



MINUTES

Council Meeting

Tuesday, 16 June 2020 at 6.30pm

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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	2
5.	PUBLIC QUESTION TIME	2
5.1	Responses to previous questions from members of the public taken on notice	2
5.2	Public Question Time	2
6.	PRESENTATIONS/DEPUTATIONS	3
6.1	Presentations	3
6.2	Deputations	4
7.	APPLICATIONS FOR LEAVE OF ABSENCE	4
7.1	Cr M McPhail	4
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
8.1	Meeting of Council (19 May 2020)	4
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	4
10.	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS	5
10.1	Endorsement of the Preston Point Road North Recreation Precinct Master Plan	5
11.	REPORTS AND RECOMMENDATIONS OF COMMITTEES	10
11.1	Town Planning Committee Meeting (2 June 2020)	10
12.	REPORTS	11
12.1	PLANNING	11
12.1.1	Bolton Street No 10 (Lot 24) Proposed loft addition	11
12.2	FINANCE	24
12.2.1	Statement of Financial Activity for Period Ended 31 May 2020	24
12.2.2	Accounts for Payment – May 2020	29
12.2.3	2020/21 Differential General Rates and Minimum Payments – Public Submissions	32

12.2.4	Schedule of Fees and Charges 2020/21	39
12.2.5	Elected Member Fees and Allowances 2020/21	44
12.2.6	Council Policy – Financial Reserves	48
12.2.7	Home and Community Care (HACC) and Commonwealth Home Support Program (CHSP) Funding Agreements	51
12.2.8	Authority to Affix the Common Seal – Deeds of Variation to Town Owned Building Leases	55
12.3	COMMUNITY	57
12.3.1	Richmond Raceway Trotting Booths Functional Art Installation	57
12.3.2	Establishment of a Climate Action Reference Group	60
12.4	GOVERNANCE	62
12.4.1	Adoption of Meeting Schedule 2020/21	62
13.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	66
14.	NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING	66
15.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	66
16.	NEW BUSINESS OF AN URGENT NATURE	66
17.	MATTERS BEHIND CLOSED DOORS	66
18.	CLOSURE	66

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135
CANNING HIGHWAY EAST FREMANTLE ON TUESDAY 16 JUNE 2020**

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.30pm

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Mayor J O’Neill	Presiding Member
Cr C Collinson	
Cr K Donovan	
Cr A McPhail	
Cr M McPhail	
Cr A Natale	
Cr D Nardi	
Cr J Harrington	
Cr A Watkins	

The following staff were in attendance:

Mr G Tuffin	Chief Executive Officer
Mr A Malone	Executive Manager Regulatory Services
Mr P Kocian	Executive Manager Corporate Services
Ms K Dore	Coordinator Capacity Building
Ms J May	Minute Secretary
Ms B Browning	EA to Community & Corporate Services

There were eight members of the public in attendance.

3.2 Apologies

Nil.

3.3 Approved

Nil.

4. DISCLOSURES OF INTEREST

4.1 Financial

Nil.

4.2 Proximity

Nil.

4.3 Impartiality
Nil.

5. PUBLIC QUESTION TIME

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

5.2 Public Question Time

5.2.1 Brian McDonald, Board Member East Fremantle Lawn Tennis Club

10.1 Endorsement of the Preston Point Road North Recreation Precinct Master Plan

1. Cardno Traffic Management Plan

Following the services of Cardno contracted by ToEF to assess traffic management as part of the Master Plan process, could Council please share with us why it is that their independent report hasn't yet been made publicly available, yet the Master Plan is being presented for endorsement and is referenced in 'Officer Comments' to the 'public comment submissions', and when will the community have an opportunity to review it?

Officer Response

The release of the Integrated Traffic and Movement Strategy has been delayed due to the need to expand the original scope to include further vehicle surveys to provide more robust data to support the strategy's initial findings, mainly in the Plympton area. Further delays have also been caused due to COVID-19. Therefore, a decision was made to complete the Strategy on the available information as of March 2020. A draft version of the Strategy comprising of an Integrated Traffic Management and Movement Plan, Parking Management Plan and Active Transport Plan was provided to the Town in May. The Town has provided the consultant (Cardno) with a response to the draft documents, and Cardno is currently reviewing the Town's feedback.

2. Opportunity for Fremantle Table Tennis Club (FTTC) at East Fremantle Lawn Tennis Club (EFLTC)

Considering that a *beautiful* and proven natural synergy exists between tennis and table tennis, and that both clubs have entered into a MOU to cooperate together, could Council please elaborate as to why the concept of a new table tennis facility was not fully incorporated into the Master Plan? It is noted that the 'Officer Comments' to the 'public comment submissions' state that the exclusion of table tennis from the Master Plan "does not preclude the tennis club from continuing to investigate the feasibility of the collaboration", however this falls short of offering support for what should otherwise be viewed as an exciting opportunity.

Officer Response

It is acknowledged that there is an existing positive relationship between the Fremantle Table Tennis Club and the East Fremantle Lawn Tennis Club, however, at this time the Town is not in a position to commit to additional infrastructure within the Precinct for the purposes of introducing a new club. As the two Clubs progress their collaboration the Town will be open to receiving the final business case in relation to any future development at the Tennis Club site. It is noted that there are multiple references in relation to the Table Tennis Club and their desire to be located

at the Tennis Club, with the opportunity being documented throughout the report (refer to pages 2, 35, 36, 37, 38, 76, 77, 78, 82 & 127).

3. Collaborative Workshops

Would Council consider scheduling and supporting genuine collaborative workshops with community participation, rather than information sessions, including with representatives from clubs and residents, to jointly develop a plan that the majority of rate payers and ToEF can agree to?

Officer Response

The level of consultation undertaken during the development of this plan is considered appropriate, further details of the consultation undertaken is provided in Section 10 of the Plan (Pg 34 – 43). The Master Plan will be used to inform and guide the future development requirements of the Preston Point Precinct. The extensive research undertaken in regard to current and future user needs, with support from references to best industry practices will assist Council to better review project proposals into the future. Further consultation will be undertaken as individual projects are further developed and appropriate funding sources are identified and secured over the next 20 plus years.

5.2.2 **Gordon Lee, Fremantle Table Tennis Club**

10.1 Endorsement of the Preston Point Road North Recreation Precinct Master Plan

Would Council record in the minutes of tonight's meeting a recommendation that the collaboration between East Fremantle Tennis Club and the local Table tennis club known as Fremantle Table Tennis Club be embraced?

Officer Response

The MOU between the Table Tennis Club and Tennis club has been acknowledged in the body of the Preston Point Master Plan, and the Town understands further work is being undertaken by the two clubs to advance this relationship.

The continued development of this relationship is a matter for the two clubs, however the Town actively supports a broad range of healthy leisure pursuits in East Fremantle for all ages and abilities and encourages residents to partake in any and all opportunities.

6. **PRESENTATIONS/DEPUTATIONS**

6.1 **Presentations**

Nil.

6.2 Deputations

6.2.1 G Lee (10.1 Preston Point Road North Recreation Master Plan)

Mr Lee expressed dissatisfaction with the response to his public question and repeated his request for a Council recommendation to embrace the relationship between the East Fremantle Lawn Tennis Club and Fremantle Table Tennis Club.

Mayor O'Neill advised that at this point, Council would not embrace a relationship between the two clubs.

6.2.2 M Sofield (12.1.1 Bolton Street No 10)

Advising that agreement had been reached with the owners of 10 Bolton Street for frosted glass to be installed in the eastern windows of the loft, however, requesting this arrangement be formalised as a condition of approval.

6.2.3 M Duncan-Smith (12.1.1 Bolton Street No 10)

Providing a summary of events to date and requesting Council support the officer's recommendation to approve the development.

7. APPLICATIONS FOR LEAVE OF ABSENCE

7.1 Cr M McPhail

From 19 June to 13 July 2020.

7.1 OFFICER RECOMMENDATION

Moved Cr Harrington seconded Cr Nardi
That the leave of absence be granted to Cr M McPhail for the period 19 June to 13 July 2020.

(CARRIED UNANIMOUSLY)

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (19 May 2020)

8.1 OFFICER RECOMMENDATION

Moved Cr A McPhail, seconded Cr Nardi
That the minutes of the Ordinary meeting of Council held on Tuesday, 19 May 2020 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

10.1 Endorsement of the Preston Point Road North Recreation Precinct Master Plan

File ref	A/PNRM
Prepared by	Karen Dore, Coordinator Capacity Building
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Preston Point Road North Recreation Precinct Master Plan (draft)2. Summary of Public Comment Submissions

Purpose

Council is requested to consider endorsing the Preston Point Road North Recreation Precinct Master Plan, as attached with deliberation of the officer's comments.

Executive Summary

The requirement for the preparation of a Preston Point Road North Recreation Precinct Master Plan was identified in the Town's Recreation and Community Facilities Strategy (adopted 13 December 2016).

A Master Plan for the Preston Point Road North Recreation Precinct will provide a blueprint to enable effective planning for the diverse sporting and active recreation requirements of the precinct to meet the needs of the community, providing clear direction in the short and medium term for the redevelopment / upgrade of and investment in recreation facilities.

Better meeting the recreational needs of our community could be reasonably expected to:

- increase the physical activity participation of the community;
- reduce the percentage of residents who are overweight and obese;
- increase the recognition of the value of sport and active recreation in the community; and
- develop social capital leading to a stronger, happier and more connected community.

The following items should also be noted when considering the criticality of this Plan;

- probable growth area due to the proposed redevelopment of the Leeuwin Barracks site;
- proposed co-location of facilities where appropriate and / or the assurance that with the three proposed upgrade / redevelopments there is not a duplication of facilities; and
- expectation of increased participation through new users, special interest groups and the wider community.

The Sporting Clubs that utilise the Precinct are identified as;

- East Fremantle Cricket Club
- East Fremantle Junior Cricket Club
- East Fremantle Junior Football Club
- East Fremantle Lacrosse Club
- East Fremantle Tennis Club
- East Fremantle Yacht Club
- First Fremantle Sea Scouts' (Camp Waller)
- Fremantle City Football Club (formerly EF Tricolore Soccer Club)

Background

A Scope of Works for the Plan was released in November 2018, with six (6) submissions received. In late December 2018 A Balanced View Leisure Consultancy Services (ABV) were engaged to undertake the preparation of the Master Plan. Extensive consultation and research has been undertaken by ABV since February 2019.

The draft Plan was released for public comment period on 21 February 2020, with submissions accepted up until close of business on 20 March 2020. A forum for precinct users was facilitated by the Town on Tuesday 25 February 2020

Forty submissions were received (summary below) and reviewed.

- 06 x Local Resident 15%
- 01 x Local Member 2%
- 04 x Club Representative 10%
- 02 x Non Resident 5%
- 26 x Unknown (no address) 66%
- 01 x State Sporting Association 2%

The submissions were broken down to one hundred and one “observations”;

- 24 Local Resident 24%
- 01 Local Member 1%
- 35 Club Representative 35%
- 11 Non Resident 11%
- 28 Unknown (no address) 27%
- 02 State Sporting Association 2%

This report was submitted to the Council Meeting 19 May 2020 where it was resolved to hold the matter over to the June meeting.

Consultation

- Businesses, Community Groups & Sporting Clubs
 - Online survey
 - One-on-one meetings
 - Breakfast presentation
 - Public comment period
- Community
 - Online / hard copy survey
 - Drop-in session onsite (2)
 - Breakfast presentation
 - Public comment period
- Department of Biodiversity, Conservation and Attractions (Swan River Trust)
- Town of East Fremantle “Neighbourhood Link”
- Neighbouring LGAs
- State Sporting Associations

Statutory Environment

Not applicable.

Policy Implications

Community Engagement Framework.

Financial Implications

There is no financial implication associated directly with the endorsement of this document.

Strategic Implications

The Town's Recreation and Community Facilities Strategy, adopted in December 2016, identified a range of strategic issues and principles to guide future development of recreation and community facilities in East Fremantle. Relevant to this project is Action 3.

Facility

Parks and Playgrounds

Rationale

Sporting reserves north of Preston Point Road comprise a significant open space precinct.

Comments

Master plan to include sporting facilities and passive recreation facilities (play spaces, trails and community meeting spaces) and amenities such as car parks.

Master plan to integrate the total area and create linkages which allow for multipurpose use and long term flexibility.

Designate reserves north of Preston Point Road as sites for major multi age play spaces, incorporating drinking water fountains, shade, seating and toilets in close proximity.

Action

Prepare a master plan for the sporting reserves north of Preston Point Road (Wauhop Park, Henry Jeffery Oval, Chapman Oval and Preston Point Reserve*).

Timeframe

2018-2019

*This 'precinct' also includes the following built facilities; East Fremantle Yacht Club, Camp Waller, Tennis Club Pavilion, East Fremantle Cricket & Lacrosse 'Clubhouse', East Fremantle Junior Cricket & Junior Football 'Clubhouse' and Tricolore Community Centre.

Site Inspection

ABV undertook various site inspections during the course of consultation and Plan preparation.

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 this document.	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

The Master Plan's Summary of Proposed Priorities is a suggested timeline with indicative costings. The listed projects are not final, and any identified project will be subject to a rigorous project planning process with further approval sought prior to commencement.

The focus area was gifted the quite onerous title of Preston Point Road North Recreation Facilities Precinct through the Town's Recreation and Community Facilities Strategy. It is recommended that this be simplified to "Preston Point Precinct", with the final document edited to reflect this change.

In deference to the review of submissions it is suggested that;

- an access audit (on buildings, reserves and existing pathways) be undertaken by Town staff.
- an end-of-trip facilities audit be undertaken by Town staff.
- a lighting audit be undertaken by Town staff.

10.1 OFFICER RECOMMENDATION

That Council:

1. note the forty submissions presented in Attachment 2;
2. endorse the Preston Point Road North Recreation Precinct Master Plan with the amended title of Preston Point Precinct Master Plan;
3. endorse the priority projects outlined in Part 14 of the Master Plan with projects to be reviewed and prioritised on an annual basis as part of the budget process; and
4. support the proposed audits (access, end-of-trip facilities and lighting) to be undertaken by Town staff.

Council Meeting 19 May 2020

Moved Cr M McPhail, seconded Cr Nardi

The adoption of the Officer's recommendation.

12.2.1 PROCEDURAL MOTION/COUNCIL RESOLUTION 070520

Moved Cr Natale, seconded Cr Harrington

That this matter be deferred to the June Council Meeting.

(CARRIED 5:4)

Reason for not Supporting Officer's Recommendation

To allow public participation in receiving the report at the June Ordinary Council Meeting.

10.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 010620

Moved Cr McPhail, seconded Cr Nardi

That Council:

- 1. note the forty submissions presented in Attachment 2;**
- 2. endorse the Preston Point Road North Recreation Precinct Master Plan with the amended title of Preston Point Precinct Master Plan;**
- 3. endorse the priority projects outlined in Part 14 of the Master Plan with projects to be reviewed and prioritised on an annual basis as part of the budget process; and**
- 4. support the proposed audits (access, end-of-trip facilities and lighting) to be undertaken by Town staff.**

(CARRIED UNANIMOUSLY)

11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

11.1 Town Planning Committee Meeting (2 June 2020)

File ref	C/MTP1
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Meeting Date:	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Town Planning Committee Minutes

Purpose

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

Executive Summary

The Committee, at its meeting on 2 June 2020, exercised its delegation in six statutory matters where at least four members voted in favour of the Reporting Officer's recommendations.

Two applications were deferred with one (loft additions at 10 Bolton Street) the subject of a further report for the Council Meeting on 16 June.

Consultation

Town Planning Committee.

Statutory Environment

Nil.

Policy Implications

Nil.

Strategic Implications

Nil.

Site Inspection

Not applicable.

Comment

The unconfirmed minutes of the Town Planning Committee meeting are now presented to Council to be received.

11.1 COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION 020620

Moved Cr Collinson, seconded Cr Natale

That the unconfirmed Minutes of the Town Planning Committee Meeting held on 2 June 2020 be received.

(CARRIED UNANIMOUSLY)

12. REPORTS

12.1 PLANNING

12.1.1 Bolton Street No 10 (Lot 24) Proposed loft addition

Owner	Mark & Tanya Duncan-Smith
Applicant	Angella Moffat
File ref	P087/18
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Community Consultation2. Summary of Submissions3. Materials

Purpose

The purpose of this report is for Council to consider a planning application for a proposed loft addition at No 10 (Lot 24) Bolton Street, East Fremantle.

Executive Summary

This item was presented to Town Planning Committee on 2 June 2020 but a final decision was deferred to the 16 June full Ordinary Council meeting. The applicant has provided clarifying technical specifications and details. A re-assessment of those details was undertaken and is detailed in the comment section of this report.

A re-assessment of all setbacks, heights and privacy matters for the proposed development was undertaken to specifically identify potential impacts to adjoining neighbours. For the purposes of clarification relating to the height details as discussed below, the maximum height of the proposal is 34.78 metres AHD.

The assessment table with adjusted figures and subsequent comments will clarify comments made in the original Committee report including requests for clarification from the applicant and adjoining neighbour. To that end, this is an amended report.

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

- (i) Clause 3.7.18.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 6.8 – 7.2m provided;
- (ii) Clause 3.7.8.3– Residential Design Guidelines – Roof Form & Pitch – original pitch required, curved (variable) roof pitch provided; and
- (iii) Clause 3.7.2.3 – Residential Design Guidelines – Additions and Alterations to Existing Building – Loft Windows, Roof Geometry, Visibility from Street–horizontally proportioned windows provided, no significant change to roof geometry, minimal visibility from street

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

A reassessment of the intent and interpretation regarding the regulatory requirements for the proposed development at 10 Bolton Street was undertaken prior to the Town Planning Committee meeting and it was conceded that item (i) and (ii) from the proposed variations stated in Agenda Item 11.1 from the Town Planning Committee report of 2 June 2020 are compliant and therefore can be removed. Further explanation is provided in the comment section of the report.

Background

Zoning: Residential R12.5
Site area: 678m²

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

There have been previous sets of plans presented to the Town in an effort to have the proposed development approved, however an application was not presented to Council for determination.

Consultation

Advertising

The application was advertised to surrounding land owners from 18 March to 3 April 2020 with an additional week given for submitters to complete their submissions. Two submissions were received. The Town also undertook additional meetings with a submitter to discuss the application in detail. These submissions are included in the appendix at the end of this report due to the length of the submissions.

The applicant response and officer response are also included in the appendix.

The application was deferred to facilitate the applicant and the neighbour to enter dialogue regarding the outcomes of the proposed development.

Community Design Advisory Committee (CDAC)

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

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

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

Policy Implications

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

Financial Implications

Nil

Strategic Implications

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

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices.

3.3.2 Optimal management of assets within resource capabilities.

3.3.3 Plan and advocate for improved access and connectivity.

Natural Environment

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

4.1 Conserve, maintain and enhance the Town's open spaces.

4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.

4.1.2 Plan for improved streetscapes parks and reserves.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices.

4.3 Acknowledge the change in our climate and understand the impact of those changes.

4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	7.5m	11m	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Eastern wall loft	11.1m long, 5.5m to 6m high 1.6m setback required	3.4m	A
Western wall loft	11.1m long, 7.6m to 8.5m high 4.7m setback required	5.6m	A
Southern wall loft	6m setback required	20.9m	A
Open Space		No change in open space from existing as loft is being built within existing footprint	N/A
Wall height	5.6m	6.8 – 7.2m	D
Roof height	8.1m	7.1 – 7.5m	A
Setback of Garage/Carport			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy	4.5m	4.6m	A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

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

The proposed matter was presented to Town Planning Committee on 2 June 2020 but a final decision was deferred to the 16 June full Council meeting. Modifications to the report have been made to update the interpretation regarding the regulatory requirements for the proposed development and are detailed below. Following the Town Planning Committee meeting additional information was provided by the applicant and a re-assessment of the development requirements for the proposed development was undertaken to specifically identify maximum development impacts to adjoining neighbours. The assessment table and subsequent comments

provide adjusted figures which will clarify comments made in the original Committee report including requests for clarification from the applicant and adjoining neighbour.

This development application proposes a loft addition as well as internal works at the subject property. The property is on the Town of East Fremantle's heritage list as a Category A property. Additions and alterations to such dwellings can be proposed by applicants.

The loft will house a master bedroom, lift, ensuite and toilet, walk-in robe and entry door onto the belvedere. Additional changes are proposed to the ground floor. Internal walls to 2 rooms and a hallway at the front of the house will be removed allowing the amalgamation of the area into a single open plan living, dining and kitchen area. New metal roof sheeting will be installed utilising the existing roof framing and approximately 50% of the guttering and downpipes will be replaced. New weather sealed windows in the same style as the existing windows will be installed. The existing belvedere and double chimney will remain in place. The existing footprint of the dwelling will remain unchanged and there is no increase in site coverage by the building nor reduction in the current open space on site.

The loft that is being proposed will be located 11m from the front boundary of the property and inserted in the valley and between the ridges of the existing roof. An attempt has been made to ensure that the loft has minimal impact on the neighbouring property owners' views of the river or ocean as the overall height complies with the Deemed to Comply provisions of the R-Codes. The loft will alter the external appearance of the dwelling and will be discussed later in the report. The internal works that are proposed have no impact on the external appearance of the dwelling, but do improve the functionality and liveability of the dwelling by increasing the size of the rooms and allow the living area to become an open plan living space more in keeping with contemporary living.

The applicants claim that the proposal is closer to the aims of the Burra Charter. It is also noted that the Burra Charter can influence decisions taken by the Town with regards to the development of heritage properties but there is no legal requirement to do so. The Burra Charter ultimately provides guidance with regards to heritage protection and conservation only. Ultimately it is up to the Council to make the final decision as to whether the proposed development will be supported or not.

The following variations are proposed to the Residential Design Guidelines.

Visual Privacy

Whilst not a variation, an objection has been received from the eastern neighbour relating to the clerestory windows and privacy concerns. The clerestory windows are highlight windows to the subject property and the windows are located to non-habitable rooms, therefore from the requirements of the Residential Design Codes the proposal is considered to comply with the Deemed to Comply provisions. The adjoining eastern property is elevated above the subject site and as such the highlight windowed may be perceived to allow sight lines into the adjoining property. Plans have been provided (as below) to indicate privacy corridors are significantly protected.

No condition has been added to require screening to the windows as the windows comply with the Deemed to Comply Provisions.

Demolition

A development impact statement has not been provided by the applicant specifically for these plans as required by acceptable development clause 3.7.5.3 A2 of the Residential Design Guidelines, however, a statement was received from the owner and applicant that outlined the proposal and the issues that they have attempted to mitigate through the proposed design. The proposal is the third iteration of plans that have been presented to the Town for assessment and previous heritage/ design impact statements have been provided to these plans. Whilst the current design does have a different external design, the overall intent of the modifications to this heritage dwelling are considered to be consistent. The Town has considered all documentation submitted throughout this development application, including previous heritage impact statements. The owners have reached the stage where they want a final decision to be made by the Town in relation to the proposed development.

The interior walls of the dwelling that are proposed to be demolished are clearly demonstrated on the plans that were provided as part of the development application. There are no planning issues created by the demolition of these walls as it is intended not to demolish the whole wall, but to facilitate openings in the walls to ensure the alterations can be readily interpreted. Features of the interior of the heritage dwelling are retained with the exception of the creation of a large and more contemporary open plan living and kitchen area. Structurally, any internal changes will have to be approved through the building permit process to ensure the changes are safe and structurally sound.

Concern has been raised that the proposal is not consistent with the heritage characteristics of this A listed dwelling. As noted above a heritage statement has been provided by a qualified heritage architect relating to the previous design which supported the proposal. Whilst the design has been modified the intent of the design remains the same, therefore based on heritage grounds can be supported.

Wall Height

Additional wall and roof height details have been provided to Council which confirms a maximum wall height of both eastern and western elevations which comprises of 6.8 metres (eastern elevation) and 7.2 metres (western elevation) respectively. However it has to be noted that although the highlight windows have been termed a wall for ease of understanding, they provide natural light and ventilation 'above eye level'. They are not a traditional clerestory as the highlight windows are not in a wall as per distinct technical terms – but in the roof framework. Walls are typically understood as a structure that rest on a building foundation, which again in specific terms these windows clearly do not. However to ensure a conservative assessment is undertaken, for the purposes of this assessment the windows have been assessed as a wall and therefore there is a variation regarding setbacks to the boundary and wall heights. If the technical assessment was made regarding the windows were part of the roof form, there would be no variations.

In accordance with the Residential Design Guidelines acceptable development provisions 3.7.18.4.1.3 A2.4 those areas with views which are considered to be an important part of the amenity of the area and neighbours existing views are affected then specific wall and roof heights are required.

Again it is noted that the window façade is considered a wall for assessment purposes only. At 7.2m on the western elevation, the wall height is higher than the 5.6m required (1.6 metres) by the Residential Design Guidelines as the subject site is considered to be located in an area

sensitive to views. The design has attempted to respond to the adjacent developments by ensuring the overall height of the development is compliant with maximum roof height requirements and the established character of the area, which has many examples of multi storey dwellings because of the fall in the land on Bolton Street. The walls of the loft are above maximum height, but the overall height of the development is still below the maximum allowable roof height as explained in the next section.

Roof Height

Additional roof height details have been provided to Council and approximate specification regarding roof construction (please note engineering works have not been completed and therefore approximate calculations are presented) which confirms a maximum roof height of on both eastern and western elevations comprising of 7.1 metres (eastern elevation) and 7.5 metres (midpoint of roof form) respectively. The roof height is a maximum of 34.78 metres AHD. The roof is proposed to be a maximum of 7.5m above natural ground level compared to the maximum allowable height of 8.1m as required by the Residential Design Guidelines clause 3.7.18.4.1.3 A2.4 (0.6 metres under the maximum height required) and therefore is compliant with the Deemed to Comply provisions.

Clarification has been provided by the applicant regarding the wall and roof height, and the overall structure is circa 0.92 metres above the existing roof form. By doing this the design does not eliminate all views of the ocean and river from the neighbouring properties including the property immediately to the east, 8 Bolton Street.

Roof Form and Pitch

The pitch of the roof of the proposed loft is curved with a pitch of approximately 2 degrees. Although this does not achieve the acceptable development requirements of clause 3.7.8.3 A1 of the Residential Design Guidelines. The roof form has been designed to sit inside the existing roof cavity, therefore the original roof form can be readily interpreted, whilst the new roof element to the loft is differentiated from the existing heritage element. The proposed additions do achieve the performance criteria clause 3.7.8.3 P1 in that the roof forms of additions and alterations positively contribute to the existing dwelling.

The area that the loft is built between in the roof of the existing dwelling is currently the top of 2 ridgelines of the roof and within the existing roof valley. This will lessen the likelihood of issues associated with drainage from the roof by ensuring that stormwater is drained away from the centre of the building towards the sides and as a result positively contributes to the longevity of the building as was highlighted in documentation provided by the owner and applicant relating to issues relating to stormwater drainage off the roof.

The eastern neighbour has raised concern regarding the roof material from the new roof. It is proposed the new roof is made from zincalume. As such the material is consistent with the exiting roof and the heritage building. Whilst zincalume can be reflective, it is also considered to be the material that effectively dulls the quickest resulting in a patina on the material reducing glare. A condition is included in the Officer's Recommendation which enables Council to take action if the glare of the roof causes amenity impacts, that in the opinion of Council warrant further modifications to the roof.

Change in Roof Geometry

According to the Residential Design Guidelines acceptable development clause 3.7.2.3.A1.2 second storey additions are required to be accommodated within the existing roof (without

changes to the roof geometry) and built behind the existing building and not visible from the opposite side of the street.

In this case the loft addition is built in the valley between the two ridge lines and no change occurs to the geometry of the eastern and western roof panels of the ridgelines of the dwelling, only the valley roof panels. The loft utilises the area in between the ridgelines, and although the loft roof is slightly higher it is done in a way that is integrated into the existing roof, but still interpreted as a new addition. The design and detail of the loft also has been designed to maintain the neighbours view corridors where possible. The valley cannot be seen from the street front so the loft addition is utilising vacant roof space. Despite creating a large room inside the roof cavity there is only minimal interference with the existing roof line.

The belvedere and the western chimney are not modified by the proposed development. The loft is below the belvedere and the chimney is retained. There is no requirement to ensure that the chimneys or belvedere can be seen from locations outside the Town of East Fremantle.

Additions and Alterations to Existing Buildings

As with all residential design, compromises often have to be made with design and trade-offs between what is possible and what is permissible have to be made. This matter is complicated by the heritage status of the dwelling.

Loft Windows

In this case the subject property is proposed to have windows at the top of the loft that are aligned horizontally, rather than vertically. These windows have been assessed as being a walled element rather than distinctly assessed as roof. Acceptable development clause 3.7.2.3 A2 of the Residential Design Guidelines requires that windows have a vertical profile. Similarly the performance criteria 3.7.2.3 P2 states that alterations to openings or new openings, facing the street are to have a vertical profile or to be composed of vertical modules. The proposed new openings on the primary street façade are of a horizontal proportion to ensure that the design is not higher which would in turn create issues relating to the loss of views from neighbouring properties. The loft design is such that it is lower than if it had vertically proportioned windows. It is recommended that despite not achieving the requirement for vertically proportioned windows, the proposed window format should be supported as by not doing so would potentially create other issues relating to the proposed loft being above the acceptable roof height and then in turn impacting on neighbouring property views of the river and ocean.

Additionally the vertical windows cause a break in the design between the existing heritage of the current roof form and the proposed addition of the flat roof. The vertical windows act to visually establish old and new in the proposal. For the above reasons the proposed loft windows with horizontally proportioned windows are supported. Please note above the eastern neighbours have raised concerns regarding these windows, however the windows are considered to be compliant from a visual privacy assessment.

Visibility from Opposite Side of Street

Although the additions may be seen from the opposite side of the street a minor variation to this may be permitted on the basis of its impact on the streetscape. The addition is not a dominant feature of the dwelling and is in a different style to the existing heritage dwelling. This is in alignment with clause 3.7.2.2 Desired Development Outcomes of the Residential Design Guidelines which requires that additions and alterations;

- Should take into account the significance and character of the existing building and its contribution to the character of the precinct,
- Should be well designed with minimal interference to the existing building,
- Second storey additions shall be supported but are required to:
 - Be constructed within the existing roof space or towards the rear of the dwelling and must not impact upon significant fabric of the dwelling
 - Not be dominant from the primary street
- Should visually contrast to the contributory building, with differentiation being major or subtle,
- Not be dominant from the primary street.
- Should always respect scale, bulk and proportions of the existing dwelling.

The Category A heritage listing is being respected while at the same allowing some development in an area of the roof that is currently not visible from the street and the loft addition has minimal impact on the existing dwelling. Whilst there may be visibility from the street, the eye line would have to be drawn to the addition, which is based higher than the level of the street. Although it can be seen it is not dominant from the street, as the heritage building and significant retention of existing roof form will remain the dominant feature to the street. The loft addition also contrasts with the heritage component of the building and is not out of proportion with the rest of the dwelling. As photos from the applicant show the change in the look of the building from numerous points around the surrounding street and area is minimal.

Clarifying detail regarding the roof has been provided. An additional 0.6m wall height and 0.32m roof height (0.92 metres total) is added to the building height which compared to its overall height of 7.1 metres at the eastern elevation and 7.5m at the midpoint of the roof form which is compliant with the Deemed to Comply provisions of 8.1m maximum roof height set by the Residential Design Guidelines. This increase is not excessive and as a result of utilising different materials, styles and shapes to the heritage component of the dwelling a clear distinction is made between the old and new parts of the building.

Clarification to Original Town Planning Committee Report

Modification to the report has been made to update the interpretation regarding the regulatory requirements for the proposed development and it was determined that item (i) and (ii) from the proposed variations stated in Agenda Item 11.1 from the Town Planning Committee report of 2 June 2020 can be amended. Clarification has also been provided regarding privacy matters.

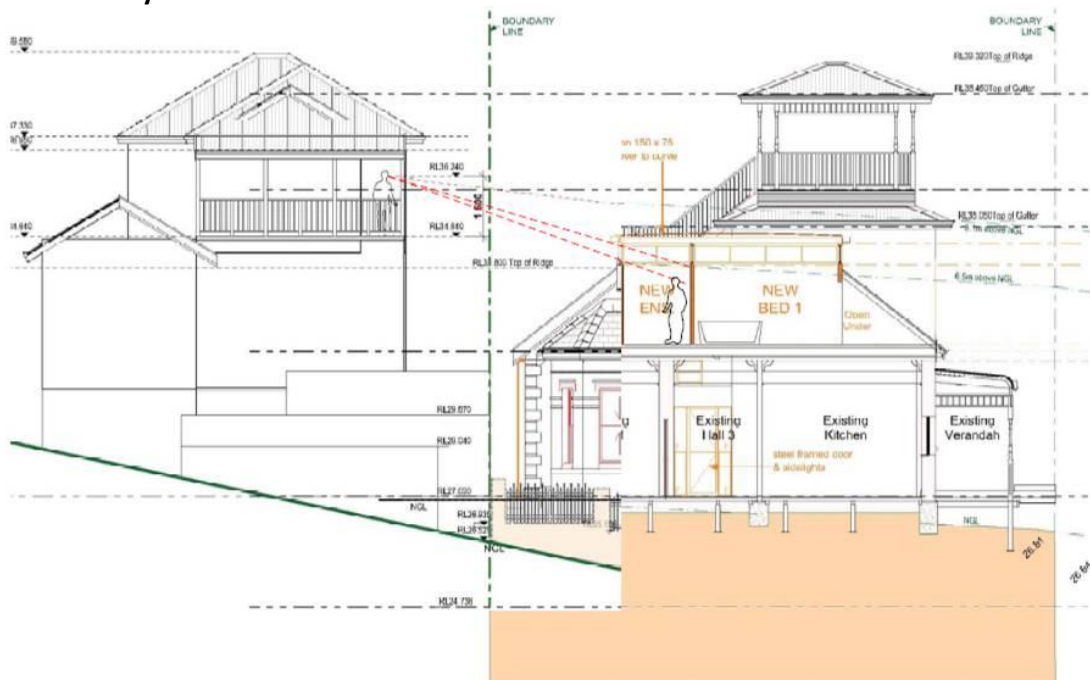
Item (i) referred to the lot boundary setback which was stated at 3.2 metres in the report could be deemed to be 5.6m. This is because the new section of wall (clerestory windows – considered a wall) has been assessed as the appropriate structure rather than the fascia of the roof of the loft. This is an interpretation of what is considered as new structures.

The roof structure was assessed as the proposed setback based on a conservative assessment of the application, however as the roof structure already existing an argument has been made and accepted by the Planning Department that the new clerestory windows should be utilised for any setback to the western boundary. As such the lot boundary setback of 5.6m to the clerestory windows is in excess of the deemed to comply requirements of clause 5.1.3 of the Residential Design Codes of 4.7m and is therefore compliant.

Item (ii) refers to the visual privacy setbacks which could be deemed to be 5.1 metres, rather than the 4.3m stated in the original report, which was at the low point of the window. Again a

conservative assessment was undertaken by the assessing officer. This reassessment is because the Velux windows are at an oblique pitch and the low height limits the ability of residents to look out the window. Additionally the Residential Design Codes do not contemplate oblique windows and the officer has assessed the window from the low side of the window, however in practical terms the window cannot be utilised, therefore again an argument has been put forward to assess the Velux window from the upper end of the window at 5.1 metres. This was not agreed with, however a midpoint was considered appropriate for the assessment. As such the visual privacy setback is 4.6 metres which is in excess of the deemed to comply requirements of clause 5.4.1 of the Residential Design Codes which requires a visual privacy setback of 4.5m for a bedroom. Please note that if a development proposal meets the deemed to comply privacy requirements of the Residential Design Codes from the applicant's point of view, then no variation has to be considered and the proposal is compliant. The Residential Design Codes do not consider measurement of the privacy setback from the neighbouring property and given that the windows in the loft addition are highlight windows above 1.6m from finished floor level of the loft means that they are not considered a major opening but rather part of a wall.

Visual Privacy



VIEW FROM NEIGHBOURS BALCONY to BATHROOM
25.5.20

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 Development Guidelines are considered acceptable. An assessment has been completed of the proposed development and the variations are considered relatively minor. Submissions have been received and these have been considered by the assessing officer. The development application has been assessed on its merits. This report therefore recommends that the proposed development be supported subject to planning conditions.

12.1.1 OFFICER RECOMMENDATION

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

- (i) Clause 3.7.18.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 7.2m provided;
- (ii) Clause 3.7.8.3– Residential Design Guidelines – Roof Form & Pitch – original pitch required, curved roof pitch provided;
- (iii) Clause 3.7.2.3 – Residential Design Guidelines – Additions and Alterations to Existing Building – Loft Windows, Roof Geometry, Visibility from Street–horizontally proportioned windows provided, no significant change to roof geometry, minimal visibility from street for loft additions at No. 10 (Lot 24) Bolton Street, East Fremantle, in accordance with the plans date stamped received 9 March 2020, subject to the following conditions:
 - (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council’s further approval.
 - (2) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
 - (3) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council’s attention.
 - (4) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
 - (5) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
 - (6) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
 - (7) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
 - (8) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

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

- (i) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*

- (ii) a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.
- (iii) it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.
- (iv) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).
- (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.

Moved Cr Collinson, seconded Cr Watkins
The adoption of the Officer's recommendation.

Amendment

Moved Cr Harrington, seconded Cr Natale

That the following be added as a footnote to the resolution:

- (vi) The Town notes and acknowledges the agreement between the owner of the subject property and the neighbouring property owners at 8 Bolton Street that the eastern clerestory windows of the loft addition are to have privacy translucent glass film installed to the full extent of the eastern elevation. (CARRIED UNANIMOUSLY)

The substantive motion, as amended, was put.

12.1.1 SUBSTANTIVE MOTION/COUNCIL RESOLUTION 030620

Moved Cr Collinson, seconded Cr Watkins

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

- (i) Clause 3.7.18.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 7.2m provided;
- (ii) Clause 3.7.8.3– Residential Design Guidelines – Roof Form & Pitch – original pitch required, curved roof pitch provided;
- (iii) Clause 3.7.2.3 – Residential Design Guidelines – Additions and Alterations to Existing Building – Loft Windows, Roof Geometry, Visibility from Street–horizontally proportioned windows provided, no significant change to roof geometry, minimal visibility from street

for loft additions at No. 10 (Lot 24) Bolton Street, East Fremantle, in accordance with the plans date stamped received 9 March 2020, subject to the following conditions:

1. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.



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

Footnote:

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

- (i) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vi) *The Town notes and acknowledges the agreement between the owner of the subject property and the neighbouring property owners at 8 Bolton Street that the eastern clerestory windows of the loft addition are to have privacy translucent glass film installed to the full extent of the eastern elevation.*

CARRIED UNANIMOUSLY

12.2 FINANCE

12.2.1 Statement of Financial Activity for Period Ended 31 May 2020

Applicant	Not Applicable
File ref	F/FNS2
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	16 June 2020
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Statement of Financial Activity 31 May 2020 2. Capital Works Report 5 June 2020 3. Summary of Reserve Transfers 19/20

Purpose

The purpose of this report is to present to Council the Monthly Financial Report (containing the Statement of Financial Activity) for the month ended 31 May 2020.

Executive Summary

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

Background

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

The monthly Financial Report is appended and includes the following:

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

The attached Monthly Financial Report is prepared in accordance with the amended *Local Government (Financial Management) Regulations 1996*; together with supporting material to

provide Council with easy to understand financial information covering activities undertaken during the financial year.

Consultation

Management team

Statutory Environment

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

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

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

Policy Implications

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

Financial Implications

Material variances are disclosed in the Statement of Financial Activity.

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

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

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

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

Strategic Implications

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

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

Risk Implications

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

Risk Matrix

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

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

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

Site Inspection

Not applicable.

Comment

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

	Original Budget	Year to Date Budget - May	May Actuals
Opening Surplus	758,451	951,855	951,855
Operating Revenue	10,632,263	10,252,245	10,344,567
Operating Expenditure	(12,141,244)	(10,452,310)	(9,689,145)
Capital Expenditure	(3,816,857)	(4,041,254)	(2,087,486)
Capital Income	919,567	1,152,263	601,963
Net Transfers from Reserves	1,182,814	515,000	499,168

Non-Cash Items	2,465,204	1,515,195	1,460,433
Closing Surplus	0	(107,005)	2,081,355
Unrestricted Cash			2,389,308
Restricted Cash			1,695,008

- Depreciation, plant cost recoveries and activity based cost distributions have been processed;
- A Capital Works Report is being auto generated within the Town's financial system, and emailed to Responsible Officer's on a weekly basis to monitor projects. This Report is provided as Attachment 2, and includes actual expenditure as at 5 June. 48% of budgeted capital works has been expended, whilst 87% of the total budget has been committed under contract/purchase order;
- 96% of total rates levied (including arrears) were collected by the end of May. The due date for rates was the 6 September 2019 and the due date for fourth instalments was 11 March 2020. Final notices have been issued, and debt recovery processes have been implemented. Approximately \$176k in rates are subject to formal debt recovery processes.

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

End of Year Reserve Transfers

The table below is an extract from the monthly financial report detailing budgeted transfers to/from cash backed reserves. Underlying calculations to support the transfers from cash-backed reserves are provided as attachment 3 to this report. Council is requested to endorse the following reserve transfers for the 19/20 financial year in order to complete end of year accounting processes and to inform opening balances for the 2020/21 Budget:

Name of Reserve	Amended Budget Transfer From	Proposed Budget Transfer From (A)	Actual Transfer From (B)	Amount remaining to be Transferred (A) – (B)
Vehicle, Plant and Equipment	\$79,620	\$79,620	\$0	\$79,620
HACC	\$100,000	\$40,234	\$0	\$40,234
Committed Works	\$737,885	\$737,885	\$285,000	\$452,885
Strategic Asset Management	\$341,963	\$161,110	\$50,000	\$111,110
Arts and Sculpture	\$75,000	\$20,250	\$0	\$20,250
Waste	\$200,309	\$200,309	\$200,309	\$0
	\$1,534,777	\$1,239,408	\$535,309	\$704,099

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	\$ 171,247	\$	\$	\$	\$ (79,620)	\$ 0	\$ 91,627	\$ 171,247
Non Current Leave Entitlements Reserve	10,000						10,000	10,000
Office Equipment Reserve	0						0	0
Unspent Grants and Restricted Cash Reserve	0						0	0
HACC Reserve	217,037				(100,000)	0	117,037	217,037
Legal Funds Reserve	0						0	0
Committed Works Reserve	737,885				(737,885)	(285,000)	0	452,885
Civic Buildings Reserve	0						0	0
Strategic Asset Management Reserve	615,677	48,000		36,141	(341,963)	(50,000)	321,714	601,818
Arts and Sculpture Reserve	192,022				(75,000)	0	117,022	192,022
Waste Reserve	200,308				(200,309)	(200,309)	(1)	(1)
Commerical Precinct Development Reserve	50,000						50,000	50,000
	2,194,176	48,000	0	36,141	(1,534,777)	(535,309)	707,399	1,695,008

12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040620

Moved Cr Natale, seconded Cr A McPhail

That Council:

1. receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 31 May 2020.
2. notes the municipal surplus of \$2,081,355, which comprises of \$2,389,308 in unrestricted cash and \$841,446 in payables/provisions, as at 31 May 2020.
3. receives the Capital Works Report dated 5 June 2020.
4. endorses the following end of year transfers from cash-backed reserves, with all amounts within the amended budget:

Name of Reserve	Amended Budget Transfer From	Proposed Budget Transfer From (A)	Actual Transfer From (B)	Amount remaining to be Transferred (A) – (B)
Vehicle, Plant and Equipment	\$79,620	\$79,620	\$0	\$79,620
HACC	\$100,000	\$40,234	\$0	\$40,234
Committed Works	\$737,885	\$737,885	\$285,000	\$452,885
Strategic Asset Management	\$341,963	\$161,110	\$50,000	\$111,110
Arts and Sculpture	\$75,000	\$20,250	\$0	\$20,250
Waste	\$200,309	\$200,309	\$200,309	\$0
	\$1,534,777	\$1,239,408	\$535,309	\$704,099

(CARRIED UNANIMOUSLY)
(ABSOLUTE MAJORITY)

12.2.2 Accounts for Payment – May 2020

File ref	F/FNS2
Prepared by	John Mondini, Manager, Finance & Administration
Supervised by	Peter Kocian, Executive Manager, Corporate Services
Meeting Date	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments – May 2020

Purpose

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, RECEIVES the list of payments made under delegated authority for the month ended 31 May 2020 and recorded in the minutes of the Council.

Executive Summary

Council has an Executive role in receiving the list of payments pursuant to Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 May to 31 May 2020, as per the summary table.

Background

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

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

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

Consultation

Nil.

Statutory Environment

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

Policy Implications

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

Financial Implications

Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

Risk Implications

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

Risk Matrix

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

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

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

Strategic Implications

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

STRATEGIC PRIORITY 5: Leadership and Governance

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

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Site Inspection

Not applicable.

Comment

Payments for the month of May2020 include the following significant items:

Payee	Particulars	Amount
Paatsch Group	EF Oval Revitalisation Business Plan – Completion of Stage 5	24,456.00
Civcon Civil & Project Management	Riverside Rd Reconstruction & Rehabilitation Progress Claim	272,558.75
Aust Taxation Office	PAYG & GST Payments April 2020	44,304.00
Glyde-In Community Group	4 th Quarter 2019/20 Contribution	23,925.00
Suez Environment Recycling & Waste Recovery	Waste Collection Services March	34,614.75
SMRC	Green Waste Trailer Passes, MRF Gate Fees April	32,564.74
GFG Consulting	Irrigation Upgrades Progress Claim 2	41,657.33
Suez Environment Recycling & Waste Recovery	Waste Collection Services April	34,876.93
SMRC	FOGO Gate Fee March/4 th Quarter Operation Expenditure Contribution	27,382.17
Dept Fire & Emergency Services	4 th Quarter 2019/20 Contribution	140,362.85

12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050620

Moved Cr A McPhail, seconded Cr Natale

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, RECEIVES the list of payments made under delegated authority for the month ended 31 May 2020 and recorded in the Minutes of the Council.

MAY 2020		
Voucher No	Account	Amount
5287 – 5290	Municipal (Cheques)	7,435.76
EFT29528 – EFT29643	Municipal (EFT)	\$991,127.56
Payroll	Municipal (EFT)	\$262,771.96
Direct Debits	Municipal (Direct Debit)	\$47,256.68
	Total Payments	\$ 1,308,591.96

(CARRIED UNANIMOUSLY)

12.2.3 2020/21 Differential General Rates and Minimum Payments – Public Submissions

File ref	F/ABT1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, CEO
Meeting Date	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Copy of Advertisement 2. Schedule of Submissions 3. Final Rates Model 4. Draft Rates Concession Policy 5. Draft Pensioner and Seniors Rebates Eligibility Policy

Purpose

This report recommends that Council endorse the 2020/21 Differential General Rates and Minimum Payments for the Town of East Fremantle, with a view of striking the rates in the dollar and minimum payments as part of the 2020/21 Budget adoption.

Executive Summary

At its April 2020 Ordinary Meeting, Council resolved to endorse the proposed 2020/21 rates in the dollar and minimum payments for advertising, calling for public submissions pursuant to section 6.36 of the *Local Government Act 1995*.

Rate Category	Advertised Rate in \$	Advertised Minimum Payment
Residential	7.4225 cents	\$1,106
Commercial	11.403 cents	\$1,654

The effective date for commencement of local public notice was Friday 15 May 2020, with the notice of intention published in the Fremantle Gazette on Thursday 14 May 2020 (and placed on the Towns website along with the Statement of Rating Objects and Reasons). Submissions closed on Friday 5 June 2020 (22 clear days after the date of notice).

Four public submissions were received during this period. A schedule of submissions is presented as attachment 2 to this report.

Background

Rates are levied on all rateable properties within the boundary of the Town of East Fremantle in accordance with the *Local Government Act 1995*. The overall objective of a rating model is to provide for the net funding requirement of the Town's services, activities, financing costs and the current and future capital requirements of the Town, after taking into account all other forms of revenue.

The formulation of a rating system is about achieving a means by which Council can raise sufficient revenue to pay for the services it provides. Throughout Australia, the basis of using property valuations has been found to be the most appropriate means of achieving rating equity; however, the achievement of a wholly equitable rating system for all properties, in all areas, is a difficult task if it is based on the property valuations alone. For this reason, local governments often use differential rating.

In Western Australia, land is valued by Landgate Valuation Services and those values are forwarded to each local government for rating purposes. Two types of values are calculated – Gross Rental Value (GRV) which generally applies for urban areas; and Unimproved Value (UV) which generally applies for rural land. GRV means the gross annual rental that the land might reasonably be expected to realise if let on a tenancy from year to year upon condition that the landlord was liable for all rates, taxes and other charges thereon and the insurance and outgoings necessary to maintain the value of the land.

GRV general valuations are currently carried out on a triennial basis in the Perth metropolitan area. The date of valuation in relation to a general valuation is fixed by the Valuer General. Values are then determined relative to sales and rentals that are negotiated in the marketplace at or close to the date of valuation, which is set at 1 August two years prior to the effective date. The date of valuation is not the same as the date that the GRV comes into force. The date in force is the date from which the values must be used by the rating and taxing authority, which is 1 July for GRVs.

The Town of East Fremantle is included in Landgate’s General Valuation program for 2019/20 with the new valuations coming into effect on 1 July 2020. Given the strong nexus between GRV and rental, property owners can be exposed to the potential for large variations in land values from one valuation cycle to the next. It is very important for both ratepayers and Council to recognise that changes in land values do not automatically drive changes to rates englobo. Councils therefore amend the rate in the dollar to offset any significant movement in valuations to maintain the rate yield, and the relative rates burden placed on each category.

In a letter to the CEO dated 7 February 2020, Landgate advised that for the first time since the Valuer General commenced revaluations in 1980, there has been a sustained downturn in the property market. Landgate indicated the following percentage change in property valuations for rate modelling purposes; Residential GRVs (decrease of 10%) and Commercial GRVs (decrease of 15%).

At the April 2020 meeting, Council endorsed the freeze of total rate revenue yield and the following model for advertising:

	Total Props	GRV Value Non Minimum	GRF Value Minimum		Min Amt	GRV %	Non Minimum Rates	Props on Min	Min Rates	Total Rates	19/20 Budget Rates
Res	3278	85,511,390	4,190,474	89,701,864	1,106	0.074225	6,347,083	325	359,450	6,706,533	6,678,968
Comm	133	11,305,779	125,161	11,430,940	1,654	0.114030	1,289,198	10	16,540	1,305,738	1,336,512
		96,817,169	4,315,635	101,132,804			7,636,281	335	375,990	8,012,271	8,015,480

It is important to note, that whilst Council endorsed a 0% change in total rate yield, ratepayers may either be subject to a small increase or decrease in rates depending on how their property value has changed relative to the average decrease. If the decrease in property values were uniform across all ratepayers, then it would be a static model and no increase in individual rates would result. Thus, it is the property value determined by Landgate, rather than the rate in the dollar struck by Council, that creates volatility within the rates model.

General rate yield increases in prior years were:

2016/17 – 4.15%
2017/18 – 2.0%
2018/19 – 2.5%
2019/20 – 2.4%

Consultation

April 2020 Ordinary Council Meeting
Budget Workshops 6 and 21 May 2020
Public submission period 15 May 2020 to 5 June 2020
Budget Workshop 10 June 2020

Statutory Environment

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

6.33. Differential general rates

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

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) –
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;
 - (b) is to contain –
 - (i) details of each rate or minimum payment the local government intends to impose;
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and

- (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- (5) Where a local government —
- (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or
- (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),
- it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

Policy Implications

A draft Rates Concession Policy and Pensioner and Seniors Rebate Eligibility Policy has been prepared and is attached for Council consideration.

Financial Implications

As outlined above, the proposed 0% change in the total rate yield will derive a gross amount of circa \$8.012m, which is estimated to meet the requirements of the current draft budget shortfall.

Strategic Implications

The 2020/21 draft Budget has been prepared based on the endorsed Town of East Fremantle Strategic Resource Plan (SRP) 2019 – 2034. It however has been rebalanced given Council direction on the following underlying assumptions:

- 0% change in total rate yield compared to a stable 3% pricing pathway in the SRP;
- 0% change in fees and charges compared to a stable 3% pricing pathway in the SRP;
- 0% change in gross salaries and wages compared to a 2% annual increase in the SRP.

The cumulative impact of the reduced or no increases in rate yield in the 2019/20 and 2020/21 financial years is extracted from the SRP as below, and results in total foregone revenue of circa \$10.6m over a 15 year period.

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2030/31	2031/32	2032/33	2033/34	Total
Adopted SRP 2019/20	8,054,394	8,296,026	8,544,907	8,801,254	9,065,292	9,337,251	9,617,369	9,905,890	10,203,067	10,509,159	10,824,434	11,149,167	11,483,642	11,828,151	137,620,003
Rebalanced SRP 2021/21	8,045,480	8,045,480	8,206,390	8,370,518	8,537,928	8,708,687	8,882,860	9,060,517	9,241,728	9,426,562	9,807,395	10,003,543	10,203,614	10,407,686	126,948,388
															10,671,615

Site Inspection

Not applicable

Comment

Section 6.32 (1) of the *Local Government Act 1995* states that when adopting the annual budget a Local Government, in order to make up the budget deficiency, is to impose a general rate and minimum payment on rateable land. In adopting its annual budget, the Council must also consider its Strategic Community Plan and Corporate Business Plan under section 5.56 of the Act. It is envisaged that the 2020/21 Statutory Budget will be presented to the Ordinary Council Meeting of 21 July 2020.

The following rating synopsis was published in the Statement of Rating Objects and Reasons to support the advertised general rates and minimum payments:

- Gross Rental Values apply to the following differential general rate categories; Residential and Commercial.
- Properties are rated according to Town Planning zonings and predominant land use with each having a separate calculated rate in the dollar to achieve greater equity across all sectors.
- The Town of East Fremantle currently charges rates to six sporting clubs that are categorized as 'Sporting Clubs – Commercial', and rated under the Commercial GRV category. They are the East Fremantle Lawn Tennis Club, East Fremantle Bowling Club, East Fremantle Football Club, East Fremantle Rowing Club, East Fremantle Yacht Club and Swan Yacht Club. These clubs generate income through food and beverage, as well as hire of facilities. Club activities will however be significantly impact by the COVID-19 Pandemic, and Council is proposing a 25% rates concession for the 2020/21 financial year.
- The current Gross Rental Values have a date of valuation of 1 August 2018 – that is, the Town has received a general valuation with valuations to come into force on 1 July 2020.
- Following the general valuation, Residential valuations have decreased by an average of 6%. Total residential Gross Rental Valuations have reduced from \$95,304,610 to \$89,721,114 as a result of the general valuation.
- The Town has yet to receive valuations for 55 Commercial properties. Landgate previously advised that valuations for commercial properties are likely to decrease by 15%. For modelling purposes, the Town has assumed a 10% decrease in valuations for the outstanding properties.
- It is very important for both ratepayers and Council to recognize that changes in land values do not automatically drive changes to rates englobo. Council amends the rate in the dollar to offset any significant movement in aggregate valuations to maintain the rate yield, and the relative rates burden placed on each category.
- There is significant volatility in residential valuation movements as a result of the general valuation – some valuations have decreased, some have remained steady, whilst others have increased. Whether individual property rates have increased will depend on the comparative value of each property, and how the value has changed relative to other properties.
- The rate in the dollar for Residential GRVs has been amended from 6.9949 cents to 7.4225 cents to maintain the total rate yield from this category at the same level as 2019/20.
- The rate in the dollar for Commercial GRVs has been amended from 10.6227 cents to 11.403 cents to maintain the total rate yield from this category at the same level as 2019/20.
- The proposed rates model will yield \$8,012,271 in gross rate revenue, which is a 0% increase in total rate yield on budgeted rate revenue (excluding interim rates) for the 2019/20 year.
- The proposed 25% rate concession for rateable sporting organisations will cost approximately \$40,000 and will reduce the gross rate yield.
- Given the comparative movements in individual residential property valuations, the following impacts will arise:
 - 1606 residential properties (49%) will receive either a decrease in rates or a nil change – these are all properties where the valuation has decreased by more than the average reduction of 6%.
 - 1673 residential properties (51%) will receive a rate increase – these are all

properties where there has either be an increase in valuation, no change in valuation, or a marginal decrease. This means, that whilst the property value may have decreased, if the decrease is comparatively less than other properties, then rates will have increased despite the 0% change in total rate yield overall.

- Of the 1673 properties to receive an increase, 816 properties will receive an increase of between \$1 and \$20 under the proposed model.
- The Town has considered the Department of Local Governments Rating Policy and the rating principles of objectivity, fairness and equity, consistency, transparency and administrative efficiency when setting the rate in the dollar. Unfortunately, the Town does not have a mechanism to smooth individual residential valuations, which are determined by Landgate, which is a State Government Statutory Authority.

The Town has now received and inputted the remaining commercial gross rental values. This has resulted in a change in the commercial rate in the dollar compared to the advertised rates, as aggregate commercial values decreased by 3.98% compared to 15% as originally advised by Landgate. The final model is presented below:

Final Rates Model - 0% increase in rate yield (Residential Vals decreased 5.88% / Commercial Vals decreased 3.98%)											
	Total Props	GRV Value - Non-Minimum	GRV Value - Minimum		Min Amts	GRV %	Non Minimum Rates	Props on Min	Min Rates	Total Rates	19/20 Budget Rates
Residential	3285	85,491,590	4,277,829	89,769,419	1,106	0.074225	6,345,613	333	368,298	6,713,911	6,678,968
Commercial	127	11,563,943	140,695	11,704,638	1,654	0.110543	1,278,313	12	19,848	1,298,161	1,336,512
		97,055,533	4,418,524	101,474,057			7,623,926	345	388,146	8,012,072	8,015,480

The final model will yield circa \$8.012m in gross rate revenue (not discounted for the 25% rates concession for rateable sporting organisations). The model is marginally different opposed to the advertised model due to 6 properties being reclassified from the commercial to residential general rate category.

Proposed Policies

Two Rating Policies has been drafted for Council consideration:

1. Rates Concession Policy – this Policy has been developed in response to the COVID-19 Health Pandemic, and it is envisaged that this may only be a short-term rates relief measure, which will cease at the end of the 2020/21 financial year.
2. Pensioner and Seniors Rebates Eligibility Policy – this Policy provides guidelines for the administration of the Pensioner and Senior Concessions Scheme under the *Rates and Charges (Rebates and Deferments) Act 1992*.

12.2.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 060620

Moved Cr M McPhail, seconded Cr Donovan

That Council:

1. receives the Schedule of Rates Submissions regarding the advertised proposed differential general rates and minimum payments for the 2020/21 financial year, as presented as attachment 2;
2. endorses the 2020/21 differential general rates and minimum payments as below, with a view of striking the rate in the dollar and minimum payments as part of the 2020/21 Budget adoption.

Rate Category	Proposed Rate in \$	Proposed Minimum Payment
Residential	7.44225 cents	\$1,106
Commercial	11.0543 cents	\$1,654

3. adopt the Rates Concession Policy (No 2.1.16) as presented which:
 - provides a 25% concession to six rateable sporting organisations under the commercial differential general rate category
 - provides a deferral period of 6 months to pay rates where financial hardship is demonstrated, with all administrative charges and interest penalty to be waived.
4. adopt the Pensioner and Seniors Rebates Policy (No 2.1.17) as presented which provides guidelines for the administration of the Pensioner and Senior Concessions Scheme under the *Rates and Charges (Rebates and Deferments) Act 1992*.

(CARRIED UNANIMOUSLY)

12.2.4 Schedule of Fees and Charges 2020/21

Applicant	Town of East Fremantle
File ref	F/ABT1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Date of Meeting	16 June 2020
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Schedule of Fees and Charges 2020/21

Purpose

Council is requested to consider and adopt the Schedule of Fees and Charges for the 2020/21 financial year.

Executive Summary

In order to comply with the provisions of the *Local Government Act 1995*, all fees and charges to be levied by Council for the financial year are to be submitted for adoption by Council.

Background

West Australian local governments have the right to impose different types of charges in relation to services beyond the raising of a general rate or specified area rate, namely;

- A fee or charge under the *Local Government Act 1995*;
- A waste collection rate under the *Waste Avoidance and Resource Recovery Act 2007*; or
- A receptacle charge under the *Waste Avoidance and Resource Recovery Act 2007*.

Legislation requires the setting of fees and charges to consider the cost of the service provided, which includes the value of the assets utilised or consumed in providing the service. The costs of providing a service should include:

- The direct operational costs of providing the services;
- An appropriate proportion of indirect costs associated with the service;
- The costs of the assets consumed in providing the service;
- A defined and appropriate rate of return or subsidy for the service; and
- Consideration of non-financial advantages and disadvantages to the community of providing the service.

Providing for the long term renewal of revenue generating assets should also be an essential element of setting fees and charges.

Consultation

Concept Forum 9 June 2020

Statutory Environment

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

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

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

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

6.16 Imposition of fees and charges

6.17 Setting level of fees and charges

6.18 Effect of other written laws

6.19 Local government to give notice of fees and charges

Policy Implications

There are no Council Policies relevant to this item.

Financial Implications

The Schedule of Fees and Charges will be incorporated into the 2020/21 Annual Budget, and the adopted fees will be used as a basis for income projections.

Council, at its Ordinary Meeting in April 2020, resolved the following financial parameters with respect to fees and charges:

- Freeze on fees and charges for 2020/21;
- 3-month moratorium on certain fees and charges to business and community groups/sporting organisations;
- 0% instalment interest on rates payments;
- Incorporating the cost of the 3-bin waste system into general rates for all residential properties;
- \$0 administration change and 0% penalty interest for those ratepayers who have entered into a special payment arrangement under financial hardship.

Strategic Implications

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

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)
Fees and charges are not set at the appropriate level, requiring cross-subsidisation from rates revenue.	Possible (3)	Moderate (3)	Moderate (5-9)	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	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

Council is requested to adopt the 2020/21 Schedule of Fees and Charges, and advertise the Schedule prior to the implementation date of 1 July 2020.

In response to the COVID-19 health pandemic, Council has resolved to freeze fees and charges to 2019/20 pricing.

In general, the Town has considered the following guiding principles when setting the level of fees and charges:

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

- Shared Benefit – the service provides both community benefits and a private benefit. Partial cost recovery is expected.
- Regulatory – fee or charge is fixed by legislation.

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

Service	Principle	Cost Recovery
Administration	Private	100%
Ranger Services	Private/Regulatory	100%
Fire and Emergency Services	Private/Regulatory	100%
Health Services	Private/Regulatory	100%
Planning Services	Private/Regulatory	100%
Waste Services	Private	100%
Library Services	Private	100%
Sports Ovals and Facilities	Shared	Partial
Building Services	Private/Regulatory	100%
Engineering Services	Private	100%

All statutory fees have been reviewed in line with State Government legislation and as a result some fees have increased.

12.2.4 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070620

Moved Cr Natale, seconded Cr A McPhail

That Council:

1. pursuant to section 6.16 of the *Local Government Act 1995*, adopt the 2020/21 Schedule of Fees and Charges as per Attachment 1.
2. pursuant to section 245A (8) of the *Local Government (Miscellaneous Provisions) Act 1960* and regulation 53 of the *Building Regulations 2012*, impose a private swimming pool four yearly inspection fee of \$57.60 inclusive of GST for each property where a private swimming pool is located, charged at \$14.40 per annum.
3. pursuant to section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, impose the following charges for the removal and deposit of commercial waste and additional receptacle services:

Description	Fee
3 Bin FOGO Service – Residential Properties	Incorporated into Residential General Rate
Refuse and Recycling Service – 2 MGBs – Commercial Properties	\$500.00 per annum
120L/240L General Waste Bin/FOGO Bin – Additional Service	\$250.00 per annum
240L/360L Recycling Bin (Yellow Lid) – Additional Service	\$250.00 per annum
Bulk Bin Services	Cost + 15%

4. pursuant to section 6.12 (1)(b) of the *Local Government Act 1995*, waive the following fees and charges for the period 1 July 2020 – 31 December 2020 in response to the COVID-19 Health Pandemic:
 - Outdoor Eating Permit Annual Fee



- **Food Business Annual Assessment Fee**
- **Public Buildings Annual Assessment Fee**
- **Application Fee for Change of Use**
- **Home Occupation Annual Fee**

5. requests the Chief Executive Officer give local public notice of the Schedule of Fees and Charges, pursuant to section 6.19 of the *Local Government Act 1995*, with an implementation date of 1 July 2020.

(CARRIED UNANIMOUSLY)

(ABSOLUTE MAJORITY)

12.2.5 Elected Member Fees and Allowances 2020/21

Applicant	Town of East Fremantle
File ref	A/RSCP
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Date of Meeting	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Salaries and Allowances Tribunal Determination 8 April 2020

Purpose

Council is requested to consider Elected Member Fees and Allowances for the 2020/21 financial year.

Executive Summary

Section 7B(2) of the *Salaries and Allowances Act 1995* requires the Salaries and Allowances Tribunal each year to determine the setting of fees, allowances and reimbursement of expenses to be paid under the *Local Government Act 1995* to Elected Members. A copy of the most recent determination, which comes into operation on 1 July 2020, is attached.

The Salaries and Allowances Tribunal recommends that each local government should conduct a remuneration review of Elected Member Fees and Allowances on an annual basis, following each determination.

Background

Elected Member Fees and Allowances are currently set as follows, in comparison to the minimum/maximum amounts determined by the Tribunal:

Fee/Allowance	Current Amount	Minimum Amount	Maximum Amount	% Maximum
Annual Meeting Attendance Fee – Mayor	\$25,000	\$7,688	\$25,342	99%
Annual Meeting Attendance Fee – Elected Members	\$15,500	\$7,688	\$16,367	95%
Annual Allowance - Mayor	\$28,000	\$1,025	\$36,957	76%
Annual Allowance – Deputy Mayor	\$7,000	\$256	\$9,329	75%
Annual Information Communication and Technology Allowance	\$3,500	\$500	\$3,500	100%

The Tribunal has determined there will be no increase in remuneration, fees, expenses and allowance ranges provided to CEOs and elected members for 2020/2021.

Consultation

Council Forum 9 June 2020

Statutory Environment

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

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

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

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

Policy Implications

There are no Council Policies relevant to this item.

Financial Implications

Elected Member fees and allowances are contained within the Annual Budget.

Strategic Implications

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

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)
Elected Member Fees and Allowances are contained within the Annual Budget, and any increase within the prescribed ranges will have a negligible financial impact.	Possible (3)	Insignificant (1)	Low (1-4)	FINANCIAL IMPACT \$10,000 - \$50,000	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	3
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

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

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

Elected Members are entitled to the following fees and allowances:

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

12.2.5 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080620

Moved Cr Watkins, seconded Cr M McPhail

That Council, pursuant to sections 5.98, 5.99, 5.99A of the *Local Government Act 1995* and regulations 33, 33A 34, 34A and 34AA of the *Local Government (Administration) Regulations 1996* adopts the following annual amounts for elected member fees and allowances for the 2020/21 financial year:

Fee/Allowance	Current Amount 19/20	Maximum Amount Prescribed	Proposed Amount 20/21	% Maximum
Annual Meeting Attendance Fee – Mayor	\$25,000	\$25,342	\$25,000	99%
Annual Meeting Attendance Fee – Elected Members	\$15,500	\$16,367	\$15,500	95%
Annual Allowance - Mayor	\$28,000	\$36,957	\$28,000	76%
Annual Allowance – Deputy Mayor	\$7,000	\$9,329	\$7,000	75%
Annual Information Communication and Technology Allowance	\$3,500	\$3,500	\$3,500	100%

(CARRIED UNANIMOUSLY)

12.2.6 Council Policy – Financial Reserves

Applicant	Town of East Fremantle
File ref	F/ABT1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Date of Meeting	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Draft Policy – Financial Reserves

Purpose

This report recommends that Council adopt a new Policy relating to financial reserves.

Executive Summary

The Financial Reserves Policy is to provide a framework for the establishment and ongoing management of financial reserves. Cash reserves are a mechanism to assist in achieving the strategic objectives of the Town and the decision to allocate cash to/from a reserve account is made within the context of its implication on the long-term financial sustainability of the Town.

Background

Council adopts Policies to establish guidelines or provide direction for the Town's activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem or issue.

Consultation

Concept Forum 9 June 2020

Statutory Environment

Local government Reserves are dealt with in accordance with section 6.11 of the *Local Government Act 1995* and the subsidiary *Local Government (Financial Management) Regulations 1996*.

Policy Implications

A draft Policy relating to Financial Reserves is attached for Council consideration.

Financial Implications

There are no direct financial implications relating to this item. However, the establishment of the Policy should achieve an improvement in financial management as it will facilitate the transition from a past budget period to a future accounting period to accumulate funds for a specific purpose.

Strategic Implications

Strategic Priority 5: Leadership and Governance

- 5.1 Strengthen organisational accountability and transparency
- 5.3 Strive for excellence in leadership and governance

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)
The Town has limited funds in its cash back reserves. A Policy should enable a replenishment program to be undertaken to ensure the accumulation of funds for future strategic purposes.	Possible (3)	Major (4)	High (10-16)	FINANCIAL IMPACT More than \$1,000,000	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	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

The Financial Reserves Policy is to provide a framework for the establishment and ongoing management of Financial Reserves. The policy provides direction on what reserves should exist and for what purpose, how they should be managed, how new reserves are to be established, how interest earnings are to be applied and any associated minimum balances (or targets) for these reserves.

While setting of targets for reserve balances may be considered financially responsible, they should be considered hand in hand with the Town's Strategic Resource Plan, income strategies,

operating, and capital expenditure, all of which affect the Town's long-term financial position. Funds should not be put in reserves at the cost of urgently required asset renewal needs. There is a strong focus on asset management and the Town's focus on bridging the asset renewal gap using Reserves.

The policy has also provided the opportunity to review the existing Reserves and recommend rationalisation/realignment of some of the reserves as part of the 2020/21 Budget adoption.

12.2.6 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090620

Moved Cr Natale, seconded Cr A McPhail

That Council adopt the Cash Backed Financial Reserves Policy (2.1.18) attached to this report.

(CARRIED UNANIMOUSLY)

12.2.7 Home and Community Care (HACC) and Commonwealth Home Support Program (CHSP) Funding Agreements

File ref	A/CHSP
Prepared by	Rachael Gardner
Supervised by	Peter Kocian, Executive Manager, Corporate Services
Meeting Date	16 June 2020
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. HACC Funding Agreement 2020/21 2. CHSP Funding Agreement 2021/21 – 2021/22

Purpose

Council is requested to endorse the two funding agreements as presented to enable the continuation of aged services to be delivered through the Tricolore Community Centre until the 30 June 2022.

Executive Summary

Council endorsed the Business Plan for the Commonwealth Home Support Program (CHSP) at the October 2019 Ordinary Council Meeting. This resolution requested the Chief Executive Officer to make future application to the Commonwealth to be an approved provider to continue to provide the following CHSP services, whilst ceasing Domestic and Home Maintenance Services:

- Centre Based Day Care, including summer programs
- Centre Based Meals
- Centre Based Transport, including social support outings and summer holiday outings program
- Centre Based Respite
- Flexible Respite
- Social Support – Individual
- Social Support – Group

Funding Agreements have now been received, and are presented to Council for endorsement.

Background

The Town of East Fremantle has been delivering basic support and maintenance services to frail aged people, younger people with disabilities, and their carers under the Home and Community Care (HACC) program since 1989. The aim was to assist consumers maintain and learn new skills that enabled them to live in their own homes safely for as long as possible.

The range of services provided under the HACC program included:

- (a) Domestic Assistance;
- (b) Home Maintenance/Gardening;
- (c) Social Support – Individual;
- (d) Social Support – Group;
- (e) In-Home Respite;
- (f) Centre Based Day Care Social Support;
- (g) Centre Based Day Care – summer holiday program;
- (h) Community Bus Service; and

(i) Social Outings.

On 31 January 2017, the Commonwealth Government and the Western Australian (WA) Government agreed to transition responsibility for WA HACC services for people aged 65 years and over (and Aboriginal and Torres Strait Islander people aged 50 years and over) to the Commonwealth Home Support Program (CHSP). The transition of these services is consistent with the arrangements that have been implemented in all other states and territories as part of the Commonwealth's national aged care reform agenda. These changes will allow for nationally consistent services and support to be provided to people as they grow older, no matter where they live.

Two-year funding agreements were offered to existing WA Home and Community Care (HACC) service providers transitioning to the CHSP from 1 July 2018. This aligns with the two-year extension of existing CHSP grant agreements to 30 June 2020. The Australian Government intends to merge the Commonwealth Home Support Program (CHSP) with the Home Care Package (HCP) Program after June 2020 to form a single Care at Home Program.

Consultation

Coordinator CHSP
Executive Manager Corporate Services

Statutory Environment

Approved providers have responsibilities and obligations to deliver services in line with the requirements specified in the *Aged Care Act 1997*.

Policy Implications

There are no Council Policies relevant to this matter.

Financial Implications

The total amount of funding for the 2020/21 financial year is \$601,566.66 (ex GST). Provision for this amount has been made in the Town's annual budget, and staff resources have been allocated accordingly.

Strategic Implications

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

Facilitate appropriate local services for the health and wellbeing of 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)
That Council discontinue services leaving a void in the availability of Centre Based day care and social support services to community members	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION Indeterminate prolonged interruption of services - non-performance > 1 month	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	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

Home and Community Care Funding

Under the 2017 NDIS Bilateral Agreement between the Commonwealth and the WA State Government, there was a requirement for the Department of Health (DOH) to fund existing HACC service providers to support the transition of eligible NDIS clients and ensure the continuity of support for existing younger HACC clients who are ineligible for the NDIS.

The State Government has provided the Town an extension to its Service Agreement (Attachment 1) for the 2020/21 financial year, for \$10,967 (ex GST) to provide centre-based day care and transport services to younger clients.

With the current HACC Service Agreement ending on 30 June 2021, the DOH have conducted a procurement for continuity of support services to commence from 1 July 2021 for younger HACC

clients who are ineligible for the NDIS. The approach for this procurement is under development and as part of the planning for this process; the Town has indicated that it is interested in continuing as a service provider post 30 June 2021.

Commonwealth Home Support Program (CHSP) Funding

The DOH has extending funding for existing Commonwealth Home Support Programme (CHSP) service providers until June 2022. The Commonwealth Government has provided the Town an extension to its Funding Agreement (Attachment 2) for the 2020/21 and 2021/22 financial years, with \$590,599.66 (ex GST) in 2020/21 to provide centre-based day care, transport and social services to eligible clients aged 65 and over.

The Town received a copy of the Funding Agreement on the 27 May 2020. The Town is requested to sign the document by Friday 26 June 2020.

Due to the updated business plan recently adopted by Council, and the decision to cease domestic, garden, and home maintenance services from 30 June 2020, the Town is working on a transition of these client services to Volunteer Home Support. We are expecting a smooth transition.

12.2.7 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 100620

Moved Cr Collinson, seconded Cr Natale

That Council:

- 1. endorse the extension to Service Agreement C05187 for the provision of Home and Community Care program services for the 2020/21 financial year, as attached to this report, including the following conditions:**

Service Type	Service Hours	Funding Amount
Centre-based day care under 65s	420	\$7,016 (ex GST)
Transport under 65s	168	\$3,951 (ex GST)
	588	\$10,967 (ex GST)

- 2. endorse the extension to the Funding Agreement with the Commonwealth Government for the provision of Commonwealth Home Support program services for the 2020/21 and 2021/22 financial years, as attached to this report, including the following conditions:**

Service Type	Annual Service Hours	Annual Funding Amount
Centre-based respite – care relationships and carer support	252	\$9,125.71 (ex GST)
Flexible respite – care relationships and care support	1000	\$36,213.10 (ex GST)
Transport – community and home support	4314	\$103,695.65 (ex GST)
Social support – individual – community and home support	5782	\$202,731.34 (ex GST)
Social support – group – community and home support	13978	\$238,833.86 (ex GST)
	25,326	\$590,599.66 (ex GST)

(CARRIED UNANIMOUSLY)
(ABSOLUTE MAJORITY)

12.2.8 Authority to Affix the Common Seal – Deeds of Variation to Town Owned Building Leases

File ref	F/COM1
Prepared by	Bron Browning, Executive Assistant to Executive Manager Corporate and Community Service
Supervised by	Peter Kocian, Executive Manager, Corporate Service
Meeting Date:	16 June 2020
Voting requirements:	Simple Majority
Documents tabled	Nil
Attachments	1. List of Lease Variations

Purpose and Executive Summary

This report is seeking approval for the Mayor and CEO to affix the Common Seal to the Deeds of Variation to Town owned building leases as per the schedule of leases attached.

Background

The health response to the COVID-19 Pandemic placed unprecedented financial uncertainty on Governments, businesses, Not for Profits and individuals.

The general function of a local government is to provide for the good government of persons in its district. Council has a responsibility for sound financial management, but local governments are service providers of the last resort, and need to respond to critical community issues.

In response to the COVID-19 health emergency, the Town in a media release dated 26 March 2020 suspended lease payments and charges on Town owned buildings for 3 months from 1 April to 30 June 2020. This was ratified by a resolution of Council at the April 2020 Ordinary Meeting (Resolution No 030420).

Consultation

Council Concept Forum 9 June 2020.

Consultation

All eligible lessees of Town owned buildings have been contacted.

Statutory Environment

Local Government Act 1995

Policy Implications

There are no Council Policies relevant to this item.

Financial Implications

As advised at the April Council Meeting, the foregone revenue associated with waiving property lease fees and other property based fees amounts to \$23,746.

Strategic Implications

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Site Inspection

Not applicable

Risk Implications

There are no significant risks associated with this item.

Comment

Leases are legal instruments and a formal deed of variation has been prepared to formalise relief measures. As the original leases were executed under the Common Seal, the Deeds of Variation also require to be executed by the Chief Executive Officer and Mayor accordingly.

12.2.8 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 110620

Moved Cr Harrington, seconded Cr A McPhail

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal to Deeds of Variation, as outlined in Attachment 1, to Town owned building leases for three months from 1 April to 20 June 2020.

(CARRIED UNANIMOUSLY)

12.3 COMMUNITY

12.3.1 Richmond Raceway Trotting Booths Functional Art Installation

File ref	A/ART1
Prepared by	Karen Dore, Coordinator Capacity Building
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Trotting Booths Project Proposal 2. Trotting Booths Artist's Impression

Purpose

Council is requested to consider and approve the final artwork for the Town's functional public art installation at the Richmond Raceway Trotting Booths.

Executive Summary

The Trotting Booths project is nearing completion, the following process has been undertaken;

- Preparation of a project proposal
- Call for Expressions of Interest
- Request for Quote (Fabrication and Installation),
- Review of research undertaken (Fremantle Trotting Club)
- Review of proposed artwork (Public Art Panel and Trotting Historian, Alan Parker)

Council, as per the requirements of the Public Art Panel, is now required to consider the recommendation of the Panel. The functional public art installation is recommended for approval.

Background

Concerns were raised by members of the community and Town staff (Operations Crew) regarding antisocial behaviour and the use of the two open Richmond Raceway ticket booths by people experiencing homelessness. This can create a perception of the area being unsafe. There is also additional workload for Town staff in ensuring the area is kept clean and tidy.

Maintenance monies were allocated in the 2018-2019 budget to enclose the two booths thereby preventing access via the twelve windows and four doorways.

Rather than blocking the openings, a proposal to install functional public art, telling the story of the Richmond Raceway was prepared (refer Attachment 1). This proposal, with a strong link to the Town's recently revitalised Heritage Trail and the current "Streets of East Freo" project, was supported by Council at the Ordinary Council Meeting held on 19 March 2019 (refer Resolution 070319).

The project has been undertaken over the past fourteen months and installation is scheduled for late June 2020.

Consultation

Public Art Panel
Executive Management Group

Council
Fremantle Trotting Club
Alan Parker, Trotting Historian

Statutory Environment

Nil

Policy Implications

Public Art Panel Policy (4.1.5)

Financial Implications

The project had an original budget of \$35,000. The total cost of \$30,250, being \$10,000 for the artwork component plus \$20,250 for fabrication and installation, will be expended from the Arts and Sculpture Reserve which has a current balance of \$192,022.

Strategic Implications

Nil

Site Inspection

Undertaken by the Artist and the Fabricator/Installer (16 March 2020).

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not consider and support this proposal.	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

Extensive research was undertaken, in liaison with representatives of the Fremantle Trotting Club and (ex) Richmond Raceway to inform the narrative that forms the interpretive element of the artwork.

Local artist, Ben Jones, has infused an 'above and beyond' amount of local knowledge, personal passion and professional pride into the artwork (refer attachment 6).

The Public Art Panel, which comprises five experienced and well-informed local practitioners supported by two Elected Members, two Executive staff and two officers, who have reviewed the artwork and support the proposal.

The proposed installation is recommended to be approved by Council to enable installation in late June.

12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 120620

Moved Cr Harrington, seconded Cr Nardi

That Council acknowledge and receive the Richmond Raceway Trotting Booth project report.

(CARRIED UNANIMOUSLY)

12.3.2 Establishment of a Climate Action Reference Group

File ref	H/CC1
Prepared by	Connor Warn, Waste and Sustainability Officer
Supervised by	Andrew Malone, Executive Manager of Regulatory Services
Meeting Date	16 June 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Draft Terms of Reference Climate Action Reference Group

Purpose

The purpose of this report is to put before Council the draft Terms of Reference for the Climate Action Reference Group (CARG) for consideration. It is the role of the CARG to assist with the development of the Community Climate Action Plan (CCAP). The CCAP will identify targets, actions and projects for the Town to investigate in mitigating and adapting to the effects of climate change.

Executive Summary

The CARG will be a community led reference group whose purpose is to assist in identifying targets, corporate projects and actions that the Town can undertake with community and local businesses to build the community's capacity to identify and address (where practicable) climate-based issues. The CCAP will act as a reference point for Council on climate change related matters, develop strategies for the reduction of community-wide greenhouse gas emissions and discuss ways to prepare the community and Council to mitigate and adapt to the impacts of climate change.

Background

On 19 November 2019 at the Ordinary Council meeting, the Town recognised the Climate Emergency and supported the call to action for all levels of government in the goal of minimising the impacts of climate change. Then on 25 February 2020 at the Annual Electors' meeting, the Town resolved to develop a Community Climate Action Plan (CCAP). The formation of the CARG and finalisation of its Terms of References are steps towards the implementation of these decisions.

Consultation

The Draft Terms of Reference were presented to the June Council Concept Forum for comment. Once agreed and finalised, the Terms of Reference will be widely circulated so as to inform the community and invite their participation in the CARG's initiatives.

Statutory Environment

Nil

Policy Implications

Not applicable.

Financial Implications

\$50,000 has been allocated in the Draft 2020/21 Budget for Environmental and Sustainability initiatives. It is proposed that \$10,000 of this funding be allocated towards the development of the CCAP with the remaining \$30,000 to be placed in reserve to action the items raised in the CCAP.

Strategic Implications

Town of East Fremantle Strategic Community Plan 2017-2027:

Strategic Priority 4: Natural Environment

4.3 Acknowledge the change in our climate and understand the impact of those changes

4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts."*

Site Inspection

Not applicable

Comment

A Draft 'Terms of Reference' for the Community Climate Action Plan have been developed outlining the objectives and role of the reference group (See attachment).

12.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 130620

Moved Cr M McPhail, seconded Cr Natale

That Council:

1. adopt the Climate Action reference Group Terms of Reference;
2. establish a Climate Action Reference Group comprising of the following membership;
 - (i) three elected members Cr Collinson, Cr Natale and Cr Watkins (proxy) with Cr Natale acting as Chair
 - (ii) CEO and/or Proxy
 - (iii) up to ten (10) community, relevant industry or subject matter experts to assist with the development of the *Town of East Fremantle Community Climate Action Plan*. Up to two (2) designated Town of East Fremantle employees be appointed to act as technical advisor to the Group.
3. authorise the CEO to call for nominations for a period of two weeks from date of notice,
4. consider submissions at the end of the nomination period and appoint up to 10 community/expert members.

(CARRIED UNANIMOUSLY)

12.4 GOVERNANCE

12.4.1 Adoption of Meeting Schedule 2020/21

Applicant	N/A
File ref	C/MTG1
Prepared by	Janine May, EA to CEO
Supervised by	Gary Tuffin, CEO
Meeting Date	16 June 2020
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	Nil

Purpose

To facilitate decisions by Council on the meeting schedule for 2020/21 and the related issue of the Christmas closure period.

Executive Summary

Council is required, under Section 12 of the *Local Government (Administration) Regulations 1996*, to advertise, at least once a year, its meeting schedule for the next twelve months. The previous schedule was to 30 June 2020 thus the meeting schedule for 2020/21 will need to be determined and advertised prior to 1 July 2020.

It is recommended that the meeting scheduled as contained within this report be adopted for 2020/21.

Background

With respect to the above, at the Council Meeting of 21 May 2019, Council resolved as follows:

“That Council resolve:

- 1. an ordinary Council meeting be scheduled for the 3rd Tuesday of the month (except during the month of December 2019 when the meeting is held on the 2nd Tuesday)*
- 2. a Town Planning Committee meeting be scheduled for the 1st Tuesday of the month.*
- 3. meetings of the Audit Committee be held on Wednesday 3 July and 26 November 2019, as previously resolved*
- 4. the above arrangements not apply during January 2020*
- 5. the administration centre and operations areas be closed:*
 - a. from midday Friday, 13 December 2019 to allow all staff members to attend a Christmas function.*
 - b. from midday Tuesday, 24 December 2019 to Thursday, 2 January 2020 (consisting of 3½ working days: half a day from midday Tuesday 24 December, Friday 27 December, Monday 30 December and Tuesday 31 December).”*

Consultation

Nil.

Statutory Environment

Section 12 of the *Local Government (Administration) Regulations 1996* reads:

12. Meetings, public notice of (Act s. 5.25(1)(g)) (1)

At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

- (a) the ordinary council meetings; and*
- (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*

In part Section 5.23 of the *Local Government Act 1995* states:

Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —*
 - (a) all council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.*

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

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

Strategic Priority 5: Leadership and Governance

- 5.1 Strengthen organisational accountability and transparency
- 5.3 Strive for excellence in leadership and governance

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 does not adopt the meeting schedule resulting in non compliance with LG Act	Rare (1)	Minor (2)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

Risk Matrix

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

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

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

Comment

As the present frequency of Town Planning & Audit Committee meetings, Concept Forums and Council Meeting is allowing council business to be conducted in appropriate and timely manner, therefore, it is not proposed to change this format for the 2020/21 financial year.

Audit Committee

Following a recommendation from the Audit Committee, Council at its meeting held on 18 February 2020 resolved the following dates for Audit Committee meetings during 2020/21:

Date	Time	Place
4 March 2020	6.30pm	Council Chambers
29 June 2020	6.30pm	Council Chambers
4 November 2020	6.30pm	Council Chamber

Ordinary Council meetings - December and January Meetings

As in past years, it is proposed to bring forward the December Council Meeting to the 2nd Tuesday of the month ie 8 December. In previous years it has been decided to not hold a Concept Forum in December, which is normally scheduled for this date.

As per normal practice, no meetings have been scheduled for January 2021, however, should any urgent business arise which needs to be considered during this recess, a special Council Meeting can be convened.

Christmas Closure

In recent years, Council has closed during the Christmas and New Year period and staff have used annual leave, RDO's and "day-in-lieu" public holidays for the period.

The closures would be advertised in order to cater for emergencies during the Christmas/New Year closure. Customers would have access to a recorded telephone message with contact numbers for relevant staff together with details of refuse services and other necessary relevant information relating to Council services such as rangers etc as well as the information being provided on Council's website and Facebook page.

It is proposed the administration centre and operations areas be closed:

- From midday Friday, 11 December 2020 to allow all staff members to attend a Christmas function
- From midday Thursday, 24 December 2020 to Monday, 4 January 2021 (consisting of 3½ working days: half a day from midday Thursday, 24 December, Tuesday 29 December, Wednesday 30 December and Thursday 31 December) with the Boxing Day public holiday falling on Monday 28 December 2020.

This closure will be advertised as part of the meeting schedule and again in December 2020 to provide adequate notice to the public of the closure.

12.4.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 140620

Moved Cr Natale, seconded Cr Harrington

That Council resolve:

- 1. an ordinary Council meeting be scheduled for the 3rd Tuesday of the month (except during the month of December 2020 when the meeting is held on the 2nd Tuesday)**
- 2. a Town Planning Committee meeting be scheduled for the 1st Tuesday of the month.**
- 3. meetings of the Audit Committee be held on Monday 29 June and Wednesday 4 November 2020, as previously resolved**
- 4. the above arrangements not apply during January 2021**
- 5. the administration centre and operations areas be closed:**
 - a. from midday Friday, 11 December 2020 to allow all staff members to attend a Christmas function.**
 - b. from midday Thursday, 24 December 2020 to Monday, 4 January 2021 (consisting of 3½ working days: half a day from midday Thursday 24 December, Tuesday 29 December, Wednesday 30 December and Thursday 31 December).**

(CARRIED UNANIMOUSLY)
(ABSOLUTE MAJORITY)



13. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil.
14. **NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING**
Nil.
15. **QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
Nil.
16. **NEW BUSINESS OF AN URGENT NATURE**
Nil.
17. **MATTERS BEHIND CLOSED DOORS**
Nil.
18. **CLOSURE**
There being no further business, the Presiding Member declared the meeting closed at 8.13pm.

I hereby certify that the Minutes of the ordinary meeting of the Council of the Town of East Fremantle, held on 16 June 2020, Minute Book reference 1. to 18. were confirmed at the meeting of the Council on

21 July 2020



Presiding Member