephone call, letter, email from resident to the Town or via the Goodbye Graffiti website.
- Via Neighbourhood Watch Coordinator.

All graffiti reports are to be sent to Town of East Fremantle Operations Manager. It is recommended that graffiti reports be accompanied by a photograph.

Graffiti will be removed within five (5) working days.

Offensive graffiti will be removed as soon as possible.

### Public Assets

The Operations Manager will allocate staff to remove graffiti from Town assets including bus shelters, structures, buildings, signs and bins. Staff time and resources will be costed to Expenditure Account E11424.

### Private Property

Operations Manager is to arrange a contractor to remove graffiti from privately owned property where:

1. the property owner has reported the graffiti to the Goodbye Graffiti Hotline.
2. the property owner has submitted a graffiti waiver form to the Town of East Fremantle to enable the removal or painting out of graffiti, without the potential for liability claims.
3. the private property adjoins a public walkway or thoroughfare.

The Town will provide this service on a cost recovery basis comprising cost plus 25% administration fee.

### 4.1.2 Public Art Panel

<b>Type:</b>	Operations – Public Infrastructure
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	
<b>Other Related Document:</b>	Public Art Policy 4.1.3

#### Objective

To establish a Public Art Panel to guide the Town of East Fremantle Public Art Strategy in accordance with associated policies, processes and procedures.

#### Policy Statement Definitions

*“The Panel”* means the Public Art Panel referred to in this Policy.

*“Financial Interest”* has the same meaning as given by Section 5.60A of the *Local Government Act 1995*.

*“Proximity Interest”* has the same meaning as given by Section 5.60B of the *Local Government Act 1995*.

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

#### Policy Scope

##### Background

Consultation and research undertaken has shown that it is best practice for Local Government Authorities to appoint a panel or committee with responsibility for making decisions and recommendations about public art.

The Town of East Fremantle Public Art Panel should comprise Elected Members, staff and dedicated experts in the field. It is important that Panel Membership covers a range of expertise in public art to ensure a balance of skill and opinion.

The Panel would conduct itself according to the role given to it by the Council, which would outline the Panel’s responsibilities, operations and composition.

##### Status and Role of the Panel

The Public Art Panel will:

1. Oversee and make recommendations to the Council on matters related to:
  - 1.1 the strategic direction, policy and public program matters of the Town of East Fremantle Public Art Strategy;
  - 1.2 the development of public art project briefs;
  - 1.3 the deaccession, relocation, removal and disposal of public artworks; and
  - 1.4 to assess and determine the suitability of percent for public art proposals submitted in accordance with the Town’s Percent for Public Art Policy
2. Consider the recommendations of specialist selection panels;



3. Assess the implementation of the public art annual action plan.

Positions on the Panel will be non-paid.

## **Policy**

### **Section 1: Terms of Reference**

- To provide guidance for the Town of East Fremantle Public Art Strategy.
- To act in an advisory capacity and make recommendations on specified projects in relation the acquisition of public art; development projects with public art components; and any proposed projects that have the potential for public controversy and/or risk to the Town's reputation (noting that this does not include the selection or approval of new works where they meet the Policy;
- The Panel will provide expert advice in the development and review of the Town's public art program and on public art projects.
- The Panel's advice will help the Town achieve high-quality public art outcomes; an excellent reputation with stakeholders; effective relationships with partners and the arts sector.

### **Section 2: Membership**

- The Town will engage the correct or suitable expertise (art, architecture, urban design and cultural expertise) to achieve high-quality art outcomes for the Town.
- It is important that Panel Members are specialists in their field and that the membership covers a range of expertise in public art to ensure a balance of skill and opinion.
- Artists, curators, architects and other design and cultural experts will help the Council achieve public art outcomes for the Town of East Fremantle that are world-class and innovative, and that surprise, delight, challenge and stimulate.
- Invitations to nominate for the Public Art Panel are to be advertised biennially. Nominees will be invited to provide a response to the criteria.
- The Council will appoint Panel Members on the recommendation of the administration following the assessment of applications.
- The Panel should have up to seven representatives (including the Chair) covering a range of expertise and ideally made up as follows:
  - Two Elected Members (including the Mayor or representative);
  - Chief Executive Officer (or representative)
  - a public art practitioner or coordinator (preferably a Western Australian State Government Percent For Art consultant);
  - Three other specialists such as a practising artist, public art coordinator, curator, art historian, academic, art critic or design professional (expertise in theory and/or practice of contemporary art, urban design or related practice or national and international public art perspectives should be rated highly).

### **The Chairperson**

- The Panel Chairperson is an Elected Member of Council and appointed by Council.
- The Chief Executive Officer shall give all assistance to the Panel Chairperson in respect to administrative support for the Panel.

### **Section 3: Meeting Procedure and Process**

- Unless approved by the Council or there is a need to address an urgent issue (the latter to be agreed by the Chairperson and the Chief Executive Officer), the Panel shall meet as required. Additional meetings may be convened at the discretion of the Chief Executive Officer.

- Members will be required to provide sufficient notice of their ability or inability to attend the next scheduled meeting.
- Panel Meetings are not open to the Public.

#### **Quorum**

- A quorum for the meeting of the Committee will be 4 voting members (including the Chairperson).
- The Panel meeting shall not proceed unless a quorum is present.

#### **Chairperson**

The Council appointed Chairperson will preside at all meetings. In the absence of the Chairperson, a person elected by the quorum will assume the Chair.

#### **Agendas**

- The Chief Executive Officer will determine the Agenda for each meeting. All meetings shall be confined to items listed on the Agenda. Agendas will be distributed to all members at least four (4) working days in advance of meeting dates.
- Detailed documents will be distributed to Panel members at least four (4) working days in advance of the meeting dates.

#### **Minutes**

- The Panel Chairperson (in liaison with the Chief Executive Officer) shall be responsible to ensure the preparation and accuracy of the Minutes/Meeting notes.
- Items considered at the meeting will not be formally voted upon. The Minutes/Meeting notes of the Panel will record consensus agreement and any points of agreement/disagreement. They will not reflect verbatim discussion on matters discussed during debate prior to consensus agreement being reached. The Minutes/Meeting notes of the Meeting will be prepared by an officer of the Town and distributed to members within five (5) working days after the date of the meeting.
- The Panel Minutes/Meeting notes are to be presented in the form of:
  - explanatory comments on the matters before Panel and general views regarding the proposal;
  - formal recommendation to the Council, where appropriate reflecting the views of the majority of members present at the meeting;
  - The Panel Chairperson will endorse the Minutes/Meeting notes and proposed recommendations; and
  - Original copy of the endorsed Minutes/Meeting notes to be retained for record purposes.

#### **Administrative Support**

A Town employee will be assigned to provide administrative support to the Panel. This person will be responsible for the following;

- Issuing of the Agenda;
- Recording of Apologies prior to the meeting;
- Preparation of the Minutes/Meeting notes;
- Room booking; and
- Catering requirements.

### **Code of Conduct**

- The Town's Code of Conduct shall apply to members of the Panel.
- All Panel members shall be required to declare any conflicts of interest in matters being considered.
- A copy of the Town's Code of Conduct will be provided to each member upon their appointment.
- The Town's Chief Executive Officer is available to provide any assistance or guidance concerning the Code or any matters of interest.

### **Conflict of Interest**

- All members need to be aware that any conflict of interest needs to be recognised. On receipt of the Agenda, if a member has an interest in the matter, then the member is required to declare the interest.
- Any person who has a financial and proximity interest in a matter shall exclude themselves from the room and not participate in that part of the meeting.

### **Financial and Insurances**

The Town will arrange all insurance to cover Panel members whilst discharging their normal course of duty, including travel to and from the meeting.

### **Tenure of Appointment**

- The Council will appoint a member to the Panel including the prescribed term and any conditions.
- The Panel Membership is normally for a period of 2 years from the period of the ratification of the Panel by the Council. (Generally the term is from November after the Ordinary local government elections.).
- Once selected by the Council, if a member fails to attend three (3) consecutive meetings of the Panel, his/her appointment shall be automatically terminated, unless Leave of Absence has been granted and approved by the Panel. The Chief Executive Officer shall advise any member, in writing, when their membership of Panel is terminated.
- The Council may terminate the appointment of any member prior to the expiry of his/her term, if:
- The Chairperson and Chief Executive Officer consider that the member is not making a positive contribution to the Panel; or
- The member is found to be in breach of the Town of East Fremantle Code of Conduct or a serious contravention of the Local Government Act 1995; or
- A member's conduct, action or comments brings the Town of East Fremantle into disrepute.

### **Vacancies**

Vacancies shall be filled by calling for nominations of external members. Members filling a vacated position will hold that position for the remainder of the vacant positions' term as approved by the Council.

### **Section 4: Related Policies and Plans**

Interpretation and implementation of this Policy is in accordance with the Town of East Fremantle documents as outlined below.

- Town of East Fremantle Public Art Strategy
- Town of East Fremantle Local Planning Policy - Percent for Public Art
- Town of East Fremantle Public Art Annual Action Plan 2017/18 – 2020/21

- Town of East Fremantle Public Art Panel Policy

#### Other Related Policies or Plans

- Town of East Fremantle Strategic Community Plan 2017-2027

### Section 5: Definitions

#### **Public Art**

*For the purposes of this Policy, public art is defined as a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):*

- *the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;*
- *landscape art enhancements such as walkways, bridges or art features within a public garden;*
- *murals, tiles and mosaics covering walls, floors and walkways; and*
- *sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.*

*Public art does not include:*

- *business logos;*
- *advertising signage;*
- *art objects which are mass produced or off the-shelf reproductions; and*
- *landscaping or architectural features which are considered by the Town to be normally integrated into the building or development.*

#### **Attachment**

For an extended list of detailed definitions please refer to the Appendix.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/10/17
<b>Policy Amended:</b>	17/04/18
<b>Former Policy No:</b>	4.1.6

## A. Types of public art

The descriptors that follow indicate the diversity of approaches to public art projects.

**Ephemeral Artworks:** those works that are short lived, based on a specific occasion or event and are transitory in nature. Ephemeral art describes projects that may be environmental, lighting or projection where there is no physical artwork created. The term also applies to physical works in non-permanent materials such as natural found materials that degrade as part of the art process.

**Functional Artworks:** where the primary purpose of the element is utilitarian such as seating, lighting, bollards, rubbish bins, bike racks, shelters and paving. These can vary in form, scale or quantity, dependent on the location. Functional works can reinforce a design aesthetic or thematic concern and be playful, delightful or sophisticated.

**Ground Plane Artworks:** form part of the ground in a public setting and may be experienced as carved/shaped paving elements, metal relief elements, toughened glass panels and ceramic or mosaic inserts, amongst others. Ground plane works are designed to be viewed closely by pedestrians in the space, potentially slowing their movement through the area and creating the opportunity for an intimate and personal engagement between the work and the viewer. Ground Plane works are useful as a way finding tool.

**Iconic Artworks:** a significant, freestanding work, where the approach is largely independent of other considerations.

**Integrated Artworks:** works that are fully incorporated within the design of the built or natural environment.

**Interactive Artworks:** are works that are designed to encourage a tactile response.

**Interpretive Artworks:** where the primary purpose of the artwork is to tell a story, describe, educate or comment on an issue, event or situation.

**Intervention Artworks:** provoke an idea or thought or an element of surprise often in an unexpected location.

**Landmark Artworks:** could be considered a signature or icon for a city. Large in scale or ambitious in concept, such works tend to be major stand-alone commissions and not part of a capital works project.

**Medium Scale/Human Scale Artworks:** are artworks approximately the size of an average person. These artworks are easily interacted with and are accessible to pedestrians.

**Memorial:** a structure, sculpture or other object erected to commemorate a person or an event.

**Nodal Artwork:** an artwork that comprises of a series of component parts and a central focus element.

**Site Specific Artworks:** designed specifically for and responding to a particular site through scale, material, form or concept.

**Permanent Artworks:** refers to public art with a lifespan of at least twenty years.

**Plaque:** a flat tablet or sign, affixed to an object, building or pavement, of metal, stone or other appropriate material, which may include text and/or images in order to provide interpretive information. Plaques may identify an artwork, commemorate a person, place, object or an event and/or provide historical text or information relevant to its location.

**Street Art:** may include spray or aerosol art, stencils, sticker art, paste-ups (wheat pasting and poster art), video projection, art interventions, guerrilla art, flash-mobbing and installations.

**Temporary Artwork:** refers to artwork that is made to last for a specific duration for example, one week or one year. This may include one off or scheduled events such as outdoor exhibitions or installations. The dynamic nature of temporary works are an important place activation tool.

**Textural Artworks:** are small in scale, often items of architectural, streetscape and landscape detail, which contributes to the local character of a place.

**Transition Artworks:** provide an element that links one space to another such as an internal to an external public space or a hardscaped space to a landscaped space.

## **B. Definitions**

### **Artist**

A professional visual artist can be defined as a person who fits into at least two of the following categories:

- a person who has a tertiary qualification in the visual arts, or when the brief calls for it, other art forms such as multimedia;
- a person who has a track record of exhibiting their artwork at reputable art galleries that sells the work of professional artists;
- a person whose work is represented in major public or private collections; and

A person who earns more than 50% of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions. In some cases, this definition may be relaxed where it may be specified for a particular project.

For example, a project involving emerging artists, Indigenous artists, students or street/graffiti artists.

### **Artist Fees**

That portion of the art project budget reserved for payment to the artist for his/her creative services for design, fabrication, and/or project management services.

### **Artwork or Work of Art**

Any work or object designed by an Artist.

### **Collection Management**

The administration and management of an Art Collection. This encompasses the management of collection records both electronic and hard copy, the database, catalogues, inventories and condition assessments, maintenance and conservation programs, accession of new acquisitions and overseeing the deaccession, disposal or relocation of public artwork.

### **Community Art**

A process where the community initiates or participates in the art project.

### **Contemporary Art**

Artwork created in the present day that engages with issues relevant to its time or uses materials and processes that are at the forefront of arts practice.

### **Hand-over**

The transfer of ownership of an artwork from one party to another. This includes the transfer of legal title and the supplying of the Maintenance Manual and other associated contractual documents.

### **Maintenance Manual**

Those forms completed by the artist detailing the maintenance and technical information for the completed artwork.

### **Public Art**

Public art is a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):

- the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;
- landscape art enhancements such as walkways, bridges or art features within a garden;
- murals, tiles and mosaics covering walls, floors and walkways; and
- sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.

### 4.1.3 Public Art

<b>Type:</b>	Operations – Public Infrastructure
<b>Legislation:</b>	N/A
<b>Delegation:</b>	
<b>Other Related Document:</b>	Public Art Strategy, Public Art Plan, Public Art Panel Policy 4.1.2, Percent for Public Art Local Planning Policy 3.1.9

#### Objective

This Public Art Policy has been developed to clearly articulate how the Town of East Fremantle will administer the procurement and management of public art.

Other documents have been developed to support this policy and provide detailed procedures for administering aspects of the Public Art Strategy.

The vision is to develop public art that captures the spirit of East Fremantle, is responsive to East Fremantle’s history, distinct neighbourhoods, Town Centre and river foreshore.

#### Policy Scope

This policy will affect art and public art acquisitions including paintings and donated artworks, pictures and photographic works and functional equipment for public places.

#### Policy

##### Section 1: Objectives

The objectives of the Public Art Policy provide the strategic context and direction for all public art planning.

##### 1.1 Cultural

To enhance the cultural and aesthetic environment of East Fremantle by:

- interpreting aspects of its unique cultural heritage;
- ensuring that public artworks respond to the site;
- valuing quality over quantity; and
- acknowledging and celebrating Aboriginal culture and stories.

##### 1.2 Sustainability

To contribute to a sustainable environment by using public art to:

- develop environments where walking and cycling is encouraged; and
- demonstrate environmentally responsible use of materials, services and lighting.

##### 1.3 Social

To enhance social cohesion within East Fremantle by:

- creating landmarks that provide reference points and enable people to orientate themselves;
- using public art to develop attractive, diverse places, that the community enjoy; and

- using public art to develop meeting places, that community members want to visit.

#### **1.4 Economic**

To contribute to economic vitality within East Fremantle by using public art to develop:

- unique and recognisable places, enhancing the 'place brand';
- employment opportunities for local artists, craftspeople and associated businesses; and
- social, cultural and economic confidence, thereby stimulating investment and economic growth.

### **Section 2: Principles**

The following principles should be used to guide the development of all public artwork in the Town of East Fremantle:

#### **2.1 Place-making**

Public art should be designed to enhance the experience of and activate public spaces.

#### **2.2 Site Specific**

Public art should be designed to be responsive to its specific location.

#### **2.3 Universal Access**

Public art should be designed to engage, and include our diverse community, irrespective of age, ability, social or cultural background.

#### **2.4 Local and Unique**

Public art should be designed to contribute to creating a sense of place developing identity and pride in a community.

#### **2.5 Best Practice**

Public art should be designed in accordance with professional standards, to ensure public safety and the longevity of the work in accordance with the intent of the artwork.

#### **2.6 Collection Management**

Any public artwork commissioned should be maintained, conserved and preserved in accordance with a Maintenance Plan, which should be provided to the Town by the Artist at hand-over.

#### **2.7 Criteria**

Public art in the Town of East Fremantle should satisfy all the following criteria:

- be located where it can be clearly seen from the public realm;
- be an original artwork;
- be of high quality;
- be durable, sustainable and easy to maintain;
- contribute to an attractive and stimulating environment;
- not detract from the amenity or safety of the surrounding area;
- where considered appropriate, be lit at night;
- be responsive to the site and reflect the local area's natural, physical, cultural and/or social history, considering surrounding buildings and activities;
- consider the existing public art in the vicinity to avoid repetition and to ensure the artwork is unique;
- the project may be curated and coordinated by a specialist public art consultant;



- be resistant as possible to vandalism; and
- have a minimum lifespan of twenty years unless otherwise stated in the Artist's brief.

### **Section 3: Resources**

The Town of East Fremantle will ensure the successful progression of public art and allocating appropriate funds in accordance with the Town's budget.

The Town of East Fremantle will allocate an annual budget to enable the delivery of a quality public art program. If these funds are not spent within the financial year, the budget allocation will be included in the Arts & Sculpture Reserve.

The Town of East Fremantle will also make budget provisions to care for works in the Council's Public Art Collection.

#### **3.1 Percent for Public Art – Town of East Fremantle Works**

The Town of East Fremantle will allocate a minimum of one percent (1%) of any capital building works project budget to integrating public art into each Council project. This applies to, but is not limited to, all Capital Works Building Projects (excluding public works infrastructure) and all Urban Design Projects with a minimum budget of \$1 million with a maximum cap of \$100,000

Maintenance projects, land acquisitions and general capital expenditure are exempted.

Private developers are required to adhere to the Town of East Fremantle's Local Planning Policy - Percent for Art.

#### **3.2 Arts & Sculpture Reserve**

The Arts & Sculpture Reserve is the means for collecting and administering monies for the Public Art Strategy. The purpose of the Reserve is to fund the Public Art Strategy and to accumulate a fund to support major public art projects.

Council will consider a contribution to the Arts & Sculpture Reserve each year. Of this, an amount is made available for the implementation of the Public Art Strategy as outlined in the Public Art Annual Action Plan. Reserve funds are also acquired through developer contributions via the Local Planning Policy - Percent for Art. .

#### **3.3 Project Planning**

The Town of East Fremantle will endeavour to take a design exemplar approach to all public art projects by taking time to design well in the initial planning stage and by involving artists at the earliest stage of the design of public spaces and new developments.

#### **3.4 Public Art Panel**

A Public Art Panel will be appointed to provide guidance for the Council's Public Art Strategy. The Public Art Panel has responsibility for overseeing and making recommendations to the Council on matters related to the Public Art Strategy.

See Public Art Panel Policy 4.1.2

#### **3.5 Acquisitions**

The Council may consider employing a public art curator to prepare a report on proposed new acquisitions. The report will include an assessment against the criteria and principals outlined in this policy as well information on installing the work and best practice. This report will be provided to the Public Art Panel to ensure informed decisions are made.

### 3.6 Management of the Collection

The Town will:

- Review the collection, update the database and submit a condition and insurance report (as required) and make recommendations regarding the general maintenance and conservation of the collection and an appropriate maintenance budget allocation for the collection;
- The collection shall be well maintained and the annual budget allocation should reflect the conservation requirements of the current collection based on recommendations sought from suitably qualified professionals;
- The public art collection database shall detail all works, including the name of artists, work title, date of production, media, technical details, size, preferred viewing specifications, inscriptions, comments or background by the artist and others etc;
- A comprehensive photographic archive shall be maintained; and
- The collection shall be valued at least every five years, or as recommended by professional advice and the valuation is to be recorded in the collection database.

### 3.7 Planning

The Town of East Fremantle will prepare a Four Year Public Art Action Plan as a framework to guide the implementation of the Public Art Strategy.

The Four Year Public Art Action Plan will provide a strategic platform for the ongoing development of the Public Art Strategy with clear direction and enough flexibility to evolve and change as necessary.

### 3.8 Promote

The Town of East Fremantle will provide media announcements, signage, publications, online and other methods to promote its Public Art Collection.

## Section 4: Related Policies and Plans

Interpretation and implementation of this Policy is in accordance with the Town of East Fremantle documents as outlined below.

- Town of East Fremantle Public Art Strategy
- Town of East Fremantle Local Planning Policy - Percent for Public Art
- Town of East Fremantle Public Art Annual Action Plan 2017/18 – 2020/21
- Town of East Fremantle Public Art Panel Policy

### Other Related Policies or Plans

- Town of East Fremantle Strategic Community Plan 2017-2027

## Section 5: Definitions

### **Public Art**

*For the purposes of this Policy, public art is defined as a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):*

- *the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;*
- *landscape art enhancements such as walkways, bridges or art features within a public garden;*
- *murals, tiles and mosaics covering walls, floors and walkways; and*

- *sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.*

*Public art does not include:*

- *business logos;*
- *advertising signage;*
- *art objects which are mass produced or off the-shelf reproductions; and*
- *landscaping or architectural features which are considered by the Town to be normally integrated into the building or development.*

#### **Attachment**

For an extended list of detailed definitions please refer to the Appendix.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	21/10/17
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	4.2.6

## A. Types of public art

The descriptors that follow indicate the diversity of approaches to public art projects.

**Ephemeral Artworks:** those works that are short lived, based on a specific occasion or event and are transitory in nature. Ephemeral art describes projects that may be environmental, lighting or projection where there is no physical artwork created. The term also applies to physical works in non-permanent materials such as natural found materials that degrade as part of the art process.

**Functional Artworks:** where the primary purpose of the element is utilitarian such as seating, lighting, bollards, rubbish bins, bike racks, shelters and paving. These can vary in form, scale or quantity, dependent on the location. Functional works can reinforce a design aesthetic or thematic concern and be playful, delightful or sophisticated.

**Ground Plane Artworks:** form part of the ground in a public setting and may be experienced as carved/shaped paving elements, metal relief elements, toughened glass panels and ceramic or mosaic inserts, amongst others. Ground plane works are designed to be viewed closely by pedestrians in the space, potentially slowing their movement through the area and creating the opportunity for an intimate and personal engagement between the work and the viewer. Ground Plane works are useful as a way finding tool.

**Iconic Artworks:** a significant, freestanding work, where the approach is largely independent of other considerations.

**Integrated Artworks:** works that are fully incorporated within the design of the built or natural environment.

**Interactive Artworks:** are works that are designed to encourage a tactile response.

**Interpretive Artworks:** where the primary purpose of the artwork is to tell a story, describe, educate or comment on an issue, event or situation.

**Intervention Artworks:** provoke an idea or thought or an element of surprise often in an unexpected location.

**Landmark Artworks:** could be considered a signature or icon for a city. Large in scale or ambitious in concept, such works tend to be major stand-alone commissions and not part of a capital works project.

**Medium Scale/Human Scale Artworks:** are artworks approximately the size of an average person. These artworks are easily interacted with and are accessible to pedestrians.

**Memorial:** a structure, sculpture or other object erected to commemorate a person or an event.

**Nodal Artwork:** an artwork that comprises of a series of component parts and a central focus element.

**Site Specific Artworks:** designed specifically for and responding to a particular site through scale, material, form or concept.

**Permanent Artworks:** refers to public art with a lifespan of at least twenty years.

**Plaque:** a flat tablet or sign, affixed to an object, building or pavement, of metal, stone or other appropriate material, which may include text and/or images in order to provide interpretive information. Plaques may identify an artwork, commemorate a person, place, object or an event and/or provide historical text or information relevant to its location.

**Street Art:** may include spray or aerosol art, stencils, sticker art, paste-ups (wheat pasting and poster art), video projection, art interventions, guerrilla art, flash-mobbing and installations.

**Temporary Artwork:** refers to artwork that is made to last for a specific duration for example, one week or one year. This may include one off or scheduled events such as outdoor exhibitions or installations. The dynamic nature of temporary works are an important place activation tool.

**Textural Artworks:** are small in scale, often items of architectural, streetscape and landscape detail, which contributes to the local character of a place.

**Transition Artworks:** provide an element that links one space to another such as an internal to an external public space or a hardscaped space to a landscaped space.

## B. Definitions

### Artist

A professional visual artist can be defined as a person who fits into at least two of the following categories:

- a person who has a tertiary qualification in the visual arts, or when the brief calls for it, other art forms such as multimedia;
- a person who has a track record of exhibiting their artwork at reputable art galleries that sells the work of professional artists;
- a person whose work is represented in major public or private collections; and

A person who earns more than 50% of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions. In some cases, this definition may be relaxed where it may be specified for a particular project.

For example, a project involving emerging artists, Indigenous artists, students or street/graffiti artists.

### Artist Fees

That portion of the art project budget reserved for payment to the artist for his/her creative services for design, fabrication, and/or project management services.

### Artwork or Work of Art

Any work or object designed by an Artist.

### Collection Management

The administration and management of an Art Collection. This encompasses the management of collection records both electronic and hard copy, the database, catalogues, inventories and condition assessments, maintenance and conservation programs, accession of new acquisitions and overseeing the deaccession, disposal or relocation of public artwork.

### Community Art

A process where the community initiates or participates in the art project.

### Contemporary Art

Artwork created in the present day that engages with issues relevant to its time or uses materials and processes that are at the forefront of arts practice.

### Hand-over

The transfer of ownership of an artwork from one party to another. This includes the transfer of legal title and the supplying of the Maintenance Manual and other associated contractual documents.

### Maintenance Manual

Those forms completed by the artist detailing the maintenance and technical information for the completed artwork.

### Public Art

Public art is a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):

- the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;
- landscape art enhancements such as walkways, bridges or art features within a garden;
- murals, tiles and mosaics covering walls, floors and walkways; and

- sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.

**Public art does not include:**

- business logos;
- advertising signage;
- art objects which are mass produced or off the-shelf reproductions; and
- landscaping or architectural features which would normally be integrated into the building or development.

**Public Art Maintenance & Conservation Program**

The coordinated administration of regular treatments, professional conservation and repairs to works in an Art Collection to maintain their integrity.

**Public Art Consultant**

A professional specialising in public art, engaged to provide expert advice or project management.

**Public Art Project Manager**

A professional employee or contractor responsible for the planning, execution, contract management and close-out of the public art project.

#### 4.1.4 Directional Signs

<b>Type:</b>	Operations – Public Infrastructure
<b>Legislation:</b>	
<b>Delegation:</b>	N/A
<b>Other Related Document:</b>	

#### Objective

This policy sets out the criteria for directional signs within the Town.

#### Policy Scope

Directional signs are defined as those signs which the Council may erect within its boundaries for public guidance as to the location of places of public assembly such as schools, universities, regional shopping centers homes for the aged, hospitals, sporting facilities, churches, scout halls, libraries, or any other facility which the Council considers to be of community benefit, or the Council facilities.

Directional signs shall be of two types:

- i) The Council-owned facilities, and
- ii) Non Council-owned facilities.

#### Policy

##### Purpose

Directional signs shall be for the following purposes:

- a) Those which are intended to direct the public from a major regional road or main road via the Council local road system to a particular facility that is deemed to provide a service to the public.
- b) Those which are intended to direct the public from the Council local road system to a particular public facility.

##### Procedure

Applications from the public for directional signs for any Council or Government facility shall be first presented to the Chief Executive Officer.

Following approval the applicant shall be notified in writing of the costs and conditions and that all such costs are payable to the Council prior to any sign being erected or maintained. All Council owned Building directional signs would be erected and maintained at council's cost.

##### Installation

- a) Directional signs for erection on a regional or main road shall be designed as a guide to the location of any of those facilities and in general shall be erected on a multiple signing structure as specified herein. Except that where one only directional sign is required at any one location such sign may be erected on a single sign post.

- b) Directional signs on the Council local road system may be erected on multiple or single sign posts depending upon number required.
- c) Unless otherwise directed by the Council all directional signs shall be erected at the expense of the applicant.
- d) Applications for the erection of directional signs for a non-Council facility used for public assembly shall be delegated to the Chief Executive Officer to administer under the guidelines of the Council requirements for directional signs.

**Specifications**

- a) Directional signs shall not be erected on street name plate standards except in cases where one only directional sign is to be provided and subject to the Chief Executive Officer reporting that such sign will not interfere with the street name plates.
- b) Directional signs shall be located on the nearest Western Power Light pole on approach to the intersection of the junction of streets and shall be in line with the corner truncation of the side on which the sign is to be erected.
- c) All directional signs shall be in reflectorised WHITE lettering on BLUE background on aluminum extruded section.
- d) When multiple signs are required the maximum number of signs to be erected on any one standard shall be decided by the Council.
- e) The aluminum-extruded section shall be mounted on the Western Power Light pole using steel strap banding painted to match the colour of the light pole.
- f) Where such signing is erected in an area subject to pedestrian traffic the minimum head clearance of 2200 mm shall be provided; where the signs are erected and do not conflict with pedestrian traffic the minimum head clearance may be reduced to 600 mm.
- g) All such signs shall be erected and located under the direction of the Chief Executive Officer.

**Maintenance**

The Council at the cost of the applicant shall maintain all directional signs.

<b>Responsible Directorate:</b>	Operations
<b>Reviewing Officer:</b>	Operations Manager
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	16/04/02
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No</b>	134



## 5. RANGER SERVICES

### 5.1 DOGS

#### 5.1.1 Dog Management – Community Safety

<b>Type:</b>	Ranger Services - Dogs
<b>Legislation:</b>	<i>Dog Act 1976 (as amended)</i> <i>Dog Regulations 2013 (as amended)</i>
<b>Delegation:</b>	DA21 Appointment of Authorised Officers
<b>Other Related Document:</b>	Town of East Fremantle Dogs Local Law (2016)

#### Objective

This Dog Management Policy is an advisory document that complements the *Dog Act 1976 (as amended)*, which has the necessary legislative and regulatory powers. The terms used in the Policy have the same meaning as in the Act, unless otherwise defined in this document.

The objectives of this policy are to:

- a) actively support and promote responsible dog ownership through the development of a code relating to responsible ownership of dogs, community education, and the provision of information accessible via a range of media, including the internet, direct customer contact, and Town of East Fremantle’s publications.
- b) strive to achieve a balance between the needs of residents who own dogs and those that don’t in the evaluation of future recreational and strategic development processes.
- c) provide, and regularly review, those areas where dogs are permitted, both on-lead and off-lead, and areas where dogs are prohibited or restricted.
- d) maintain an open dialogue with residents and concerned groups regarding present and future dog management issues.
- e) reduce the risk to the community from anti-social and straying dogs through education, routine patrols, and the prompt investigation of concerns and complaints of dog-related issues. Where appropriate, enforcement provisions of the *Dog Act 1976 (as amended)* may be utilised to penalise breaches of those statutes.

#### Policy Scope

In accordance with the *Dog Act 1976 (as amended)*, the Town has the responsibility for ensuring that dog owners either domiciling or exercising their dogs within the Town of East Fremantle are compliant with the *Dog Act 1976 (as amended)*.

Ranger Services has the primary responsibility for monitoring and enforcing of the *Dog Act 1976 (as amended)*.

The Town acknowledges that dog ownership provides many benefits for those involved, including physical health associated with their exercise, companionship, responsibility related to the care and welfare of the animal, and the opportunity to interact socially with other dog and pet owners.

Equally, there is the potential for problems with straying or poorly socialised dogs and irresponsible owners who fail to properly train, control, or care for their pets, including appropriately disposing of waste.

## Policy

### Ranger Services

To ensure a high standard of service for the community with regards to dog management within the Town of East Fremantle, the Town will apply this Policy and the *Dog Act 1976* (as amended) and will:

- be understanding and helpful and treat customers with dignity, respect and courtesy;
- act professionally and with propriety;
- provide necessary and relevant information;
- maintain privacy; and
- be efficient and timely in dealing with issues.

The Town will:

- appoint sufficient Ranger Services Officers to effectively meet the obligations of this Policy and the *Dog Act 1976* (as amended) and will ensure that all Officers responsible for the handling of dogs receive relevant training, and execute their duties in a manner that creates minimal distress and avoids harm to the dog.
- ensure that any dog pound facility, utilised by the Town or operated by a contractor, is maintained in a humane manner, with proper regard to health, safety and welfare of all dogs in detention, including food, shelter and water, and where required, the services of a veterinary practitioner.
- transfer to an approved animal welfare organisation any dog deemed suitable for rehoming that has been impounded and not been claimed within the statutory holding period; and where rehoming is not appropriate or possible, the dog will be euthanized by a registered veterinary practitioner.
- where practicable, provide and maintain appropriate dog waste disposal bins at dog exercise areas and other locations subject to high levels of canine activity.
- as required and practicable, install appropriate signage, to ensure the Town continues to educate and support the community on responsible dog ownership.

During normal business hours, Ranger Services will conduct regular patrols throughout the municipality to enforce compliance with the *Dog Act 1976* (as amended) and respond as soon as practicable to:

- a) reports of dogs attacking people or animals.
- b) formal complaints regarding dog nuisance.
- c) reports of dogs at large.

After normal business hours, Ranger Services will provide an emergency out-of-hours service to respond to any reports of:

- a) Reports of dogs attacking people or animals.
- b) Dogs at large that are causing a traffic hazard on a major road.

### Community Balance

The Town of East Fremantle accepts the rights of dog owners to enjoy their association with their dogs whilst at the same time accepting the rights of non-dog owners to go about their normal daily activities unimpeded by nuisance or harassment by dogs.

To achieve this, the Town will:

- a) liaise with the community and interest groups to ensure that current declared dog exercise areas, including off-lead and beach areas, are appropriate to the needs of dog owners and are maintained in a fit state for the declared use.
- b) give due consideration to the requirement for new dog exercise areas during recreational and strategic planning processes.
- c) notify the community by public notice of any intention to declare any future area as a designated off lead exercise area.
- d) ensure that residents who may be affected by any new dog recreation area are given timely notice and the ability to make representations for Council consideration.
- e) liaise with local residents and the community in general in relation to any proposed new dog exercise areas prior to the establishment of such an area.
- f) liaise with local residents and the community in general in relation to any proposed removal / closure of an existing dog exercise areas prior to removal/closure of any such proposed area; and
- g) respond in a timely manner to reports of stray, aggressive and nuisance dogs, and where appropriate enforce the relevant sections of the *Dog Act 1976* (as amended) to deter irresponsible behaviour by dog owners.

In line with the Town of East Fremantle's objective of maintaining balance within the community and in accordance with the provisions of the *Dog Act 1976* (as amended), the Town may declare and regulate areas of the municipality to be a:

- Dog Exercise Area  
An area on which dogs may be exercised either on-lead or off-lead, subject to any specified conditions.
- Dog Training Area  
Land on which dogs may be trained, subject to any specified conditions.
- Prohibited Area  
An area containing sensitive habitat for native wildlife may be declared as prohibited to dogs, other than a guide dog, hearing dog or any authorised assistance dog as authorised by the Minister and wearing the prescribed assistance dog coat/harness.
- Restricted Areas  
Land on which dogs may not be taken at any time, or only on specified hours, days and seasons. When dog are permitted it may be specified as to whether they must be on-lead or may be off-lead.

The above restrictions do not apply to a guide dog, hearing dog or any authorised assistance as authorised by the Minister and wearing the prescribed assistance dog coat/harness.

Council will provide and maintain signage appropriate to identify declared areas where access opportunities or restrictions for dogs apply. In addition to the above, the *Dog Act 1976* (as amended) prohibits dogs in:

- any grounds of a school, pre-school, kindergarten, crèche or other place for the reception of children without the permission of the person in charge of the place.
- any shopping centre, or any shop except a pet shop, premises of a veterinary surgeon, pet grooming shop, or any other premises related to the care and management of dogs.
- any playing area of a sports ground on which sport is being played or an area within 10 metres of a children's playground.

### Current Designated Approved Off Leash Exercise Areas

The location's listed below are listed as designated approved off leash exercise areas:

- River Foreshore portion (beach areas only) as indicated by signs
- Preston Point Reserve, Preston Point Road
- Henry Jeffery Oval, Preston Point Road
- Upper Wauhop Park, Wauhop Road
- East Fremantle Oval (outer perimeter only)
- Reserve, corner George and Silas Street.

The Town will provide and maintain signage appropriate to identify declared areas where access opportunities or restrictions for dogs apply.

### **Nuisance Dogs**

The Town recognises the health implications the community is exposed to by dogs creating a nuisance by barking inappropriately. When a formal complaint is lodged the Town will investigate the matter in a timely manner and strive to have the matter resolved within six weeks.

The process will be:

- streamlined and focused on early resolution; educative to both the dog owner and the complainant.
- open, transparent and fair to all parties involved; and conducted within the provisions of the *Dog Act 1976* (as amended).

Where there is evidence that a nuisance dog complaint is justified, the Town will issue the owner of the dog with an abatement notice. This presents the owner with a realistic definite timeline in which to take action to abate the nuisance.

If requested, the Town will provide advice as to corrective measures that may be employed, but it remains the owner's responsibility to determine and implement the necessary corrective action.

Where the nuisance has not been abated after the abatement period, the Town may issue an Infringement Notice. In the case of continued nuisance, the Town may refer the matter to the Courts for a Magistrate to determine. In these cases, the resolution date will be determined by the Court.

### **Dangerous Dogs**

To reduce the risk to the community, the Town will as a matter of urgency investigate and act upon all incidents and allegations of injury and/or harassment caused by dogs. Should such an incident result in a serious injury, the dog may be declared a Dangerous Dog, or may be destroyed.

All commercial security/guard dogs (as defined in the Act) are declared to be a Dangerous Dog.

Where a dog is declared to be a dangerous dog pursuant to the *Dog Act 1976* (as amended), Ranger Services will monitor the property where the dog is domiciled and ensure the property and are owner complies with the relevant provisions of the *Dog Act 1976* (as amended).

Dangerous dogs must be micro-chipped, and must wear an approved advisory collar at all times.

When in a public place the dog must be muzzled and on a lead, even when in an off-lead area.

When not in a public place the dog must be housed in an enclosure that complies with the prescribed requirements. Approved warning signs must be displayed at every entrance to the property.

Further information regarding dangerous dogs is contained within the Town’s Policy 1.2.3 Dangerous Dog.

### **Dog Registration**

The registration of dogs has benefits to both the Town and the community. Fees and charges are applied to dog management, permitting the Town to provide a safe and pleasant environment, free of the negative impacts of dogs in the community. Dogs wearing a valid registration tag can quickly be returned to the owner if they accidentally stray. In most cases when Ranger Services finds a lost registered dog, it is directly returned to its owner.

All dogs over three months of age must be registered. Notwithstanding the Town’s education and enforcement measures, it is the owner’s responsibility to ensure their dog is registered. The Town will maintain a register of all dogs housed within the municipality, and will endeavour to ensure that all eligible dogs are registered.

To achieve this objective the Town will conduct a registration renewal campaign each year by:

- a) forwarding renewal letters to owners of all currently registered dogs;
- b) placing notices through written and digital media; and
- c) conducting an audit of the owners who have failed to re-register their dogs.

The Town will:

- monitor dogs in public places to ensure they are wearing a collar with a valid registration tag.
- ensure that any unregistered dog found at large is registered by the owner before being returned.
- undertake regular patrols of the municipal area and compare evidence of dog ownership against the dog register.

Pro rata adjustment of the registration fee applies within a registration period for:

- the voluntary initial registration of a dog that reaches six months of age;
- the voluntary initial registration of a dog that is newly housed within the municipality, to which the previous paragraph does not apply;
- the de-sexing of a dog; and
- the death of a dog, except where it has been destroyed following an attack on a person or animal, or at the direction of Council.

### **Fees and Charges**

Fees and charges are resolved annually by Council and published on the Town of East Fremantle website.

### **Attachment:**

Appendix A – Town of East Fremantle Dog Exercise Areas

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Senior Ranger
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	20/11/18
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	1.2.3

**Town of East Fremantle Dog Exercise Areas**

Our hairy hounds are often another extended member of our family and are important additions of our community also, but remember that they must be kept on a leash at all times in public (no longer than 2 metres). Dogs must also wear a current registration tag as well as a name tag/owners contact details in public.

We have six (6) exercise areas available in the Town where your dogs can run and play without a lead.

**DOG OFFLEAD EXERCISE AREAS**

1. River Foreshore portion (beach areas only) as indicated by signs.
2. Preston Point Reserve, Preston Point Road.
3. Henry Jeffery Oval, Preston Point Road.
4. Upper Wauhop Park, Wauhop Road.
5. East Fremantle Oval (outer perimeter only)
6. Reserve, corner George and Silas Street

Areas marked with a stripe become on-lead zones during sporting events and training.

Please note, that even though the dog is off lead:

- The dog must be supervised by a competent person who is in reasonable proximity to the dog.
- A lead must be carried and attached to the dog, should the dog need to be controlled.
- Dogs are not permitted in children’s playgrounds unless signposted.

If you have any queries, please do not hesitate to contact the Town on 9339 9339 or email: [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au)

Visit: [eastfremantle.wa.gov.au/enjoy-east-fremantle/parks-and-reserves/dog-exercise-areas-in-the-town.aspx](http://eastfremantle.wa.gov.au/enjoy-east-fremantle/parks-and-reserves/dog-exercise-areas-in-the-town.aspx)



Dog exercise areas  
Dog exercise areas when no sport



### 5.1.2 Dangerous Dog Declarations

<b>Type:</b>	Ranger Services - Dogs
<b>Legislation:</b>	<i>Dog Act 1976 (as amended)</i> <i>Dog Regulations 2013 (as amended)</i>
<b>Delegation:</b>	DA21 Appointment of Authorised Officers
<b>Other Related Document:</b>	

#### Objective

The purpose of this policy is two-fold:

- (a) to provide guidance to authorised Town Officer's in relation to the procedures to be followed prior to the issuance of a Dangerous Dog Declaration.
- (b) to ensure that Dangerous Dog Declarations are made in a fair and impartial manner based on in depth investigations of alleged dog attacks either within the municipal boundaries or by dogs domiciled within the municipal boundaries.

#### Policy Statement

In accordance with the *Dog Act 1976 (as amended)*, Council has the responsibility for issuing Dangerous Dog Declarations under the following circumstances:-

##### **Section 33E. Individual dog may be declared to be dangerous dog (declared)**

- (1) A local government, or on behalf of the local government an authorised person or person specifically authorised by the local government for the purposes of this section either generally or in a particular case, may, by a notice in writing given in accordance with section 33F, declare an individual dog to be a dangerous dog (declared) if, in the opinion of the local government or that person —
  - (a) the dog has caused injury or damage by an attack on, or chasing, a person, animal or vehicle; or
  - (b) the dog has, repeatedly, shown a tendency —
    - (i) to attack, or chase, a person, animal or vehicle even though no injury has been caused by that behaviour; or
    - (ii) to threaten to attack; or
  - (c) the behaviour of the dog meets other criteria prescribed for the purpose of this section.

#### Policy

The Town of East Fremantle will ensure that all reports of alleged dog attacks (both dog on human and dog on other animal) are investigated professionally, impartially and within as timely a manner as practical.

At the conclusion of the investigative process, the authorised investigating officer will submit a report to the Senior Ranger containing the following documentation if available:-

- (a) a written initial incident/occurrence report;
- (b) written statements from all injured parties who are willing to submit such statements;
- (c) written statements from witnesses who are willing to submit such statements;
- (d) written statements from the dog's owner should they be willing to submit such statements. Should the owner decline to be interviewed formally by the investigating officer or decline to submit any voluntary statement then a record of times and dates that such refusals occurred are to be reported in writing by the authorised investigating officer;
- (e) written records and photographs of all physical injuries or personal property damaged sustained by each injured party;
- (f) copies of all medical receipts for injuries sustained in the attack;
- (g) copies of all receipts for all personal property damage damaged in the attack;
- (h) written record of any voluntary surrender or euthanasia forms signed and submitted by the owner;
- (i) where the owner declines to voluntarily surrender the dog to Council for the term of the investigative process then a written record of Council seizure and impoundment notice issued under section 29(3)(a)(b)(d)(e) and section 29(4)(5) of the *Dog Act 1976 (as amended)*;
- (j) written record of any voluntary offer by the dog's owner to compensate injured parties for both reasonable medical costs and damaged personal items (e.g. Clothing, watches, shoes etc.);
- (k) copies of all incoming payments from the dog's owner in relation to medical and personal property damage sustained by dog attack victims;
- (l) copies of all Council outgoing medical and personal property disbursement payments to victims from funds received as per section "k" above;
- (m) any known mitigating factors in relation to the dog attack (e.g. alleged victim was seen by witnesses to be provoking the dog prior to the attack occurring);
- (n) what final outcome the injured parties feel would in their opinion be appropriate (after being advised of potential penalties available to the local government in line with the *Dog Act 1976 (as amended)*);
- (o) copies of any canine behavioural observation and test reports conducted by a trained and qualified behavioural assessor that was submitted by the dog's owner;
- (p) copies of any canine behavioural observation and test reports conducted by a trained and qualified behavioural assessor at the request of Council;
- (q) the investigating officer's final findings and penalty recommendations, based on the evidence available to him/her. Potential penalties could consist of any one or all of the following examples (e.g., dog infringement notices, Dangerous Dog Declaration and / or prosecution);

Once the Senior Ranger has reviewed and discussed all relevant documentation and recommended penalties with the investigating officer, the Senior Ranger will provide the responsible Executive Manager with all of the above listed documentation and a final recommendation in relation to penalties deemed appropriate in each case.

Where the Senior Ranger's recommended penalties are different from those of the investigating officer, the Senior Ranger will submit his/her reasons for the differing recommendation.



The responsible Executive Manager will review the documentation and make the final decision in relation to what level of penalties will be instituted in each case.

It should be noted that not all dog attack incidents will need a Dangerous Dog Declaration to be made.

### **Dogs deemed to require the issuance of a Dangerous Dog Declaration**

Where it is deemed by authorised Council Officer's that a dog should be made subject to a Dangerous Dog Declaration, then the dog's owner must be given notice as per section 33F of the *Dog Act 1976* (as amended) which reads as follows:

#### *Section 33F*

- (1) *The local government, or the person by whom the declaration was made on behalf of the local government, must give written notice declaring a dog to be a dangerous dog (declared) to the owner of that dog.*
- (2) *A notice to be given under subsection (1) —*
  - (a) *shall give reasons for the making of the declaration; and*
  - (b) *shall specify that the owner has a right under this Division, to be exercised within not more than 7 days after the giving of the notice, either —*
    - (i) *to lodge a written objection with the local government, with a subsequent right to apply to the State Administrative Tribunal for a review of the decision made by the local government on the objection; or*
    - (ii) *to apply directly to the State Administrative Tribunal for a review, as to the declaration.*
- (3) *Whether or not an objection is lodged or application for review is made, the declaration of a dog as a dangerous dog (declared) has effect 7 days after the giving of a notice under subsection (1).*

### **Purpose of a Dangerous Dog Declaration**

The purpose of issuing a Dangerous Dog Declaration is sixfold:-

- (a) to compel the dog's owner to ensure that they comply with higher levels of containment and control of their dogs both at their home and when the dog is in a public place.
- (b) to heighten public safety in relation to the dogs containment, control and behaviour.
- (c) to heighten public awareness of the Dangerous Dog status of the dog when visitors/neighbours are in proximity to the dogs domiciled residence or when it is being walked in public places.
- (d) allow authorised officers to inspect the dog's domiciled premises regularly to ensure that owner is adhering to Dangerous Dog Declaration requirements.
- (e) allow authorised officers to identify the dog easily in public places and verify that both the dog's owner or person in charge of the dog are compliant with Dangerous Dog Declaration requirements in relation to the dog in a public place.
- (f) raise the penalties for breaches of both the *Dog Act 1976* (as amended) and issued Dangerous Dog Declaration conditions.

### **Potential costs incurred by Council in relation to dogs deemed to require the issuance of a Dangerous Dog Declaration**

In considering whether to issue a Dangerous Dog Declaration on a dog currently under investigation by authorised officers, the Town may elect to employ the services of a trained canine behaviourist to conduct an independent behavioural assessment in relation to the dog.

The independent report will not only assist rangers in their investigation process, but may also be used in Court or the State Administrative Tribunal should the dog's owner request an appeal through either agency.

<b>Responsible Directorate:</b>	Executive Manager Corporate Services
<b>Reviewing Officer:</b>	Senior Ranger
<b>Decision making Authority:</b>	Authorised Officer as defined in the <i>Dog Act 1976 (as amended)</i>
<b>Policy Adopted:</b>	21/11/18
<b>Policy Amended/Reviewed:</b>	
<b>Former Policy No:</b>	1.2.4

### 12.3.2 Council Policies – Infringement Debt Management and Parking Infringement Appeals

<b>Applicant</b>	Not Applicable
<b>File ref</b>	F/FNS2
<b>Prepared by</b>	Peter Kocian, Executive Manager Corporate Services
<b>Supervised by</b>	Gary Tuffin, Chief Executive Officer
<b>Meeting Date:</b>	17 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	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**

**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**

### 2.1.9 Parking Infringement Appeals

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	
<b>Delegation:</b>	DA62 Withdrawal, Amendment & Collection of Infringement Notices
<b>Other Related Document:</b>	Town of East Fremantle parking Local law 2016

#### Objective

The objectives of this policy are to provide:

1. a consistent approach to the review of parking infringement notices issued under Town of East Fremantle Parking Local Law 2016; and,
2. a clear framework for assessing parking infringement notice appeals.

#### Policy Scope

This policy relates to all parking infringements issued within the Town of East Fremantle.

#### Policy

The following general principles will be considered when determining the outcome of appeals against parking infringement notices:

- Were the elements of the offence met?
- Was the customer unable to comply with the relevant provisions of the law for a reason or due to a significant circumstance that was out of their control?

All parking infringement appeals must be received within 28 days of the issue of the infringement notice and will be assessed on their individual merit.

*Methods for lodging an appeal are as follows:*

1. All appeals must be in writing
2. Appeals can be submitted via;
  - a) email to [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au)
  - b) completing the hard copy appeals form available in person, from Customer Service
  - c) using the online form via the Town of East Fremantle website

Officers will apply a ~~10~~ 15 minute leniency prior to issuing a parking infringement notice for exceeding a time limit.

In exceptional circumstances or in circumstances of repetitive offences by the same person, it may be appropriate for officers to make a decision that varies from the position outlined in this policy.

The following tables outline the circumstances under which parking infringement notices that are subject to an appeal will, may be or will not be withdrawn:

*Table 1. Circumstances under which an infringement will be withdrawn*

<b>Circumstances</b>	<b>Evidence required</b>
Vehicle breakdown due to mechanical fault	<ul style="list-style-type: none"> <li>• Statutory declaration outlining the nature of the breakdown, why the vehicle couldn't be moved and how the vehicle was moved; or</li> <li>• Receipts from a vehicle towing company; or</li> <li>• Receipts from a reputable mechanic</li> </ul>
Medical Emergency	<ul style="list-style-type: none"> <li>• Doctor's certificate; or</li> <li>• Correspondence from St John Ambulance, a hospital, medical surgery, doctor; or</li> <li>• Statutory declaration</li> </ul>
Infringement issued in error or to the wrong person	<ul style="list-style-type: none"> <li>• Evidence demonstrating the error such as valid ticket (and appropriately displayed) or photograph or correctly parked vehicle; or</li> <li>• Proof that the vehicle did not belong to nominated driver/owner at the time the infringement was issued;</li> <li>• Registration papers; or</li> <li>• Statutory declaration</li> </ul>
Town of East Fremantle ticket machine, pay by phone software (if available) or equipment fault	Evidence demonstrating the Town of East Fremantle ticket machine, pay by phone software or equipment was faulty; eg. photograph or screenshot
Person is not the driver at the time of the offence	Correctly filled out nomination form submitted within 28 days of the infringement date
Directed by a Town Officer or Law Enforcement Officer to park contrary to signs and/ limitations	<ul style="list-style-type: none"> <li>• Statutory declaration outlining the nature of the direction, why the vehicle couldn't be moved; and</li> <li>• Evidence from the Law Enforcement Officer indicating the nature of the direction.</li> </ul>

*Table 2. Circumstances under which an infringement may be withdrawn*

<b>Circumstances</b>	<b>Evidence Required</b>
A valid ticket was purchased (Failure to display a valid parking ticket)	<ul style="list-style-type: none"> <li>• A copy of the valid ticket that relates to the parking infringement notice under appeal, including correct vehicle registration details; or</li> <li>• Extract from bank statement confirming payment details</li> </ul>
Compassionate grounds including but not limited to family bereavement, genuine financial hardship and diagnosed mental illness	Evidence specific to the matter at hand which may include, but not be limited to, a Statutory declaration, Centrelink documentation, Health

	care card, Doctors certificate, letter from a hospital/surgery/doctor
The signage in the area was missing, obscured or damaged to the point where it could not be read	Photographic evidence of missing, obscured or damaged sign at the time of the offence
Infringement issued to a person parked in a designated ACROD bay but did not display a valid ACROD permit.	Proof of valid ACROD permit.

*Circumstances under which an infringement will not be withdrawn:*

- Exceeding a time limit
- Forgot to purchase and display a valid parking ticket
- ~~Failure to display a valid parking ticket.~~
- Lack of available parking bays
- Arranging payment or getting change
- Appointment or a meeting ran over time
- Transport services were late
- Had to make or take an important phone call
- Did not see or did not understand the parking restrictions
- Did not see or did not understand how to use a ticket machine
- Where a vehicle is parked in a dangerous or obstructive location that has the potential to cause nuisance, injury or damage.
- Where an unauthorised vehicle is parked in a designated ACROD parking bay

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Executive Manager Corporate Services
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	19/06/18
<b>Policy Amended/Reviewed:</b>	16/10/18, 20/08/19
<b>Former Policy No:</b>	4.2.7



### 2.1.10 Infringement Debt Management

<b>Type:</b>	Corporate Services – Financial Management
<b>Legislation:</b>	Local Government Act 1995
<b>Delegation:</b>	
<b>Other Related Document:</b>	Parking Infringement Appeals Policy 2.1.9

#### Objective

The objective of this policy is to outline the process for collection of infringements, the referral process to the Fines Enforcement Registry, and the process to write off debt for unpaid infringements.

#### Policy Scope

This Policy applies to all infringements issued by the Town of East Fremantle under delegated State Government legislation and the Town's Local Laws. Council is committed to ensure that enforcement is carried out in the public interest and is transparent, fair, efficient and consistent.

#### Policy

##### Parking Infringement Notices Process

Infringement notice is issued - 28 days to pay.

Issue of a Final Demand letter - 14 days to pay.

Appeals must be lodged within the 28 day period being the due date on the original infringement notice. The due date will not be amended irrespective of the appeal being received. If the appeal is received after the 28 day period, it will not be considered.

Unpaid Infringement Notices will be forwarded to the Fines Enforcement Registry (FER) to recover the outstanding infringement following the non-payment of a Final Notice. **Prior to an infringement being referred to FER, a list (generally monthly) will be prepared for the Senior Ranger to review and authorise.**

##### **Unpaid Infringements Notices, Recover and Write-Off Principles**

~~Infringement Notices may be withdrawn at the discretion of the Executive Manager Corporate and Community Service only in the following circumstances:~~

*Table 1. Circumstances under which an infringement **will** be withdrawn*

<b>Circumstances</b>	<b>Evidence required</b>
<del>Vehicle breakdown due to mechanical fault.</del>	<ul style="list-style-type: none"> <li><del>• Statutory declaration outlining the nature of the breakdown, why the vehicle couldn't be moved and how the vehicle was moved; or</del></li> <li><del>• Receipts from a vehicle towing company; or</del></li> <li><del>• Receipts from a reputable mechanic.</del></li> </ul>
<del>Medical Emergency.</del>	<ul style="list-style-type: none"> <li><del>• Doctor's certificate; or</del></li> </ul>

	<ul style="list-style-type: none"> <li>• Correspondence from St John Ambulance, a hospital, medical surgery, doctor; or</li> <li>• Statutory declaration.</li> </ul>
Infringement issued in error or to the wrong person.	<ul style="list-style-type: none"> <li>• Evidence demonstrating the error such as; a valid ticket (and appropriately displayed), or photograph, or correctly parked vehicle; or</li> <li>• Proof that the vehicle did not belong to the nominated driver/owner at the time the infringement was issued;</li> <li>• Registration papers; or</li> <li>• Statutory declaration.</li> </ul>
Town of East Fremantle ticket machine, pay by phone software (if available) or equipment fault.	Evidence demonstrating the Town of East Fremantle ticket machine, pay by phone software, or equipment was faulty; e.g. photograph or screenshot.
Person is not the driver at the time of the offence.	Correctly filled out nomination form submitted within 28 days of the infringement date.
Directed by a Town Officer or Law Enforcement Officer to park contrary to signs and/ limitations.	<ul style="list-style-type: none"> <li>• Statutory declaration outlining the nature of the direction, why the vehicle couldn't be moved; and</li> <li>• Evidence from the Law Enforcement Officer indicating the nature of the direction.</li> </ul>

Table 2. Circumstances under which an infringement **may** be withdrawn

Circumstances	Evidence required
Compassionate grounds; including but not limited to family bereavement, genuine financial hardship and diagnosed mental illness.	Evidence specific to the matter at hand, which may include, but not be limited to, a Statutory declaration, Centrelink documentation, Health care card, Doctors certificate, letter from a hospital/surgery/doctor.
The signage in the area was missing, obscured or damaged to the point where it could not be read.	Photographic evidence of missing, obscured or damaged sign at the time of the offence.
Infringement issued to a person parked in a designated ACROD bay but did not display a valid ACROD permit.	Proof of valid ACROD permit.

Table 3. Circumstances under which an infringement **will not** be withdrawn

Circumstances
• Exceeding a time limit.
• Forgot to purchase and display a valid parking ticket.
• Failure to display a valid parking ticket.
• Lack of available parking bays.
• Arranging payment or getting change.
• Appointment or a meeting ran over time.
• Transportation services were late.

<del>• Had to make or take an important phone call.</del>
<del>• Did not see or did not understand the parking restrictions.</del>
<del>• Did not see or did not understand how to use a ticket machine.</del>
<del>• Where a vehicle is parked in a dangerous or obstructive location that has the potential to cause nuisance, injury or damage.</del>
<del>• Where an unauthorised vehicle is parked in a designated ACROD parking bay.</del>

### Fines Enforcement Registry (FER)

Amounts that remain outstanding past the prescribed due date of the Final Demand letter (~~being 42 days after the date of the infringement notice~~) will be referred to the Fines Enforcement Registry, and will result in additional fees and charges. The debt will remain active with Fines Enforcement for a period of three (3) years, after which it will be ~~withdrawn by Council~~ written off under delegated authority. Infringements are required to be manually written off via the FER portal.

### Interstate and International Drivers

If an infringement remains unpaid within a financial year, infringement notices may be withdrawn by delegated authority if the driver of the vehicle has been identified as being from interstate or overseas.

### Management Reporting

The monthly financial report to Council is to include the balance of Parking Infringements receivable.

~~Where infringement notices remain outstanding, an annual financial report to the Audit Committee will be presented, detailing a note of all outstanding infringement numbers and the total amount of debt against the current financial year.~~

Each year a report (including the Parking Infringements Status Summary Report) is to be submitted to the Audit Committee identifying total infringements outstanding by 1, 2 and 3 years. Fines outstanding greater than three years will be referred to Council for information advising the amount written off by the Chief Executive Officer under delegation.

### ~~Options to recover outstanding infringement monies in excess of three (3) years~~

~~Under this Policy, Council provides delegated authority to the Chief Executive Officer to write off all infringements that exceed three years.~~

### Financial Hardship

1. Financial hardship is not a ground for review.
2. Where a person is experiencing financial hardship and is unable to pay their outstanding infringement, the Town may assist the applicant, where applicable, to negotiate a payment plan.
3. To be eligible for a payment plan, the applicant must not have been referred to fines enforcement previously.
4. If the payment plan is requested after the fine has been registered with FER, the applicant will be responsible for an additional payment of the registration fee for the withdrawal.
5. The payment plan must not include more than 3 payments and must result in the outstanding amount being paid in full within 90 days of the date of Final Notice.

Each payment arrangement requires the approval of the Executive Manager Corporate and Community Service in accordance with Delegation DA14 – Rates and Services Charges Agreements.

### Refund of ticket whereby person has been infringed

~~Where a person has purchased a valid ticket but has received an infringement for not displaying a ticket correctly, that person shall be entitled to a full refund for the cost of the ticket based on the following procedure.~~

- ~~1. The request must be in writing.~~
- ~~2. The person is required to produce evidence of the ticket, such as a copy of the ticket or a copy of a bank or credit card statement.~~
- ~~3. Refund form to be completed and authorised by the Duty Ranger.~~
- ~~4. Payment processed via creditors.~~

### Roles and Responsibilities

- Ranger Services shall be responsible for the issuance of Infringement Notices under Delegation Authority DA21.
- The Rates Officer shall be responsible for the maintenance of the Infringement record within the Town's enterprise system, the issuance of the Final Demand Letter, the production of the list for the Senior Ranger of infringements to be referred to FER, and the processing of write offs once approved under delegated authority .
- The Executive Manager Corporate Services shall be responsible for referring matters to Council in regards to this Policy and the collection of outstanding Infringements.
- The Manager Administration and Finance shall be responsible for the review and monitoring of the operations of this Policy.
- The Corporate Services Team shall be responsible for the day-to-day operations of this policy.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewing Officer:</b>	Manager Administration and Finance
<b>Decision making Authority:</b>	Council
<b>Policy Adopted:</b>	18/09/18
<b>Policy Amended/Reviewed:</b>	20/08/19
<b>Former Policy No:</b>	4.4.3

---

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

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



**12.3.3 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.**



## DA80 DETERMINE APPLICATIONS FOR MORE THAN 3 CATS

<b>Objective of Delegation:</b>	To expedite consideration of applications for more than 3 cats.
<b>Extent of Delegation:</b>	Authority to approve applications to keep more than 3 cats per property provided there are no objections from adjoining owners.
<b>Conditions imposed:</b>	<p>An assessment of the prescribed premises be undertaken in accordance with section 2.4 of the <i>Town of East Fremantle Cat Local Law 2016</i>.</p> <p>Adjoining property owners are to be informed in writing of the application, and invited to comment. If objections are received to an application, a report will be provided to Council for determination.</p>

<b>Delegation by Council to:</b>	Chief Executive Officer
<b>Delegation by Chief Executive Officer to:</b>	Executive Manager Corporate Services
<b>Formal Record:</b>	Recorded in central records system
<b>Heads of Power:</b>	<b><i>Cat Act 2011</i></b> <b><i>Town of East Fremantle Cat Local Law 2016</i></b>
<b>Adoption Date:</b>	17 September 2019
<b>Amended:</b>	



## 12.4 COMMUNITY

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

<b>File ref</b>	H/REV1 H/CFF1
<b>Prepared by</b>	Karen Dore, Coordinator Capacity Building
<b>Supervised by</b>	Peter Kocian, Executive Manager Corporate Services
<b>Meeting Date</b>	17 September 2019
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	<ol style="list-style-type: none"><li>1. East Fremantle's George Street Festival 2018 Traffic Management Plan (for update)</li><li>2. East Fremantle's George Street Festival 2019 Site Plan (draft)</li><li>3. East Fremantle's George Street Festival 2019 Risk Management Plan (draft)</li><li>4. East Fremantle's George Street Festival 2019 Crowded Places Assessment</li><li>5. East Fremantle's George Street Festival 2019 Event Classification</li><li>6. East Fremantle's George Street Festival 2019 Medical Classification</li></ol>
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. East Fremantle's George Street Festival 2019 Event Update</li></ol>

#### **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**

**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.**



TOWN *of*  
EAST FREMANTLE

# Event Update



September  
2019

East Fremantle's George Street Festival  
2019 – Event Update #2

## 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.

## Purpose

To provide information regarding the planning process, and progress, for East Fremantle's George Street Festival 2019.

## Consultation

George Street Traders (pre and post 2018 event)  
 Executive Team and Council (pre and post 2018 event)  
 East Fremantle Business Owners  
 East Fremantle Sporting Clubs and Community Groups

## Strategic Implications

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

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

- 1.1 *Facilitate appropriate local services for the health and wellbeing of the community*
  - 1.1.2 *Strengthen the sense of place and belonging through inclusive community interaction and participation*
- 1.2 *Inviting open spaces, meeting places and recreational facilities*
  - 1.2.2 *Activate inviting open spaces that encourage social connection*
- 1.3 *Strong community connection within a safe and vibrant lifestyle*
  - 1.3.2 *Facilitate opportunities for people to people to develop community connections and foster local pride*
  - 1.3.3 *Enrich identity, culture and heritage through programs, events and celebrations*

#### *Strategic Priority 2 – Economic – Sustainable, locally focused and easy to do business with*

- 2.1 *Actively support new business activity and existing local businesses*
  - 2.1.1 *Facilitate opportunities for business and community groups*

## Financial Implications

\$55,000 (cash) has been allocated to East Fremantle's George Street Festival in the 2019-2020 budget.

As at 1 September 2019 the budget details (excluding GST) are as follows;

<u>\$105,621.98</u>	Total Expenditure
\$13,000.00	Stallholder Income (estimate / goal)
\$18,500.00	Lotterywest Community Events Funding (application pending)
\$10,000.00	Fremantle Ports Community Investment Funding (confirmed)
\$ 1,500.00	Reimbursement (infrastructure hire, estimate)
\$10,000.00	Heritage Tea Towel sales (cash income, through pre-purchase)
<u>\$53,000.00</u>	Total Income
<u>\$52,621.98</u>	Cost to Council (estimated) <i>Not inclusive of 'normal' wages</i>
<u>Estimate of Wages (not including overheads)</u>	
\$10,250.00	Coordinator Capacity Building (Paid @ \$41ph) 250hrs
\$ 1,040.00	Town Tent Staffing (TOIL @ avg \$65ph) 16hrs



\$ 780.00	Operations Crew (Overtime x 2 @ \$65ph) 6hrs each
\$ 770.00	Ranger Services (extra time x 1 @ \$55ph) 14hrs
<u>\$12,840.00</u>	

#### Estimate of Volunteer Assistance

\$ 1,000.00	Coordinator Capacity Building (Volunteer @ \$25ph) 40hrs
\$ 400.00	Survey Collectors (4 @ \$25ph) 4hrs each
<u>\$ 1,400.00</u>	

## Event Goals 2019

### Community Focus

Continued focus on the engagement of local traders and residents, along with those from within the greater Fremantle region.

### Attendance

- 8,500 visitors
- 170 participants (traders, stallholders, food vendors) *\*note, all sites are booked.*

### Survey

Aim for 850 (10%) replies.

## Officer Comment

The following items, as highlighted from 2018, have been addressed;

- Bump-in volunteers to have authoritative hands-on assistance readily available – *we will be contracting 5 people, one for each zone, from 6.30am to 11.30am.*
- Event Coordinator to be more available to staff / volunteers, for information / advice during “bump-in” – *this will be addressed through the above contracting.*
- Food Vendors, specific application to ensure all information is collected without a double-up in paperwork – *underway via PEHO.*
- Risk Management Plan – *has been updated as attached.*
- Road Closure, review procedure and add in additional steps where necessary, in order to guarantee that no parked cars are left in the road closure area – *has been addressed during the initial meeting with the contractor.*
- Running List for Event Day, update to ensure earlier infrastructure set-up in order to allow stallholder “bump-in” is timely – *has been addressed through some major infrastructure being set up the night before.*
- Site Plan – *has been updated as attached.*
- Task Lists – *updated, and will be shared via pre-event brief.*
- Town Tent planning / set-up to be handled as a separate stall booking – *this has been undertaken, the Town have 6 stalls;*
  1. Event – Event Information, manned by Staff (Administration)
  2. Town – Town “Talk”, manned by Elected Members
  3. Volunteers – ‘base’ facilitated by Staff to look after event volunteers / contractors
  4. Heritage – Streets of East Freo / Heritage Trail, manned by Museum of Perth
  5. HACC – seniors information, manned by Staff (HACC)
  6. FOGO – waste information, manned by Staff (Administration)
- Zone check (stall stock, general infrastructure set-up, trip hazards, suppliers) to be undertaken by a responsible person prior to the event opening – *this will be undertaken by the contracted zone coordinators.*

## Attachment

1. Site Plan 2019 (*draft*)

# Glyde St Zone 1

Refer to LEGEND over  
PORT 12.4.1



# Hubble St Zone 2

Refer to LEGEND over

Access to  
driveway

#40

#46

#54

TABORDA

End of Hubbles Yard veranda →

Young George & Liquor Barons, trading across  
footpath and into car parking bays, licenced  
area with picket fence (supplied by Town)

St John  
X 2  
9x8

TABORDA

COM ART

2 x 10 AMP.  
from building

53 54 55

50 51 52

47 48 49

44 45 46

41 42 43

38 39 40

35 36 37

32 33 34

29 30 31

26 27 28

23 24 25

20 21 22

17 18 19

14 15 16

DOGGY

GEORGE STREET  
ONE WAY  
ALL DAY

GLYDE ST (see Zone 1)

FP

EFFC

Zoo  
6x6

Bounce  
6x6

Toilet

Shade  
12 x 6

2 x 10 AMP.  
from building

# Glasson Park

NORTH

# Sewell St Zone 3

Refer to LEGEND over

Access to driveway

Event Info-  
Town  
Volunteers  
Heritage

TABORDA

Inf  
6x6

Stage  
6x3

GR

#42

TABORDA

Line on road →

Gratias,  
across /  
onto path

Vivante,  
onto path

71  
Floral  
Army, onto  
path

J  
George Street  
Quarters, trading  
across footpath and into  
car parking bays, licenced  
area, picket fence barrier  
(provided by Town)

NS  
N-Star,  
path +  
2 x bay

#39

Access to  
driveways

#41

Cabin

C

Art  
(1.1m x  
8m)

56 57 58 59 60 61

67 68 69 70

63 64 65 66

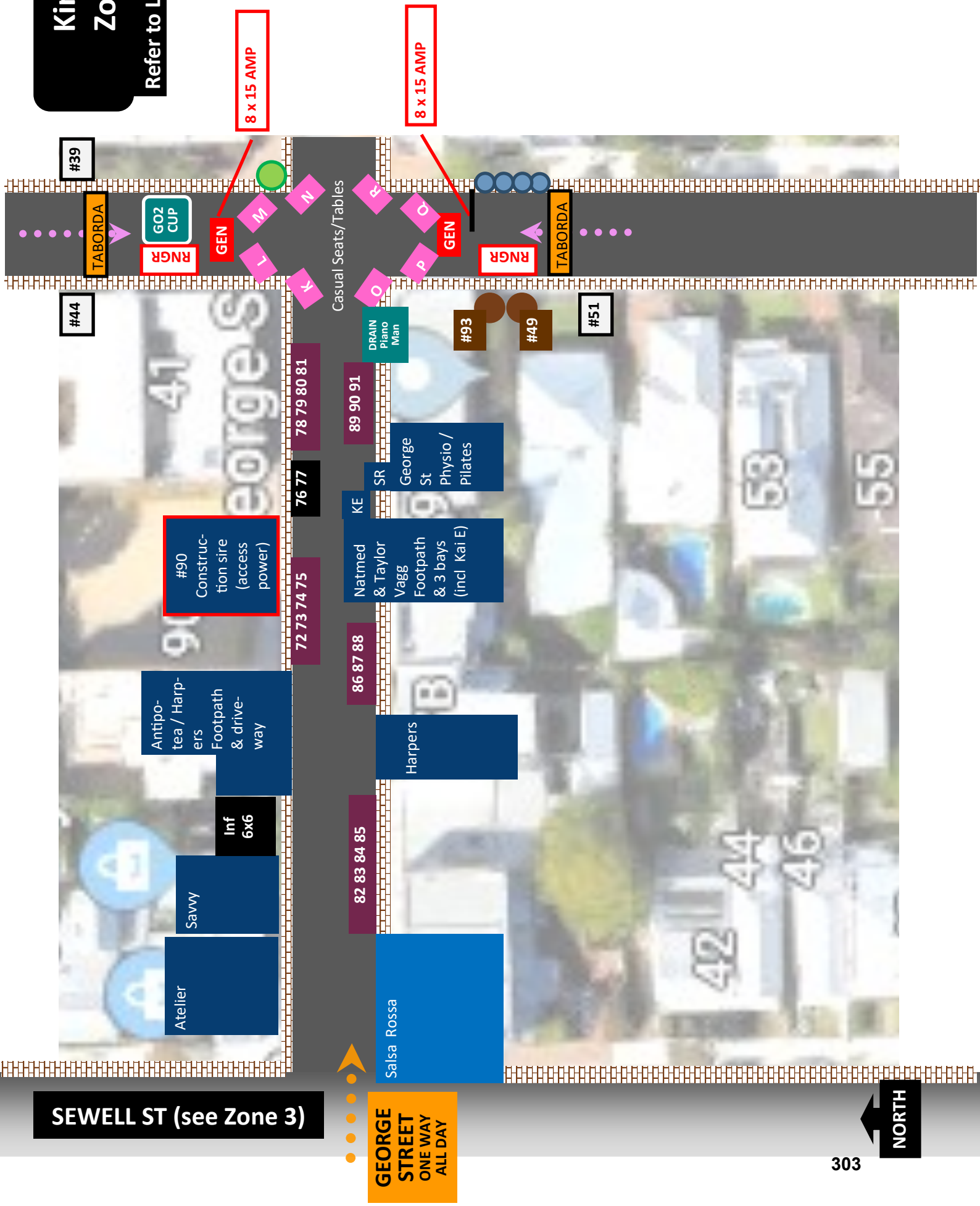
62

HUBBLE ST (see Zone 2)

GEORGE STREET  
ONE WAY  
ALL DAY

NORTH

**King St  
Zone 4**  
Refer to LEGEND over

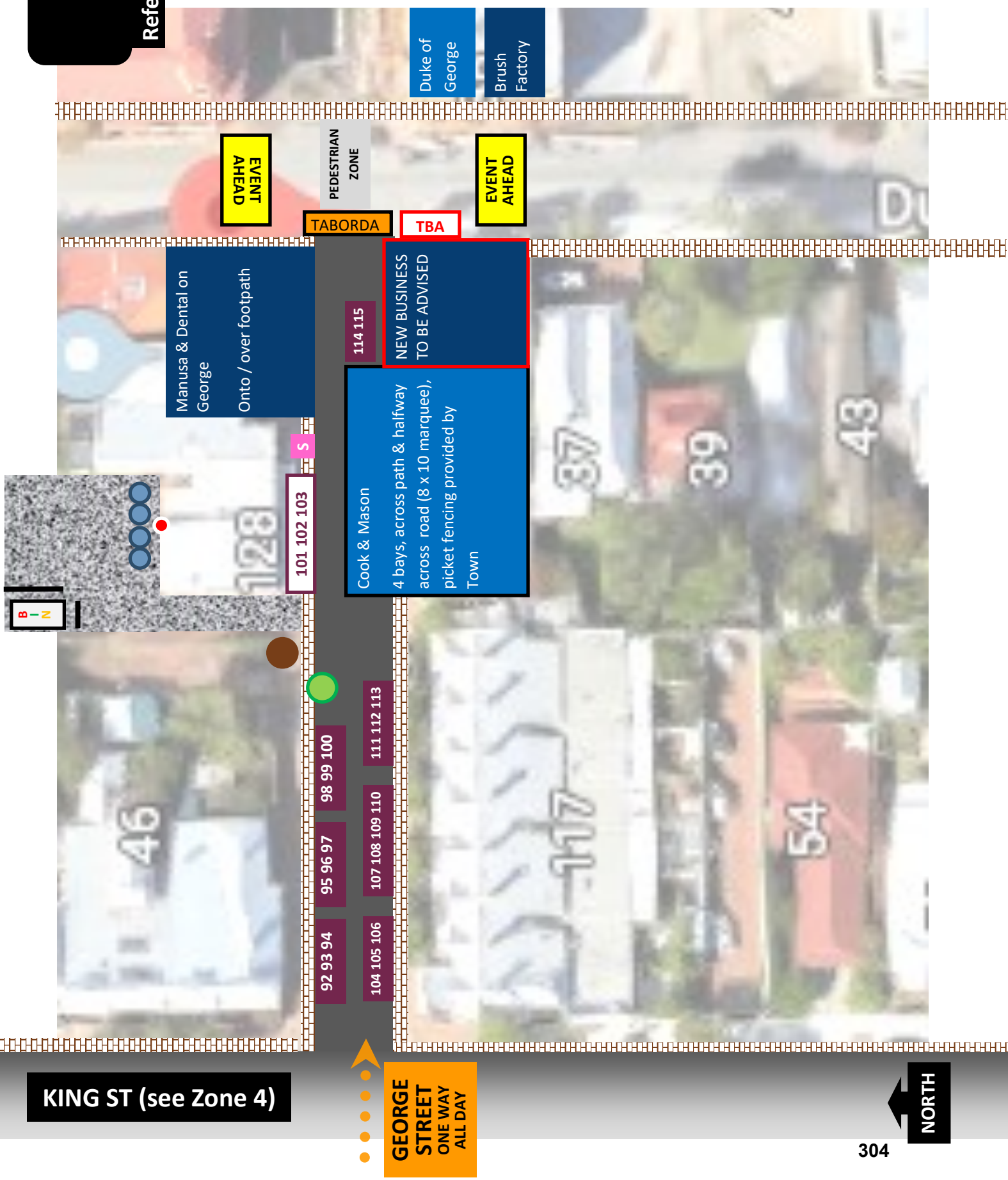


**SEWELL ST (see Zone 3)**

**GEORGE STREET**  
ONE WAY  
ALL DAY



**Zone 5**  
**Duke St**  
 Refer to LEGEND over



Manusa & Dental on  
 George  
 Onto / over footpath

TABORDA

TBA

PEDESTRIAN  
 ZONE

EVENT  
 AHEAD

EVENT  
 AHEAD

Duke of  
 George

Brush  
 Factory

101 102 103

Cook & Mason  
 4 bays, across path & halfwy  
 across road (8 x 10 marquee),  
 picket fencing provided by  
 Town

114 115  
 NEW BUSINESS  
 TO BE ADVISED

92 93 94 95 96 97 98 99 100

107 108 109 110

111 112 113

104 105 106

KING ST (see Zone 4)

GEORGE  
 STREET  
 ONE WAY  
 ALL DAY

NORTH

# EAST FREMANTLE'S GEORGE STREET FESTIVAL 2019 SITE PLAN (26/06/19)

ICON	DETAILS
	Infrastructure site
	Marquee site (3x3)
	Under verandah site (1 x trestle table)
	Licensed trader
	George Street trader open on event day
	Fence
	Food van
	Food stall
	Toilet
	3-bin station
	Generator / Power with requirements
	Driveway used for private parking
	Access to footpath
	Driveway blocked (OK'd by owner)
	Water point
	House number (not affected by closure)
	Road block points
	Traffic direction—all day



ZONES	
Zone 1: East St to Glyde St	inc. busking / water / bin / free kids activities
Zone 2: Glyde St to Hubble St	inc. kids park / com art / St John / bin / toilets
Zone 3: Hubble St to Sewell St	inc. stage / toilets
Zone 4: Sewell St to King St	inc. Town / GO2CUP / bin
Zone 5: King St to Duke St	inc. water / toilets

STALL SITES	TRADERS	FOOD VENDORS
1. 25	1. 1	1. 9
2. 30	2. 2	2. 0
3. 16	3. 8	3. 1
4. 20	4. 11	4. 8
5. 24	5. 6	5. 1
= 115 ( inc. 4 tables)	= 28 + Tradewinds	= 19

**162 participants**

**PREFERRED PARKING AREAS**

- East Fremantle Primary School Oval (250 spaces) - off Forrest St 350m walk (flat) along Glyde Street
- Town Hall (30 spaces) - off Council Pl, 350m walk, (slight hill) along Duke St
- Moss Street (50 spaces) - street parking near East Fremantle Football Club, 700m walk, (flat) through George St underpass
- Wilson's Parking, Silas Street (100 spaces) - 350m walk, (slight hill) along Duke St \*note this is a 3 hour parking area

**Or even better—use Public Transport!**

**Mobility impaired parking George St, off East St. Drop off point Glyde St (from Marmion Street).**

- 
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),(d) & (e)*.

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

**17. PROCEDURAL MOTION**

That the meeting be opened to the public.

18. CLOSURE