



AGENDA

Council Meeting

Tuesday, 16 March 2021 at 6.30pm

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

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

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

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

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

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

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

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

A Deputation invited to attend a Council meeting:

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

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

Procedure for Presentations

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

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

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

Procedure for Public Question Time

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

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

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

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

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

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

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

CONTENTS

1.	OFFICIAL OPENING	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
3.1	Attendance	1
3.2	Apologies	1
3.3	Approved	1
4.	DISCLOSURES OF INTEREST	1
4.1	Financial	1
4.2	Proximity	1
4.3	Impartiality	1
5.	PUBLIC QUESTION TIME	1
5.1	Responses to previous questions from members of the public taken on notice	1
5.1.1	Simon Hancock	1
5.2	Public Question Time	2
6.	PRESENTATIONS/DEPUTATIONS	2
6.1	Presentations	2
6.2	Deputations	3
7.	APPLICATIONS FOR LEAVE OF ABSENCE	3
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	3
8.1	Meeting of Council (16 February 2021)	3
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	3
10.	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS	3
11.	REPORTS AND RECOMMENDATIONS OF COMMITTEES	4
11.1	Town Planning Committee Meeting (2 March 2021)	4
11.2	Audit Committee Meeting (8 March 2021)	36
12.	REPORTS	109
12.1	FINANCE	109
12.1.1	Statement of Financial Activity for Period Ended 28 February 2021	109
12.1.2	Accounts for Payment – February 2021	133
12.1.3	CSRFF Small Grants February 2021 Application Assessment	140
12.1.4	Local Roads and Community Infrastructure Program Funding	163
12.2	GOVERNANCE	168
12.2.1	Local Government Elections 2021	168
12.2.2	Withdrawal of Caveat for Lot 26 on Plan 2232, 24 Hamilton Road, East Fremantle	173

12.2.3	2019/20 Electors' Meeting	176
12.2.4	Registration of Caveat for Lot 138 on Strata Plan 66227	188
12.2.5	East Fremantle Yacht Club – Request for New Lease	190
12.2.6	Leeuwin Scout Hall – Consideration of Future Use	198
12.2.7	New Legislation – Standards for CEO Recruitment, Performance Review & Termination and Acting CEO Appointments Policy.	206
12.2.8	Endorsement of (Reflect) Reconciliation Action Plan	220
12.3	COMMUNITY	249
12.3.1	Public Art Panel Recommendation – Silas Street Roundabout Installation	249
13.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	270
14.	NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING	270
15.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	270
16.	NEW BUSINESS OF AN URGENT NATURE	270
17.	MATTERS BEHIND CLOSED DOORS	270
18.	CLOSURE	270



NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Council will be held at 6.30pm on Tuesday, 16 March 2021 in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.

A handwritten signature in black ink, appearing to read 'Gary Tuffin'.

GARY TUFFIN
Chief Executive Officer

AGENDA

1. OFFICIAL OPENING

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. RECORD OF ATTENDANCE

3.1 Attendance

3.2 Apologies

3.3 Approved

Mayor O'Neill

4. DISCLOSURES OF INTEREST

4.1 Financial

4.2 Proximity

4.3 Impartiality

5. PUBLIC QUESTION TIME

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

5.1.1 Simon Hancock

1. Please could the town provide a realistic timeline to implement a new Local Planning Strategy and subsequent scheme updates and amendments starting from when the draft was first endorsed to back in 2019.
 2. Could the town also please share or explain the delays experienced in the process to date with DPLH and any internal delays preparing responses to DPLH comments.
 3. Can the town share the current feedback on the draft strategy from the DPLH? Or will this require a freedom of information request to obtain the initial comments?
-

4. What is the current status of the LPS draft. Who is it with, what is the hold up and how is the town planning to complete this in a timely manner in line with the proposed timeline.

The following response was prepared by planning staff:

1. History of activity since endorsement of Draft Local Planning Strategy:

- *Endorsed 19 November 2019; electronically forwarded to the Department of Planning Heritage and Lands (DPLH) 21 November 2019.*
- *Comments received via email from DPLH some 6 months later on 22 May 2020; Town edits electronically forwarded 27 August 2020.*
- *Comments received via email from DPLH 29 October 2020; Town officers requested meeting to discuss November 2020; Town officers' response to some comments (for further discussion and clarification at meeting) emailed to DPLH 9 December 2020; Meeting held with DPLH 16 December 2020.*
- *Notes of outcomes from DPLH meeting received from DPLH via email 17 December 2020.*
- *Town Office closed Christmas/New Year 25 December 2020 -11 January 2021.*
- *Town commissioned DPLH mapping and analytics services 15 January 2021; First draft map received via email from DPLH 3 February 2021; Comments/edits forwarded from Town officers via email to DPLH 10 February 2021.*
- *Draft LP Strategy guidelines released by DPLH for comment (including standard template and guidance for mapping and analysis) approximately 8 February 2021.*

2. Current status and anticipated resubmission to DPLH

Changes over the past year due to planning reform, review/initiation of various State planning policy and review of the Town's Community Strategic Plan have meant that parts of the draft local planning strategy document have also needed to be updated along the way.

The Town continues to re-structure the strategy documents more in line with the new draft guidelines, which provide a better understanding of what information the DPLH is seeking. This action is expected to provide a smoother pathway to advertising.

DPLH mapping and analytical services are independently working for the Town to assist with some of the technical mapping details and GIS analysis that is not available inhouse within the Town.

Subject to no further external delays, it is anticipated to forward a revised draft local planning strategy to the DPLH sometime within the early part of the second quarter of this financial year, in order to seek consent to advertise.

5.2 Public Question Time

6. PRESENTATIONS/DEPUTATIONS

6.1 Presentations

Nil.

6.2 Deputations

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Meeting of Council (16 February 2021)

8.1 OFFICER RECOMMENDATION

That the minutes of the Ordinary meeting of Council held on Tuesday, 16 February 2022 be confirmed as a true and correct record of proceedings.

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

11.1 Town Planning Committee Meeting (2 March 2021)

File ref	C/MTP1
Prepared by	Christine Catchpole, Acting Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Town Planning Committee Minutes 2 March 2021

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 March 2021, exercised its delegation in four statutory matters where at least four members voted in favour of the Reporting Officer's recommendations.

Consultation

Town Planning Committee.

Statutory Environment

Nil.

Policy Implications

Nil.

Strategic Implications

Nil.

Site Inspection

Not applicable.

Comment

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

11.1 COMMITTEE RECOMMENDATION

That the unconfirmed Minutes of the Town Planning Committee Meeting, held on 2 March 2021 be received.

TOWN OF
EAST FREMANTLE



MINUTES

Town Planning Committee

Tuesday 2 March 2021 at 6.30pm

Disclaimer

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

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CONTENTS

1.	DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
3.1	Attendance	1
3.2	Apologies	1
3.3	Leave of Absence	1
4.	MEMORANDUM OF OUTSTANDING BUSINESS	1
5.	DISCLOSURES OF INTEREST	1
5.1	Financial	1
5.2	Proximity	1
5.3	Impartiality	1
6.	PUBLIC QUESTION TIME	1
6.1	Responses to previous questions from members of the public taken on notice	1
6.2	Public Question Time	2
7.	PRESENTATIONS/DEPUTATIONS	2
7.1	Presentations	2
7.2	Deputations	2
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
8.1	Town Planning Committee (10 February 2021)	2
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
10.	REPORTS OF COMMITTEES	2
11.	REPORTS OF OFFICERS (COMMITTEE DELEGATION)	3
11.2	Pier Street No. 66 (Lot 103) - Proposed double storey single dwelling	3
11.3	Penshurst Street No. 3 (Lot 2) - Proposed upper floor additions and alterations	11
11.4	Moss Street, No. 33 (Reserve 37909) – Short Term Residential Accommodation for up to 10 Persons - Request for Increase to 15 Persons	18
11.1	Marmion Street No. 30 (Lot 1) - Subsequent Approval of Development	23
12	MATTERS BEHIND CLOSED DOORS	28
13	CLOSURE OF MEETING	28

MINUTES OF THE ORDINARY MEETING OF THE TOWN PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY 2 MARCH 2021.

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

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

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Cr C Collinson	Presiding Member
Mayor J O’Neill	
Cr J Harrington	
Cr A Natale	
Cr D Nardi	

The following staff were in attendance:

C Catchpole	Acting, Executive Manager Regulatory Services
K Culkin	Minute Secretary

There were 9 members of the public in attendance.

3.2 Apologies

Cr A Watkins

3.3 Leave of Absence

Nil

4. MEMORANDUM OF OUTSTANDING BUSINESS

Nil

5. DISCLOSURES OF INTEREST

5.1 Financial

Nil

5.2 Proximity

Nil

5.3 Impartiality

Nil

6. PUBLIC QUESTION TIME

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

Nil

6.2 Public Question Time
Nil

7. PRESENTATIONS/DEPUTATIONS

7.1 Presentations
Nil

7.2 Deputations
Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Town Planning Committee (10 February 2021)

8.1 OFFICER RECOMMENDATION

Moved Cr Harrington, seconded Mayor O'Neill

That the minutes of the Town Planning Committee meeting held on Wednesday 10 February 2021 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER
Nil

10. REPORTS OF COMMITTEES
Nil



11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

PROCEDURAL MOTION

Moved Cr Nardi, seconded Cr Natale

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

(CARRIED UNANIMOUSLY)

11.2 Pier Street No. 66 (Lot 103) - Proposed double storey single dwelling

Owner	Daniel & Nicole Ross
Applicant	Antonelli Investments P/L T/A Novus Homes
File ref	P03/21
Prepared by	James Bannerman, Planning Officer
Supervised by	Christine Catchpole, Acting Executive Manager Regulatory Services
Meeting date	2 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan 2. Site photos 3. Plans date stamped 13 January 2021 4. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application for a proposed new double storey single dwelling at No. 66 (Lot 103) Pier Street, East Fremantle.

Executive Summary

This development application proposes a new double storey single dwelling.

The applicant is seeking Council approval for the following variations to the Residential Design Codes:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Western Wall - Ground Floor – 1.5m required, 1.1m provided;
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Eastern Wall – 1m required, 0m provided;
- (iii) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, greater than 6m indicated;
- (iv) Clause 5.3.7 – Residential Design Codes – Retaining Walls – 0.5m maximum height permitted, greater than 0.5m indicated; and
- (v) Clause 5.3.7 – Residential Design Codes – Site Works – 0.5m maximum excavation permitted, greater than 0.5m excavation indicated.

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

Background

Zoning: Residential R12.5

Site area: 890m²

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

Nil

Consultation

Advertising

The application was advertised to surrounding landowners from 21 January to 4 February 2021.

One submission was received.

Submission	Applicant Response	Officer Response
I have some concerns I wish to address. Regarding the roofing material proposed change from red tile to Colorbond roof (no colour specified) we are concerned about glare from a light-coloured roofing selection. The natural ground line and terracing puts the proposed roof planes below and in direct line of sight to our finished floor levels. We respectfully request that the owner consider a Colorbond colour with a solar absorbance of greater than 0.4.	A colour and materials schedule was submitted showing the roof colour of Wallaby with a solar absorbency of 0.64.	In this case the roof colour of Wallaby was chosen with a solar absorbency of 0.64 which is greater than that requested for consideration by the submitter. A condition is proposed to be included in the recommendation that requires the roofing material to be treated to reduce glare should this prove to be a problem within two years of installation.

Community Design Advisory Committee (CDAC)

The application was referred to CDAC. No comments were received from Committee members.

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 2020 – 2030 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.

- 3.1.3 Plan for improved streetscapes.
- 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 within resource capabilities.
 - 3.3.2 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.
 - 4.1.3 Improve and protect the urban forest and tree canopy.
- 4.2 Enhance environmental values and sustainable natural resource use.
 - 4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.
- 4.3 Acknowledge the change in our climate and understand the impact of those changes.
 - 4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	7.5m	8.2m	A
Secondary Street Setback			
Lot Boundary Setbacks			
Western wall ground floor	1.5m	1.1m	D
Northern wall – ground floor	6m	10.58m	A
Eastern wall – ground floor	1.5m	7.7m	A
Store	1m	0m	D
Garage	1m	3.25m	A

Western wall – upper storey	2m	2.4m	A
Northern wall – upper storey	6m	>6m	A
Eastern wall – upper storey	4.1m	>4.1m	A
Open Space	55%	63%	A
Wall height	6m	7.7m	D
Roof height	9m	8.7m	A
Car Parking	2	2	A
Site Works	Compliance with building height and setback requirements	Significant excavation proposed across site (up to 2m)	D
Retaining Walls	Less than 0.5m high	Up to 2.343m	D
Visual Privacy			N/A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

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

This development application proposes a new double storey single dwelling. Five variations are requested to the requirements of the Residential Design Codes relating to lot boundary setbacks, maximum wall height, excavation in excess of 0.5m and retaining walls in excess of 0.5m within 1m of the lot boundary. It is noted that the existing dwelling to be demolished is not heritage listed.

Lot Boundary Setback – Western Wall – Ground Floor

The western wall on the ground floor that is 20.9m long and 3.4m high is required to be setback 1.5m from the western boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1. In this case the wall is located a minimum of 1.1m from the side boundary. The reduced side boundary setback can be supported based on design principles 5.1.3 P3.1 for the following reasons:

- There are reduced impacts of building bulk on adjoining properties;
- Adequate sunlight and ventilation is provided to the building and open spaces on site and to adjoining properties; and
- Minimal overlooking and loss of privacy to adjoining properties.

It is noted that alteration and additions have been approved for the neighbouring property to the west at No. 64 Pier Street. The garage on that site will be located on the boundary thereby reducing the impact of the western elevation. In addition, there is a degree of articulation in the wall which varies the setback along its length. The setback is sufficient to still allow for ventilation and sunlight to access the site and adjoining properties. Given the reduced setback applies to the ground floor wall the loss of privacy is minimal.

Lot Boundary Setback – Eastern Wall – Storeroom

The eastern wall of the store on the ground floor is 6.49m long and 3m high. This is required to be 1m from the eastern boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1. In this case the wall is located 0m from the side boundary. The reduced side boundary setback can be supported based on design principles 5.1.3 P3.1 for the following reasons;

- There are reduced impacts of building bulk on adjoining properties;
- Adequate sunlight and ventilation is provided to the building and open spaces on site and to adjoining properties; and
- Minimal overlooking and loss of privacy to adjoining properties.

The location of the wall on the boundary ensures privacy between properties. It is only a small portion (6.49m – 15%) of the total length of the side boundary (44.26m). The eastern side of the development site abuts the rear boundary of two properties which face the side street, so there is still sufficient light and ventilation to the neighbouring properties to the east.

Maximum Wall Height

According to the Residential Design Codes deemed to comply clause 5.1.6 C6 the maximum wall height is supposed to be 6m, however, in this case the maximum wall height is 7.7m. This increased height can be supported for the following reasons:

- Adequate access to direct sunlight into buildings and appurtenant open spaces;
- Adequate daylight to major openings into habitable rooms; and
- No views of significance are impacted by the additional height.

It is recognised that the roof height is less than 9m and as such is less than the maximum possible height permissible under the Residential Design Codes.

Retaining Walls

There are numerous retaining walls that are more than 0.5m but no more than 2.343m in height within 1m of the side boundaries (retaining walls have returns that are within 1m of shared lot boundaries). The retaining walls have been necessary to support the excavation that is proposed to be undertaken so that levels across the site align more closely with street level. In accordance with the Residential Design Codes deemed to comply clause 5.3.8 C8 retaining walls greater than 0.5m in height should be setback from the boundary in accordance with Table 1 of the Residential Design Codes. In this case the height of the retaining walls greater than 0.5m can be supported based on design principle clause 5.3.8 P8 as it allows the land to be used effectively for the benefit of residents, and does not detrimentally affect the adjoining properties having due regard to site works and visual privacy.

Site Works

Significant excavation is proposed because the lot slopes up from the road from approximately ~37m AHD to ~42m AHD, an increase of ~5m. There is a requirement that excavation is no more than 0.5m from natural

ground level in accordance with Residential Design Codes deemed to comply clause 5.3.7 C7.3. In this case excavation of sections of the lot exceeds 0.5m. In accordance with design principles clause 5.3.7 P7.2 the excavation can be supported as all finished levels respect the natural ground levels at the lot boundary of the site and as viewed from the street. Rather than increasing the height of the building the finished floor levels have been lowered to align more closely with the street level. Retaining walls are utilised to support and maintain the existing heights of the side boundary fences.

Submission from Advertising

There was one submission from neighbouring property owners following advertising. A request was made for the owners to consider a roof colour with a solar absorbency of more than 0.4 to reduce glare. In this case the owners agreed to a colour known as Wallaby with a solar absorbency of 0.64. As such the choice meets the request made by the submitter. It is noted that a standard condition has been included in the recommendation to have the roof treated within two years of installation if glare is identified as an issue.

Conclusion

Based on the assessment that has been completed for this development application and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes are considered acceptable. As such it is recommended that the proposed development be approved subject to conditions of development approval relating to parapet wall finishes, crossover width, front fencing, location of pool pump equipment and other standard conditions.

- Mr Daniel Ross (owner) spoke in support of the officer's recommendation.

11.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP010321

Moved Cr Nardi, seconded Cr Natale

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Western Wall - Ground Floor – 1.5m required, 1.1m provided;**
- (ii) Clause 5.1.3 – Residential Design Codes– Lot Boundary Setbacks – Eastern Wall – 1m required, 0m provided;**
- (iii) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, greater than 6m indicated;**
- (iv) Clause 5.3.7 – Residential Design Codes – Retaining Walls – 0.5m maximum height permitted, greater than 0.5m indicated; and**
- (v) Clause 5.3.7 – Residential Design Codes – Site Works – 0.5m maximum excavation permitted, greater than 0.5m excavation indicated,**

for a double storey single dwelling at No. 66 (Lot 103) Pier Street, East Fremantle, in accordance with the plans date stamped received 13 January 2021, subject to the following conditions:

- (1) The crossover widths are not to exceed 5m and to be in accordance with Council's crossover policy as set out in the Residential Design Guidelines.**
- (2) All parapet walls/building structures to adjacent property faces are to be finished by way of agreement between the property owners and at the applicant's expense. The details are to be to the satisfaction of the Chief Executive Officer and submitted and approved prior to the submission of a Building Permit application.**
- (3) Front fencing to be in full compliance with the Council's Residential Design Guidelines, including all gates and the visual permeability of all infill panels.**



- (4) Pool filter and pump equipment to be located a minimum distance of 1.0 metre away from all lot boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.**
- (5) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.**
- (6) 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 development approval unless otherwise amended by Council.**
- (7) With regards 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 development approval, without those changes being specifically marked for Council's attention.**
- (8) 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.**
- (9) 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.**
- (10) 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.**
- (11) 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.**
- (12) This development approval is to remain valid for a period of 24 months from the date of this approval.**

Footnote:

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

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

(v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.
(CARRIED UNANIMOUSLY)

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



11.3 Penshurst Street No. 3 (Lot 2) - Proposed upper floor additions and alterations

Owner	Carey-Lyn Parker & Matthew Markovic
Applicant	Nexus Home Improvements Pty Ltd
File ref	P148/20
Prepared by	James Bannerman, Planning Officer
Supervised by	Christine Catchpole, Acting Executive Manager Regulatory Services
Meeting date	2 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Plans date stamped received 9 December 20204. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application for proposed upper floor additions and alterations at No. 3 (Lot 2) Penshurst Street, East Fremantle. This property is a survey strata lot and is not heritage listed.

Executive Summary

This development application proposes upper floor additions and alterations, comprising two bedrooms, ensuite bathroom and a retreat.

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Boundary – 6m required, 4.84m provided;
- (ii) Clause 5.4.1 – Residential Design Codes – Privacy Setback – Master Suite – 4.5m required, 3m provided; and
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 3 degrees provided.

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

Background

Zoning: Residential R12.5
Site area: 485m²

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

P84/08 – development approval for swimming pool – 22 April 2008.

Consultation

Advertising

The application was advertised to surrounding landowners from 9 to 23 December 2020. Two submissions were received.

Submission	Applicant Response	Officer Response
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<p>I have some concerns I wish to address.</p> <p>There is currently a 2nd storey renovation happening at 67 Fraser St which is directly in front of 3 Penshurst. Parking in the street has been obstructive and is a nuisance. Our driveway is directly in front of 3 Penshurst and it is a daily problem to tell contractors to shift their vehicles as they park directly in front of our driveway prohibiting us from being able to exit and go to work. I do not know when 67 Fraser's build will be completed but I do not want another one starting up until it is finished.</p>	<p>Street parking during construction is a common frustration for surrounding residents. We do not believe that parking during construction is a planning consideration, however we can see that the neighbour has been highly inconvenienced and can understand why. Nexus is not able to promise that the timing will differ from the one at 67 Fraser, although we still need to obtain a building permit and other processes before we commence works onsite. They are free to contact us directly to address any parking issues that may (if any) arise during the construction of our project so that we can manage their concerns.</p>	<p>Contractors working on development sites are required to park in appropriate locations on the road and comply with the relevant road rules and parking requirements.</p> <p>Development start days are not controlled by the Town. These decisions are made independently by the relevant contractors and property owners.</p> <p>The Ranger can be notified by residents of any parking issues should they arise.</p>
<p>I have some concerns I wish to address.</p> <p>The design is fine. I just have concerns re the spare bed 4 windows looking directly into our backyard. I understand the need for the windows, but can they be obscure glass?</p>	<p>Overlooking from habitable spaces is an item that our designers were very aware of from the early concept stages. We believe that the concerns raised above come from not understanding the plans (which can be a little hard if you are not in the building industry). The windows to bed 4 have the sills at approximately 1,886mm above floor level. This is substantially higher than the R-Code requirements for visual privacy and mean that almost everyone would need to stand on a ladder to look out. We believe that the neighbours' privacy is being protected with our submitted design.</p>	<p>The two windows to bedroom 4 (on the western and northern walls of the addition) have a sill height of 1.886m above the finished floor level.</p> <p>As a result of the sill height being more than 1.6m above the finished floor level the windows are not considered a major opening and therefore do not have to be obscured. The windows as indicated are in compliance with the R-Codes visual privacy requirements.</p>

Community Design Advisory Committee (CDAC)

The application was referred to CDAC. No comments were received from Committee members.

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 2020 – 2030 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.

3.1.3 Plan for improved streetscapes.

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 within resource capabilities.

3.3.2 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.

4.1.3 Improve and protect the urban forest and tree canopy.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.

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			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Northern boundary	1.5m	9.586m	A
Western boundary	6m	4.184m	D
Southern boundary	1.5m	3.142m	A
Open Space			N/A
Roof height	7m	6.745m	A
Setback of garage			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy (bedroom)	4.5m	3m	D
Overshadowing	<25%	15.3%	A
Drainage			To be conditioned

Local Planning Policies Assessment

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

This development application proposes upper floor additions and alterations. The property is a survey strata lot and is not heritage listed. The neighbouring strata property owners have provided signed support for the proposed development. Two variations are requested to the Residential Design Codes in relation to the western lot boundary setback and a privacy setback and one variation is requested to the Residential Design Guidelines in relation to roof pitch.

It is noted that the neighbouring strata property at 67 Fraser Street recently received development approval for a second storey addition. Similar issues that were evident for that development are present here. The need to try to conceal the upper storey from the street is extremely difficult given that the lot is between

18 and 20 metres deep and 24 metres wide, however, the original dwelling is not heritage listed and as such is not what the Residential Design Guidelines refers to as a contributory building. The performance criteria do not address non-contributory buildings.

The proposed development is also setback from the front boundary by a distance similar to the neighbouring properties which meets acceptable development provision 3.7.7.3 A1.1 of the Residential Design Guidelines. The design of the upper storey addition is such that it can be seen from the street, but it has a concealed roof which reduces the overall height of the structure below what is potentially possible if the development was to have a more traditional pitched roof (9m maximum height possible; proposed height 6.745m). There is a significant amount of glazing on the front façade of the addition as well as timber or timber like materials. The shape of the development and use of the concealed roof gives it a more contemporary look. In response to comments from one of the submitters the applicant has provided an amended colour and materials schedule with the roof now proposed to be Surfmist colour rather than Zinalume.

Rear Lot Boundary Setback

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 it is necessary for the rear lot boundary setback (on the western boundary) to be 6m for lots that are located in areas with a density code of R12.5 irrespective of length or height. In this case the rear lot boundary setback is 4.184m. In accordance with design principles 5.1.3 P3.1 the reduced lot boundary setback can be supported for the following reasons:

- There is reduced impact from building bulk on adjoining properties;
- Adequate sunlight and ventilation can be provided to the building and open spaces on the site and adjoining properties; and
- There will be no overlooking or loss of privacy to adjoining properties.

It is noted that the structure has less height than if it was designed with a pitched roof. The setback will ensure that there is enough space for the flow of air and protection of access to sunlight. The lack of windows on the upper storey of the western wall means that privacy for the adjoining property will be protected from the upper storey.

Privacy Setback

The master suite has a window on the south eastern corner of the upper storey. This permits views across the eastern edge of the neighbouring dwelling roof. A privacy setback of 4.5m is required in accordance with the Residential Design Codes deemed to comply clause 5.4.1 C1.1 and this is less than required at 3m. However, in accordance with design principles 5.4.1 P1.1 there is minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings. Privacy is achieved through the design ensuring that the overlooking occurs over the roof of the neighbouring dwelling and does not overlook an active habitable area. In addition, the window is setback such that it reduces overlooking towards the rear of the adjacent property.

Roof Pitch

In accordance with the Residential Design Guidelines acceptable development provisions 3.7.8.3 A4.1 the roof pitch is required to be between 28 and 36 degrees. In this case the upper floor additions have a roof pitch of 3 degrees. The roof achieves performance criteria 3.7.8.3 P4 because the roof form of the new building complements the traditional form of surrounding development in the immediate locality. It is noted that the neighbouring strata property has provided signed support for the proposal and the development application has been advertised to the surrounding properties.

Conclusion

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

- Mr Matthew Markovic and Ms Carey-Lyn Parker (owners) spoke in support of the officer's recommendation.

11.3 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP020321

Moved Cr Natale, seconded Cr Nardi

That development approval is granted, and Council exercises its discretion regarding the following:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Boundary – 6m required, 4.84m provided;**
- (ii) Clause 5.4.1 – Residential Design Codes – Privacy Setback – Master Suite – 4.5m required, 3m provided; and**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 3 degrees provided,**

for upper floor additions and alterations at No. 3 (Lot 2) Penshurst Street, East Fremantle, in accordance with the plans date stamped received 9 December 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 development approval other than where varied in compliance with the conditions of this development 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 is issued in compliance with the conditions of this development approval unless otherwise amended by Council.**
- (3) Regarding the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development 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 development approval is to remain valid for a period of 24 months from the date of this approval.

Footnote:

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

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

(CARRIED UNANIMOUSLY)

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

11.4 Moss Street, No. 33 (Reserve 37909) – Short Term Residential Accommodation for up to 10 Persons - Request for Increase to 15 Persons

Applicant	Mark Stokoe on behalf of South Metropolitan Health Service
Landowner	State of WA - Minister for Health
File ref	P05/21
Prepared by	Christine Catchpole, Acting Executive Manager Regulatory Services
Supervised by	Peter Kocian, Acting Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Meeting date	2 March 2021
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Place record form4. Applicant letter requesting additional accommodation dated 15 January 20215. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a request for the number of persons at the short term residential accommodation facility to be increased from 10 to 15.

Executive Summary

The application, submitted by the South Metropolitan Health Service, seeks approval for an increase in the number of persons accommodated on the site from 10 to 15. This is in response to an increased need for mental health services in general, due to the public health circumstances of the past year. No further building works or changes to the original conditions of development (planning) approval are required.

The original application determined in 2016 proposed the accommodation of up to 15 persons and renovations to the building were completed to accommodate that number of residents. However, the Council determined that only 10 people and 5 staff were to be accommodated on the site with a temporary approval being granted for a period of 12 months from the date of occupation.

Due to funding issues restoration and renovation work did not commence for several years. However, over the past year all required alterations to the building and grounds, including the provision of parking bays have been completed to the Town's satisfaction and the facility was officially opened in July 2020. The building has been occupied and providing services for the residents since 3 August 2020.

Consultation in relation to the current application has been undertaken with surrounding owners/occupiers between 29 January and 19 February 2021. One submission in support of the proposal was received. Since the facility has been operating the Town has not been advised of any concerns from surrounding residents and the use is operating in accordance with all planning conditions.

The increase of five persons to be accommodated at the site is considered reasonable and to not result in an impact on the amenity of the surrounding area. The required number of beds is already available as the original plans and renovations were based on that number. The same conditions of planning approval remain applicable to the use of the property, as does the 12 month temporary approval period. Prior to August 2021 a fresh development application for the continued use of the site will be required to be submitted for Council's consideration. The development (planning) approval renewal process will also involve further consultation with the community.

Given the accommodation service has not raised any issues and no adverse submissions have been received it is recommended Council grant approval for an increase in the number of persons from 10 to 15. This is subject to the temporary approval period remaining unchanged, restriction on the length of stay and the number of staff and the original conditions of approval continuing to apply.

Background

- 20 August 1982:** Land denoted as 'Reserve' for 'mental health services' in Government Gazette.
- 18 October 1982:** Council approved a change of use from general hospital to 'Psycho-geriatric Care Centre' for up to 16 persons.
- 25 June 2001:** South East Metropolitan Health Service advised that the property was to be used for a geriatric day therapy centre.
- 17 May 2016:** Council granted a 12 month temporary approval for the change of use to short term residential accommodation from day therapy centre. The 12 month approval period to commence from the date the facility is occupied.
- 16 May 2017:** Council granted a 12 month extension of the original 12 month planning approval with the same conditions of planning approval to apply.
- 15 May 2018:** Council granted a further additional 12 month extension of the planning approval.
- 3 August 2020:** Alterations to building and grounds complete. Town considers conditions of development (planning) approval satisfied and building occupied.

The applicant has submitted a letter (refer to Attachment 4) in support of the request for an increase in the number of persons to be accommodated at the facility.

Consultation

Consultation has been undertaken by letter to owner/occupiers in Bedford and Moss Street, north of George Street and south of Canning Highway (properties consulted indicated on the location map in Attachment 5). The consultation was undertaken from 29 January to 19 February 2021. One (1) submission in support of the proposal was received.

Community Design Advisory Committee (CDAC)

Referral to the CDAC not required. No further alterations or additions to the building are required.

Statutory Environment

Planning and Development Act 2005
Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)
LPS No. 3 – Heritage List – Category A
Crown Land Title – Management Order – Swan No. 37909

Policy Implications

Local Heritage Survey – Category A
Fremantle Port Buffer Zone – Area 3

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 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.

3.1.3 Plan for improved streetscapes.

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 within resource capabilities.

3.3.2 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.

Risk Implications

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

Site Inspection

July 2020 and February 2021

Comment

The following issues were noted as relevant to the determination of this application upon its initial assessment in October 2016:

- Change of use from day therapy consulting rooms to short term accommodation;
- Residential amenity impacts and compatibility of use with surrounding residential uses;
- Car parking and access for clients, staff, visitors and service/delivery vehicles; and
- Use of 'Reserve' land with Management Orders stating that the land is to be used for mental health services.

The original application underwent two advertising periods, including a public information session at Fremantle Hospital, letters to residents and signs on the site. A substantial number of submissions were received during the first advertising phase which expressed concerns about the facility being located in a residential area. The Council responded to those submissions by applying a number of conditions of planning approval which have since been satisfied by the applicant.

The proposed accommodation use was considered consistent with the reserve status of the land and the use of the building for this purpose was considered compatible with the surrounding residential area, particularly as it was intended for the occupants to live in a residential setting. After taking into account the amenity, car parking, access and scale of the use, the Council determined that the use should be approved for 12 months only. It was thought that during that time, if the Council determined the use failed to comply with the conditions of the approval, or if the change of use caused a nuisance or annoyance to surrounding residents, as determined by Council, the approval may be revoked.

The existing facility accommodates patients transitioning between a hospital stay and home for a period of up to six weeks. Two nursing staff are available on a 24 hour basis, with three additional staff members working on a rostered shift basis seven days a week. The maximum number of staff at any one time being five persons under the conditions of planning approval. Parking bays for staff are located at the Bedford Street entry to the site. In addition to the residential accommodation, counselling and other support therapies are provided to the residents.

Since the facility commenced operations in August 2020 the community has not raised any issues regarding the operation of the accommodation service and the Town is not aware of any issues that have resulted due to the change of use. At the conclusion of the advertising period one submission in support of the application had been received.

The use has been in operation for seven months without raising any concerns. The accommodation of an additional five persons will occur within the 12 month temporary approval period so if any concerns do arise, they can be assessed by Council before the renewal of the development (planning) approval is required in August 2021. At this time further community consultation will be undertaken.

Considering the above comments and no adverse submissions from the community it is recommended that Council grant approval for an increase in the number of persons in short term residential accommodation at the facility from 10 to 15. This is subject to the temporary approval period remaining unchanged, restrictions on the length of stay and number of staff and the original conditions of approval continuing to apply.

- Ms Lynn Warren (Service Director) and Ms Amanda Hellewell (Clinical Nurse Manager) from the South Metropolitan Health Service, spoke in support of the officer's recommendation.

11.4 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP030321

Moved Mayor O'Neill, seconded Cr Nardi

That Council grant approval for an increase in the number of persons in short term residential accommodation from 10 to 15 at No. 33 (Reserve 37909) Moss Street, East Fremantle subject to the following conditions:

- 1. No more than 15 persons and five (5) staff at any one time to occupy the site (see Footnote (i) below). The approval for the number of occupants not to exceed 15 persons and for the number of staff not to exceed five (5) persons is valid until 3 August 2021 and the applicant is required to seek a renewal of the development approval thereafter to enable the continuance of the use and for approval of the number of persons to be accommodated and the number of staff to be working at the site.**
- 2. A resident/client is not to be accommodated for any period longer than six (6) weeks in any one period of accommodation.**
- 3. The original conditions of the development approval dated 17 May 2016, with the exception of the number of persons to be accommodated, are to apply to this development approval.**
- 4. This development approval is to remain valid until 3 August 2021 unless otherwise revoked.**

Footnote:

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

- (i) in relation to condition 1 the temporary approval for the change of use also relates to the maximum number of people accommodated and the maximum number of staff at any one time. Prior to the expiry of the original 12 month period (expiry date 3 August 2021) the***



applicant is required to submit a fresh development approval application for Council's consideration.

- (ii) the applicant be advised that failure to comply with the above conditions of this approval or if the change of use causes a nuisance or annoyance to owners or occupiers of the land in the neighbourhood, Council may revoke its approval for a maximum of 15 people to be accommodated on the site at any one time and at Council discretion reduce the maximum number of people that can be accommodated or working on the site.*
- (iii) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (iv) all noise levels produced are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) the applicant is advised that development approval is not extended beyond the original period of 12 months only and re-application prior to the expiry of this approval (i.e. 3 August 2021) will be necessary should the continuation of the use be required. It is further noted that non-compliance with the continuation of this development approval may result in its revocation.*

(CARRIED UNANIMOUSLY)

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

11.1 Marmion Street No. 30 (Lot 1) - Subsequent Approval of Development - alterations and additions to existing dwelling

Owner	Ben Ansell & Matthew Byrne
Applicant	Kyle Smith
File ref	P152/20
Prepared by	James Bannerman, Planning Officer
Supervised by	Christine Catchpole, Acting Executive Manager Regulatory Services
Meeting date	2 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Place record form4. Plans date stamped received 27 January 20215. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application seeking subsequent approval of development for alterations and additions to the existing dwelling at No. 30 (Lot 1) Marmion Street, East Fremantle.

Executive Summary

This development application is seeking approval for previously constructed rooms, internal changes to the existing dwelling and a change in the roof material. The current owners have submitted a development application seeking subsequent approval of development. Works were undertaken on-site by a previous property owner that were not granted development approval.

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – 1.5m required, 1.05m provided; and
- (ii) Clause 3.7.9.3 – Residential Design Guidelines - Materials and Colours - Existing roof materials retained or replaced (tile roof), Zinalume roof installed.

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

Background

Zoning: Residential R20

Site area: 491m²

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

Nil

Consultation

Advertising

The application was advertised from 15 to 29 January 2021 to surrounding land owners to the north and the east. No submissions were received.

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as construction has already occurred.

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)

Local Heritage Survey – Category C

Fremantle Port Buffer Zone - Area 3

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 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.

3.1.3 Plan for improved streetscapes.

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 within resource capabilities.

3.3.2 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.

4.1.3 Improve and protect the urban forest and tree canopy.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.

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

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

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Eastern boundary (wall of eastern addition)	1.5m	1.05m	D
Northern boundary (wall of eastern addition)	3m	6.515m	A
Northern boundary (rear deck)	1m	1.08m	A
Eastern boundary (rear deck)	1m	6.9m	A
Open Space	50%	>50%	A
Wall height	6m	<6m	A
Roof height	9m	<9m	A
Setback of Carport			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	D
3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.15.4.3.1 Fremantle Port Buffer Area	Area 3

The current owners have submitted a development application seeking subsequent approval of development for previously constructed rooms, internal changes to the existing dwelling and a change in the roof material. Works were undertaken on-site by a previous property owner that were not granted development approval. The development application was advertised to the neighbouring property owners to the north and the east and no submissions were received from either property.

One variation is requested to the requirements of the Residential Design Codes relating to the eastern side boundary setback and one variation is sought for the change in the roof material. The dwelling is a category C heritage property. It is considered the alterations and additions have had minimal impact on the heritage elements of the existing dwelling.

Lot Boundary Setback – Eastern Boundary

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the existing wall on the eastern side of the dwelling which is 10.55m long and 3.69m high is required to be 1.5m from the side boundary. In this case it is located 1.05m from the boundary. Under the design principles clause 5.1.3 P3.1 buildings can be setback from the boundary closer than required. The reduced boundary setback can be supported based on the following:

- There is reduced impact from building bulk on adjoining properties. The structure is setback a sufficient distance from the eastern boundary and the adjoining property’s driveway runs along the eastern boundary;
- Adequate sunlight and ventilation reaches the building and open spaces on site and on the adjoining property. The wall is aligned north-south so has no significant impact on overshadowing and there is ample space between the wall and the neighbouring property; and
- Minimal overlooking or loss of privacy from the development on adjoining properties. In this case, all the windows on the eastern elevation are openings to bathrooms, toilets and laundry spaces so there is no overlooking impact from habitable rooms.

Roof Materials

The Residential Design Guidelines acceptable development clause 3.7.9.3 A2.3 requires that existing roof materials are retained or replaced as required and replacement materials should match existing contributory buildings. New materials have to demonstrate compatibility with the immediate locality. In this case the tile roof on the dwelling was replaced with a Zinalume roof. In accordance with performance

criteria 3.7.9.3 P2 the replacement of original materials with new materials shall be approved if they are compatible with the immediate locality. In the case of a Zinalume roof there are many Zinalume roofs throughout Plympton, so it is not inappropriate for such a roof to be installed. In this case the two properties directly to the north and the two properties directly to the west of the subject dwelling all have Zinalume roofs. As such the subject dwelling does not look out of place in this setting. For this reason, the change in roof material is supported. A condition will be imposed that requires the roof to be treated if issues around glare from the roof emerge over the next two years. This is a standard condition utilised by the Town to address roof glare.

Other Changes

The proposed changes to the interior of the building include the removal and changes to walls and openings to a number of rooms. None of these have an impact from a planning perspective and as such can be supported. There is also a rear deck which is comprised of timber laid on existing paving, however there are no significant changes in existing site levels and as such there are no planning requirements that require addressing.

Conclusion

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

11.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP040321

Moved Mayor O'Neill, seconded Cr Nardi

That subsequent approval of development is granted and Council exercises its discretion in regard to the following:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – 1.5m required, 1.05m provided; and**
- (ii) Clause 3.7.9.3 – Residential Design Guidelines - Materials and Colours - Existing roof materials retained or replaced (tile roof), Zinalume roof installed,**

for alterations and additions at No. 30 (Lot 1) Marmion Street, East Fremantle, in accordance with the plans date stamped received 27 January 2021, subject to the following conditions:

- (1) The works are in conformity with the drawings and written information accompanying the application for subsequent approval of development other than where varied in compliance with the conditions of this subsequent approval of development or with Council's further approval.**
- (2) An application for a building approval certificate (BA13) is to be submitted to the Town accompanied by a certificate of building compliance (BA18) certified by a licensed private building surveyor. The plans and the information included with the building approval certificate (BA14) is to be issued in compliance with the conditions of this subsequent approval of development unless otherwise amended by Council.**
- (3) 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.**

- (4) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (5) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (6) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (7) This development approval is to remain valid for a period of 24 months from the 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.*
- (iii) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

(CARRIED UNANIMOUSLY)

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

12 MATTERS BEHIND CLOSED DOORS

Nil

13 CLOSURE OF MEETING

There being no further business the Presiding Member declared the meeting closed at 7.04pm.



I hereby certify that the Minutes of the ordinary meeting of the Town Planning Committee of the Town of East Fremantle, held on 2 March 2021, Minute Book reference 1 to 13 were confirmed at the meeting of the Committee on:

.....

Presiding Member

11.2 Audit Committee Meeting (8 March 2021)

File ref	C/MTP1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Audit Committee Minutes 8 March 2021 2. Compliance Audit Return 2020

Purpose

To:

- submit the minutes of the Audit Committee for receipt by Council.
- consider part 3 of the Audit Committee's recommendation for Minute No 11.5
- consider the Committee's recommendation to adopt the 2020 Compliance Audit Return.

Executive Summary

The Committee, at its meeting on 8 March 2021, considered matters relating to its terms of reference with two items being referred to Council for consideration.

Consultation

Audit Committee.

Statutory Environment

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit, is to be*

*submitted to the Departmental CEO by **31 March** next following the period to which the return relates.*

Policy Implications

Nil.

Strategic Implications

Nil.

Site Inspection

Not applicable.

Comment

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

11.2.1 COMMITTEE RECOMMENDATION

That the unconfirmed Minutes of the Audit Committee Meeting, held on 8 March 2021 be received.

Recommendations relating to two items referred to Council for consideration are reprinted below.

10.2 Compliance Audit Return 2020

11.2.2 COMMITTEE RECOMMENDATION

That Council

- (a) accept the recommendation of the Audit committee and adopt the 2020 Compliance Audit Return.**
- (b) send a certified copy of the 2020 Compliance Audit Return to the Department of Local Government.**

10.5 2021 Audit Work Plan and Meeting Schedule

11.2.3 COMMITTEE RECOMMENDATION

That the Chief Executive Officer be requested to prepare a risk based internal audit plan for submission to the November 2021 Audit Committee Meeting.

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A		Peter Kocian
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Peter Kocian
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Peter Kocian
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Peter Kocian
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Delegation of Power/Duty						
No	Reference	Question	Response	Comments	Respondent	
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes		Janine May	
2	s5.16	Were all delegations to committees in writing?	Yes		Janine May	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Yes		Janine May	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Janine May	
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes		Janine May	
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Janine May	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Janine May	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Janine May	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Janine May	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Janine May	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Janine May	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Janine May	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Janine May	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Janine May
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Janine May
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	N/A		Janine May
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Janine May
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Janine May
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Janine May
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Janine May
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Janine May
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Janine May
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Janine May
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Janine May
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Janine May
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Janine May
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Janine May
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Janine May
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Janine May
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Janine May
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Janine May
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Janine May
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Peter Kocian
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Janine May
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A		Janine May
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Finance						
No	Reference	Question	Response	Comments	Respondent	
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Peter Kocian	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	The Audit Committee has no delegated authority	Peter Kocian	
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	N/A	The Town falls under the remit of the Office of Auditor General	Peter Kocian	
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	N/A	The Town falls under the remit of the Office of Auditor General	Peter Kocian	
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes	received 22 December 2020	Peter Kocian	
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A		Peter Kocian	
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	Yes	2 significant matters were reported. These were considered at a Special Council Meeting on the 27 January 2021, and a report provided to the Minister as required. One of the findings has been fully addressed whilst the other finding relates to an adverse trend in the Town's Operating Surplus Ratio.	Janine May	
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes	emailed to the Department on the 4 February 2021	Peter Kocian	
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes	published on the website on the 5 February 2021	Peter Kocian	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	N/A	The Town falls under the remit of the Office of Auditor General	Peter Kocian
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes	received 22 December 2020	Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	8 December 2020	Peter Kocian
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Annual review 30/06/2020	Peter Kocian
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Janine May
2	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Janine May
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Janine May
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Janine May
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Janine May
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Janine May
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Janine May
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2)?	Yes		Janine May
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	18 February 2020	Peter Kocian
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes	18 February 2020	Peter Kocian
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	Yes		Janine May
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	Yes		Janine May
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes		Janine May
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes		Janine May
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Janine May
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes		Janine May
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Peter Kocian
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	No	The Office of Auditor General identified instances where the requisite number of quotations were not obtained for purchases between the value of \$5k and \$20k	Peter Kocian
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Peter Kocian
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Peter Kocian
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Peter Kocian
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Peter Kocian
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Peter Kocian
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	No	The Tender Register was not published on the website during 2020. It has since been published	Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Peter Kocian
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Peter Kocian
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Peter Kocian
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A	No expressions of Interest invited	Peter Kocian
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Peter Kocian
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A		Peter Kocian
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A		Peter Kocian
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Peter Kocian
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	The Town did not source procurement via a panel of pre qualified suppliers	Peter Kocian
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Peter Kocian
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Peter Kocian
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Peter Kocian
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Peter Kocian
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Peter Kocian
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Peter Kocian

TOWN OF
EAST FREMANTLE



MINUTES

Audit Committee Meeting

Wednesday, 8 March 2021 at 6.30pm

Disclaimer

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

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

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CONTENTS

1.	DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
4.	MEMORANDUM OF OUTSTANDING BUSINESS	1
5.	DISCLOSURES OF INTEREST	1
6.	PUBLIC QUESTION TIME	1
7.	PRESENTATIONS/DEPUTATIONS	2
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
	8.1 Audit Committee (4 November 2020)	2
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
10.	REPORTS	3
	10.1 Attendance of Office of Auditor General	3
	10.5 2021 Audit Work Plan and Meeting Schedule	7
	10.2 Compliance Audit Return 2020	13
	10.3 Recurrent Status Report – Risk Management, Internal Controls and Legislative Compliance	17
	10.4 Operational and Strategic Risk Registers	21
11.	MATTERS BEHIND CLOSED DOORS	24
12.	CLOSURE OF MEETING	24

MINUTES OF THE ORDINARY MEETING OF THE AUDIT COMMITTEE HELD IN THE POD, 135 CANNING HIGHWAY EAST FREMANTLE ON MONDAY, 8 MARCH 2021.**1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS**

The President opened the meeting at 6.29pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. RECORD OF ATTENDANCE**3.1 Attendance**

The following members were in attendance:

Cr A Natale Presiding Member
Mayor Jim O'Neill
Cr A McPhail
Cr M McPhail
Cr A Watkins

The following staff were in attendance:

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

3.2 Apologies

Cr J Harrington

3.3 Leave of Absence

Nil

4. MEMORANDUM OF OUTSTANDING BUSINESS

Nil

5. DISCLOSURES OF INTEREST**5.1 Financial**

Nil

5.2 Proximity

Nil

5.3 Impartiality

Nil

6. PUBLIC QUESTION TIME**6.1 Responses to previous questions from members of the public taken on notice**

Nil

6.2 Public Question Time

Nil

7. PRESENTATIONS/DEPUTATIONS**7.1 Presentations**

Nil

7.2 Deputations

Jeff Sweetman, Office of Auditor General

Aram Madnack, Office of Auditor General

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**8.1 Audit Committee (4 November 2020)****8.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A010321**

Moved Cr M McPhail, seconded Mayor O'Neill

That the minutes of the Audit Committee meeting held on Wednesday 4 November 2020 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Cr Natale advised he had recently attended the Audit Chairs Forum and heard an excellent presentation from Dianne Smith-Gander AO. Cr Natale advised he will forward the presentation on to Audit Committee Members.

10. REPORTS

10.1 Attendance of Office of Auditor General

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	8 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Audit Opinion 2. Final Audit Findings for the year ended 30 June 2020 3. Interim Audit Findings for the year ended 30 June 2020

Purpose

The Audit Committee is being requested to note that representatives (Mr Jeff Sweetman – Audit Manager; Mr Aram Madnack – Director) from the Office of Auditor General will be attending the March meeting.

Executive Summary

The Town has requested attendance by the Office of Auditor General to this meeting. This presents an opportunity for the Committee to meet with the Audit Team to discuss the Audit Plan and any matters relating to the external audit.

Background

On 24 August 2017, amendments to the *Local Government Act 1995* were passed by State Parliament that enables the Auditor General to audit Council finances and performance. The reforms will change the way local government audits are conducted.

The Auditor General will take over responsibility for financial audits on a transitional basis as existing audit contracts expire. The Town of East Fremantle fell under the audit remit of the Office of Auditor General from the 2018/19 financial year.

Consultation

Office of Auditor General

Statutory Environment

Part 7 of the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* addresses the situation of audit. In relation to the duties of the local government with respect to audits –

- a. the local government is to do everything in its power to –
 - i. assist the auditor to conduct an audit and carry out his or her other duties under the Act; and
 - ii. ensure that audits are conducted successfully and expeditiously;
- b. a local government is to meet with its auditor at least once in every year;**
- c. a local government is to examine the report of the auditor and is to –
 - i. determine if any matters raised require action to be taken by the local government; and
 - ii. ensure that appropriate action is taken in respect of those matters;

- d. local government is to –
- i. prepare a report on any actions taken in respect of any matters raised in the report of the auditor; and
 - ii. forward a copy of that report to the Minister by the end of the next financial year, or six months after the last report prepared by the auditor is received by the local government, whichever is the latest in time.

Policy Implications

There are no Council Policies relevant to this item.

Financial Implications

There are no financial implications relevant to this item.

Strategic Implications

Strategic Priority 5 – Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Comment

The Independent Auditor's Report is appended to this report. The Auditor has provided the opinion that the financial report of the Town of East Fremantle:

- (i) Is based on proper accounts and records; and
- (ii) Fairly represents, in all material respects, the results of the operations of the Town for the year ended 30 June 2020 and its financial position at the end of that period in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

The Auditor has however raised two (2) 'significant' matters that meet the review and reporting requirements of section 7.12A (3)(4) of the *Local Government Act 1995*. These matters are listed below, along with management comment.

Significant Finding 1

The following material matter indicates a significant adverse trend in the financial position of the Town:

- a. The Operating Surplus Ratio as reported in Note 34 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years.

Management Comment

This material matter was also reported in the independent auditor's report for last year. Management comment is repeated below.

Council adopted a 15-year Strategic Resource Plan (combined asset management and long-term financial plan) at its ordinary meeting of May 2019. Section 5.11 of this document discusses the forecast operating ratios from 2019-2034. The Operating Surplus Ratio is not projected to meet the Department's standard of 1.00% until the 2028-29 financial year. Council is aware of this, with the following comment provided in the agenda report of May 2019:

Council has a legislative requirement to comply with the principles of sound financial management, of which a key component is the preparation of a Long-Term Financial Plan. The Office of Auditor General is also required to undertake a performance audit of adverse financial trends in the financial position or the financial management practices of the local government. This will be limited a high-level assessment of whether the 7 financial ratios reported in the notes to the financial report achieved the standards set by the Department of Local Government, Sport and Cultural Industries. Council therefore needs to be cognizant of the ratio analysis included in the Forecast Financial Statements as 3 of the ratios are below benchmark.

A number of assumptions underpin the Strategic Resource Plan, including a 3% annual rate increase. Every endeavour will be made to ensure operating revenue grows at a faster rate than operating expenditure in order to achieve an improved Operating Surplus Ratio.

Additional Comment: A local government working group has been established to review the rationale and calculations of each of the statutory ratios and provide recommendations to the Department. Changes are being proposed to each of the ratios including the Operating Surplus Ratio. The working group consensus is that the ratio is flawed as it excludes recurrent grants that are tied to expenditure. This is the case for the Town of East Fremantle whereby we are required to include operating expenditure associated with the delivery of CHSP services in the numerator of the ratio but exclude the annual grant revenue in the denominator. This results in an unfavourable ratio.

The following are material matters identified by the Auditor indicating non-compliance with Part 6 of the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* or applicable financial controls of any other written law.

Significant Finding 2

Access controls over a key application of the Town were inadequate to contribute to appropriate segregation of duties. This could lead to inappropriate use of the application; however, our audit testing did not identify any such instances.

Management Comment

1. A review of user access has been completed and new permissions implemented. Screen shots of all changes have been provided to the Office of auditor General.
2. New user groups have been established to inform access levels. The 'New User' IT form now includes a check box to assign permission levels.

Regulations require the auditor, where appropriate, to prepare a management report to accompany the auditor's report. Although there is no legislative requirement for the auditor to prepare a management report unless deemed appropriate, local governments may wish to require the auditor to prepare a report on all issues identified during the audit.

The audit findings from interim and final audit is presented as attachment 2 and 3 to this report and will be incorporated into the standing status report that is presented to the Audit Committee for ongoing monitoring.

10.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION A020321**Moved Cr M McPhail, seconded Cr A McPhail****That the Audit Committee note that representatives from the Office of Auditor General attended the March Meeting to discuss the Audit Opinion and Audit Findings for the year ended 30 June 2020.****(CARRIED UNANIMOUSLY)**

NB The Auditors advised that the Audit process had gone very well and thanked staff for their efforts. Queries were raised by Audit Committee members in relation to access controls and timing of responses to queries. The Auditors advised they were satisfied with the explanations from Management.

Cr A McPhail queried whether the \$41,000 cost for the Audit included GST. Peter Kocian, Executive Management Corporate Services took the question on notice and advised he would check and provide a response to Audit Committee members.

The Auditors advised that moving forward some local government audits would be contracted out from the Office of Auditor General to approved consultancy firms. The Town of East Fremantle will remain in-house and will continue to be conducted by the Auditor-General's office.

Cr M McPhail raised a query in regard to the IT Policy with particular reference to Social Engineering testing. Peter Kocian, Executive Management Corporate Services took the question on notice and advised he would discuss with the Town's IT Consultants, Focus Networks and report back to Audit Committee Members.

PROCEDURAL MOTION/COMMITTEE RESOLUTION A030321**Moved Cr M McPhail, seconded Cr Watkins****That there be a change to the order of business, with item 10.5 to be discussed, to allow for discussion with the Auditors.****(CARRIED UNANIMOUSLY)**

10.5 2021 Audit Work Plan and Meeting Schedule

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	8 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The Audit Committee is requested to endorse the proposed work plan and meeting schedule for the 2021 calendar year.

Executive Summary

This report provides an overview of the local government audit framework. It also recommends an internal audit work plan, which includes items that are traditionally considered “high-risk”, with items having been identified in external audit management letters and the previous financial management review, as well as subject matter of performance audits undertaken by the Office of Auditor General. The development of an internal audit work plan is also recommended in the internal audit framework detailed in section 7 of the WA Local Government Accounting Manual.

Background

The Department of Local Government has prepared operational guidelines on audit in local government. The guidelines outline audit requirements including the establishment of an audit committee and key functions.

The Guidelines define the role of the Audit committee “to support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, internal and external audit functions and ethical accountability”.

The Guidelines also state that the Audit committee needs to form an opinion of the local governments internal audit requirements and recommend a course of action that ensures that any internal audit processes adopted are appropriate, accountable and transparent.

Legislative Audit Framework:

The *Local Government Act 1995*, *Local Government (Audit) Regulations 1996* and *Local Government (Financial Management) Regulations 1996* detail the statutory requirements with respect to audit of local government. The following reporting requirements to the audit committee are mandatory:

Item	Requirements	Legislation
External Audit Report	The Auditor is to provide a report (annually) giving an opinion on the financial position of the local government and the results of the operations of the local government. Where it is considered by the auditor appropriate to do so, the audit is to prepare a management report to accompany the auditor’s report.	Regulation 10 of the <i>Local Government (Audit) Regulations 1996</i>

Compliance Audit Return	Local Governments are required to complete a statutory compliance return (Compliance Audit Return) annually and have the return adopted by Council. The return is a checklist of a local government's compliance with the requirements of the Act and its Regulations, concentrating on areas of compliance considered 'high risk'. The audit committee is to review the Compliance Audit Return and report to the Council the results of that review.	Regulation 14 of the <i>Local Government (Audit) Regulations 1996</i>
Risk Management/Internal Controls/Legislative Framework	The CEO is to review the appropriateness and effectiveness of a local governments and procedures in relation to risk management, internal control and legislative compliance at least once every three years and report to the audit committee the results of that review.	Regulation 17 of the <i>Local Government (Audit) Regulations 1996</i>
Financial Management Review	The CEO is review the appropriateness and effectiveness of the financial management systems and procedures of the local government at least once every years and reports the results of that review.	Regulation 5 of the <i>Local Government (Financial Management) Regulations 1996</i>

External Audit Framework:

Pursuant to section 7.2 of the *Local Government Act 1995*, the accounts and annual financial report of a local government for each financial year are required to be audited. The Act and Regulations prescribe the scope of the external audit of the annual financial statements of the local government. The operational guidelines also include a minimum standard audit specification.

The critical matters for audit are:

- Revenue – rates revenue, government grants, fees and charges
- Expenditure – salaries and wages, depreciation, materials and contract expense, insurance
- Current Assets – bank and short-term assets, receivables, inventory
- Non-Current Assets – property, plant, furniture and equipment, infrastructure and depreciation
- Liabilities – creditors and accruals, loan borrowings, provision for annual and long service leave entitlements
- Reserve Funds
- Contingent Liabilities
- Capital Commitments
- Accounting Policies
- Cash Flow Statement
- Financial Ratios

On 24 August 2017, amendments to the *Local Government Act 1995* were passed by State Parliament that enables the Auditor General to audit council finances and performance. The Auditor General will take over responsibility for financial audits on a transitional basis as existing audit contracts expire.

The Town of East Fremantle has fallen under the audit remit of the Office of Auditor General from the 2018/19 financial year.

Following commencement of the new legislation, a local government cannot appoint a person to be its auditor. The Auditor General will be able to contract out some or all of the financial audits but all audits will be done under the supervision of the Auditor General.

Internal Audit Framework:

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve the effectiveness of risk management, control, and governance processes. Establishing a formal internal audit function is not a legislative requirement but the development of appropriate internal controls will enhance risk management processes. The internal audit function can either be resourced internally or contracted out.

All internal audit reports must be referred to the Audit Committee for consideration. Internal auditor's activities should typically include the following:

- Examination of financial and operating information that includes detailed testing of transactions, balances and procedures;
- A risk assessment with the intention of minimizing exposure to all forms of risk on the local government;
- A review of the efficiency and effectiveness of operations and services including non-financial controls of a local government;
- A review of compliance with management policies and directives and any other internal requirements;
- Review of the annual Compliance Audit Return;
- Assist in the CEOs biennial reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance.

The internal auditor should report functionally to the audit committee and administratively to the CEO. It should be remembered that pursuant to section 5.41 of the Act, the CEO is responsible for the day to day management of local government activities including the direction of staff and implicitly the internal audit function. The CEO may choose to delegate this responsibility.

Consultation

Chief Executive Officer
Manager Administration and Finance

Statutory Environment

The local government audit framework is governed by the *Local Government Act 1995* and Regulations including the *Local Government (Administration) Regulations 1996*, *Local Government (Audit) Regulations 1996*, *Local Government (Financial Management) Regulations 1996* and *Local Government (Functions and General) Regulations 1996*.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires a local government to give local public notice of the dates on which and the time and place at which Council and Committee Meetings are to be held in the next 12 months.

Policy Implications

Council has adopted an Internal Audit Charter, which outlines a number of objectives with respect to internal audit activities.

Financial Implications

Council has approved a budget of \$25,000 in 2020/21 for internal audit activities.

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)
Lack of resourcing to support an Internal Audit function	Possible (3)	Moderate (3)	Moderate (5-9)	Compliance	Manage by ensuring adequate budget allocation

Risk Matrix

Consequence		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

Strategic Implications

Strategic Priority 5 – Leadership and Governance

5.1 Strengthen organisational accountability and transparency

5.3 Strive for excellence in leadership and governance

Comment

The Audit Committee Terms of Reference requires the Audit Committee to meet at least three times per year, with the dates to be set each year by Council, with authority to convene additional meetings, as circumstances require.

Clause 6.7 of the Terms of Reference also requires the Audit Committee to develop a forward meeting schedule that includes the dates, location, and proposed work plan for each meeting for the forthcoming year, that cover all the responsibilities outlined. These responsibilities include:

- Risk Management
- Business Continuity
- Internal Control
- Review of Annual Financial Statements
- Internal/external performance audits

10.5 OFFICER RECOMMENDATION/ COMMITTEE RESOLUTION A040321

Moved Cr M McPhail, seconded Cr Watkins

That the Audit Committee:

1. endorse the proposed meeting dates for 2021 as follows:

Date	Time	Place
8 March 2021	6.30 pm	Council Chambers
15 July 2021	6.30 pm	Council Chambers
4 November 2021	6.30 pm	Council Chambers

2. endorse the following work plan for 2021 with items to be presented to the Audit Committee:

Date	Items
March 2021	<ul style="list-style-type: none"> - Compliance Audit Return - Strategic and Operational Risk Register - Standing Status report - Meeting with Office of Auditor General
July 2021	<ul style="list-style-type: none"> - Interim Audit Management Letter - Close out report on implementation of recommendations from the General Computer Control Audit - Review of controls pertaining to Payroll and the new Payroll Module - Review of onboarding/offboarding process for employees - Standing Status report - Strategic and Operational Risk Register
November 2021	<ul style="list-style-type: none"> - Draft Annual Financial Statements - Self-Audit against Auditor General’s Report ‘Timely Payment of Suppliers’ and recommendations - Self-Audit against Auditor General’s Report ‘Controls over Corporate Credit Cards’ and recommendations - Standing status report - Risk Based Internal Audit Plan

	- Strategic and Operational Risk Register
<p>3. recommend to Council that the Chief Executive Officer be requested to prepare a risk based internal audit plan for submission to the November 2021 Audit Committee Meeting.</p> <p>4. note that a funding request will be made to resource the risk based internal audit plan, as internal audit activities are required to be independent as detailed in Council’s Internal Audit Charter, and therefore appropriate resources need to be allocated.</p>	<p style="text-align: right;"><u>(CARRIED UNANIMOUSLY)</u></p>

NB: Cr Natale raised a query in regard to considering having an independent expertise role for a community member on the Audit Committee. Audit Committee members were in favour of the idea and asked Peter Kocian, Executive Manager Corporate Services to place the matter on the July agenda.

10.2 Compliance Audit Return 2020

Applicant	Town of East Fremantle
File ref	A/DLG1
Prepared by	Janine May, EA to CEO
Supervised by	Peter Kocian, Acting Chief Executive Officer
Date of Meeting	8 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Compliance Audit Return 2020

Purpose

To facilitate the adoption of the Compliance Audit Return 2020 for submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) by 31 March 2021.

Executive Summary

The statutory Compliance Audit Return runs on a calendar year basis and is for the period 1 January to 31 December 2020.

The statutory Compliance Audit Return has been completed by self-assessment by the Executive Assistant to the Chief Executive Officer, Executive Manager Corporate Services and Chief Executive Officer.

Background

The Compliance Audit Return is required to be:

1. reviewed by the Audit Committee,
2. presented to an Ordinary Meeting of Council,
3. adopted by Council; and
4. recorded in the minutes of the meeting at which it is adopted.

After the Compliance Audit Return (CAR) has been presented to Council, a certified copy of the return signed by the Mayor and Chief Executive Officer, along with the relevant section of the minutes and any additional information detailing the contents of the return are to be submitted to the DLGSC by 31 March 2021.

Statutory Environment

Section 7.13(i) of the *Local Government Act 1995* requires that each local government carry out a compliance audit for the period 1 January to 31 December each year.

Regulations 14 & 15 of the *Local Government (Audit) Regulations 1996* specify requirements with respect to the compliance audit.

Policy Implications

There are no policy implications.

Financial Implications

There are no financial implications.

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.

Site Inspection

N/A

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Non compliance with statutory requirements	Rare (1)	Major (4)	Low (1-4)	COMPLIANCE Short term non-compliance but with significant regulatory requirements imposed	Manage by self-assessment tools such as the Compliance Audit Return

Risk Matrix

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

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

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

Comment

The statutory Compliance Audit Return has been completed.

Council complied in almost all areas of the Return with only the two following questions requiring explanation:

Finance

Question 7 Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?

Yes. Two significant matters were reported. These were considered at the Special Council Meeting on 27 January 2021, and a report provided to the Minister as required. One of the findings has been fully addressed whilst the other finding relates to an adverse trend in the Town's Operating Surplus Ratio.

Tenders for Providing Goods and Services

Question 2 Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000?

No. The Office of Auditor General identified instances where the requisite number of quotations were not obtained for purchases between the value of \$5,000 and \$20,000.

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

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

A procurement review of all purchases over \$5k, for the period 1 July 2019 to 22 May 2020, for assessment of compliance against Council's Purchasing Policy was presented to the Audit Committee Meeting of 29 June 2020. Of 111 purchase orders reviewed, 97 were deemed compliant with the Purchasing Policy. Staff education and constructive reinforcement of purchasing requirements has been implemented.

10.2 OFFICER RECOMMENDATION/ COMMITTEE RESOLUTION A050321

Moved Cr A McPhail, seconded Mayor O'Neill

That the Audit Committee endorse the submission of the 2020 Compliance Audit Return to Council for adoption. (CARRIED UNANIMOUSLY)

It was determined that the response to question 8 under Tenders for Providing Goods and Services is to be changed from a 'no' to a 'yes' as the Town complied with the first 2 parts of the question, but

failed to publish the tender register on the website. This will be annotated in the Compliance Audit Return to Council. The Tender Register has since been published on the website.

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

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	8 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Status Report

Purpose

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

Executive Summary

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

Background

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

Risk Management:

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

Internal Control Systems:

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

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

Legislative Compliance:

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

Consultation

Chief Executive Officer

Manager Finance and Administration

Statutory Environment

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

Policy Implications

There are no Council Policies relevant to this item.

Financial Implications

There are no financial implications relevant to this item.

Risk Implications

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

Risk Matrix

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

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

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

Strategic Implications

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

Comment

The status sheet has been updated accordingly.

The following summary of completion is provided:

Risk Category	No. Issues	Completed	Underway	Not Commenced
High	21	16	4	1
Medium	38	29	6	3
Low	11	9	1	1
	70	54	11	5

10.3 OFFICER RECOMMENDATION/ COMMITTEE RESOLUTION A060321

Moved Mayor O’Neill, seconded Cr Watkins

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

(CARRIED UNANIMOUSLY)

10.4 Operational and Strategic Risk Registers

File ref	F/AUD1
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	8 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Operational Risk Register 2. Strategic Risk Register

Purpose

It is recommended that the Audit Committee receive the attached Operational and Strategic Risk Register.

Executive Summary

The Town's most recent Financial Management Review identified the requirement for a comprehensive Risk Register to be developed and presented to the Audit Committee as a standing item. This project has now been completed, with an Operational Risk Register and Strategic Risk Register appended to this report.

Background

Operational Risk Register

A report providing background to the Town's Risk Management Governance Framework was considered by the Audit Committee at its meeting of 7 November 2019. A risk assessment tool has since been adopted by Council, and features in all Council agenda items. Any item with a risk rating over 16 is required to be included in the attached Operational Risk Register.

The 2019 General Computer Control (GCC) Audit also included a finding that *"a register to track and record the Town's information risks does not exist"*. An Information Systems risk profile has now been incorporated into the Operational Risk Register and includes all findings from the GCC Audit.

Strategic Risk Register

Local Government Insurance Services (Risk Management Team) was engaged to assist the Town to identify potential strategic risks, facilitate the assessment and development of mitigation activities for prioritised strategic risks, and to provide a documented format for the ongoing management and reporting of strategic risks.

The above project work has resulted in the development of a Strategic Risk Dashboard Report (see attached Strategic Risk Register). Five key strategic risks have been identified by the Executive Team:

- Waste Recycling
- Inadequate provision of facilities or services
- East Fremantle Oval Precinct Project
- Strategic Planning
- Stakeholder Engagement

The inherent risk (risk prior to implementation of any controls) is considered to be high or extreme for all of the aforementioned. A number of actions and timeframes have been attached to each of the Strategic Risks, the status of which will be reported to the Audit Committee on a reoccurring basis.

Consultation

Executive Team

Statutory Environment

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

Policy Implications

Council has adopted Policy 2.2.4 Risk Management.

Financial Implications

There are no financial implications relevant to this item.

Strategic Implications

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

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)
A major function of the Audit Committee is to oversee the treatment/management of extreme risks. Failure to do so may result in adverse consequences.	Unlikely (2)	Major (4)	Moderate (5-9)	SERVICE INTERRUPTION Prolonged interruption of services - additional resources; performance affected < 1 month	Manage by actively monitoring

Risk Matrix

Consequence		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	8
Does this item need to be added to the Town’s Risk Register	No
Is a Risk Treatment Plan Required	No

Comment

The Dashboard reports from the Risk Registers identify a number of actions to be completed within the next 12-months. The Committee’s attention is drawn to these items and any queries/concerns/prioritised actions will be documented in the minutes from this meeting and reported against by staff at the next meeting.

10.4 OFFICER RECOMMENDATION/ COMMITTEE RESOLUTION A070321

Moved Cr M McPhail, seconded Cr A McPhail

That the Audit Committee receives the Operational Risk Register and Strategic Risk Register as appended to this report and note that the current actions and timeframes contained within this document will be reviewed by the Committee on a reoccurring basis.

(CARRIED UNANIMOUSLY)

NB: Cr M McPhail suggested the following:

1. that the Stakeholder Engagement Plan needs to be added as a treatment to the Stakeholder Engagement Strategic Risk Dashboard.
2. That the risk profile for Asset Sustainability Practices be updated to capture legacy issues with aged assets such as the Town’s drainage infrastructure.
3. That the Cyber Crime risk profile be updated to include an action to roll out staff training on social engineering and cyber risks.

11. MATTERS BEHIND CLOSED DOORS

Nil.

12. CLOSURE OF MEETING

Meeting closed at 7.45pm.

*I hereby certify that the Minutes of the ordinary meeting of the **Audit Committee** of the Town of East Fremantle, held on **8 March 2021**, Minute Book reference **1. to 12.** were confirmed at the meeting of the Council on*

.....

Presiding Member

**ATTACHMENTS TO AUDIT COMMITTEE MEETING MINUTES****8 March 2021**

Minute No	Subject
10.2	East Fremantle – Compliance Audit
10.3	Consolidated Status Report
10.4	Operational Risk Register
10.4	Strategic Risk Register

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A		Peter Kocian
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Peter Kocian
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Peter Kocian
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Peter Kocian
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Delegation of Power/Duty						
No	Reference	Question	Response	Comments	Respondent	
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes		Janine May	
2	s5.16	Were all delegations to committees in writing?	Yes		Janine May	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Yes		Janine May	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Janine May	
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes		Janine May	
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Janine May	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Janine May	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Janine May	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Janine May	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Janine May	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Janine May	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Janine May	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Janine May	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Janine May
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Janine May
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	N/A		Janine May
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Janine May
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Janine May
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Janine May
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Janine May
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Janine May
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Janine May
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Janine May
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Janine May
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Janine May
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Janine May
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Janine May
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Janine May
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Janine May
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Janine May
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Janine May
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Janine May
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Peter Kocian
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Janine May
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A		Janine May
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Finance						
No	Reference	Question	Response	Comments	Respondent	
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Peter Kocian	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	The Audit Committee has no delegated authority	Peter Kocian	
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	N/A	The Town falls under the remit of the Office of Auditor General	Peter Kocian	
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	N/A	The Town falls under the remit of the Office of Auditor General	Peter Kocian	
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes	received 22 December 2020	Peter Kocian	
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A		Peter Kocian	
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	Yes	2 significant matters were reported. These were considered at a Special Council Meeting on the 27 January 2021, and a report provided to the Minister as required. One of the findings has been fully addressed whilst the other finding relates to an adverse trend in the Town's Operating Surplus Ratio.	Janine May	
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes	emailed to the Department on the 4 February 2021	Peter Kocian	
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes	published on the website on the 5 February 2021	Peter Kocian	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	N/A	The Town falls under the remit of the Office of Auditor General	Peter Kocian
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes	received 22 December 2020	Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	8 December 2020	Peter Kocian
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Annual review 30/06/2020	Peter Kocian
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Janine May
2	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Janine May
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Janine May
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Janine May
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Janine May
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Janine May
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Janine May
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2)?	Yes		Janine May
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	18 February 2020	Peter Kocian
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes	18 February 2020	Peter Kocian
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	Yes		Janine May
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	Yes		Janine May
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes		Janine May
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes		Janine May
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Janine May
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes		Janine May
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes		Janine May

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

East Fremantle - Compliance Audit Return 2020

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Peter Kocian
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	No	The Office of Auditor General identified instances where the requisite number of quotations were not obtained for purchases between the value of \$5k and \$20k	Peter Kocian
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Peter Kocian
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Peter Kocian
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Peter Kocian
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Peter Kocian
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Peter Kocian
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	No	The Tender Register was not published on the website during 2020. It has since been published	Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Peter Kocian
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Peter Kocian
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Peter Kocian
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A	No expressions of Interest invited	Peter Kocian
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Peter Kocian
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A		Peter Kocian
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A		Peter Kocian
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Peter Kocian
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	The Town did not source procurement via a panel of pre qualified suppliers	Peter Kocian
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Peter Kocian
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Peter Kocian

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Peter Kocian
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Peter Kocian
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Peter Kocian
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Peter Kocian
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Peter Kocian

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of Initial Risk Identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal)	Likelihood	Strategic Consequences	Operational Consequences	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
1	A Business Continuity Plan was developed in 2017 and updated in May 2019, with an initial test of the plan scheduled to occur shortly after our review.	Failure to adequately manage a business disruption event.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Major	High	Prioritised action required	Ensure results from the testing of the Business Continuity Plan are documented and reported to consider key business continuity risks along with the treatments, to reduce the risk to an acceptable level.	Office of CEO	Business Continuity Plan has been tested in a workshop facilitated by LGIS. BCP has been updated with recommendations from this workshop. Completed.
2	Checklists of key functions are maintained for selected functions. Checklists were not maintained and evidenced for all standard routine functions such as end of month reconciliations and reporting across the organisation. It was noted some staff have commenced with the creation of checklists and procedures.	Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Moderate	High	Prioritised action required	Creation and maintenance of standard checklists may assist in evidencing key points of control and serve as a reminder. Checklists assist in ensuring compliance with repetitive legislative compliance tasks. Staff are encouraged to continue with the development of checklists and procedures for routine functions, including evidencing independent review.	Corporate Services	An end of month checklist for all financial processes has been implemented. The end of month audit file is prepared by the Manager Finance and Administration and signed off by the Executive Manager Corporate Services. A statutory corporate calendar has also been prepared indicating key compliance dates.
3	Deposits recorded through the Trust Fund are deposited through the municipal bank account and transferred electronically the day after the funds appear in the municipal bank account. Regulations 8 & 10 of the Local Government (Financial Management) Regulations 1996 requires money received to be deposited into the established account where it is required to be held.	Lack of probity. Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Minor	Minor	Medium	Planned action required	Deposit funds required to be held in the Trust Fund directly into the Trust bank account established to account those funds.	Corporate Services	Daily receipting and bank deposit procedure to be reviewed. It is not practical to receipt occasional bonds to the trust fund. Periodic transfers are completed to transfer receipts between the municipal fund and the trust fund.
4	Through limited testing of payments, an instance was noted where a purchase order did not pre-date the invoice.	Lack of probity. Fraud risk	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Likely	Moderate	Major	High	Prioritised action required	All procurement of goods or services should be undertaken in accordance with legislative requirements and the Purchasing Policy. Any instances where a purchase pre-dates a purchase order should be documented, reviewed and authorised to demonstrate controls have been developed to comply and ensure the purchasing policy has been adhered to.	Corporate Services	A payment requisition form has been implemented to authorise payments in instances where a purchase order has not been released.
5	Documented procedures are not in place to require declarations of interest and confidentiality to be signed prior to assessments being undertaken for tenders.	Lack of probity. Fraud risk. Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Likely	Major	Major	High	Prioritised action required	To help ensure probity and fairness when assessing tenders, procedures for the process to be undertaken in assessing tenders should be followed and documented with at least three persons assessing the tender independently of each other. Persons assessing any significant procurement should be required to declare any matters which may impact or be perceived to impact on their independence.	Office of CEO	Completed. A Declaration of Interest form has been implemented by the Office of CEO. A tender evaluation report is completed for all tenders and provided to the CEO for approval.
6	Documented procedures are not in place to require declarations of interest and confidentiality to be signed prior to assessments being undertaken for high value purchases.	Lack of probity. Fraud risk	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Likely	Major	Major	High	Prioritised action required	Procedures for the declaration of interests prior to procurement assessments being undertaken should also be documented for high value purchases and tenders.	Office of CEO	Completed. A Declaration of Interest form has been implemented by the Office of CEO.
7	Petty cash is kept in a locked box, which is stored in an unlocked cupboard throughout the day when the administration office is open to the public.	Lack of probity. Fraud risk. Breakdown of internal control. Financial loss.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Minor	Minor	High	Prioritised action required	Ensure petty cash is stored in a secure location, such as the strong room or safe.	Corporate Services	Petty cash tin to be relocated to the safe. Completed.
8	We noted an explanation of material variances was not included in the documents supporting the statement of financial activity as required by regulation 34(2)(b) of the Local Government (Financial Management) Regulations 1996. This occurred for the monthly statement of financial activity for the periods ended 31 July 2018, 31 August 2018, 30 September 2018 and 30 June 2019. We observed the monthly statement of financial activity for the period ended 30 June 2019 presented to Council was not in the same format as other monthly statements and did not contain the following items required by regulation 34 (1) & (2) of the Local Government (Financial Management) Regulations 1996: • YTD budget column; • Note explaining the composition of net current assets; and • explanation of material variances.	Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Moderate	High	Prioritised action required	Ensure the monthly statement of financial activity contains all items required by legislation.	Corporate Services	Completed. Material variances are being reported at Program Level. Variances will also be reported at nature and type level.
9	We did not observe any formal procedures relating to the routine monitoring of and clearance of outstanding purchase orders. Reports are produced during end of month processing, however the reports are for noting only. We observed at one month end, purchase orders to the value of approximately \$1.3m remained outstanding (some of which had been issued nearly twelve months earlier) with limited information available to document their status.	Lack of probity. Fraud risk	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Likely	Major	Major	High	Prioritised action required	Update procedures to include review of the status of outstanding purchase orders as part of end of month processes. Ensure any controls developed are routinely and consistently applied.	Corporate Services	An open purchase report is auto generated and emailed to Responsible Officer's (Ros) monthly. The Senior Finance Officer schedules monthly meetings with RO's to review these reports and close any completed purchase orders. The Open PO Report has been amended to include the amount invoiced. Completed.
10	Limited review of changes made to employee details and parameters is currently undertaken when each payroll is processed.	Lack of probity. Internal control or compliance breach. Financial loss.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Moderate	High	Prioritised action required	Procedures to minimise risk of unauthorised changes to employee details should be implemented. Regular reviews of software audit trails is one form of control and should be undertaken as a minimum. Where possible, segregation of duties should exist where employees responsible for processing payroll transactions are unable to make changes to employee banking details.	Corporate Services	The appointment of a new employee is created through the human resources process. Once appointed the relevant documentation for data entry into the Payroll System is provided by the Human Resources Coordinator to the Finance Officer. The Finance Officer then creates the new employee in the Payroll System. The documentation is then given to the Manager Finance and Administration for review. This is standard practice. To show evidence in support of our standard practice a "New / Update Employee Details" form has been created, which will be prepared by the Finance Officer and Reviewed by the Manager Finance and Administration. The implementation of this form will provide evidence that changes to the Employee Master File are properly authorised. The form will be filed in the employee's personnel file.
11				FMR/Audit Reg 17 Review - December 2019								A "Bank Audit Update Report" has also been created for Payroll. This report is automatically generated on a fortnightly basis on payroll week. The report is automatically emailed to the Finance Officer, the Manager Finance and Administration, and the Executive Manager Corporate Service. This report is reviewed by the Manager Finance and Administration when reviewing payroll. Going forward we will implement the process of keeping this report with the fortnightly payroll file.

Audit Finding	Risk Assessment Category	Risk Identified	Date of Initial Risk Identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal)	Likelihood	Strategic Consequences	Operational Consequences	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
12		Lack of probity. Internal control or compliance breach. Financial loss.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Moderate	High	Prioritised action required	A full review of procedures and controls is required to determine practical procedures, documentation and controls for the accurate processing of payroll each fortnight. Details for each employee should be reviewed against individual employment contracts to capture allowances, deductions, entitlements etc, into a master list, with appropriate review and authorisation for accuracy. Payroll exception reporting and review of audit trails should be undertaken to capture anomalies or unauthorised changes.	Corporate Services	The Senior Finance Officer verifies all time sheet details against an employee master list. A payroll exception report is completed as part of a payroll process and is reviewed by the Executive Manager Corporate Services. The employee master list is to be updated to ensure that it captures all allowances and deductions.
13		Review and Implement Disaster Recovery Plan	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Major	High	Prioritised action required	The 2016 Disaster Recovery Plan has been updated and was provided to the Audit Committee July 2019.	Corporate Services	Completed. DAG have completed a Capability Maturity Assessment and the Town's business continuity and disaster recovery plan achieved the benchmark rating of 3 (being defined).
14		Quotations - minimum number not obtained	1/12/2019	2019 Audit Management Letter	Possible	Major	Major	High	Prioritised action required	We acknowledged that in the procurement testing, evidence of quotations were not able to be located. In order to improve our compliance with our purchasing policy a new purchasing requisition system has been implemented which will allow staff members to attach evidence of quotes. The officer authorising a purchase requisition will need to ensure that evidence of quotations are attached.	Corporate Services	The approved Audit Work Plan includes an audit of all requisitions over \$5k to assess compliance with the minimum number of quotations. This project has been finalised and was presented to the June 20 Audit Committee meeting.
15		Changes to Supplier Master File	1/12/2019	2019 Audit Management Letter	Possible	Significant	Major	High	Prioritised action required	"New/update creditor details form" to be completed by the supplier and entered into the Supplier Master File by the Finance Officer, which is then reviewed by the Manager Finance & Administration, then approved by Exec Manager Corporate & Community Services. Finance Officer also checks the Supplier Details to the ABN lookup to ensure correct ABN provided. Creation of a "Bank Audit Update Report" for suppliers. Automatic report generated fortnightly to verify suppliers who have been paid and their details.	Corporate Services	Ongoing. New/update creditors form has been implemented for all changes to the supplier master file. An ABN and ASIC search is undertaken on all new suppliers.
16		No formal process exists to monitor fuel stock allocated to portable gardening equipment. Fuel is recorded as it is allocated and reviewed for reasonableness by management each month.	1/12/2019	2019 Audit Management Letter	Likely	Minor	Insignificant	Low	Planned action required	Develop and implement procedures for the monitoring of fuel stock on hand in an effort to improve opportunities to detect any issues or potential misuse with fuel allocations.	Corporate Services	This item is considered immaterial given the negligible expenditure on fuel for sundry plant. No further action deemed necessary.
17		One corporate credit card is held in the Petty Cash Box and utilised by multiple staff. Whilst authorisation is required from the card holder prior to use of credit cards, they should only be held by the person named on the card.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Minor	Minor	Low	Planned action required	Credit cards should physically be maintained by the person in whose name they are issued, and credit card details should not be shared with other staff.	Corporate Services	The Credit Card has been returned to the Executive Manager Corporate Services.
18		Through our limited testing of credit card transactions against documented procedures and controls, we noted an instance where the monthly credit card acquittal form had not been signed by the cardholder.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Minor	Minor	Low	Planned action required	Ensure processes exist to maintain adherence to and detect any deviation from established documented procedures and controls.	Corporate Services	All statements are signed by the cardholder and witnessed either by the EMCS or MFAS. Completed
19		Archives Records Management	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Rare	Minor	Moderate	Low	Planned action required	A proposal has been received for the archiving of basement records, and a tender prepared for the digitisation of planning/building records.	Corporate Services	All records located in the Town Hall Basement and Old Police Station have been relocated off-site to Grace. An on demand scanning service has been implemented for the digitisation of planning and building records.
20		That Council take necessary actions to improve its financial ratios, namely the Operating Surplus Ratio and Asset Sustainability Ratio	1/12/2019	2019 Audit Management Letter	Unlikely	Minor	Moderate	Low	Planned action required	The Long Term Financial Plan includes ratio projections over 15 years. Depreciation expense will reduce significantly in 19/20 leading to an improvement in ratios.	Corporate Services	Council adopted a 15-year Strategic Resource Plan (combined asset management and long term financial plan) at its ordinary meeting of May 2019. Section 5.11 of this document discusses the forecast operating ratios from 2019-2034. The Operating Surplus Ratio is not projected to meet the Department's standard of 1.00% until the 2028-29 financial year. Council is aware of this, with the following comment provided in the agenda report of May 2019:
21												Council has a legislative requirement to comply with the principles of sound financial management, of which a key component is the preparation of a Long Term Financial Plan. The Office of Auditor General is also required to undertake a performance audit of adverse financial trends in the financial position or the financial management practices of the local government. This will be limited a high level assessment of whether the 7 financial ratios reported in the notes to the financial report achieved the standards set by the Department of Local Government, Sport and Cultural Industries. Council therefore needs to be cognizant of the ratio analysis included in the Forecast Financial Statements as 3 of the ratios are below benchmark.
22												A number of assumptions underpin the Strategic Resource Plan, including a 3% annual rate increase. Every endeavour will be made to ensure operating revenue grows at a faster rate than operating expenditure in order to achieve an improved Operating Surplus Ratio. A review of depreciation expense (and underlying valuation methodology) in 2019/20 may also result in a favourable improvement to this ratio.
23		Cash count - lack of segregation of duties	1/12/2019	2019 Audit Management Letter	Possible	Insignificant	Minor	Low	Planned action required	One of the Customer Service Officers will do an initial cash count at end of day and then a member of the Finance team will re-count the cash takings for the day. Two officers to sign the "Daily Receiving Bank Deposit Listing" and the "Daily Settlement Checklist" reports, one of which will be a member of the Finance team.	Corporate Services	Completed

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of Initial Risk Identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal)	Likelihood	Strategic Consequences	Operational Consequences	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
24	Verification of manual signatures		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Minor	Minor	Low	Planned action required	Implement a register of signatures of all employees, showing their position, name and purchasing authority (if applicable.) - Y:\Corporate and Community\Employee Signature Register	Corporate Services	Completed
25	Absence of a risk-based internal audit plan		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Minor	Moderate	Low	Planned action required	We will raise the absence of a risk-based internal audit plan with the Audit Committee and plan to recommend the appointment of Risk Management/Internal Audit Consultant to ensure that there is a risk-based internal audit plan implemented.	Office of CEO	An internal audit charter has been adopted by the Audit Committee. An annual work plan is endorsed by the Audit Committee at the beginning of each calendar year. This register is in fact a risk based internal audit plan.
26	Section 2 Conflicts and Disclosure of Interest and 3.4 Gifts of the current Code of Conduct do not reflect all disclosure requirements under of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996. In its current form, the Code of Conduct could confuse elected members and employees as to their disclosure obligations.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Review the section of the Code of Conduct relating to disclosure requirements for gifts to highlight these need to be made in accordance with legislation. Suggest the Code of Conduct does not restate legislative requirements. Where legislative requirements are unclear or there is a desire for greater requirements, suggest this be covered by relevant policies, given the complexities involved in re-working the Code of Conduct to maintain currency when changes are made to legislation.	Office of CEO	An attendance at events policy has been adopted by council which refers to gift disclosure requirements. The annual review of Council's Policy Register is scheduled for September 2020. The Code of Conduct will be reviewed prior to that time. Completed
27	Contractors and volunteers are not bound by the Code of Conduct when performing functions on behalf of the Town.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Expand the scope of the Code of Conduct to include actions by volunteers and contractors. Alternatively, a separate Code of Conduct be developed for volunteers and contractors.	Office of CEO	This finding has been noted and this requirement will be incorporated into the next review of the Code of Conduct (prior to September 2020). Completed.
28	Elected members, committees, contractors and volunteers are not required to sign the Code of Conduct acknowledging they have read and understand the requirements within.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Update the Code of Conduct as well as induction procedures to ensure elected members, committees, staff, contractors and volunteers sign their acknowledgement that they understand the content of the document.	Office of CEO	This finding has been noted and this requirement will be incorporated into the next review of the Code of Conduct (prior to September 2020). Completed.
29	The Policy provides limited direction in relation to contract variations and extensions of contracts awarded or against a written specification not awarded by tender. Extension of contracts and associated price changes are also not covered by the Policy. For contracts awarded by tender, legislation provides minimum requirements.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Amend the Policy to provide the following: - Prohibit price variations to existing contracts awarded by tender other than those provided within the original contract, as required by Local Government (Functions and General) Regulations 1996 Regulation 11(2) (j) (iv). - Purchasing requirements for the issuing of contract variations and extensions for contracts not awarded by public tender. Consideration should be given to circumstances where the contract value increase over a policy threshold level, due to the variation or extension.	Office of CEO	The purchasing policy was updated and approved by Council. A delegation was also provided to the CEO and Executive Managers to approve price variations provided that they are within delegation limits, and that the price variation is required to enable goods and services to be provided without changing the scope of the original project. A Contract Variation Policy has also been prepared and adopted. Completed.
30	Purchasing requirements for procurement of goods or services in accordance with the exemptions under Local Government (Functions and General) Regulations 1996 Regulation 11(2), above \$150,000 are not included within the Policy. The CEO is required to ensure controls exist for all purchases including those made using these exemptions. It is noted the practice of testing the market through sourcing multiple quotations when using the exemptions is sometimes occurring, and the policy should be updated to reflect the expectation and requirement.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Insert purchasing requirements for procurement of goods or services made under the exemptions under Local Government (Functions and General) Regulations 1996 Regulation 11(2).	Office of CEO	Completed. Purchasing Policy has been updated.
31	Risk management activities currently undertaken are not consistently documented, with existing procedures based on a superseded risk management standard.	Lack of strategic direction for risk management procedures.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Minor	Moderate	Medium	Planned action required	Risk management procedures be updated, and a process developed in accordance with any update to the risk management policy.	Corporate Services	Risks are categorised as either operational risk, project risk or strategic risks. The Town has implemented a project plan template which considers project risk. The Town has prepared a Strategic Risk Register which is presented to the Audit Committee on a periodic basis. The Town has adopted a risk assessment tool which is incorporated into all council and committee agenda items.
32	A risk register to reflect identified risks, and if they have been adequately treated exists, however the register is not widely available to staff and has not been regularly updated.	Breakdown of internal controls.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Minor	Moderate	Medium	Planned action required	Maintaining risk registers for all identified risks is important to help ensure appropriate recording and communication of high rated risks, along with providing a record to enable the verification of whether treatment plans have appropriately reduced the risk. Routine (at least quarterly) review of the risk register is required to assist in ensuring identified risks are adequately treated. Presented to July 2019 Audit Committee Meeting	Office of CEO	Completed. The Operational Risk Register is to be presented to the Executive Group on a quarterly basis for review.
33	Inspection of the register noted it was not compliant with some requirements of the Local Government (Functions and General) Regulations 1996. The value of the consideration being sought by tenderers is recorded within the register, contrary to Regulation 16(3)(c) of the Local Government (Functions and General) Regulations 1996.	Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Moderate	Medium	Planned action required	Ensure the tender register complies with Regulation 16 & 17 of the Local Government (Functions and General) Regulations 1996 for future tenders called.	Office of CEO	There is no requirement to record the tender prices in the Tender Register at the time of opening. The Tender register has been updated accordingly
34	Several delegations within the register include a delegation to the Principal/Building Surveyor. The individual currently performing these duties is a contractor, and not an employee of Council, therefore cannot be delegated authority under the Building Act 2011.	Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Major	Major	Medium	Planned action required	Review and amend delegations relating to the Building Act 2011 to remove sub delegation to contract Principal/Building Surveyor, ensuring delegation remains with appropriately authorised officer of Council.	Regulatory Services	Procedure altered to ensure that Executive Manager of Regulatory Services authorises all approvals under Building Act 2011.
35	We noted the register of gifts contains record of disclosures made under the former provision of the Local Government Act 1995 (sections 5.82 & 5.83) and are published on the Town's website as required. We did not observe a register of gifts in the prescribed form as required.	Lack of probity. Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Establish a register of gifts in the prescribed form and publish on the Town's official website as required.	Office of CEO	Register of Gifts in prescribed form as required now on website.

Town of East Fremantle - Risk Assessment

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of Initial Risk Identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal)	Likelihood	Strategic Consequences	Operational Consequences	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
36	A notifiable gifts register was not available for our inspection or published on the Town's website as required by regulation 34B(5) of the Local Government (Administration) Regulations 1996.	Breakdown of internal control. Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Moderate	Moderate	Medium	Planned action required	Maintain a register to record details of notifications given in relation to gifts as required by regulation 34B(5) of the Local Government (Administration) Regulations 1996, and publish on the Town's official website as required.	Office of CEO	Notifiable Gifts Register as required by regulation 34B(5) now on website
37	The current register of financial interests contains returns for an individual who has ceased to be a relevant person. These returns are required to be removed and retained in a register of non-current returns for a period of five years as required section 5.88(4) of the Local Government Act 1995.	Breakdown of internal control. Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Moderate	Moderate	Medium	Planned action required	Review filing of returns and disclosures from individuals who have ceased to be relevant persons of the organisation, to ensure records are maintained as required under the provisions of the Local Government Act 1995.	Office of CEO	A process has been put in place to ensure returns for relevant staff who have ceased employment with the Town are removed promptly and placed in a register of non-current returns for a period of five years.
38	Currently, no internal auditors have been appointed, and limited internal audit functions have been undertaken in accordance with policy 2.2.5 Internal Audit Charter.	Internal and compliance risks not identified.	1/12/2019	2019 Audit Management Letter	Possible	Moderate	Moderate	Medium	Planned action required	We suggest as the level of documented procedures increases, an expanded internal audit function to confirm adherence to documented policies and procedures may be required as recommended by the OAG in their report to parliament on the Audit of Local Government.	Corporate Services	The Town does not have available budget to appoint an internal auditor. An annual audit work plan is determined by the Audit Committee and implemented by staff. Council has approved an indicative budget of \$25,000 for internal audit work in the 2020/21 financial year.
39	Develop Annual Playground Inspection Program		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Moderate	Moderate	Medium	Planned action required	Playground Inspection Audit undertaken 8th May 2019, resulting in a 10 year replacement/maintenance program has been developed and incorporated in the long term financial plan	Operations	Completed. The 10 year replacement program has been incorporated into the long-term financial plan.
40	That staff leave accruals be managed to reduce liability		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Moderate	Moderate	Medium	Planned action required	Monthly leave accrual reports are being distributed to Managers. Leave management plans are being developed for staff with excessive leave balances.	Corporate Services	Managers are liaising with those staff that have excessive leave liabilities to schedule leave in the next 12 months. However, as the Town has a relatively small staff profile additional budget is required to fund relief cover.
41	Supplier Master File - redundant records		1/12/2019	2019 Audit Management Letter	Unlikely	Moderate	Moderate	Medium	Planned action required	Engage IT Vision to review the Supplier Master File and categorise all inactive creditors	Corporate Services	Completed. All suppliers with no trading history over the last two years have been flagged as inactive.
42	Policy and procedure manual not reviewed		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	We acknowledge that the review of the Policy and Procedures Manual was not completed by 30th June 2019.	Office of CEO	Completed - Business units are consolidating all procedures into a central location (EFFIE)
43	We noted limited controls in relation to the access to IT systems including physical access to hardware. Some levels of permissions have been established to network access to software and data, however the level of documentation to support these restrictions is varied across the organisation.	Loss of IT System. Internal control.	1/12/2019	2019 GCC Audit	Possible	Major	Major	High	Prioritised action required	Undertake a comprehensive IT security review, articulate current practices and implement findings of the review.	Corporate Services	1. A review of user access has been completed and new permissions implemented. Screen shots of all changes have been provided to the Office of Auditor General. 2. New user groups have been established to inform access levels. The 'New User' IT form includes a check box to assign permission levels within Synergy Soft.
44	End of month processes exist in the form of a month end audit file, and from staff representations are routinely performed, however we noted for the months July 2019 to October 2019, evidence of the review of supporting reconciliations by an authorised officer independent of their preparation was not available.	Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Moderate	High	Prioritised action required	Review of reports prepared each month is a useful mechanism to detect and rectify errors or anomalies which may exist. It also provides an opportunity to ensure staff are performing and reporting duties as required. Management are strongly encouraged to adhere to documented checklists and procedures to demonstrate appropriate controls and reviews are in place with monthly reporting and procedures.	Corporate Services	Completed. Preparation and review completed of all end of month audit files. Rec's to be review for the new financial year.
45	HR Security	Risk that inappropriate individuals may be appointed to privileged and trusted positions	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	All Human Resource Policies and Procedures will be reviewed by early 2020, including pre employment checks as part of the Recruitment procedure. The Town will develop a formal employment exit procedure, which will include IT off boarding.	Office of CEO	Completed
46	Access Management	Increased risk of inappropriate or unauthorised access to the Town's IT systems and information	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	The scope of the existing New User Account form will be expanded to include several new areas: - Account expiry date to allow for automatic account disablement - Date of Birth for account verification during password resets etc - Remove the option to copy existing account details Password controls will be reviewed and audited to ensure the limited use of "Password Never Expires" is reduced to a minimum. The account creation procedure will be modified to ensure generic passwords are not provided during initial logon. In addition, new users will be required to call support in order to set their initial password and login details.	Corporate Services	Completed.
47	Management of Removable Media	Increased risk to the Town's information and IT systems. Information copied to removable media devices may be lost, stolen or inappropriately disclosed.	1/12/2019	2019 GCC Audit	Likely	Moderate	Moderate	Medium	Planned action required	The existing anti-virus platform will be configured to restrict USB mass storage devices to approved devices only. Existing drives currently in use will be removed from use and marked for destruction. New USB mass storage drives which support hardware based encryption will be implemented. Windows Group Policy will be configured to file and folder auditing on HR, Finance and Executive drives. The Town will implement a register of authorised USB devices which can be either permanently assigned to specific users or signed out on an ad-hoc basis	Corporate Services	The pilot program for USB mass storage device security was successful and the implementation of encrypted USB thumb drives was completed on Friday 18th September. Focus has reviewed DataLocker audit logs and USB enforcement logs to ensure that this is working as designed.
48	Maintenance of Smoke Alarms	Without adequate servicing and testing of the smoke alarms, there is an increased risk that they may not function appropriately. This may represent a health and safety risk	1/12/2019	2019 GCC Audit	Likely	Moderate	Moderate	Medium	Planned action required	An electrical contractor will be engaged to include this on an annual maintenance schedule along with Emergency Exit lighting and RCD testing	Operations	This has been incorporated into the Annual Town Hall Maintenance Building Program

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49	Logging and Monitoring	Increased risk that the Town will not be able to detect any unauthorised access or malicious activity	1/12/2019	2019 GCC Audit	Likely	Moderate	Moderate	Medium	Planned action required		Corporate Services	The off premise retention of Active Director Security Logs has initially been expanded to 30 days whilst a conversation is had with the vendor to determine the impact of long term retention. The option of creating dedicated log volumes on domain controllers to provided additional long term logging based on a specific size will also be reviewed. A task will be created to perform a regular review of relevant Task Categories and event ID's with AD Security Logs.
50	Management of Technical Vulnerabilities	Without an effective process for identifying, assessing and addressing relevant 'known' vulnerabilities within a timely manner, there is an increased risk that IT systems are not adequately protected against potential threats	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	Additional reporting from the current Remote Monitoring and Management (RMM) tool will be utilised to more effectively review missing and out of date patches / feature releases and vulnerabilities. Period scans using a third party dedicated auditing tool will be run on a six monthly basis.	Corporate Services	The IT Service Provider initially implemented an alternative vendor solution and has now transitioned to a more feature rich product (Nessus Professional). This is aiding the Service Provider in identifying and resolving existing vulnerabilities and removing End of Life products from the environment.
51	The Trust Fund currently includes several bonds and contributions.	Lack of probity. Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Major	High	Prioritised action required	Remove all funds which are not required by law to be held in the Trust Fund, and transfer to the Municipal Fund, in line with the Office of the Auditor General (OAG) position paper on Accounting for Work Bonds, Building Bonds and Hire Bonds released in July 2019.	Corporate Services	A review of all trust payees has occurred. Working bonds and deposits have been transferred to the balance sheet. Unclaimed monies have been remitted to State Treasury. Completed.
52	Network Device Management	Risk that: - Individuals will not be accountable for any unauthorised or unintentional modifications to the system - Unauthorised access to the system could occur - Malicious traffic may not be detected and prevented - Suitable evidence to support any forensic or internal investigations may not be available User credentials may be intercepted and used to gain access to the Town's IT systems and information	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	The current remote management port will be locked down to only allow access to two specified static addresses for improved security. The current use of Telnet and HTTP to manage network switches will be removed and only HTTPS and SSH will be enabled by default. In addition, network switches will be configured with port security to identify and restrict the use of non-managed switches. Firewall reporting data retention (Syslog data) will be increased initially to 90 days to increase the ability to investigate and respond to security incidents. The manufacturer (SonicWALL) will be consulted for best practice on additional log retention.	Corporate Services	The IT Service Provider has now improved the scheduled firewall audit to include an additional scope specific to DMZ rules. The IT Service Provider will implement named administrator accounts for Systems Staff only, leaving general support staff with read only access for all network firewalls. The existing administration account will be left in place with a long complex password for emergency use only. Completed.
53	Update Lease Register		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Minor	Moderate	Low	Planned action required	A number of leases remain outstanding. Draft leases have been provided to the Soccer club, Sea Scouts & Rowing Club.	Corporate Services	The master Lease Register has been updated. Certificates of Title and Management Orders have been placed on file. Deeds of variation to leases have been prepared for Lease Fee waivers and are to be presented to the June Council Meeting.
54	The current Policy is based on a superseded Risk Management Standard.	Lack of strategic direction for risk management procedures.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Minor	Moderate	Medium	Planned action required	When next undertaking a review of the Policy, update the Policy to align to the current Risk Management Standard ISO 31000:2018.	Corporate Services	Updated Policy presented to December 2020 Council Meeting.
55	The current policy refers to a superseded Risk Management Standard.	Internal and compliance risks not identified.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	When next undertaking a review of the Policy, update the Policy to refer to and align to the updated Risk Management Policy.	Corporate Services	Updated Policy presented to December 2020 Council Meeting.
56	Identified risks are appropriately included within agenda items for elected member consideration but not recorded in an appropriate risk register.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	As well as communicating identified risks relating to a Council decision within the agenda item (to enable elected members to be fully informed of the identified risks when making decisions), risks should also be appropriately recorded in a risk register.	Office of CEO	An Operational Risk Register and Strategic Risk Register are presented to the Audit Committee as a standing item. The Risk Management procedures were also updated at the December 2020 OCM and the EACS has been designated as the custodian of these registers.
57	Change Management	Increased risk that IT system changes will not be appropriately controlled and managed. The availability and integrity of IT systems could be compromised if a change negatively affects the system.	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	The IT Service Provider will implement an ICT Changes Management system within the current service desk platform to ensure service tickets can be escalated or associated with Change Management Tickets. Changes will be reported within the Quarterly IT Management Meeting. The Town will also review the Change Management Resources available on the Public Sector Commissioner website, and determine whether any of these would be appropriate for customisation and adoption	Corporate Services	A Change Management service board, Process Map, Change Management form and Change Management training has been implemented by the IT Service Provider through Feb-May 2020. Approximately 10 Change Management forms have been completed between June and September 2020. Completed. Emailed confirmation to OAG 25 January 2021.
58	Workflow diagrams have not been compiled for undocumented procedures.	Breakdown of internal controls. Controls reliant on the capability and honesty of staff.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Major	Major	Medium	Planned action required	In conjunction with, or as an alternative to, the development of documented procedures and checklists, update and development of workflow process diagrams may assist in clearly identifying controls and processes to be followed where procedures or checklists do not exist.	Whole Entity	This project is underway. Staff have been provided with Visio Licences and process mapping has commenced.
59	Creditors invoices are processed and entered only at the time where a routine creditors payment run is scheduled resulting in month end creditor balances being nil in certain months.	Lack of probity. Fraud risk. Internal control or compliance breach. Financial loss.	1/12/2019	2019 Audit Management Letter	Possible	Major	Major	High	Prioritised action required	Supplier invoices should be processed in a timely fashion and entered through the Town's ERP system as soon as practicable after receipt to provide a more accurate representation of the Town's liabilities at any given time.	Corporate Services	Invoices are filed according to their payment date being 7 days, 14 days, 28 days or greater. This process is currently under review. The AP process has been mapped and will be converted into a Visio Flowchart.

Audit Finding	Risk Assessment Category	Risk Identified	Date of Initial Risk Identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal)	Likelihood	Strategic Consequences	Operational Consequences	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
60	Changes to existing employee bank account details and entry of new employee bank details are not routinely verified against the ABA file to ensure bank account details have not been altered or manipulated without prior verification and authorisation.	Lack of probity. Fraud risk. Internal control or compliance breach. Financial loss.	1/12/2019	2019 Audit Management Letter	Possible	Major	Moderate	High	Prioritised action required	Formal procedures to minimise the risk of employee banking details being fraudulently manipulated should be documented and communicated to staff involved in payroll processes. Controls should exist to include the assessment of requests for changes to employee banking details for genuineness and legitimacy, restricting the ability to make changes to employee details to appropriate staff, and to detect and prevent any unauthorised changes being made.	Corporate Services	A Payroll Master File report is generated each fortnight which lists any changes made to an employee's bank account details. We also have implemented an Payroll Change of Details Form which is signed by both the Senior Finance Officer and the Manager Finance and Administration. Information has been sourced from the Commonwealth Bank to fully integrate the ERP with CommBiz for the creation of payment files. In progress.
61	Contractors' insurances are not always assessed prior to award of contracts in all cases. Reliance is placed on contract managers to ensure copies of insurances are provided.	Lack of probity. Financial loss. Breakdown in internal controls.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Likely	Major	Major	High	Prioritised action required	To help ensure all contractors have the relevant licences and have adequate insurance cover for the works they undertake for the Town, procedures should be developed, and records maintained to ensure copies of contractor's insurances are held on file.	Operations	A Register of Contractor Insurance is to be developed. In progress
62	Develop Contract Register and Contract Management System		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Major	Moderate	High	Prioritised action required	A review of vital records has commenced.	Corporate Services	A contract register has been developed in line with the Treasury's instructions. The Town is required to formalise a performance based ICT contract with Focus Networks and IT Vision.
63	We noted the practice of credit card transactions and acquittals being reviewed by an independent officer, however the policy does not require this practice to occur.	Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Minor	Minor	Low	Planned action required	Update the policy to require independent review and authorisation of credit card transactions and acquittals, as well as acknowledging transactions as having been made and authorised by the CEO. The practice of separately highlighting transactions made on the CEO's credit card for presentation to Council should continue.	Corporate Services	Credit Card Policy to be updated. The credit card conditions of use is also being reviewed to ensure that no direct debits are entered into for repeat subscriptions.
64	Privileged Access Rights	Increased risk of unauthorised access to, or modification of the Town's IT systems and information	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required		Corporate Services	The IT Service Provider will no longer utilise a single generic Domain Administrator account and implement individual named accounts. A scheduled call will be created to change the Domain Administrator accounts. Similar options will be explored with IT Vision and the maintenance and administration of SynergySoft.
65	Unauthorised Network Devices	Without appropriate controls in place to restrict the use of unauthorised devices on the network, there is an increased risk that they could be used to attack internal systems.	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	The recently implement 802.1X / RADIUS authentication for wireless networks at all sites, will be extended to wired / network switches at all sites. Non-Windows devices that do not support this function will be locked down to MAC addresses.	Corporate Services	Partially resolved. The following still require attention: 1. Shared generic account is used to manage the firewall. 2. The Town has commenced regular reviews of firewall rules however this can be further enhanced by including inbound and outbound rules.
66	Planned staff training needs for employees are currently identified and recorded in a training matrix. Further value from this initiative can be added through refining the current matrix toward a more formal required staff training structure, applied throughout the organisation.	Internal control or compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Refine the current staff training matrix to identify staff training needs relevant to their role, ensuring it is co-ordinated across the organisation and monitors currency of required licences and qualifications.	Office of CEO	Each business unit is developing a training and development plan which is linked to the staff performance development framework. Corporate Services have finalised a template which will be shared with the Organisation.
67	Through our limited testing, we noted several instances where evidence of correspondence on employee files to support the current rate of pay applied through the payroll varied from the information recorded on employee files.	Failure to identify risks or adequately treat identified risks.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Undertake a review of all personnel to reconcile documentation relating to conditions of employment, remuneration, roles and responsibilities.	Office of CEO	The HR Coordinator is to undertake a review of all personnel records to ensure completeness. It appears to be a historical issue. New employee information will be verified by the HR Co-ordinator
68	Information Risk	Register to track and record information risk does not exist	1/12/2019	2019 GCC Audit	Possible	Moderate	Moderate	Medium	Planned action required	The Town will create an Information Risk Management Register, which will be presented to the Audit Committee as a standing item. The 12 key findings in the GCC Management Letter will form the basis of this Register, which will be continually updated based on management assessment as well as the key findings from future internal/external audit work.	Corporate Services	The Operational Risk Register now has a risk profile titled Information Risks. Findings from the GCC Audit have been incorporated into this Register.
69	Currently, no policy on internal legislative compliance has been adopted by Council.	Lack of strategic direction for strategic compliance.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Possible	Moderate	Moderate	Medium	Planned action required	Development and adoption of an internal legislative compliance policy may help formalise Council's commitment to legislative compliance.	Office of CEO	Not commenced.
70	Process for amending or changing procedures are not formalised. This creates opportunities for unilateral undocumented changes to procedures and a breakdown in key controls.	Failure to identify risks or adequately treat identified risks.	1/12/2019	2019 GCC Audit	Possible	Major	Major	High	Prioritised action required	Establish a process for the development, review, amendment and authorisation of procedures, checklists and other internal control documentation, throughout the organisation to assist with managing changes to procedures.	Corporate Services	Not commenced.

Audit Finding	Risk Assessment Category Risk Issue and Failure Modes	Risk Identified	Date of Initial Risk Identification	Source of Audit Finding (FMR/Audit Reg 17/GCC Audit/Audit Management Letter/Internal)	Likelihood	Strategic Consequences	Operational Consequences	Risk Category	Action Required	Mitigation and Management Strategy (Possible Future Controls)	Responsible Officer	Progress Update
71	Review the Municipal Heritage Inventory		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Rare	Moderate	Minor	Low	Planned action required	Scheduled in the Corporate Business Plan for 2021/22	Regulatory Services	Not Commenced. Project is scheduled in the Corporate Business Plan for 2021/22. Due to Budgetary constraints a full review cannot be undertaken in the 20/21 financial year, however the MHI will be updated as part of any ongoing development assessments. Note the Town in 19/20 also implemented the Heritage Area Precinct for George Street.
72	A register of health inspections undertaken is not routinely maintained.	Breakdown of internal control. Compliance breach.	1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Moderate	Moderate	Medium	Planned action required	Maintain a register to record details a central record of health inspections undertaken, registered premises within the district, and to ensure inspections are undertaken within required timeframes.	Regulatory Services	Co-ordinator Reg Services discussed with PEHO and determined that a more accurate register for record keeping of health inspections, incorporating Synergy will be developed.
73	Develop Project Management Framework		1/12/2019	FMR/Audit Reg 17 Review - December 2019	Unlikely	Moderate	Moderate	Medium	Planned action required	A Project Plan template has been implemented.	Office of CEO	A project governance framework and project approval workflow is to be developed.

**Town of East Fremantle
Risk Dashboard Report
February 2021**

Executive Summary

Recommendations

Providing inaccurate Advice / Information (All Ems)			Risk	Control
			Moderate	Adequate
Incomplete, inadequate or inaccuracies in advisory activities to customers or internal staff.				
Examples include;				
-Incorrect planning, development or building advice				
-Incorrect health or environmental advice				
-Inconsistent messages or responses from Customer Service Staff				
-Any advice that is not consistent with legislative requirements or local laws.				
Current Issues / Actions / Treatments	Due Date	Responsibility		
CSO procedures to be documented	Completed	TLCS/HRC		
FAQ - for front line staff	Ongoing	EMCS/TLCS		
Review Customer Service Charter	Completed	CEO		
Develop & Document complaints process	Ongoing	TLCS		
Team Leader Customer Service has initiated a review of the Complaints Handling Process including a Complaints Policy	Completed	HRC		

Asset Sustainability practices (EMTS/EMCS)			Risk	Control
			Moderate	Adequate
Failure or reduction in service of infrastructure assets, plant, equipment or machinery.				
These include fleet, buildings, roads, playgrounds, boat ramps and all other assets during their lifecycle from procurement to disposal. Areas included in the scope are;				
-Inadequate design (not fit for purpose)				
-Ineffective usage (down time)				
-Outputs not meeting expectations				
-Inadequate maintenance activities.				
-Inadequate financial management and planning (capital renewal plan).				
It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.				
Current Issues / Actions / Treatments	Due Date	Responsibility		
Procurement process review	Complete	EMCS/OM		
Develop full set of asset management plans/policies	Ongoing	OM/CEO		
Consultant to undertake ROMANS desk top assessment (Oct) annually and every 3 years road inspection audit	Ongoing	OM		
Consultant to complete drainage inventory and asset condition assessment	Feb-21	EMTS		

Business & Community disruption (BCP)			Risk	Control
			Low	Effective
Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal Town business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism).				
This includes;				
-Lack of (or inadequate) emergency response / business continuity plans.				
-Lack of training for specific individuals or availability of appropriate emergency response.				
-Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.				
Current Issues / Actions / Treatments	Due Date	Responsibility		
Business Continuity Plan - review annually	Annual	CEO		
IT Disaster Recovery Plan - annual testing	Annual	EMCS		
Internal Emergency Management Plan - review annually	Annual	EHO		
Evacuation exercise to be undertaken - annual	Annual	OSH Committee		
Fire alarm/extinguishers/electrical tagging - check status - annual test	Annual	EHO		
Focus to develop a check list for remote working arrangements	Completed	EAEMCS		
Failure to fulfil Compliance requirements (statutory, regulatory) (EAs)		Risk	Control	
		Low	Adequate	

Errors, omissions & delays (All staff)			Risk	Control
			Moderate	Adequate
Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;				
-Human error				
-Inaccurate recording, maintenance, testing or reconciliation of data.				
-Inaccurate data being used for management decision-making and reporting.				
-Delays in service to customers				
-Inaccurate data provided to customers				
This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".				
Current Issues / Actions / Treatments	Due Date	Responsibility		
Heritage review and Municipal Heritage Inventory Review - Operational Information Sheets	Dec-21	EMRS		
Delegation Review and Policies	Jun-21	OM		
Review of Complaints Handling process	Annually	CEO		
Monthly Customer Service Reporting	Underway	TLCS		

External theft & fraud (inc. Cyber Crime) (EMCS)			Risk	Control
			Moderate	Effective
Loss of funds, assets, data or unauthorised access, (whether attempted or successful) by external parties, through any means (including electronic), for the purposes of;				
-Fraud: benefit or gain by deceit				
-Malicious Damage: hacking, deleting, breaking or reducing the integrity or performance of systems				
-Theft: stealing of data, assets or information				
Current Issues / Actions / Treatments	Due Date	Responsibility		
Admin building security - upgrade	Completed	CEO		
Photographic record - plant register	Completed	OM		
Ensure doors are locked at all times for the Computer Server Room and Records Room	Ongoing	EAEMCS		
Implement a Stock take system for mobile and attractive items at the Town Depot and Tricolore	Mar-21	CO		
Online learning fraud and corruption	Ongoing	HR		

Management of Facilities / Venues / Events (All staff)			Risk	Control
			Moderate	Adequate
Failure to effectively manage the day to day operations of facilities, venues and / or events. This includes;				
-Inadequate procedures in place to manage quality or availability.				
-Poor crowd control				
-Ineffective signage				
-Booking issues				
-Stressful interactions with hirers / users (financial issues or not adhering to rules of use of facility)				
Inadequate oversight or provision of peripheral services (eg. cleaning / maintenance)				
Current Issues / Actions / Treatments	Due Date	Responsibility		
Staff Training register	Ongoing	HR		
Lease agreements with all tenants	Ongoing	EMCS		
Develop major event evaluation process	Completed	CCE		
Develop annual playground inspection program	Mar-21	OM		
Investigate On-line booking system	Mar-21	TLCS		
Investigate digital access to all community buildings to replace the current key system	Underway	EAEMCS		
Playground Condition Assessment - Annual Inspection report	Ongoing	OM		
Information Systems (EMCS)		Risk	Control	
		Moderate	Effective	

**Town of East Fremantle
Risk Dashboard Report
February 2021**

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation. It includes (amongst others) the Local Government Act, Planning & Development Act, Health Act, Building Act, Privacy Act and all other legislative based obligations for Local Government.

Instability, degradation of performance, or other failure of IT or communication system or infrastructure causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware or software
- Networks
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance monitoring

The Office of the Auditor General recently performed a General Computer Control Audit of the Town of East Fremantle (July 2019). The following is a summary of the audit methodology:

Scope: the audit focused on:

- Policies and procedures – The entity should ensure that they have appropriate policies and procedures in place for key areas such as IT risk management, information security, business continuity and change control.
- Management of IT risks - The entity need to ensure that IT risks are identified, assessed and treated within appropriate timeframes and that these practices become a core part of business activities.
- Information security - The entity should ensure good security practices are implemented, up-to-date and regularly tested and enforced for key computer systems. Agencies must conduct ongoing reviews for user access to systems to ensure they are appropriate at all times.
- Business continuity - The entity should have a business continuity plan, a disaster recovery plan and an incident response plan. These plans should be tested on a periodic basis.
- Change control - change control processes should be well developed and consistently followed for changes to computer systems. All changes should be subject to thorough planning and impact assessment to minimise the likelihood of problems. Change control documentation should be current, and approved changes formally tracked.
- Physical security – The entity should develop and implement physical and environmental control mechanisms to prevent unauthorised access or accidental damage to computing infrastructure and systems.

Current Issues / Actions / Treatments	Due Date	Responsibility
Compliance calendar	Completed	PC
Develop standard operating procedures for each position	Ongoing	All staff
Review procedures manual every 12 months	Jun-21	HR/Exe Managers/CEO
Review purchasing history (tender compliance)	Completed	EMCS
Improvement Plan - Aud Reg 17 & FMR	Dec-22	CEO

Current Issues / Actions / Treatments	Due Date	Responsibility
The Town to review and update The Information Technology Policy to appropriately address all relevant areas of Information security	Jun-21	EMCS
The Town to establish an appropriate information security awareness program to make sure individuals are aware of the Town's Information Security Policy, risks and personal requirements for protecting information	Jun-21	EMCS
The Town to develop and implement an appropriate risk register to track and manage information risks.	Completed	EMCS
The Town to develop, document and implement appropriate ICT change management procedures. This should include the use of a suitable change management system to maintain records of change details and authorisations.	Completed	EMCS
The Town to document and implement an appropriate vulnerability management process. This process should ensure all relevant known software and security vulnerabilities are identified. These vulnerabilities along with remediation to address them should be appropriately assessed and tested. Following successful testing the relevant actions and updates should be applied to the IT Systems within a timely manner.	Jun-21	EMCS
The Town to implement an appropriate process to securely manage and configure network devices.	Completed	EMCS
Server replacement/cloud assessment	Jun-21	EMCS

**Town of East Fremantle
Risk Dashboard Report
February 2021**

Document Management processes (RO)			Risk	Control	Misconduct (CEO)			Risk	Control		
			Low	Adequate				Low	Adequate		
Failure to adequately capture, store, archive, retrieve, provide or dispose of documentation. This includes: -Contact lists. -Procedural documents, personnel files, complaints. -Applications, proposals or documents. -Contracts. -Forms or requests.						Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of: -Relevant authorisations not obtained. -Distributing confidential information. -Accessing systems and / or applications without correct authority to do so. -Misrepresenting data in reports. -Theft by an employee -Inappropriate use of plant, equipment or machinery -Inappropriate use of social media. -Inappropriate behaviour at work. -Purposeful sabotage This does not include instances where it was not an intentional breach - refer Errors, Omissions or Delays, or Inaccurate Advice / Information.					
Current Issues / Actions / Treatments			Due Date	Responsibility	Current Issues / Actions / Treatments			Due Date	Responsibility		
Document Disaster Recovery Plan to be reviewed to ensure digitisation of historic files			Completed	EMCS	Internal Policy & Procedures			Ongoing	HR		
Develop and implement Disaster Recovery Plan			Completed	RO/EMCS	Annual Licence Checks (develop form)			Completed	HRC		
Document and relocate records stored under the Town Hall to appropriate facility			Completed	RO/EMCS	Develop records authority hierarchy			Completed	EMCS/RO		
Develop a record management Policy & procedure			Completed	RO	Develop & Implement induction process			Completed	HRC		
Undertake additional record training for all staff			Ongoing	HRC	Introduce police clearance checks for all new staff			Completed	HRC		
Fully utilise Synergy			Ongoing	RO	Develop internal social media policy			Completed	HRC		
Introduce document control process for all internal documents			Completed	RO	Staff to complete Online Learning Module on Public Interest Disclosure and Whistle Blower Policy, Fraud and Corruption Awareness, Accountable and Ethical Decision Making and Discrimination and EEO.			Ongoing	HRC		
Establish file sentencing structure for Y Drive, migrate records into EDRMS and disable File Server			Jun-22	RO							
Assess full digitisation of Town Records and Update Record Keeping Plan accordingly			TBD	RO							
Prepare a project plan for SharePoint Online with a view of replacing the EDRMS in Synergy Soft			TBD	EMCS/EAEMCS							
Employment practices (CEO/HRC)			Risk	Control	Project / Change management (All staff)			Risk	Control		
			Low	Adequate				High	Adequate		
Failure to effectively recruit, manage and lead human resources (full-time, part-time, casuals, temporary and volunteers). This includes: -Not having appropriately qualified or experienced people in the right roles. -Insufficient staff numbers to achieve objectives. -Breaching employee regulations. -Discrimination, harassment & bullying in the workplace. -Poor employee wellbeing (causing stress). -Key person dependencies without effective succession planning in place. -Industrial activity.						Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time delays or scope changes. This includes: -Inadequate change management framework to manage and monitor change activities. -Inadequate understanding of the impact of project change on the business. -Failures in the transition of projects into standard operations. -Failure to implement new systems -Inadequate handover process This does not include new plant & equipment purchases. Refer "Inadequate Asset Sustainability Practices"					
Current Issues / Actions / Treatments			Due Date	Responsibility	Current Issues / Actions / Treatments			Due Date	Responsibility		
Appointment of HR officer			Completed	CEO	Project/Change Management Training			Commenced	HRC		
Development of Human Resource Policies and Procedures			Completed	HRC	Development of PM Framework			Commenced	CEO		
Develop & introduce Performance Appraisals / Review Process / Training register			Completed	HRC	Financial controls review (External Audit)			Completed	EMCS		
Develop Performance Management Processes			Completed	HRC	Adopt Community Engagement Plan			Completed	CCE/CMO		
Develop Staff induction policy & procedure			Completed	HRC							
Embed Town Values			Ongoing	HRC							
Develop an Organisational Development and Training Plan			Ongoing	HRC							
Introduce new Online Learning & Induction Platform (LEARN RITE)			Ongoing	HRC							
Annual Review of Workforce Plan			Annual	HRC							
Engagement practices (CCE/CMO)			Risk	Control	Safety and Security practices (OSH Committee)			Risk	Control		
			Moderate	Adequate				Moderate	Adequate		
Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so. For example: -Following up on any access & inclusion issues. -Infrastructure Projects. -Local planning initiatives. -Strategic planning initiatives This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events						Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are: negligence or carelessness.					
Current Issues / Actions / Treatments			Due Date	Responsibility	Current Issues / Actions / Treatments			Due Date	Responsibility		
Community Consultations Plan and Policies			Commenced	CEO	Undated OHS management framework			Ongoing	OSH Committee		

Town of East Fremantle Risk Dashboard Report February 2021

Community Engagement Framework	Completed	CCE/CEO	Staff training register	Ongoing	HRC
Customer Service Charter	Completed	CSD/CEO			
Implementation of Community Engagement Calendar	Ongoing	CCE/CMO	Develop Contractor / Site Inductions	Completed	OM
Support staff with the preparation of Community Engagement Plans	Completed	CCE/CMO	Develop Drug and Alcohol Policy	Completed	HRC
			Develop & communicate Emergency Procedures	Completed	OSH Committee
			Fitness for Work Policy	Completed	HRC
			Hazard Register	Completed	OM
			Review of safework method statements and regular staff inductions	Ongoing	HRC

Environment management (SO/EHO)	Risk	Control
	Moderate	Adequate
Inadequate prevention, identification, enforcement and management of environmental issues. The scope includes: - Lack of adequate planning and management of foreshore erosion issues. - Failure to identify and effectively manage contaminated sites (including groundwater usage). - Waste facilities (landfill / transfer stations)- former sites - Weed & mosquito / Vector control. - Removal, damage to trees in the public domain - Illegal dumping. - Microbiological water quality		
Current Issues / Actions / Treatments	Due Date	Responsibility
Implementation of Weed Management Plans (Foreshore Management/Neirgarup Track)	Dec-22	OM
Develop a foreshore/river erosion management plan	Dec-22	EHO
Annual River Wall inspection program	Dec-21	OM
Jerrat Drive foreshore - Develop Rehabilitation Plan in conjunction with key stakeholders - Subject to external funding	Dec-22	SO/EHO
Development of a Climate Action Plan	Ongoing	SO/EHO
Sustainability Projects	Ongoing	SO/EHO
Sustainability Policies ie Waterwise, Sustainability Policy, Waste and Verges Guidelines	Completed	SO/EHO

Supplier / Contract management (All Managers)	Risk	Control
	Moderate	Adequate
Inadequate management of external Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes: • Concentration issues (contracts awarded to one supplier) • Vendor sustainability		
Current Issues / Actions / Treatments	Due Date	Responsibility
Prepare RFQ for Bulk Verges & Green Waste verges collection & other suppliers (electrician etc)	Mar-21	OM
Contract register and contract management system	Completed	OM/EMCS
Review purchasing/tendering requirements	Completed	EMCS
Develop procurement handbook including templates for all RFQs/RFTs	Ongoing	EMCS/EAEMCS
Ensure that Contract and Tender Register is up to date and meets statutory requirement	Ongoing	MFA/RO

Town of East Fremantle Strategic Risk Dashboard

East Fremantle Oval Precinct Project (CEO)	Risk Ratings		Risk Factors	
	Inherent	Extreme	Influence	High
	Residual	High	Controls	Adequate
Inability to deliver the redevelopment of East Fremantle Oval Precinct project within an acceptable timeframe, within budget and meeting community expectations.				
Current Actions		Due Date	Responsibility	
Finalise community consultation process & plan endorsement		Complete	CEO	
Develop an overarching business plan		Complete	Exec Managers	
Start lobbying for potential funding options - Check point		Underway	CEO	
Department Approval		Jun-21	CEO	

Inadequate provision of facilities or services (Ems)	Risk Ratings		Risk Factors	
	Inherent	Extreme	Influence	High
	Residual	Moderate	Controls	Adequate
Inability to continually provide and adapt services to meet community needs				
Current Actions		Due Date	Responsibility	
Completion of Local Planning Strategy review		Completed	EMRS	
Develop an overarching business plan (EFOP)		Underway	Exec Managers	
Adoption of new Strategic Community Plan		Completed	CCE	

Stakeholder Engagement (Reputation) (CCE/CMO/TLCS)	Risk Ratings		Risk Factors	
	Inherent	High	Influence	High
	Residual	High	Controls	Adequate
Loss of the Town's reputation due to the inability to manage stakeholders' perception. This focusses on residential and commercial stakeholders who either live in, operate a business or use the Town's facilities.				
Current Actions		Due Date	Responsibility	
Adopt a Communication Plan		Completed	CEO	
Refresh staff awareness of Community Engagement Plan & Corporate Branding Framework		Ongoing	PC	
Investigate the facilitation of community information sessions		Ongoing	Exec Managers	
Review and implement appropriate outcomes from the Technical Levels of Service Review		Jun-21	Operations Manager	
Configure service types within the Customer Service Module		Ongoing	TLCS	

Waste Recycling (Sustainability Officer)	Risk Ratings		Risk Factors	
	Inherent	High	Influence	High
	Residual	Moderate	Controls	Adequate
Inability to meet State Government recycling rates.				
Current Actions		Due Date	Responsibility	
Prepare FOGO Project Plan		Complete	Project Officer	
Ensure SMRC are meeting residual targets ie State Waste Strategy		Ongoing	Sustainability Officer	
Council to resolve on Waste Energy Contract ie SMRC Melville		Complete	CEO	

Strategic Planning (EMRS)	Risk Ratings		Risk Factors	
	Inherent	Extreme	Influence	High
	Residual	Moderate	Controls	Adequate
Inadequate or failed strategic development activity.				
Current Actions		Due Date	Responsibility	
Finalise Local Planning Strategy		Mar-21	EMRS	
Review Local Planning Scheme		Jul-21	EMRS	
Public Advertising of Local Planning Strategy		Jun-21	EMRS	

12. REPORTS

12.1 FINANCE

12.1.1 Statement of Financial Activity for Period Ended 28 February 2021

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 March 2021
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Statement of Financial Activity 28 February 2021 2. Capital Works Report 4 March 2021 3. Financial Health Check 28 February 2021

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 28 February 2021. A Capital Works Report and Financial Health Check summary is also appended.

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 2021.

A Capital Works Report is presented detailing committed expenditure against budgets. This report is used to assess the clearance rate of capital projects.

A Monthly Financial Health Check has also been prepared which provides key financial information against benchmarks. This document is intended to provide a concise summary of the Town's financial performance.

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
- Statement of Financial Position
- Notes to the Statement of Financial Activity including:
 - Explanation of Material Variances
 - Net Current Funding Position
 - Cash and Investments
 - Receivables
 - Cashed Back Reserves

- Capital Disposals
- Rating Information
- 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 2020/21 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 2020/21 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		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

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

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

Site Inspection

Not applicable.

Comment

This report presents the Statement of Financial Activity for the period 28 February. The following is a summary of headline numbers from the attached financial reports:

	Original Budget	YTD Budget	February Actuals
Opening Surplus	160,328	226,870	226,870
Operating Revenue	10,517,403	9,595,017	9,677,764
Operating Expenditure	(10,969,062)	(8,117,645)	(7,468,326)
Capital Expenditure	(1,026,681)	(741,489)	(710,471)
Capital Income	210,000	199,360	199,360
Financing Activities	(470,888)	(47,580)	(52,058)
Non-Cash Items	1,578,900	1,647,039	1,650,855
Closing Surplus	0	2,761,571	3,523,993
Unrestricted Cash			4,159,810
Restricted Cash			993,331

- 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 **4 March 2021**. The full year capital works budget (amended) has been 54.5% expended with \$741k in actual expenditure.
- Rates were levied in the month of July with rate notices issued in the first week of August. At the end of February 89% of rates levied (including arrears) has been receipted. The due date for payment of rates including the election of instalments was the 7 September.
- The asset revaluation as at 30 June 2020 resulted in an increase in asset values (buildings) of \$5.79m. Subsequently, depreciation expense has increased significantly. This will have an adverse impact on the Operating Surplus Ratio and Asset Sustainability Ratio at the end of the financial year.
- The monthly financial report now includes a Statement of Financial Position on page 6. Infrastructure and Property, Plant and Equipment has a carrying value of circa \$81.6m.

Budget Variations

1. The Town has now deployed laptops to all administration staff based in the Town Hall and Depot, and tablet devices to all members of the operations team and rangers. This mobility facilitates hot desking, remote work arrangements and field work. The final stage for the laptop deployment is to staff at Tricolore. The CHSP Coordinator advises that 4 laptops are required to replace existing desktop PCs. This purchase can be funded from the Aged Services Reserve, which has a forecast balance of \$21,803 at the end of the financial year.

12.1.1 OFFICER RECOMMENDATION

That Council:

- 1. receives the Monthly Financial Report (Containing the Statement of Financial Activity) for the month ended 28 February 2021, as presented as attachment 1 to this report.**
- 2. notes the unrestricted municipal surplus of \$3,523,993 as at 28 February 2021.**
- 3. receives the Capital Works Report dated 4 March 2021, as presented as attachment 2 to this report.**
- 4. receives the Monthly Financial Health Check, as presented as attachment 3 to this report.**

5. pursuant to section 6.8 of the *Local Government Act 1995*, approve the schedule of budget variations below resulting in a nil movement in net current assets as at 30 June 2021.

Account No.	Description	Current Budget	Amended Budget	Variance	Comment
345	Transfer from Aged Services Reserve	\$155,000	\$165,000	\$10,000	To fund ICT hardware replacement
E08612	CHSP Furniture and Equipment	\$0	(\$10,000)	(\$10,000)	ICT Hardware purchases
Change in Net Current Assets				0	

TOWN OF EAST FREMANTLE
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 28 February 2021

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

TABLE OF CONTENTS

Monthly Summary Information	115 - 116
Statement of Financial Activity by Program	117
Statement of Financial Activity By Nature or Type	118
Statement of Financial Position	119
Note 1 Explanation of Material Variances	120
Note 2 Net Current Funding Position	121
Note 3 Cash and Investments	122
Note 4 Receivables	123
Note 5 Cash Backed Reserves	124
Note 6 Capital Disposals	125
Note 7 Rating Information	126
Note 8 Grants and Contributions	127

**Town of East Fremantle
Information Summary
For the Period Ended 28 February 2021**

Key Information

Report Purpose

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

Overview

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

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 28 February 2021 of \$3,514,376.

Items of Significance

The material variance adopted by the Town of East Fremantle for the 2020/21 year is \$10,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

	%	Amended			
	Collected /	Annual		YTD Budget	YTD Actual
	Completed	Budget			
Significant Projects					
Purchase Property, Plant and Equipment	29%	\$ 430,559	\$	122,137	\$ 123,904
Purchase and Construction of Infrastructure	63%	\$ 929,091	\$	619,352	\$ 586,568
Grants, Subsidies and Contributions					
Commonwealth Home Support Programme	75%	\$ 601,566	\$	401,040	\$ 451,907
Regional Road Group Grant	100%	\$ 180,000	\$	180,505	\$ 180,505
		\$ 601,566	\$	401,040	\$ 451,907
Rates Levied	100%	\$ 7,997,275	\$	7,996,322	\$ 7,979,128

% Compares current ytd actuals to annual budget

Financial Position

	Current Year
Adjusted Net Current Assets	\$ 3,514,376
Cash and Equivalent - Unrestricted	\$ 4,159,810
Cash and Equivalent - Restricted	\$ 993,331
Receivables - Rates	\$ 1,127,743
Receivables - Other	\$ 125,899
Payables	\$ 1,228,042

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

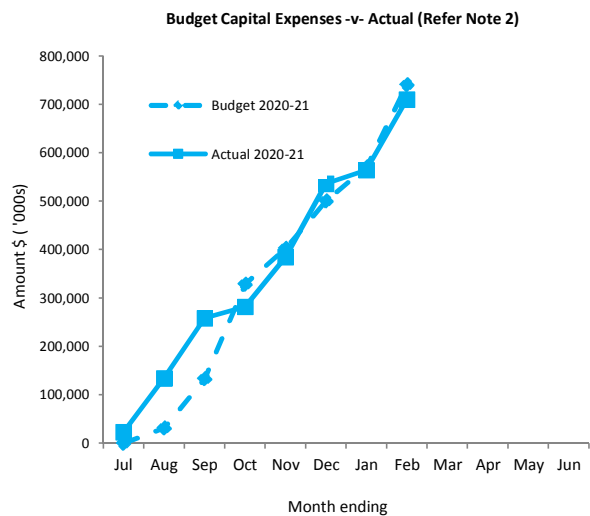
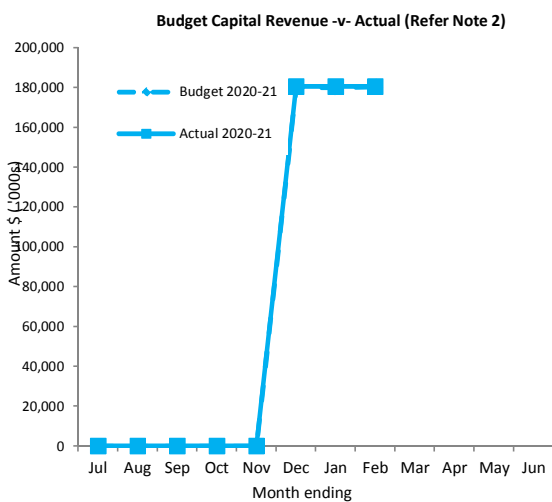
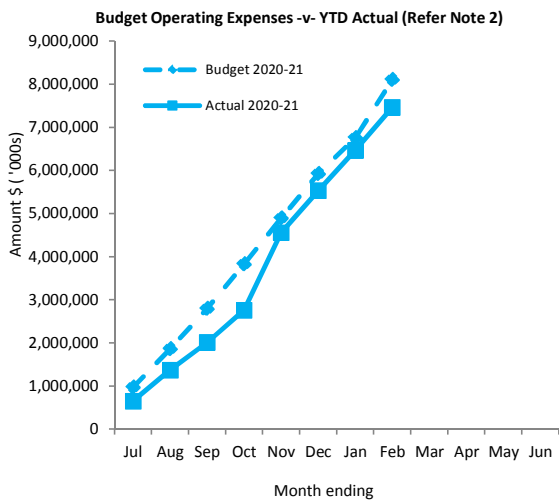
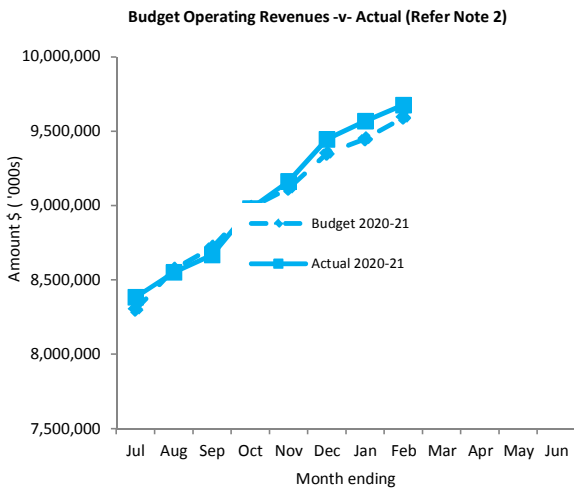
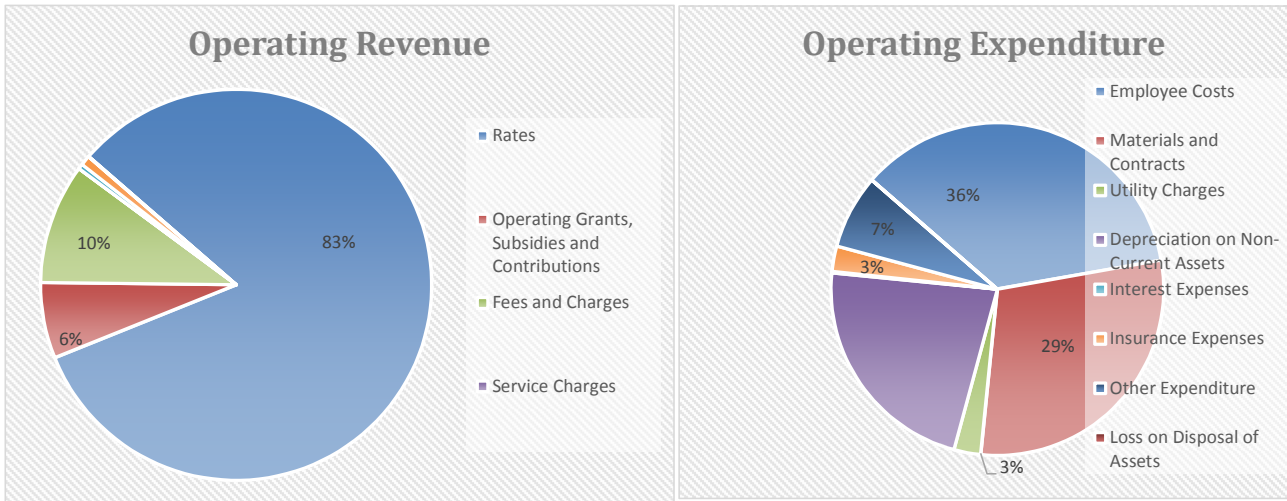
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

Preparation

Prepared by:

Reviewed by: Peter Kocian

Date prepared:



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

**TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 28 February 2021**

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$			\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	160,328	160,328	226,870	226,870	226,870	(0)	(0%)	
Revenue from operating activities									
Governance		10,000	10,000	10,000	6,664	11,353	4,689	70%	
General Purpose Funding - Rates	9	7,997,275	7,997,275	8,010,558	7,996,322	7,979,128	(17,194)	(0%)	
General Purpose Funding - Other		328,653	328,653	289,783	193,176	203,664	10,488	5%	
Law, Order and Public Safety		33,200	33,200	25,923	17,264	25,054	7,790	45%	
Health		13,409	13,409	14,700	9,800	14,325	4,525	46%	
Education and Welfare		713,766	713,766	776,096	517,846	563,127	45,281	9%	
Housing		84,000	84,000	82,500	55,000	55,032	32	0%	
Community Amenities		205,000	205,000	238,600	159,040	173,788	14,748	9%	
Recreation and Culture		648,800	648,800	549,500	208,840	203,490	(5,350)	(3%)	
Transport		353,800	353,800	423,110	261,256	273,868	12,612	5%	
Economic Services		80,500	80,500	179,170	119,416	99,663	(19,753)	(17%)	▼
Other Property and Services		49,000	49,000	75,596	50,392	65,655	15,263	30%	▲
		10,517,403	10,517,403	10,675,536	9,595,017	9,668,147			
Expenditure from operating activities									
Governance		(1,198,448)	(1,198,448)	(1,211,340)	(822,664)	(759,110)	63,554	8%	
General Purpose Funding		(155,287)	(155,287)	(121,200)	(80,776)	(81,260)	(484)	(1%)	
Law, Order and Public Safety		(175,539)	(175,539)	(184,700)	(123,072)	(130,433)	(7,361)	(6%)	
Health		(215,419)	(215,419)	(234,990)	(141,710)	(125,702)	16,008	11%	▲
Education and Welfare		(1,116,999)	(1,116,999)	(1,216,731)	(841,703)	(733,895)	107,808	13%	▲
Housing		(45,320)	(45,320)	(45,820)	(30,976)	(23,263)	7,713	25%	▲
Community Amenities		(2,750,998)	(2,750,998)	(2,785,941)	(1,784,819)	(1,676,528)	108,291	6%	
Recreation and Culture		(2,334,470)	(2,334,470)	(3,121,574)	(2,149,703)	(1,971,761)	177,942	8%	
Transport		(2,703,195)	(2,703,195)	(2,811,821)	(1,874,328)	(1,599,400)	274,928	15%	▲
Economic Services		(115,287)	(115,287)	(154,300)	(102,848)	(102,429)	419	0%	
Other Property and Services		(158,100)	(158,100)	(231,075)	(165,046)	(264,546)	(99,500)	(60%)	▼
		(10,969,062)	(10,969,062)	(12,119,493)	(8,117,645)	(7,468,326)			
Operating activities excluded from budget									
Add back Depreciation		1,578,900	1,578,900	2,501,025	1,667,280	1,671,097	3,817	0%	
Adjust (Profit)/Loss on Asset Disposal	8	0	0	(1,430)	(1,430)	(1,430)	0	(0%)	
Movement between Current/Non-Current Assets/Liabilities				(36,635)	(18,811)	(18,811)	0	0%	
Amount attributable to operating activities		1,578,900	1,578,900	2,462,960	1,647,039	1,650,855			
Investing Activities									
Non-operating Grants, Subsidies and Contributions	11	180,000	180,000	180,505	180,505	180,505	0	0%	
Proceeds from Disposal of Assets	8	30,000	30,000	18,855	18,855	18,855	0	0%	
Purchase Property, Plant and Equipment		(292,500)	(387,500)	(430,559)	(122,137)	(123,904)	(1,767)	(1%)	
Purchase and Construction of Infrastructure		(734,181)	(639,181)	(929,091)	(619,352)	(586,568)	32,784	5%	
Amount attributable to investing activities		(816,681)	(816,681)	(1,160,290)	(542,129)	(511,111)			
Financing Activities									
Transfer from Reserves	7	591,500	591,500	952,831	0	0	0		
Repayment of Debentures	10	(95,160)	(95,160)	(95,160)	(47,580)	(49,978)	(2,398)	(5%)	
(Transfer to Reserves)	7	(967,228)	(967,228)	(942,228)	0	(2,080)	(2,080)		
Amount attributable to financing activities		(470,888)	(470,888)	(84,557)	(47,580)	(52,058)	(4,478)	(9%)	
Closing Funding Surplus(Deficit)	3	0	(0)	1,026	2,761,571	3,514,376	752,804		

**TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 28 February 2021**

	Note	Annual Budget - Hardcoded	Annual Budget - Synergy	Current Budget	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$			\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	160,328	160,328	226,870	226,870	226,870	(0)	(0%)	
Revenue from operating activities									
Rates	9	7,997,275	7,997,275	8,010,558	7,996,322	7,979,128	(17,194)	(0%)	
Operating Grants, Subsidies and Contributions	11	1,175,019	1,175,019	1,110,239	560,608	606,221	45,613	8%	
Fees and Charges		1,187,609	1,187,609	1,375,713	918,272	961,596	43,324	5%	
Interest Earnings		120,000	120,000	80,800	53,864	39,559	(14,305)	(27%)	▼
Other Revenue		37,500	37,500	96,796	64,520	80,211	15,691	24%	▲
Profit on Disposal of Assets	8	0	0	1,430	1,430	1,430	0	0%	
		10,517,403	10,517,403	10,675,536	9,595,017	9,668,147			
Expenditure from operating activities									
Employee Costs		(4,173,445)	(4,205,445)	(4,270,592)	(2,819,232)	(2,675,754)	143,478	5%	
Materials and Contracts		(4,279,617)	(4,000,617)	(4,143,131)	(2,673,967)	(2,193,930)	480,037	18%	▲
Utility Charges		(299,300)	(299,300)	(296,700)	(197,696)	(194,249)	3,447	2%	
Depreciation on Non-Current Assets		(1,578,900)	(1,578,900)	(2,501,025)	(1,667,280)	(1,671,097)	(3,817)	(0%)	
Interest Expenses		(14,960)	(14,960)	(22,960)	(15,296)	(10,237)	5,059	33%	▲
Insurance Expenses		(180,320)	(180,320)	(183,756)	(183,756)	(183,255)	502	0%	
Other Expenditure		(442,520)	(689,520)	(701,328)	(560,418)	(539,805)	20,613	4%	
Loss on Disposal of Assets	8	0	0	0	0	0	0	0%	
		(10,969,062)	(10,969,062)	(12,119,493)	(8,117,645)	(7,468,326)			
Operating activities excluded from budget									
Add back Depreciation		1,578,900	1,578,900	2,501,025	1,667,280	1,671,097	3,817	0%	
Adjust (Profit)/Loss on Asset Disposal	8	0	0	(1,430)	(1,430)	(1,430)	0	(0%)	
Movement between Current/Non-Current Assets/Liabilities		0	0	(36,635)	(18,811)	(18,811)	0	0%	
Amount attributable to operating activities		1,578,900	1,578,900	2,462,960	1,647,039	1,650,855			
Investing activities									
Non-operating Grants, Subsidies and Contributions	11	180,000	180,000	180,505	180,505	180,505	0	0%	
Proceeds from Disposal of Assets	8	30,000	30,000	18,855	18,855	18,855	0	0%	
Purchase Property, Plant and Equipment		(292,500)	(387,500)	(430,559)	(122,137)	(123,904)	(1,767)	(1%)	
Purchase and Construction of Infrastructure		(734,181)	(639,181)	(929,091)	(619,352)	(586,568)	32,784	5%	
Amount attributable to investing activities		(816,681)	(816,681)	(1,160,290)	(542,129)	(511,111)			
Financing Activities									
Transfer from Reserves	7	591,500	591,500	952,831	0	0	0		
Repayment of Debentures	10	(95,160)	(95,160)	(95,160)	(47,580)	(49,978)	(2,398)	(5%)	
(Transfer to Reserves)	7	(967,228)	(967,228)	(942,228)	0	(2,080)	(2,080)		
Amount attributable to financing activities		(470,888)	(470,888)	(84,557)	(47,580)	(52,058)			
Closing Funding Surplus (Deficit)	3	0	(0)	1,026	2,761,571	3,514,376	752,804	27%	▲

TOWN OF EAST FREMANTLE
STATEMENT OF FINANCIAL POSITION
For the Period Ended 28 February 2021

	2021
	\$
CURRENT ASSETS	
Cash and cash equivalents	5,153,141
Trade and other receivables	1,254,943
Other assets	-
TOTAL CURRENT ASSETS	6,408,084
NON-CURRENT ASSETS	
Trade and other receivables	73,901
Other financial assets	71,221
Investment in associate	1,094,618
Property, plant and equipment	32,677,759
Infrastructure	48,897,942
Right of use assets	292,461
TOTAL NON-CURRENT ASSETS	83,107,903
TOTAL ASSETS	89,515,986
CURRENT LIABILITIES	
Trade and other payables	1,228,042
Lease liabilities	17,824
Borrowings	127,819
Employee related provisions	672,335
TOTAL CURRENT LIABILITIES	2,046,020
NON-CURRENT LIABILITIES	
Lease liabilities	286,288
Borrowings	204,842
Employee related provisions	99,022
TOTAL NON-CURRENT LIABILITIES	590,152
TOTAL LIABILITIES	2,636,171
NET ASSETS	86,879,815
EQUITY	
Retained surplus	36,651,528
Reserves - cash backed	993,331
Revaluation surplus	49,234,956
TOTAL EQUITY	86,879,815

Note 1: Explanation of Material Variances

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

The material variance adopted by Council for the 2020/21 year is \$10,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Economic Services	(19,753)	(17%)		Timing	Unfavourable - Permits/DA's to be accounted for Favourable - Workers comp recouped, offset by payment (contra)
Other Property and Services	15,263	30%		Timing	
Operating Expense					
Health	16,008	11%		Timing	Favourable
Education and Welfare	107,808	13%		Timing	Favourable
Housing	7,713	25%		Timing	Favourable
Transport	274,928	15%		Timing	Favourable
Other Property and Services	(99,500)	(60%)		Timing	Under-recovery of public works overheads. Overhead rate has been adjustef in the payroll system.
Capital Revenues					
Capital Expenses					
Nature and Type Classifications:					
Interest Earnings	(14,305)	(27%)		Timing	Unfavourable - Low interest rate environment, ~ \$4m in TD's, interest to accrue
Other Revenue	15,691	24%		Timing	Favourable - Worker's comp recovered
Materials and Contracts	480,037	18%		Timing	Favourable
Interest Expenses	5,059	33%		Timing	Favourable

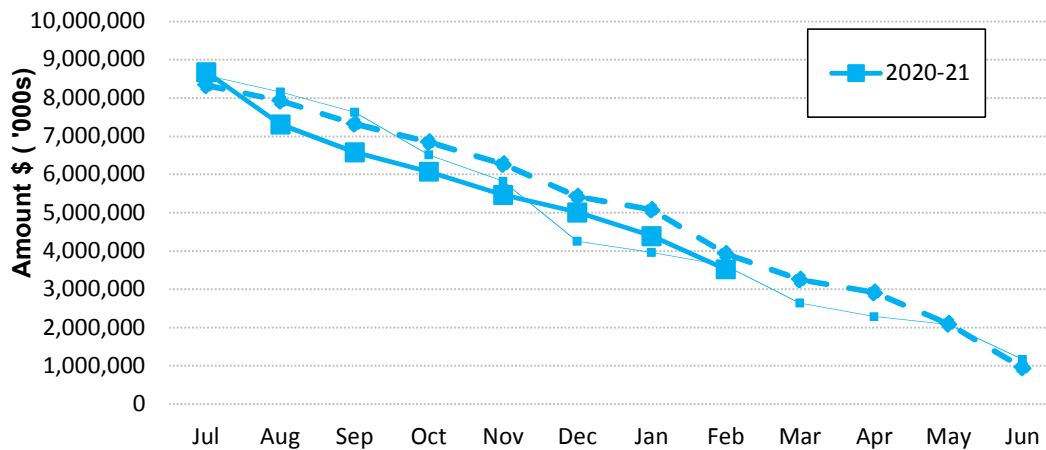
TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing 30 June 2020 \$	Current 28 Feb 2021 \$
Current Assets			
Cash Unrestricted	4	1,966,551	4,159,810
Cash Restricted - Reserves	4	1,350,387	993,331
Receivables - Rates	6	320,318	1,127,743
Receivables - Other	6	109,834	125,899
Interest / ATO Receivable/Trust		250,242	1,300
Inventories		0	0
		3,997,332	6,408,084
Less: Current Liabilities			
Payables		(2,080,405)	(1,228,042)
Provisions		(698,807)	(672,335)
		(2,779,212)	(1,900,377)
Less: Restricted Cash - Reserves	7	(991,251)	(993,331)
Less: Trust Interfund Transfer Account		0	0
Net Current Funding Position		226,870	3,514,376

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 28 February 2021

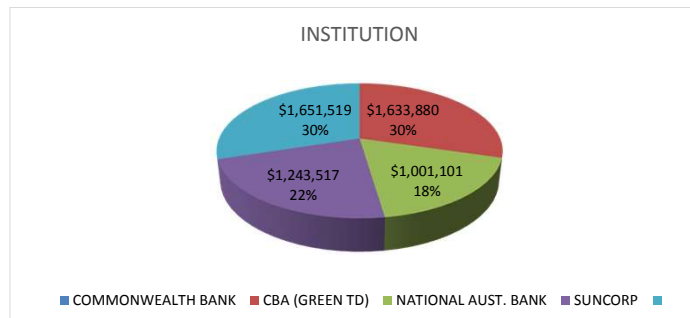
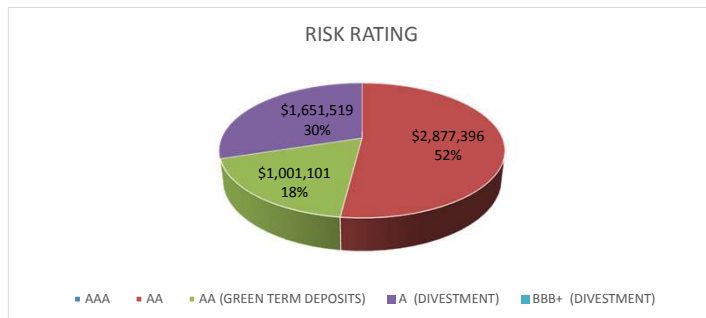
Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Risk Rating (LT)	Interest Rate	Maturity Date
	\$	\$	\$	\$				
(a) Cash Deposits								
Municipal Bank Account - On-Call	785,902			785,902	CBA	AA-	0.01%	At Call
Municipal Bank Account	254,764			254,764	CBA	AA-		At Call
Municipal Bonds & Deposits Account	214,988			214,988	CBA	AA-		At Call
Reserve Bank Account		251		251	CBA	AA-		At Call
Trust Bank Account			377,975	377,975	CBA	AA-		At Call
Cash On Hand	1,100			1,100	Petty Cash/Till Float		Nil	On Hand
(b) Term Deposits								
Municipal	500,759			500,759	SUNCORP	A+	0.35%	19-Apr-21 1,753
Municipal	500,759			500,759	SUNCORP	A+	0.35%	19-Apr-21 1,753
Municipal	500,718			500,718	CBA (GREEN TD)	AA-	0.17%	19-Mar-21 851
Municipal	500,382			500,382	CBA (GREEN TD)	AA-	0.17%	15-Mar-21 851
Municipal	650,000			650,000	SUNCORP	A+	0.35%	13-May-21 2,275
Municipal Bonds & Deposits	250,436			250,436	NAB	AA-	0.45%	08-Mar-21 1,127
Trust Reserves		993,080	0	993,080	NAB	AA-	0.45%	31-Mar-21 4,469
Total	4,159,810	993,331	377,975	5,531,116			0.34%	13,078
Less Cash on Hand	(1,100)			(1,100)				
	<u>4,158,710</u>	<u>993,331</u>	<u>377,975</u>	<u>5,530,016</u>				
Less: Trust Cash at Bank				(377,975)				
Add: Cash on Hand				1,100				
Cash and Cash Equivalents as per SOFP				<u>5,153,141</u>				

Comments/Notes - Investments and Cash Deposits

(LT) RISK RATING	PORTFOLIO	\$	%
AAA	MAX 100%		
AA	MAX 100%	\$2,877,396	52.03%
AA (GREEN TERM DEPOSITS)	MAX 100%	\$1,001,101	18.10%
A (DIVESTMENT)	MAX 80%	\$1,651,519	29.86%
BBB+ (DIVESTMENT)	MAX 80%		0.00%
		\$5,530,016	100.00%

INSTITUTION	\$	%	(LT) RISK
COMMONWEALTH BANK	\$1,633,880	29.55%	AA-
CBA (GREEN TD)	\$1,001,101	18.10%	AA-
NATIONAL AUST. BANK	\$1,243,517	22.49%	AA-
SUNCORP	\$1,651,519	29.86%	A+
	\$5,530,016	100.00%	



TOWN OF EAST FREMANTLE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the period ending 28/02/2021

Note 4: Receivables

Receivables - Rates Receivable	2 March 2021	30 June 2020	Receivables - General	Current	30 Days	60 Days	90+Days	Credit Balances	Total
Opening Arrears Previous Years	\$ 270,487	\$ 220,065	Receivables - General	\$ 15,555	\$ 7,547	\$ 6,837	\$ 12,900	-45	42,794
Rates, ESL and Service Charges Levied this year	\$9,918,381.84	8,049,151	Receivables - Parking						71,988
Less Collections to date	\$8,839,192.89	(7,778,664)	East Fremantle Lawn & Tennis Club						24,000
Equals Current Outstanding (as per TB)		270,487							
Net Rates Collectable	\$1,079,188.95	270,487	Total Receivables General Outstanding						138,782
% Outstanding	10.59%								

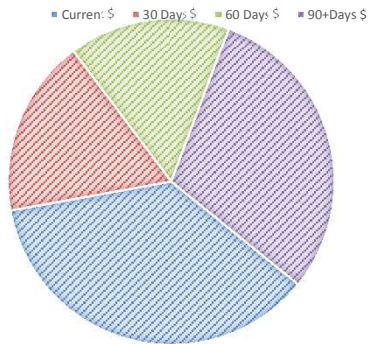
Amounts shown above include GST (where applicable)

Control Account	GL	Balance
Sundry Debtors	104	42,794.08
SSL - Current EFTC	114	3,000.00
SSL - Non-Current EFTC	1684	21,000.00
Parking Debtors	180	71,988.00
		138,782.08

Infringement Journal	GL	Balance
Balance -Infringement Summary Report		71,749.91
Parking Debtors	180	71,988.00
		238.09

	DR	CR
Debtors Parking	10001800	\$238.09
Fines and Penalties	11121800	\$238.09

NOTE 6 - ACCOUNTS RECEIVABLE (NON-RATES)

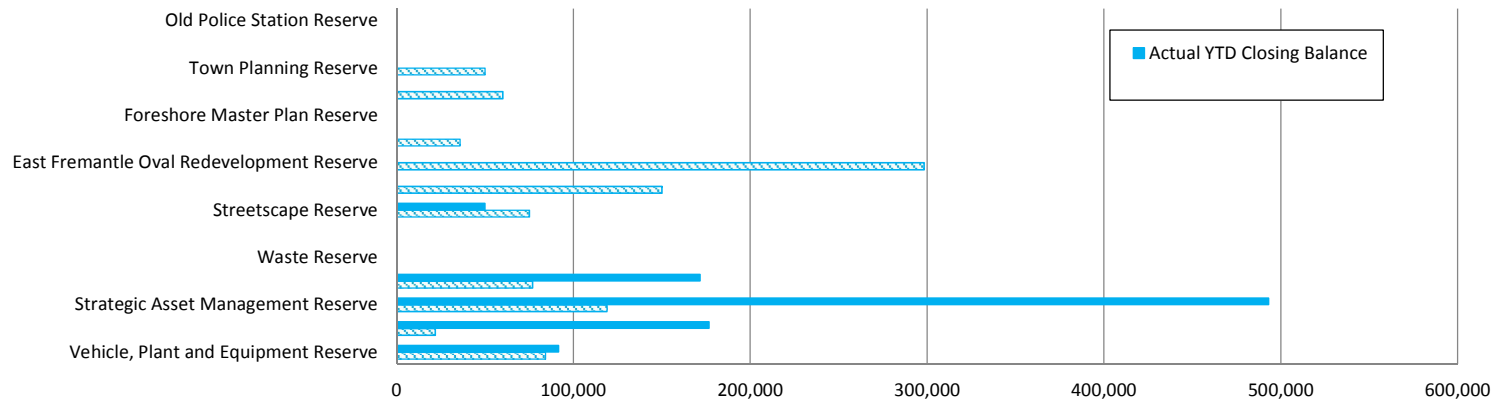


TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 28 February 2021

Note 5: Cash Backed Reserve

Name	Opening Balance	Amended Budget Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Non Current Leave Entitlements Reserve	10,000		0		0		10,000	10,000
Unspent Grants and Restricted Cash Reserve	0		0		0		0	0
Vehicle, Plant and Equipment Reserve	91,627		0		(7,500)		84,127	91,627
Aged Services Reserve	176,803		0		(155,000)		21,803	176,803
Strategic Asset Management Reserve	491,049		40,000	2,080	(412,152)		118,897	493,129
Arts and Sculpture Reserve	171,772		0		(95,000)		76,772	171,772
Waste Reserve	0		0		0		0	0
Committed Works Reserve	0		0		0		0	0
Streetscape Reserve	50,000		25,000		0		75,000	50,000
Drainage Reserve	0		150,000		0		150,000	0
East Fremantle Oval Redevelopment Reserve	0		298,228		0		298,228	0
Preston Point Facilities Reserve	0		100,000		(64,179)		35,821	0
Foreshore Master Plan Reserve	0		50,000		(50,000)		0	0
Sustainability and Environmental Reserve	0		80,000		(20,000)		60,000	0
Town Planning Reserve	0		100,000		(50,000)		50,000	0
Business Improvement Reserve	0		75,000		(75,000)		0	0
Old Police Station Reserve	0		24,000		(24,000)		0	0
	991,251	0	942,228	2,080	(952,831)	0	980,648	993,331

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



TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 28 February 2021

Note 6: Disposal of Assets

Asset Number	Plant Number	Asset Description	2020/21 Budget				2020/21 Actuals			
			Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
			\$	\$	\$	\$	\$	\$	\$	
		Plant and Equipment								
PEMV242	P4069	Mitsubishi Rosa 1DXU938	30,000	30,000	0	0	17,425	18,855	1,430	0
PE263	P4055	Water Trailer 1TMB281	0	0	0	0	0	0	0	0
			30,000	30,000	0	0	17,425	18,855	1,430	0

REPORT 12.1.1

TOWN OF EAST FREMANTLE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

Note 7: Rating Information For the period ending 28/02/2021

ATTACHMENT 1

RATE TYPE	YTD Actual								Adopted Budget			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rates	Total Revenue	Number of properties	Ratable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue
Differential General Rate	\$		\$	\$	\$	\$			\$	\$	\$	\$
Residential GRV	0.074225	2,954	85,530,640	6,348,512	15,099	6,363,611	2,959	85,888,130	6,345,613	30,000		6,375,613
Commercial GRV	0.110543	115	11,547,243	1,276,467	2,138	1,278,605	115	11,580,023	1,275,992			1,275,992
Sub-Totals		3,069	97,077,883	7,624,979	17,237	7,642,216	3,074	97,468,153	7,621,605	30,000	0	7,651,605
Minimum Payment	\$											
Residential GRV	1,106.00	331	4,263,529	366,086	2,632	368,718	329	4,227,574	368,298			368,298
Commercial GRV	1,654.00	12	140,695	19,848	1,185	21,033	10	117,200	19,848			19,848
Sub-Totals		343	4,404,224	385,934	3,816	389,750	339	4,344,774	388,146	0	0	388,146
		3,412	101,482,107	8,010,913	21,054	8,031,966	3,413	101,812,927	8,009,751		0	8,039,751
Amount from General Rates						8,031,966						8,039,751
Less Concessions				(43,055)		(43,055)			(42,476)			(42,476)
Totals				7,967,858		7,988,911			7,967,275			7,997,275

TOWN OF EAST FREMANTLE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 28 February 2021

Note 8: Grants and Contributions

	Grant Provider	Purpose of Grant	Acquittal Date	Acquittal Requirement	Type	Amended Budget		YTD Budget	YTD Actual Revenue
						Operating	Capital		
						\$	\$	\$	\$
General Purpose Funding									
Grants Commission - General	WALGGC	Untied - General Purpose	NA	NA	Operating	83,113		55,408	62,335
Grants Commission - Roads	WALGGC	Untied - Road	NA	NA	Operating	33,900		22,600	25,369
Education and Welfare									
Home and Community Care Program	State/Commonwealth Dep. Health	Commonwealth Home Support Programme	31-Oct	Financial Declaration Acquittal	Operating - Tied	601,566		401,040	451,907
Community Amenities									
Recycling Grant	Dept. Regional Development	Better Bins Program			Operating - Tied	32,350		21,560	6,350
Recreation and Culture									
East Fremantle Oval Redevelopment	Town of East Fremantle - Trust	Business Case			Operating - Tied	238,100		0	0
Foreshore Erosion	DBCA				Operating - Tied	0		0	0
Transport									
Regional Road Group - Cap	Main Roads	Road Renewal	31-May	Certificate of Completion	Non-operating		180,000	180,505	180,505
Direct Grant	Main Roads	Direct Grant	July	GST Free Invoice	Operating	18,000		18,000	18,170
Federal Government Stimulus Payment	Department of Infrastructure	Local Roads and Community Infrastructure Program			Operating - Tied	84,000		0	42,091
Street Lighting Subsidy	Main Roads	Street Lighting Subsidy	September		Operating	4,800		0	0
Integrated Traffic Study	Town of East Fremantle - Trust	Traffic and Parking Management Plan - Whole of District			Operating - Tied	6,410		0	0
Stirling Bridge Verge Maintenance Agreement	Main Roads	Stirling Highway Verge Maint. Agreement	September	GST Inc. Invoice	Operating	8,000		0	0
TOTALS						1,110,239	180,000	699,113	786,726
SUMMARY									
Operating	Operating Grants, Subsidies and Contributions					147,813	0		105,874
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions					962,426	0		500,348
Non-operating	Non-operating Grants, Subsidies and Contributions					0	180,000		180,505
TOTALS						1,110,239	180,000	0	786,726

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

Budget Year: 20/21
Data as at: Thursday, 4 March 2021

Run at 10:40AM on 04/03/2021
68% of Year Lapsed

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
04 - GOVERNANCE									
042 - ADMINISTRATION									
Capital Expenditure									
E04606		Furniture and Equipment	67,442	67,442	64,395	0	64,395	-4.52%	95%
Capital Expenditure Total			67,442	67,442	64,395	0	64,395		
08 - WELFARE									
082 - CARE OF FAMILIES & CHILDREN									
Capital Expenditure									
E08607		Plant and Equip - Replace Mitsubishi Bus HACC	175,000	0	0	173,563	173,563	-0.82%	99%
Capital Expenditure Total			175,000	0	0	173,563	173,563		
10 - COMMUNITY AMENITIES									
104 - OTHER COMMUNITY AMENITIES									
Capital Expenditure									
E10629		Public Toilet - Capital	3,300	2,475	3,238	0	3,238	-1.89%	98%
Capital Expenditure Total			3,300	2,475	3,238	0	3,238		
11 - RECREATION AND CULTURE									
112 - OTHER RECREATION & SPORT									
Capital Expenditure									
E11600		East Fremantle Football Club Building Renewal	33,000	24,750	28,404	0	28,404	-13.93%	86%
E11613		Inf - Dog Park Fencing and Equipment	1,940	1,449	1,940	0	1,940	0.00%	100%
E11622		Capex - Lee Park - Bore Renewal	53,000	39,744	0	0	0	-100.00%	0%
E11630		Capex - Electrical - Lighting/Bore - Wauhop Park	40,000	29,997	4,423	33,385	37,808	-5.48%	95%
E11633		Inf - Cliff Management - Niergarup Track	30,000	22,500	29,985	0	29,985	-0.05%	100%
E11653		East Fremantle Cricket Club-Contribution	5,000	3,744	0	0	0	-100.00%	0%
E11678		EF Junior Football Club - Install Floodlighting	29,200	21,897	0	0	0	-100.00%	0%
E11695		Inf Chapman / Preston Point Reserve - Returfing and Irrigation	150,000	112,500	120,598	4,877	125,474	-16.35%	84%
E11713		INF - Parks/ Reserve Sign Replacement	3,500	2,619	3,487	0	3,487	-0.39%	100%
Capital Expenditure Total			345,640	259,200	188,836	38,261	227,097		
114 - OTHER CULTURE									
Capital Expenditure									
E11685		P&E - Acquisition of Public Art (Outdoor Sculpture) - CapEx - Other Culture	95,000	31,250	11,091	2,500	13,591	-85.69%	14%
Capital Expenditure Total			95,000	31,250	11,091	2,500	13,591		
12 - TRANSPORT									
122 - MAINT STREETS ROADS & BRIDGES									

Budget Year: 20/21
Data as at: Thursday, 4 March 2021

Run at 10:40AM on 04/03/2021
68% of Year Lapsed

Account #	Job #	Description	Current Budget	YTD Budget	YTD Actual	Order Value	Total Committed	Variance (%)	% of Full Budget
Capital Expenditure									
E12656		Footpath - Stratford Street	74,100	55,575	0	0	0	-100.00%	0%
E12761		Inf - Drainage	104,181	78,129	7,263	36,691	43,954	-57.81%	42%
E12784		Inf - Roads - Road Resurfacing - Riverside Road	375,000	281,250	407,291	3,818	411,109	9.63%	110%
E12801		Capex - Footpath Repair - Hazards & Defects	40,000	29,997	18,849	5,243	24,092	-39.77%	60%
E12815		Plant & Equipment - Mobile Plant - Capex - New - Maintenance Streets Roads & Bridges	38,000	7,959	7,959	0	7,959	-79.06%	21%
E12831		Capex - Retaining Walls	23,170	17,370	23,170	0	23,170	0.00%	100%
Capital Expenditure Total			654,451	470,280	464,531	45,753	510,284		
123 - ROAD PLANT									
Capital Expenditure									
E12702		Plant and Equip - Water Tank Trailer (Tandem 8x5 with brakes)	8,817	6,606	8,817	0	8,817	0.00%	100%
Capital Expenditure Total			8,817	6,606	8,817	0	8,817		
14 - OTHER PROPERTY AND SERVICES									
144 - UNCLASSIFIED PROPERTY									
Capital Expenditure									
E14601		Buildings - Renewals and Electrical Services	10,000	7,497	0	0	0	-100.00%	0%
Capital Expenditure Total			10,000	7,497	0	0	0		
GRAND TOTAL			1,359,650	844,750	740,908	260,078	1,000,986		



MONTHLY FINANCIAL HEALTH CHECK

As at 28 February 2021

Highlighting how the Town of East Fremantle is tracking against financial ratios



Financial Snapshot (Year to Date)	Actual
Operating Revenue	\$9,677,764
Operating Expenditure (Including Non-Cash Items)	(\$7,468,326)
Non-Cash Items	\$1,650,855
Capital Revenue	\$199,360
Capital Expenditure	(\$710,471)
Loan Repayments	(\$49,978)
Transfers to/from Reserves	(\$2,080)
Surplus Brought Forward 1 July 2020	\$226,870
Current Municipal Surplus	\$3,523,993



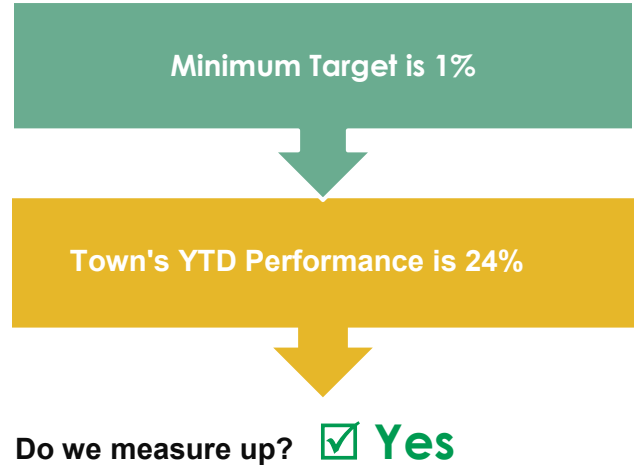
Cash in the bank



▶ How are we tracking against our budgeted targets?

Adjusted Operating Surplus

A measure of the Town's ability to cover its operational costs including depreciation and have funds left over to cover capital expenditure (including principal loan repayments) without relying on debt or reserves.



- Adjusted operating surplus and self-sufficient ratios are high in the earlier part of the year due to rates being fully invoiced in July. However, as the year progresses, operating expenditure will continue to draw on this revenue source reducing to target by 30 June 2021.

Asset Sustainability Ratio

Measures if the Town is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out.



- A reduced Capital Works Program (including renewals) and an increase in depreciation expense as a result of asset revaluations has had a two-fold effect on the asset sustainability ratio resulting in a deterioration.

12.1.2 Accounts for Payment – February 2021

File ref	F/FNS2
Prepared by	John Mondini, Manager, Finance & Administration
Supervised by	Peter Kocian, Executive Manager, Corporate Services
Meeting Date	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Monthly List of Payments –February 2021

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 28 February 2021 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 February to 28 February 2021, 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		Insignificant	Minor	Moderate	Major	Extreme	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

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

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

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 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 period include the following significant items:

Payee	Particulars	Amount (GST Inc)
Glyde In Community Group	Annual Grant – 3 rd & 4 th Quarter Payments	47,850.00
Suez Environment Recycling & Waste Recovery	Waste Collection – Sept, Oct, Nov & Dec 2020. Waste Collection Alexandra/East Jan 2021	122,443.04
SMRC	Gate Fees/Overcompaction Surcharge/Member Contrib January 2021	28,614.90
Talis Consultants	Final Payment – Riverside Road	52,936.40
Suez Environment Recycling & Waste Recovery	Waste Collection January 2021	32,229.22
SMRC	Member Contrib Jan-March 21/Gate Fees/Waste Fees	71,231.89
Civcon	Final Payment – Riverside Road Contract Variations	145,207.65
Superchoice Pty Ltd	Employee Superannuation January 2021	45,635.65

12.1.2 OFFICER RECOMMENDATION

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, RECEIVES the list of payments made under delegated authority for the month ended 28 February 2021 as recorded in the Minutes of the Council.

FEBRUARY 2021		
Voucher No	Account	Amount
5318 - 5319	Municipal (Cheques)	\$7,532.86
EFT30854 – EFT30980	Municipal (EFT)	\$757,292.90
Payroll	Municipal (EFT)	\$264,785.43
Direct Debits	Municipal (Direct Debit)	\$13,865.40
	Total Payments	\$ 1,043,476.59

TOWN OF EAST FREMANTLE

List of Accounts paid by the Chief Executive for FEBRUARY 2021 & submitted for the information of the Council Meeting to be held on 16 March 2021

Cheque	Payment Date	Supplier	Description	Inv Amount	Cheque
CHEQUE					
5318	15/02/2021	WATER CORPORATION	WATER USE AND SERVICE CHARGES VARIOUS LOCATIONS	550.53	550.53
5319	17/02/2021	WATER CORPORATION	WATER USE AND SERVICE CHARGES VARIOUS LOCATIONS	6,982.33	6,982.33
			CHEQUE TOTAL	\$ 7,532.86	\$ 7,532.86
EFTs		Supplier	Description	Inv Amount	EFT
EFT30854	02/02/2021	TOWN OF EAST FREMANTLE	INTEREST TRANSFER TO MUNI AS PER OAG POSITION PAPER 01/07/19	3,341.94	3,341.94
EFT30855	04/02/2021	AUSTRALIA POST	POSTAGE COST JANUARY 2021	487.76	487.76
EFT30856	04/02/2021	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	216.72	216.72
EFT30857	04/02/2021	CONSTRUCTION TRAINING FUND	CTF LEVY DECEMBER 2020	2,028.01	2,028.01
EFT30858	04/02/2021	BUNNINGS BLDG SUPPLIES LTD	CEMENT & VARIOUS HARDWARE FOR SIGN INSTALLATION	725.83	
			GAS BOTTLE EXCHANGE	26.95	752.78
EFT30859	04/02/2021	FREMANTLE HERALD	ADVERTISING - SPECIAL COUNCIL MEETING 27/1/21	189.83	189.83
EFT30860	04/02/2021	GLYDE IN COMMUNITY GROUP (INC)	ANNUAL GRANT 2020/2021 - 3RD QUARTER AND ANNUAL GRANT 2020/2021 - 4TH QUARTER IN ADVANCE	47,850.00	47,850.00
EFT30861	04/02/2021	IT VISION	SYSTEM ADMINISTRATION TRAINING	1,241.63	
			SYNERGY SOFTWARE UPGRADE	1,113.75	2,355.38
EFT30862	04/02/2021	LO-GO APPOINTMENTS	CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER - 11/01/21 - 15/01/21	3,959.67	
			CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER - 18/01/21 - 22/01/21	3,959.66	7,919.33
EFT30863	04/02/2021	MCLEODS	PROFESSIONAL FEES - REVIEW OF MOORING PEN LICENSE	370.63	
			PROFESSIONAL FEES - RATES DEBT RECOVERY COSTS 2020-2021	554.18	
			PROFESSIONAL FEES - RATES DEBT RECOVERY COSTS 2020-2021	352.66	1,277.47
EFT30864	04/02/2021	MAYOR JIM O'NEILL	SITTING FEES, ICT ALLOWANCE & MAYORAL ALLOWANCE FEBRUARY 2021	4,416.68	4,416.68
EFT30865	04/02/2021	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING SEPTEMBER 2020	19,728.17	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING OCTOBER 2020	14,010.98	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING OCTOBER 2020	19,701.37	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING NOVEMBER 2020	19,417.33	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING NOVEMBER 2020	13,851.95	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING DECEMBER 2020	21,762.07	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING DECEMBER 2020	13,546.45	
			WASTE COLLECTION COSTS - ALEXANDRA RD & EAST ST (BULK SERVICE) JANUARY 2021	424.72	122,443.04
EFT30866	04/02/2021	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS	12,083.84	12,083.84
EFT30867	04/02/2021	YOUNGS PLUMBING SERVICE P/L	LEE PARK - PLUMBING - INSTALLATION OF REPLACEMENT DRINKING FOUNTAIN	438.00	438.00
EFT30868	04/02/2021	FASTA COURIERS	FASTA COURIER SERVICES FOR ENVIRONMENTAL HEALTH SERVICES PE 15/01/21	31.90	
			FASTA COURIER SERVICES FOR ENVIRONMENTAL HEALTH SERVICES PE 31/01/21	31.90	
			FASTA COURIER SERVICES FOR ENVIRONMENTAL HEALTH SERVICES PE 31/12/20	53.06	116.86
EFT30869	04/02/2021	SMRC LOAN REPAYMENT ACCOUNT	RRRC LOAN REPAYMENT FOR DECEMBER 2020	27,498.00	27,498.00
EFT30870	04/02/2021	METROCOUNT VEHICLE CLASSIFIER SYSTEMS	TRAFFIC COUNTER - ROAD NAILS (X50), ROAD CLEATS (10 PACK), CENTRELINE FLAPS (10 PACK)	1,340.90	1,340.90
EFT30871	04/02/2021	SOUTHERN METROPOLITAN REGIONAL COUNCIL	GATE FEES DISPOSAL (FOGO)	21,532.88	
			OVERCOMPACTION SURCHARGE - SUEZ TO CREDIT TOEF FOR THIS COST	64.02	
			MEMBER CONTRIBUTIONS TO SMRC OPERATING EXPENDITURE 01/01/21 - 31/01/21	7,018.00	28,614.90
EFT30872	04/02/2021	DEPT OF MINES, INDUSTRY REGULATION & SAFETY	BUILDING SERVICES LEVY COLLECTED JANUARY 2021	3,318.42	3,318.42
EFT30873	04/02/2021	SATELLITE SECURITY SERVICES	DOVENBY HOUSE - CALL OUT FEE TO INSPECT FAULTY ALARM SYSTEM, ALARM CODE SETUP	685.80	685.80
EFT30874	04/02/2021	PETRA CLEAN	CLEANING JANUARY 2020 SUMPTON GREEN, DEPOT, HACC, TOWN HALL, GLASSON PARK TOILETS & CONSUMABLES	7,627.33	7,627.33
EFT30875	04/02/2021	BATTERY WORLD	CHECK BATTERY LEVELS OR REPLACE, 1 X CHARGER AND TERMINALS	113.90	113.90
EFT30876	04/02/2021	CR. JENNY HARRINGTON	SITTING FEES, ICT ALLOWANCE & DEPUTY MAYORAL ALLOWANCE FEBRUARY 2021	2,062.84	2,062.84
EFT30877	04/02/2021	WOOLWORTHS SUPERMARKETS	RESPIRE CENTRE GROCERIES 25/01/2021	120.92	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	71.08	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	71.47	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	36.98	300.45
EFT30878	04/02/2021	J & K HOPKINS	RAPID WORKSTATION FOR EXECUTIVE MANAGER TECHNICAL SERVICES	723.00	723.00
EFT30879	04/02/2021	CR. CLIFF COLLINSON	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30880	04/02/2021	DAVID GRAY & CO. PTY LTD	240L GENERAL WASTE BINS - COMPLETE SETS	1,715.67	
			EVENT BINS - BLACK 120L COMPLETE SETS	120.78	
			CREDIT NOTE -240L GENERAL WASTE BINS - COMPLETE SETS	-330.00	1,506.45
EFT30881	04/02/2021	CR. DEAN NARDI	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30882	04/02/2021	KONICA MINOLTA BUSINESS SOLUTIONS	KONICA MINOLTA BIZHUB C658 PHOTOCOPY CHARGES - PLANNING 13/11/2020 - 12/12/2020	621.43	

			KONICA MINOLTA BIZHUB C658 PHOTOCOPY CHARGES - PLANNING 13/12/2020 - 12/01/2021	146.10	
			KONICA MINOLTA PHOTOCOPIER CONTRACT 01/12/20 - 31/12/20 - HACC	25.62	793.15
EFT30883	04/02/2021	CARINYA OF BICTON	RESPIRE CENTRE MEALS JANUARY 2021	2,593.59	2,593.59
EFT30884	04/02/2021	SUNNY SIGN COMPANY PTY LTD	CARPARK ENTRY SIGNAGE 1500X900MM VARIOUS LOCATIONS, CARPARK SIGNAGE BRACKETS	3,008.28	
			GALVANISED SIGN POSTS (X37)	956.45	3,964.73
EFT30885	04/02/2021	DEPARTMENT OF TRANSPORT	DISCLOSURE OF INFORMATION FEES	170.00	170.00
EFT30886	04/02/2021	FOCUS NETWORKS	WORK FROM HOME CALL APP - DIGIUM SWITCHVOX SOFTPHONE FOR WINDOWS	2,244.00	
			DESKTOP IMAGING AND SET UP OF NEW LAPTOPS	5,940.00	8,184.00
EFT30887	04/02/2021	LENIP PTY LTD T/AS ASPHALT IN A BAG	1/2 PALLET - ASPHALT IN A BAG	859.38	859.38
EFT30888	04/02/2021	TYREPOWER BOORAGOON	TWO NEW TYRES AND WHEEL BALANCE FOR FORD FOCUS 1GEM342	298.00	298.00
EFT30889	04/02/2021	ENVIRO SWEEP	STREET SWEEPING JANUARY 2021	4,158.00	4,158.00
EFT30890	04/02/2021	ZEPHYR CAFE & KIOSK	1 x VOUCHER VOLUNTEER THANK YOU	100.00	100.00
EFT30891	04/02/2021	LANDGATE	CERTIFICATE OF TITLE SEARCH	26.70	26.70
EFT30892	04/02/2021	PROMPT GLASS	BROKEN WINDOW REPLACEMENT - TRICOLORE	892.10	892.10
EFT30893	04/02/2021	CR. MICHAEL MCPHAIL	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30894	04/02/2021	CR. TONY WATKINS	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30895	04/02/2021	TALIS CONSULTANTS PTY LTD	PROFESSIONAL FEE - TALIS PROJECT NO TC19011 RIVERSIDE ROAD PROJECT FINAL PAYMENT	52,936.40	52,936.40
EFT30896	04/02/2021	CR. ANDREW MCPHAIL	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30897	04/02/2021	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	MONTHLY CHARGES FOR PARKING MACHINES AT LEEUWIN DECEMBER 2020	165.00	165.00
EFT30898	04/02/2021	TREE'S A CROWD TREE CARE	REMOVE TREE STATION ROAD, PRUNE TREES ALCESTER STREET	2,640.00	2,640.00
EFT30899	04/02/2021	CR. TONY NATALE	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30900	04/02/2021	MANOTEL PTY LTD (ACN 009 208 164)	RATES REFUND	14,651.00	14,651.00
EFT30901	04/02/2021	SUEZ RECYCLING & RECOVERY PTY LTD	LEEUWIN BULK BIN COLLECTION JANUARY 2021	413.60	
			WASTE COLLECTION COSTS - ALEXANDRA RD & EAST ST (BULK SERVICES) JANUARY 2021	785.55	1,199.15
EFT30902	04/02/2021	WINC	OFFICE STATIONERY ORDERED ON 20.01.2020	238.08	
			PLANET ARK COPY PAPER A4 X 50 REAM, WINC COPY PAPER A3 X 6 REAM, OFFICE STATIONERY ORDERED ON 28.01.2021	421.61	659.69
EFT30903	04/02/2021	LINXIO (READY TRACK PTY LTD)	GPS VEHICLE TRACKING - JANUARY 2021	169.40	169.40
EFT30904	04/02/2021	ANDREA ONAMADE	CITIZENSHIP - NATIONAL ANTHEM PERFORMANCE	500.00	500.00
EFT30905	04/02/2021	THE FRUIT BOX GROUP	FRUIT BOX TOWN HALL AND DEPOT 23/11/20 - 21/12/20	255.00	
			FRUIT BOX TOWN HALL AND DEPOT 11/01/21 - 18/01/21	102.00	357.00
EFT30906	04/02/2021	UDLA	RQF16-2019/20 RIVERSIDE ROAD LANDSCAPING ENHANCEMENT	440.00	440.00
EFT30907	04/02/2021	ELMO CLOUD HR & PAYROLL	ELMO EVOLVE 12 MONTH SUBSCRIPTION E LEARNING PLATFORM 28/02/21 - 27/02/22	4,730.00	4,730.00
EFT30908	04/02/2021	GRACE RECORDS MANAGEMENT (AUSTRALIA)	SCAN ON DEMAND SERVICES FOR PLANNING AND BUILDING SERVICES JANUARY 2021	931.33	931.33
EFT30909	04/02/2021	GRILLEX	LEE PARK - REVIVA DRINKING FOUNTAIN WITH DOG BOWL	3,305.50	3,305.50
EFT30910	04/02/2021	CR KERRY DONOVAN	SITTING FEES & ICT ALLOWANCE FEBRUARY 2021	1,542.00	1,542.00
EFT30911	04/02/2021	KYOCERA DOCUMENT SOLUTIONS	PRINTING COST ADMIN OFFICE JANUARY 2021	89.71	89.71
EFT30912	04/02/2021	ZEDS MECHANICAL AND MAINTENANCE	MECHANICAL SERVICE AND REPAIR OF FRONT HUB LEAK FOR MITSUBISHI FUSO ROSA BUS 1DXU938	895.79	895.79
EFT30913	04/02/2021	SOUTHERN BINS	BULK BINS - WAUHOP ROAD - DECEMBER 2020	1,140.00	
			BULK BINS - WAUHOP ROAD - JANUARY 2020	1,140.00	2,280.00
EFT30914	04/02/2021	C SONNENBERG	RATES REFUND	338.04	338.04
EFT30915	04/02/2021	F & K CARVILLE	RATES REFUND	208.03	208.03
EFT30916	04/02/2021	K BELL	REFUND OF OVERPAYMENT OF PARKING FEES - LEEUWIN LAUNCHING RAMP	84.00	84.00
EFT30917	04/02/2021	AMPOL AUSTRALIA PETROLEUM PTY LTD (CALTEX)	FUEL USE JANUARY 2021	2,869.99	2,869.99
EFT30918	11/02/2021	GREEN-SHORE BUILDERS PTY LTD	BOND REFUND	2,000.00	2,000.00
EFT30919	11/02/2021	G GALIPO	BOND REFUND	2,000.00	2,000.00
EFT30920	11/02/2021	A TURCO & V TURCO	BOND REFUND	1,500.00	1,500.00
EFT30921	11/02/2021	J & C MARTINO NOMINEES PTY LTD T/AS TEMPO HOMES	BOND REFUND	2,000.00	2,000.00
EFT30922	11/02/2021	CASM CONSTRUCTION PTY LTD	BOND REFUND	2,000.00	2,000.00
EFT30923	11/02/2021	BUILDINGLINES APPROVALS PTY LTD	BOND REFUND	1,500.00	1,500.00
EFT30924	11/02/2021	N REYNALDO & R SHANAHAN	BOND REFUND	2,000.00	2,000.00
EFT30925	11/02/2021	NCH INVESTMENT PTY LTD	BOND REFUND	3,000.00	3,000.00
EFT30926	17/02/2021	APACE AID (INC)	WEED CONTROL AT JOHN TONKIN PARK 16/12/20 & 02/02/21	1,155.00	1,155.00
EFT30927	17/02/2021	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	216.72	216.72
EFT30928	17/02/2021	CONSTRUCTION TRAINING FUND	BCTIF PAYMENTS DECEMBER 2021	2,028.01	
			BCTIF PAYMENTS JANUARY 2021	3,152.74	5,180.75
EFT30929	17/02/2021	BOC LIMITED	CONTAINER SERVICE - JANUARY 2021	50.25	50.25
EFT30930	17/02/2021	CITY OF COCKBURN	TIP FEES - JANUARY 2021	1,690.00	1,690.00
EFT30931	17/02/2021	FREMANTLE HERALD	ADVERTISEMENT - TOWN PLANNING MEETING	284.76	
			ADVERTISEMENT - ANNUAL ELECTORS MEETING	189.83	
			ADVERTISEMENT - EAST FREMANTLE OVAL REDEVELOPMENT	189.83	664.42
EFT30932	17/02/2021	IT VISION	ALTUS PAYROLL SUBSCRIPTION - JAN 21	220.00	220.00
EFT30933	17/02/2021	LO-GO APPOINTMENTS	CONTRACTOR COSTS FOR ACTING OPERATIONS MANAGER -25/01/21 - 30/01/21	3,147.43	3,147.43
EFT30934	17/02/2021	MCLEODS	PROFESSIONAL FEES - RATES DEBT RECOVERY COSTS 2020-2021	210.15	
			PROFESSIONAL FEES - LEGAL FEES - BUSH FIRES ACT	999.52	1,209.67
EFT30935	17/02/2021	SUEZ ENVIRONMENT RECYCLING & WASTE RECOVERY	WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING JANUARY 2021	18,750.91	
			WASTE COLLECTION - FOGO GREEN BINS, GENERAL WASTE RED BINS, PARKS & RESERVES, STREET BINS & GENERAL WASTE & RECYCLING JANUARY 2021	13,478.31	32,229.22
EFT30936	17/02/2021	ST JOHNS AMBULANCE ASSOCIATION	FIRST AID TRAINING FOR CHSP STAFF 29 JAN 2021	160.00	160.00
EFT30937	17/02/2021	TELSTRA CORPORATION LIMITED	MOBILE DEVICE REPAYMENT OPTIONS & OTHER SERVICE CHARGES - JANUARY 2021	543.69	
			MOBILE DEVICE REPAYMENT OPTIONS & OTHER SERVICE CHARGES - FEBRUARY 2021	543.69	
			SUMPTON GREEN PHONES & TOEF FULL DIRECTORY LISTING FEB 21	537.81	1,625.19
EFT30938	17/02/2021	PERTH AUTO ALLIANCE TRADING AS TITAN FORD	ANNUAL SERVICE FORD FOCUS 1GEM342	840.75	840.75
EFT30939	17/02/2021	TOTAL PACKAGING (WA) PTY LTD	15 CARTONS (60 BOXES) BIODEGRADABLE DOG BAGS	3,775.20	3,775.20
EFT30940	17/02/2021	MCGEES NATIONAL PROPERTY CONSULTANTS	PROFESSIONAL FEES - REVIEW OF MOORING PEN LICENCE	2,530.00	2,530.00

EFT30941	17/02/2021	SOUTHERN METROPOLITAN REGIONAL COUNCIL	MEMBER CONTRIBUTIONS TO SMRC OPERATION EXPENDITURE (01/01/2021 - 31/03/2021)	7,018.00	
			GATE FEES DISPOSAL (FOGO) JANUARY 2021	20,719.26	
			RED BIN WASTE GATE FEE FOR JANUARY 2021	11,934.79	
			MRF GATE FEES FOR JANUARY 2021	9,467.14	
			GREEN WASTE TRAILER PASS, WCF GATE FEES GREEN FOGO FOR JANUARY 2021	30.00	
			RRRC OVERHEADS & WCF FIXED COSTS CONTRIBUTION FOR JANUARY 2021	22,062.70	71,231.89
EFT30942	17/02/2021	WOOLWORTHS SUPERMARKETS	GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	28.10	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	52.75	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	82.87	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	40.67	
			GROCERIES FOR CHSP CLIENT - CLIENT TO REIMBURSE BY DIRECT DEBIT	78.30	
			GROCERIES FOR CHSP RESPITE CENTRE 15/02/21	182.51	465.20
EFT30943	17/02/2021	INDIANIC GROUP PTY LTD	MOORING PEN JETTIES ANNUAL INSPECTION - 2021	11,935.00	11,935.00
EFT30944	17/02/2021	WEST COAST SHADE	LEE PARK - REPLACEMENT SHADE SAIL	5,225.00	
			LEE PARK - SHADE SAIL RE-INSTALLATION	770.00	5,995.00
EFT30945	17/02/2021	TRADEWINDS HOTEL	VOLUNTEER THANK YOU VOUCHER	100.00	100.00
EFT30946	17/02/2021	LANDSCAPE YARD O'CONNOR	2 X LOADS OF LAWN SAND	228.00	228.00
EFT30947	17/02/2021	KONICA MINOLTA BUSINESS SOLUTIONS	DEPOT PHOTOCOPIER - KONICA MINOLTA BIZHUB C224E - PRINTING COSTS - 13/01/21 - 12/02/21	31.77	31.77
EFT30948	17/02/2021	SUNNY SIGN COMPANY PTY LTD	NIERGARUP TRACK - CLIFF WARNING SIGNAGE	363.00	363.00
EFT30949	17/02/2021	MP ROGERS & ASSOCIATES P/L	SEAWALL INSPECTION & ASSESSMENT - BETWEEN BOAT RAMP & SWAN YACHT CLUB	3,569.99	3,569.99
EFT30950	17/02/2021	FOODWORKS EAST FREMANTLE	WORKS, ADMIN,EVENTS AND HACC CONSUMABLES JANUARY 2021	324.35	324.35
EFT30951	17/02/2021	FOCUS NETWORKS	MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - JANUARY 21	704.00	
			MANAGED PROACTIVE SERVICE - MONTHLY COMPUTER SERVICES - FEB 21	4,160.20	
			MONTHLY CHARGES FOR MICROSOFT OFFICE 365, VISIO, EMAIL PROTECTION, ANTI VIRUS, MANAGED RECOVERY SERVICE AND DUO MULTI-FACTOR AUTHENTICATION LICENCE - FEBRUARY 21	4,923.37	9,787.57
EFT30952	17/02/2021	EAST FREMANTLE JUNIOR CRICKET CLUB INC	COMMUNITY ASSISTANCE GRANTS - PRINTING COST	200.00	200.00
EFT30953	17/02/2021	GARY DEVINE	REIMBURSEMENT - EQUIPMENT MAINTENANCE	60.41	60.41
EFT30954	17/02/2021	THE WORKWEAR GROUP	CREDIT NOTE FOR RETURNED ITEM	-288.20	
			2020 - 2021 STAFF UNIFORM	175.00	
			2020 - 2021 STAFF UNIFORM	326.61	
			2020 - 2021 STAFF UNIFORM	175.00	
			FACE MASKS REUSABLE 10 PACKS OF 5	299.00	687.41
EFT30955	17/02/2021	VOCUS COMMUNICATIONS	INTERNET - TOWN HALL - MARCH 2021	1,171.50	
			SESSION INITIATION PROTOCOL (SIP) LINES / SERVICES CHARGES FOR VOICE OVER INTERNET JANUARY 2021	474.63	1,646.13
EFT30956	17/02/2021	RACHAEL GARDNER	REIMBURSEMENT FOR FACE MASKS AND ANTIBACTERIAL GEL/ WIPES FOR CHSP	124.85	124.85
EFT30957	17/02/2021	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	MONTHLY CHARGES FOR PARKING MACHINES AT LEEUWIN JANUARY 2021	165.00	165.00
EFT30958	17/02/2021	KEYS THE MOVING SOLUTION	FURNITURE STORAGE - HISTORIC AND CHAMBER FURNITURE - 31/01/21 - 27/02/21	260.00	260.00
EFT30959	17/02/2021	LIONS CLUB OF EAST FREMANTLE	CATERING FOR CITIZENSHIP CEREMONY JOHN TONKIN PARK	700.00	700.00
EFT30960	17/02/2021	EMBROID ME MYAREE	CHSP STAFF UNIFORMS	809.60	809.60
EFT30961	17/02/2021	COASTLINE MOWERS	6 X ROLLS BRUSHCUTTER CORD, 20-2 AUTO FEED HEADS, 6 X CAPS, 4 X SPOOLS AND 2 X 5 LITRE HP ULTRA 2 STROKE OIL	948.00	
			1X BATTERY STIHL CHAINSAW AND 2 X BATTERIES AND CHARGER	952.95	1,900.95
EFT30962	17/02/2021	JESSEE LEE JOHNS	GLASSON PARK BASKETBALL WALL MURAL INSTALLATION - DECEMBER 2020	10,230.00	10,230.00
EFT30963	17/02/2021	HEIGHT CONSTRUCTION AND CARPENTRY PTY LTD	SUMPTON GREEN WOODEN STEPS TIMBER REPLACEMENT	880.00	880.00
EFT30964	17/02/2021	ONEMUSIC AUSTRALIA	LICENCE FEES - MUSIC FOR COUNCILS LICENCE 01/07/20 - 30/06/21	894.64	894.64
EFT30965	17/02/2021	KYOCERA DOCUMENT SOLUTIONS	KYOCERA PAPER/CUT THREE YEAR MAINTENANCE LICENCE - MONTHLY FEE	204.93	204.93
EFT30966	17/02/2021	CIVCON CIVIL & PROJECT MANAGEMENT	RIVERSIDE ROAD CONSTRUCTION - VARIATIONS CONTRACT RFT 04-2019/20 - FINAL INVOICE	145,207.65	145,207.65
EFT30967	17/02/2021	PHASE 3 LANDSCAPE CONSTRUCTION PTY LTD	RIVERSIDE ROAD - LANDSCAPING PROJECT - RFQ06-2019/20 PROGRESS CLAIM	4,669.79	4,669.79
EFT30968	17/02/2021	ERIN MADELEY CONSULTING	EAST FREMANTLE'S GEORGE STREET FESTIVAL 2021 - STALL HOLDER CO-ORDINATION, INCLUDING STALLHOLDER MARKETING SUPPORT	2,296.25	2,296.25
EFT30969	17/02/2021	SOUTHERN BINS	SKIP BIN DELIVERY 10/02/21 - WAUHOP ROAD	1,140.00	
			SKIP BIN DELIVERY 11/02/21 - WAUHOP ROAD	570.00	
			SKIP BIN DELIVERY 11/02/21 - WAUHOP ROAD - SECOND BIN	570.00	2,280.00
EFT30970	17/02/2021	M2M ONE PTY LTD	TOWN HALL LIFT EMERGENCY SIM CARD - FEBRUARY 2021	13.20	13.20
EFT30971	17/02/2021	TRAVIS HAYTO PHOTOGRAPHY	RIVERSIDE ROAD REDEVELOPMENT VIDEO JULY 28TH 2020	695.75	695.75
EFT30972	17/02/2021	PAPERSCOUT	EAST FREMANTLE NEWSLETTER PRINT	1,859.00	1,859.00
EFT30973	17/02/2021	TPG NETWORK PTY LTD	FAST FIBRE AND IP LINE LINK, TOWN HALL, DEPOT MONTHLY CHARGE FEBRUARY 2021	1,318.25	1,318.25
EFT30974	17/02/2021	CLASSIC HIRE	EQUIPMENT HIRE - SMALL BOBCAT 01/12/2020 - 04/12/2020	605.00	
			EQUIPMENT HIRE - PLATE COMPACTOR 01/12/2020 - 14/12/2020	1,331.00	1,936.00
EFT30975	17/02/2021	AUSHYGIENICS	6 X 50 PACKS OF FDA AND CE APPROVED DISPOSABLE FACE MASKS AND 10 X 500ML 75% ALCOHOL HAND SANITISING GEL	225.50	225.50
EFT30976	17/02/2021	P DURACK	REFUND OF OVERPAYMENT OF PARKING FEES - LEEUWIN LAUNCHING RAMP CAR PARK	64.00	64.00
EFT30977	17/02/2021	C REGUERO	REFUND OF CTF LEVY - BUILDING APPLICATION 2021013	819.51	819.51
EFT30978	17/02/2021	J GONCALVES	REFUND - MERV COWAN PARK HIRE FEE	180.00	180.00
EFT30979	17/02/2021	E BRUYN	REFUND - MERV COWAN PARK HIRE FEE	180.40	180.40
EFT30980	17/02/2021	R BURDETT	REFUND OF OVERPAYMENT OF PARKING FEES - LEEUWIN LAUNCHING RAMP CAR PARK	64.00	64.00
			EFT TOTAL	\$ 757,292.90	\$ 757,292.90

Direct Debit	Supplier	Description	Inv Amount	EFT
	SUPERCHOICE PTY LTD	EMPLOYEE SUPERANNUATION - FEBRUARY 2021	\$ 45,635.65	\$ 45,635.65
	CBA	CBA MERCHANT FEE	\$ 1,537.52	\$ 1,537.52
	CBA	ACCOUNT SERVICE TRANSACTION FEES	\$ 35.63	\$ 35.63
	CBA	BPAY TRANSACTION FEES	\$ 651.42	\$ 651.42
	CBA	COMMBIZ TRANSACTION FEES	\$ 60.06	\$ 60.06
	CBA	BPOINT TRANSACTION FEES	\$ 109.75	\$ 109.75
	CREDIT CARD - ANDREW DRIVER	CALTEX - ICE FOR CITIZENSHIP CEREMONY	\$ 10.00	\$ 10.00
		BOUSFIELDS - BRIM HAT	\$ 69.95	\$ 69.95
		CALTEX - FUEL FOR RANGER HIRE VEHICLE	\$ 65.06	\$ 65.06
		TERRY WHITE CHEMIST - FACEMASKS	\$ 14.00	\$ 14.00
		WOOLWORTHS - MINOR EXPENSES	\$ 41.65	\$ 41.65
		CALTEX - FUEL FOR RANGER HIRE VEHICLE	\$ 41.92	\$ 41.92
		EAST FREMANTLE MEDICAL CENTRE - RANGER MEDICAL CHECK UP	\$ 78.99	\$ 78.99
		GRONBEK SECURITY - FLYSCREEN DOOR KEYS AND GLASS DOOR KEY	\$ 38.60	\$ 38.60
		SUPERCHEAP AUTO - LOCKS FOR VMS TRAILER	\$ 7.99	\$ 7.99
		OFFICEWORKS - STATIONERY	\$ 18.36	\$ 18.36
		CALTEX - FUEL FOR RANGER HIRE VEHICLE	\$ 59.37	\$ 59.37
		FOODWORKS - BATTERIES / SCHMACKOS	\$ 39.61	\$ 39.61
		CALTEX - FUEL FOR RANGER HIRE VEHICLE	\$ 56.85	\$ 56.85
		COLES EXPRESS - TOP UP FUEL FOR HIRE VEHICLE CHANGE OVER	\$ 7.95	\$ 7.95
		TOEF PARKING - PARKING TICKET TEST	\$ 496.00	\$ 496.00
	CREDIT CARD - PETER KOCIAN	ZOOM - SUBSCRIPTION	\$ 138.53	\$ 138.53
		RANGER HIRE VEHICLE	\$ 1,772.80	\$ 1,772.80
		ADOBE - SUBSCRIPTION	\$ 5,782.92	\$ 5,782.92
		MAILCHIMP - SUBSCRIPTIONS	\$ 40.47	\$ 40.47
		LOCAL GOVERNMENT PRO - FINANCE CONFERENCE	\$ 995.00	\$ 995.00
		LOCAL GOVERNMENT PRO - FINANCE CONFERENCE	\$ 995.00	\$ 995.00
		LOCAL GOVERNMENT PRO - FINANCE CONFERENCE	\$ 700.00	\$ 700.00
		DIRECT DEBIT TOTAL	\$ 13,865.40	\$ 13,865.40
		<i>Description</i>	<i>Inv Amount</i>	<i>EFT</i>
		PAYROLL FORTNIGHT ENDING 09/02/2021	\$ 129,575.21	\$ 129,575.21
		PAYROLL FORTNIGHT ENDING 23/02/2021	\$ 135,210.22	\$ 135,210.22
		PAYROLL TOTALS	\$ 264,785.43	\$ 264,785.43
		GRAND TOTAL	\$ 1,043,476.59	\$ 1,043,476.59

12.1.3 CSRFF Small Grants February 2021 Application Assessment

File ref	A/LCG1
Prepared by	Karen Dore, Coordinator Community Engagement
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. CSRFF Small Grants Application and Assessment – Henry Jeffery Oval Releveling.2. Preston Point Precinct Master Plan Concept Map.3. Project Cost Estimate – Henry Jeffery Oval.

Purpose

Council is requested to review an internal (Town or East Fremantle) grant application to the Community Sports and Recreation Facilities Fund (CSRFF).

Executive Summary

CSRFF funding for the 2021-2022 financial year, through the Department of Local Government, Sport and Cultural Industries (DLGSCI) is currently open for sporting clubs. Part of the application procedure is for all submissions to be assessed by the Local Government Authority (LGA) and ranked in order of priority. The applications are then forwarded to DLGSCI for their consideration.

Administration has prepared an internal (TOEF) grant application to potential offset the cost of funding the proposed releveling of Henry Jeffery Oval (\$121,594 GST Exc).

The deadline for these applications to be received by DLGSCI is **31 March 2021**.

Background

DLGSCI release the Small Grant Funding bi-annually.

The Town of East Fremantle requested expressions of interest from local sporting clubs, with two clubs indicating that they were looking into the opportunity.

Following discussions with the Town, the East Fremantle Lawn Tennis Club decided to postpone their application until the July funding round.

Fremantle City Football Club have indicated that their proposed application will be to the Annual Grant Funding round as the project is over \$300,000 in value.

Consultation

Executive Manager Technical Services
East Fremantle Lawn Tennis Club
Fremantle City Football Club
Department of Sport & Recreation
Executive Manager Corporate Services
Chief Executive Officer

Statutory Environment

Not applicable.

Policy Implications

Nil.

Financial Implications

The Town's Long Term Financial Plan allocates an indicative amount of \$170,000 (GST Exc) to this project. However, the estimated cost for these works is less than the Preston Point Reserve due to a reduced scope of work. The estimated cost for Henry Jeffery oval renovations is **\$121,594** (GST Exc) This amount includes a 10% project contingency of \$11,054).

For further details on the cost estimate please refer to attachment 3.

If the funding application is successful Council will receive a grant of **\$40,531** (GST Exc), meaning council will be required to allocate muni funds of **\$81,063** (GST Exc) in the 2021/22 Budget.

Total required 2021/22 Budget allocation of \$121,594 (\$40,531 grant + \$81,063 muni funds).

By way of comparison the accepted quote for recent works undertaken on the Preston Point Oval (Irrigation pipes/sprinklers, new cricket pitch, re-level & turf replacement) was \$141,046 (excluding GST). The Henry Jeffery Oval proposal does not require a complete replacement of the reticulation pipes and sprinklers or a new cricket pitch.

Strategic Implications

Strategic Community Plan 2020-2030

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

1.1 Facilitate appropriate local services for the health and wellbeing of the community

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

1.2 Inviting open spaces, meeting places and recreational facilities

- 1.2.1 Provision of adequate facilities to support healthy and active lifestyles.

Preston Point Precinct Master Plan

During the preparation of the Preston Point Precinct Master Plan a Public Open Space Levels of Service Report was prepared by Core Business (February 2019). The releveling of Henry Jeffery Oval was identified as a priority project.

The Plan reference for "Henry Jeffery Reserve – playing surface releveling" is 4a.

Site Inspection

Various inspections undertaken by Nicholas King, Executive Manager Technical Services and Dave Burke, Operations Supervisor.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Injury to oval users due to surface condition.	Unlikely (2)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, public embarrassment, moderate impact, moderate news profile	Accept Officer Recommendation

Risk Matrix

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

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

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

Comment

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

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

CSRFF Small Grants Application – Town of East Fremantle, Henry Jeffery Oval Relevelling

(refer to Assessment, Attachment 1, pages 9 and 10)

- Ranking: 1 of 1
- Rating: A

This project is a continuation of the relevelling and resurfacing works that have recently been carried out at Preston Point Reserve. The proposed scope of works includes:

- The removal of existing grass and thatch.
- Contour and level the playing field as specified.
- Irrigation Renewal/Replacement
- Plant new stolons.
- Maintain the playing surface until hand-over.

12.1.3 OFFICER RECOMMENDATION

That Council;

- 1. endorses a Priority 1 ranking for the Henry Jeffery Oval Relevelling; and**
- 2. request the Chief Executive Officer to submit this outcome to the Department of Local Government, Sport and Cultural Industries.**

Office Use Only
TRIM: _____
Grant No: _____
Project Coordinator: _____

CSRFF Small Grants Application Form

For projects up to \$300,000 to be acquitted by 15 June 2022

You MUST discuss your project with an officer from your nearest Department of Local Government, Sport and Cultural Industries office before completing and submitting your application. Failure to do so will render your project ineligible.

All applications MUST be submitted to your local government. Contact your local government to determine the cut-off date for the submission of applications.

DLGSC Contact: Kent Burton	Date: 19 February 2021	Office: Perth	Our Reference: IEM93968
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Applicant's Details:

Organisation Name:	Town of East Fremantle				
Postal Address:	PO Box 1097				
Suburb:	FREMANTLE	State:	WA	Postcode:	6959
Street Address:	135 Canning Highway				
Suburb:	EAST FREMANTLE	State:	WA	Postcode:	6158

Preferred Contact Person:

All application correspondence will be directed to this person

Name:	Nicholas King	Title:	Dr <input type="checkbox"/> Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/>
Position Held:	Executive Manager Technical Services		
Business Phone:	9339 9339	Facsimile:	9339 3399
Mobile Phone:	N/A	Email:	nking@eastfremantle.wa.gov.au

Organisation Business Details:

Does your organisation have an ABN?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	ABN: 80 052 365 032
Is your organisation registered for GST?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	* Note, in order to be eligible for funding you must attach a copy of the Incorporation Certificate. LGA's exempt
Is your organisation not-for-profit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Is your organisation incorporated?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Incorporation #: Local Government Authority *
Bank details:	Bank: Commonwealth	BSB: 066 121 A/c: 00540326

Local Government Authority Details:

LGA:	Town of East Fremantle		
Contact:	Karen Dore	Title:	Dr <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input checked="" type="checkbox"/>
Position Held:	Coordinator Community Engagement		
Business Phone:	9339 9342	Facsimile:	9339 3399
Mobile Phone:	0403 458 433	Email:	kdore@eastfremantle.wa.gov.au

PROJECT DETAILS

Project Title (brief and specific): Henry Jeffery Oval – Releveling and Resurfacing		
Project Description:		
<ul style="list-style-type: none"> • The removal of existing grass and thatch. • Removal of fixtures. • Contour and level the playing field as specified. • Installation of a new concrete cricket pitch. • Irrigation renewal and replacement (refer to Irrigation Section 4). • Plant new stolons. • Maintain the playing surface until hand-over. 		
How did you establish a need for your project?		
This project was identified during the preparation of the Preston Point Precinct Master Plan (PPPMP), which was endorsed by Council on 16 June 2020. In the 10-year Action Plan this is a priority project for 2021.		
What alternatives were considered and why were they rejected (e.g cost, suitability, feasibility)?		
There are no alternative options to consider.		
Have the full lifecycle costs of the project been considered and can you afford the ongoing costs of managing, maintaining and replacing the facility? Will a specific asset replacement fund be created?		
The ongoing costs can be managed, as per the Towns long term financial plan. Every asset is identified and given a relevant maintenance schedule dependant on the asset.		
Project location:	Cnr Preston Point and Wauhop Roads, East Fremantle	
Land ownership:	Who owns the land on which your facility will be located? The land is vested to the Town of East Fremantle. Lease Expiry (if applicable): Not applicable.	
Planning approvals	Not required.	If no, provide the date it will be applied for:
Where applicable, has planning permission been granted? (LGA)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Not applicable.
Aboriginal Heritage Act?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Not applicable.
Department of Biodiversity, Conservation and Attractions? (Environmental, Swan River)	Yes <input type="checkbox"/> No <input type="checkbox"/>	In-principle support has been given through the PPPMP process.
Native Vegetation Clearing Permit?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Not applicable.
Please list any other approvals that are required?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Not applicable.
Nil.		
How will your project increase physical activity? Henry Jeffery Oval is utilised by the East Fremantle Junior Football Club and the East Fremantle Junior Cricket Club, both of which are growing clubs (patronage and participation has increased significantly over all age groups in the past three years, especially within the girls teams) who are seeking increased access to green space for both training and playing. The area is also a popular local dog walking area when not being used for sport. With an improved surface and re-established annual maintenance plan it is reasonably expected that increased usage hours will be enabled.		

Do you share your facility with other groups? Yes No If so, who:

The facility is shared by the East Fremantle Junior Football Club and the East Fremantle Junior Cricket Club in the main, with the area also being occasionally accessed by East Fremantle Lacrosse Club and East Fremantle Cricket Club, along with acting as Public Open Space.

List the main sport and recreation activities (maximum of 3) which will benefit from your proposal. Please indicate the approximate % usage of the facility (or part of the facility relating to this proposal).

Sport/community organisation	% use of the facility	Hours per week
East Fremantle Junior Football Club	60	25-30 (Mar–Sep)
East Fremantle Junior Cricket Club	25	15-20 (Nov–Mar)
Other (community / groups)	15	Various

Activity/sport membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; social membership numbers not applicable.

Note: if membership is not applicable, ie recreation facility or aquatic centre, enter the number of users of the facility.

2017/18	506	2018/19	535	2019/20	630
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State Sporting Associations are involved in the assessment of applications and may be able to provide valuable information when planning you project, particularly in relation to technical design issues. They should be consulted as part of the application process. A complete list of State Sporting Associations and their contact details are is available on the department’s website: <https://www.dlgsc.wa.gov.au/sport-and-recreation/state-sporting-associations>

What is the name of the State Sporting Association for your activity/sport?

Football West | WA Football Commission | WA Cricket Association | Tennis West | Bowls WA as part of the consultation process for the PPPMP.

Have you discussed your project with your State Sporting Association? Yes No

Contact Name: Various. Date of contact: 2019 / 2020 during preparation of Preston Point Precinct Master Plan

PROJECT DELIVERY

Please indicate key milestones of your project. The key milestones need to be realistic and demonstrate that the project can be delivered in the timeframe.

Task	Date
Attainment of Council approvals	N/A
Preparation of tender/quotes for the major works contract	May 2021
Issuing of tender for major works	June 2021
Signing of major works contract	July 2021
Site works commence	Proposed for August 2021
Construction of project starts	N/A
Project 50% complete	November 2021
Project Completed	March 2022
Project hand over and acquittal	March 2022

Are there any operational constraints that would impact on the construction phase of your project? (such as your sporting season, major annual event or inclement weather) – provide details. Projects that are delayed due to undeclared known constraints are not eligible for a deferral. The sporting seasons have been taken into consideration and the two affected Clubs have been advised in order that alternate facilities can be sourced. No major annual events will be planned during this period. Extreme inclement weather could impact the project, as could delayed establishment of the new surface.

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DLGSC can be accessed by you during standard office hours and updated by writing to DLGSC or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DLGSC may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

Name: Gary Tuffin _____

Position Held: Chief Executive Officer _____

Signature:  _____

Date: 05/03/2021 _____

LODGEMENT OF YOUR APPLICATION

- Applications including all attachments are to be received electronically and officially submitted to csrff@dlgsc.wa.gov.au by the cut off date. A hard copy can also be provided and should be clipped at the top left-hand corner, please do not bind.
- It is recommended that you **retain your completed application form**, including attachments for your own records and future audit purposes.
- All **attachments** and supporting documentation (see next section) should be **clearly named and identified** and submitted with the application form.
- **Applications must be submitted to your Local Government Authority** by the Local Government's advertised cut-off date to ensure inclusion at the relevant Council Meeting.

The following documentation must be included with your application. Applicants may wish to supply additional RELEVANT information.

<input checked="" type="checkbox"/>	Application form. <i>This document.</i>
	Incorporation Certificate. <i>Not applicable.</i>
<input checked="" type="checkbox"/>	Two written quotes. <i>To be provided as part of the Tender process.</i>
<input checked="" type="checkbox"/>	If your project involves the upgrade of an existing facility, include photograph/s of this facility. <i>Four (4) images attached.</i>
<input checked="" type="checkbox"/>	Locality map, site map and building plans (in relevant constructions projects), including where the proposed facility is located in relation to other sport and recreation infrastructure. <i>Image attached.</i>
	Income and expenditure statements for the current and next financial years. (LGAs exempted). <i>Not applicable.</i>
<input checked="" type="checkbox"/>	Written confirmation of financial commitments from other sources including copies of council minutes . (If a club is contributing financially then evidence of their cash at hand must be provided). <i>To be provided following Council meeting.</i>
<input checked="" type="checkbox"/>	For resurfacing projects, a written guarantee from the supplier of the product that clearly identifies the product's life expectancy. <i>To be provided as part of the Tender process.</i>
<input checked="" type="checkbox"/>	Itemised project cost for components and identified on the relevant quote for each (including cost escalation). <i>Attached.</i>
	For floodlighting projects, a lighting plan must be supplied showing lux, configuration and sufficient power supply. <i>Not applicable.</i>

Your application will be considered not eligible if:

- You have not discussed your project with the Department of Local Government, Sport and Cultural Industries and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. **There is no onus on Department staff to pursue missing documentation.**
- Applicants/projects that have received a CSRFF grant in the past and have not satisfactorily acquitted that grant. In some cases this may apply to localities where other significant projects have not been progressed or have not completed a previous project in accordance with the conditions of the grant provided. An assessment will be made in October and if no physical progress has occurred, new applications may not be recommended.
- It is not on the correct application form.
- The project for which application is made is specifically excluded from receiving CSRFF support.

DEVELOPMENT BONUS APPLICANTS ONLY

If you applied for a CSRFF grant for more than one third of the cost of the project, please provide evidence of meeting at least one of the following criteria.

You MUST contact your local DLGSC office to determine eligibility before applying.

Category		Details
Geographical location	<input type="checkbox"/> Regional/remote location <input type="checkbox"/> Growth local government	_____
Co-location	<input type="checkbox"/> New <input type="checkbox"/> Existing	_____
Sustainability initiative	<input type="checkbox"/> Water saving <input type="checkbox"/> Energy reduction <input type="checkbox"/> Other	_____
Increased participation	<input type="checkbox"/> New participants <input type="checkbox"/> Existing participants – higher level <input type="checkbox"/> Special interest <input type="checkbox"/> Other	_____

PROJECT BUDGET

ESTIMATED EXPENDITURE

Please itemise the components of your project in the table below, indicating their cost and which quote or part of quote was used to estimate this. Quantity Surveyor costs will be accepted however the responsibility lies with the applicant to ensure the validity of the information. A contingency allowance is considered an acceptable component. *PLEASE ITEMISE BY COMPONENT (e.g changerooms, storage, kitchen) rather than materials (electrician, plumber, finishings).*

Project Description	\$ Cost ex GST	\$ Cost inc GST	Quote Used (list company name and quote no)
Temporary fencing	3,500	3,850	To be established via Tender Process
Removal of Grass material	26,600	29,260	To be established via Tender Process
Site preparation	39,700	43,670	To be established via Tender Process
Install Stolons and solid turf	33,600	36,960	To be established via Tender Process
Post planting establishment	4,000	4,400	To be established via Tender Process
Irrigation	1,740	1,914	To be established via Tender Process
Other items (inc as con, manuals, testing)	1,400	1,540	To be established via Tender Process
Donated materials (Please provide cost breakdown)	0		
Volunteer labour (Please provide cost breakdown)	0		
Sub Total	110,540.00	121,594.00	
Cost escalation	11,054.00	12,159.40	<i>10% contingency</i>
a) Total project expenditure	121,594.00	133,753.40	

- At least **two written quotes** are required for each component.
- If your project is a floodlighting installation or upgrades, please ensure that the power supply is sufficient and no upgrade will be required. If upgrade is required and not budgeted for, the grant will immediately be withdrawn. A **lighting plan** must be supplied showing lux and configuration.
- Projects that do not meet **Australian Standards** are ineligible for funding.

PROJECT FUNDING

Source of funding	\$Amount ex GST	\$ Amount inc GST		Funding confirmed Y / N	Comments to support claim (please attach relevant support)
Local government	81,063	89,169	LGA cash and in-kind	Yes	Via Long Term Financial Plan for inclusion in 2021-2022 Budget
Applicant cash	N/A	N/A	Organisation's cash	N/A	Applicant is local government
Volunteer labour			Cannot exceed applicant cash and LGA contribution – max \$50,000		
Donated materials			Cannot exceed applicant cash and LGA contribution		
Other State Government funding					
Federal Government funding					
Other funding – to be listed			Loans, sponsorship etc		
CSRFF request (No Development Bonus)	40,531	44,584	up to 1/3 project cost	N	
or CSRFF request (Development Bonus)			Up to ½ project cost	N	
b) Total project funding	121,594	133,753	<i>This should equal project expenditure as listed on the previous page</i>		

REQUIRED: If the funding approved is less than funding requested for this project, or the project is more expensive than indicated, where would the extra funds be sourced from? Is this funding confirmed? If the project scope would be reduced, which components would be revisited?

Additional funding would be sought via a Council Budget variation, however, this could affect other proposed projects.

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

PROJECT ASSESSMENT SHEET

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please **attach copies of council minutes** relevant to the project approval.

Name of Local Government Authority: Town of East Fremantle
Name of Applicant: Town of East Fremantle

Note: The applicant's name cannot be changed once the application is lodged at DLGSC.

Section A

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

All applications

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

Section B

Priority ranking of no of applications received	1 of 1 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input checked="" type="checkbox"/> Regional Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input type="checkbox"/> No N/A
If no, what approvals are still outstanding?	N/A

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

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

Please complete the questions attached. This assessment is an important part of the CSRFF process and your answers to these questions assist the committee make their recommendations, even if you are the applicant. Please provide a summary of any attachments in your assessment, rather than referring to attachments or external documents such as Council Minutes.

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

This project was identified as a priority during the preparation of the Preston Point Precinct Master Plan. In line with the Town of East Fremantle Long Term Financial Plan this project will be financed through the 2021-2022 Annual Budget. There are no conditions on the funding.

2. A) If a community group application: Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?

B) If a council application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?

Council is fully aware of the ongoing cost to maintain this area, it is likely that the releveling and resurfacing will decrease the current cost of maintenance as there will be less requirements for ongoing repair and patching.

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

Nil additional comments.

Signed



Position Chief Executive Officer

Date 05/03/21

Application funding must be submitted to the Department of Local Government, Sport and Cultural Industries by **4pm on 31 March 2021**. Late applications cannot be accepted in any circumstances.

DLGSC OFFICES

PERTH OFFICE

246 Vincent Street
Leederville WA 6007
GPO Box 8349
Perth Business Centre WA 6849
Tel: (08) 9492 9700
CSRFF@dlgsc.wa.gov.au

MID-WEST

Level 1, 268-270
Foreshore Drive
PO Box 135
Geraldton WA 6531
Tel: (08) 9956 2100
midwest@dlgsc.wa.gov.au

PILBARA

Karratha Leisure plex
Dampier Hwy, Karratha
PO Box 941
Karratha WA 6714
Tel: (08) 9182 2100
pilbara@dlgsc.wa.gov.au

GASCOYNE

4 Francis Street
PO Box 140
Carnarvon WA 6701
Tel: (08) 9941 0900
Gascoyne@dlgsc.wa.gov.au

KIMBERLEY – Broome

Unit 2, 23 Coghlan Street
PO Box 1476
Broome WA 6725
Telephone (08) 9195 5750
Mobile 0438 916 185
kimberley@dlgsc.wa.gov.au

SOUTH WEST

80A Blair Street
PO Box 2662
Bunbury WA 6230
Tel: (08) 9792 6900
southwest@dlgsc.wa.gov.au

GOLDFIELDS

106 Hannan Street
PO Box 1036
Kalgoorlie WA 6430
Tel: (08) 9022 5800
goldfields@dlgsc.wa.gov.au

KIMBERLEY – Kununurra

Telephone 08 9195 5750
Mobile 0427 357 774
kimberley@dlgsc.wa.gov.au

WHEATBELT - Northam

298 Fitzgerald Street
PO Box 55
Northam WA 6401
Tel: (08) 9690 2400
wheatbelt@dlgsc.wa.gov.au

GREAT SOUTHERN

22 Collie Street
Albany WA 6330
Tel: (08) 9892 0100
greatsouthern@dlgsc.wa.gov.au

PEEL

Suite 94
16 Dolphin Drive
PO Box 1445
Mandurah WA 6210
Tel: (08) 9550 3100
peel@dlgsc.wa.gov.au

WHEATBELT – Narrogin

50 Clayton Road
Narrogin WA 6312
Telephone 9690 2400
wheatbelt@dlgsc.wa.gov.au



East Fremantle Junior Cricket Club

1st March 2021

Attn: Karen Dore
Coordinator, Community Engagement

Town of East Fremantle
Town Hall, 135 Canning Hwy
East Fremantle WA 6158

Dear Karen,

I am writing on behalf of the East Fremantle Junior Cricket Club in support of releveling Henry Jeffrey Oval.

We strongly support this occurring as we have had a number of complaints and safety issues occur due to the current condition of the ground.

We support the releveling being done as soon as possible ideally over Winter. We were disrupted this season with the resurfacing of the top oval which led to increased coordination for the cricket club to find grounds outside our local area and were charged substantial additional fees as a result.

It also made it more difficult to keep our families connected as we had less games being played locally.

We appreciate the Council undertaking this piece of work and are here for any additional questions or support required.

Yours Sincerely

Bianca Starceвич
Interim President
East Fremantle Junior Cricket Club
president@eastfreojcc.com.au
0413 750 500



**EAST FREMANTLE JUNIOR FOOTBALL CLUB
Inc.**

P.O. Box 58 PALMYRA WA 6957

1st March, 2021

**Karen Dore
Coordinator, Community Engagement**

**Town of East Fremantle
Town Hall, 135 Canning Hwy
East Fremantle WA 6158**

Dear Karen

On behalf of East Fremantle Junior Football Club (EFJFC), I wish to formally advise our strong support of the Town's proposal to relevel Henry Jeffery Oval. The oval is the centre piece of our football club and brings enormous enjoyment to our approximate 600 members, their families, friends and supporters and has done so for many, many years.

Our club continues to grow and the increased foot traffic from both training and game day activities has seen the oval deteriorate to such a point that it presents a safety hazard to our players and is widely recognised as one of the worst ovals in the District, which I hear first hand from visiting clubs and their supporters on a regular basis.

As such, we are desperate to see the releveling take place as soon as practical to bring the oval back to a state that best serves our club and community and I know will bring great satisfaction to our members.

Please contact me at any time should you require any further information or details

Sincerely,

Matthew Marinovich
President, East Fremantle Junior Football Club

President@eastfreopower.com.au
0488 141 097

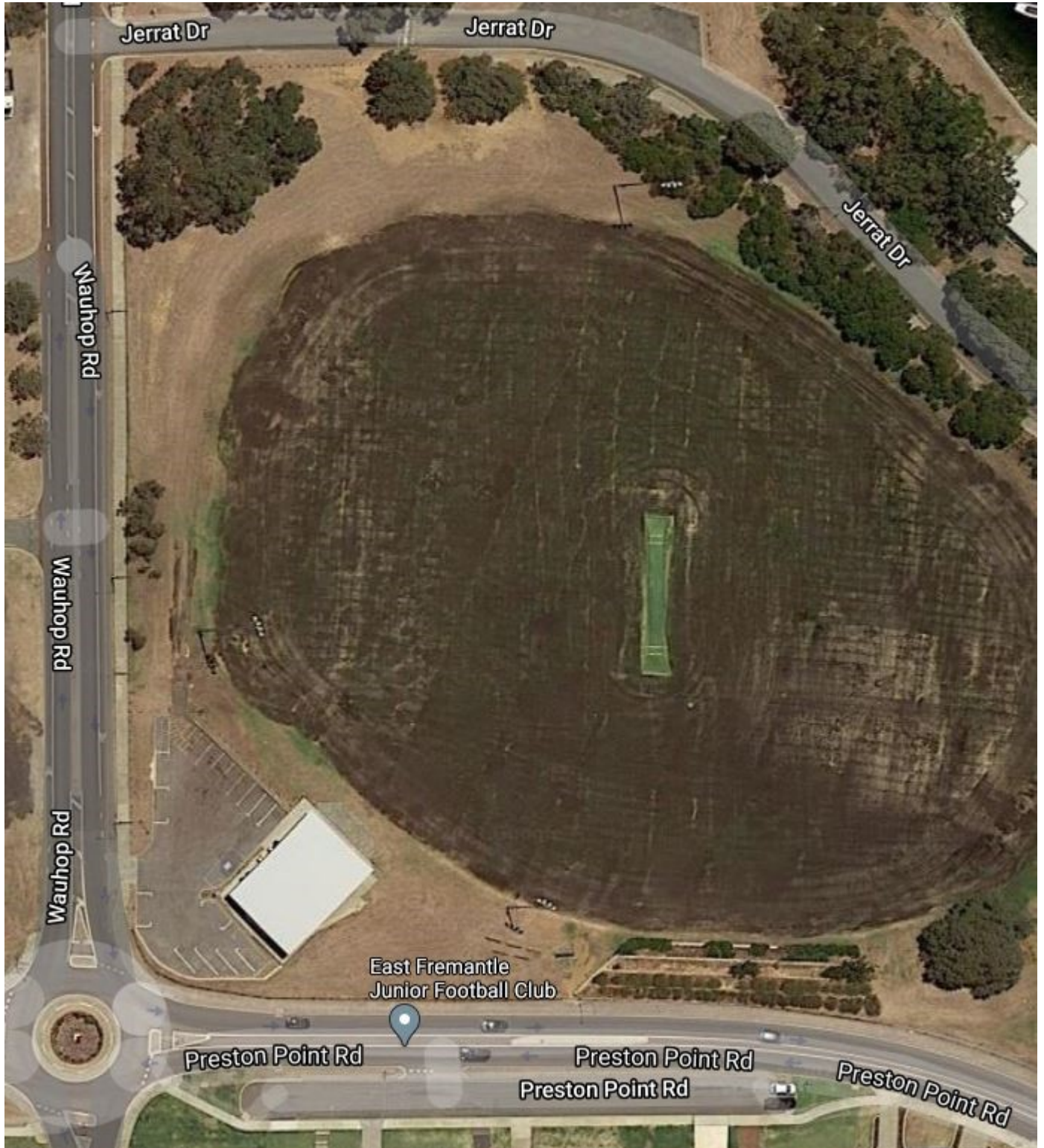
Henry Jeffery Oval 08/03/2021





Henry Jeffery Oval

*located cnr Wauhop and Preston Point Roads
East Fremantle*



Henry Jeffrey Oval - Refurb

Item	Activity	Unit	Estimated Quantity	Pricing Excl. of GST	Pricing Incl. of GST
1	Security Fencing			\$ 3,500.00	\$ 3,850.00
	<i>Install temporary fencing to secure the site works. Temporary fencing shall be 2.4m x 2.1m with weld mesh and installed on concrete or similar base. Fencing to meet Australian Standards.</i>				
	Install temporary fencing as specified in the drawing. Temporary fencing to be installed for 4 months or until handover to client	m	500	\$ 3,500.00	\$ 3,850.00
2	Removal of Grass Material			\$ 26,600.00	\$ 29,260.00
	<i>Perform Field Top Maker to remove grass and thatch material</i>				
	Remove grass and thatch material to a depth of 40mm using a field top maker and loading into to equipment to transport away as specified in the drawing.	m ²	14000	\$ 6,300.00	\$ 6,930.00
	Remove from off site grass and thatch material to waste management site.	m ²	14000	\$ 20,300.00	\$ 22,330.00
3	Site Preparation and Earthworks			\$ 39,700.00	\$ 43,670.00
	<i>Perform rotary hoeing and earthworks to area specified in drawings</i>				
	Rotary hoe area to a depth of 150mm in four directions until the soil profile is free of all clumps and is consistent to carry out levelling and free of rocks and other debris	m ²	14000	\$ 6,300.00	\$ 6,930.00
	Import, spread and level any required additional clean fill to specification to ensure finished surface level will be achieved.	m ³	300	\$ 13,800.00	\$ 15,180.00
	Apply pre-plant nutrients as per specification for Nutrismart and gypsum at specified rates	m ²	14000	\$ 2,800.00	\$ 3,080.00
	Carry out Laser levelling of the area as specified in drawings to design levels	m ²	14000	\$ 16,800.00	\$ 18,480.00
4	Install Ki Kuyu Stolons and Solid Turf			\$ 33,600.00	\$ 36,960.00
	<i>Install Ki kuyu stolons and solid turf and pre-plant nutrients as specified</i>				
	Apply pre-plant nutrients at specified rates for 2Spec Establish and Kikstart or alternative similar product	m ²	14000	\$ 2,800.00	\$ 3,080.00

	Plant Ki kuyu stolon's at 10:1 ratio using a muck spreader and applied evenly over the surface. Incorporate stolons using a rotary hoe design for grass planting or similar planting machine and surface to be rolled after planting.	m ²	14000	\$ 29,400.00	\$ 32,340.00
	Install solid Ki kuyu turf around the concrete cricket pitch	m ²	70	\$ 1,400.00	\$ 1,540.00
5	Post Planting Establishment and Maintenance			\$ 4,000.00	\$ 4,400.00
	<i>Perform establishment and maintenance works, through to handover, as shown on the drawings and as specified herein.</i>				
	Carry out Mowing, top-dressing, fertilising and pesticide spraying, Irrigation scheduling for a period of 4mnths or until hand-over	Per/mth	4	\$ 4,000.00	\$ 4,400.00
6	Irrigation			\$ 1,740.00	\$ 1,914.00
	<i>Supply and install all required irrigation infrastructure as shown on the drawings.</i>				
	Lateral pipe, including all fittings				\$ -
	40mm Class 9 SWJ Lateral pipe	m	50	\$ 1,500.00	\$ 1,650.00
	Sprinklers				\$ -
	Supply and install Hunter I-25-04-SS gear drive, nozzle and 25 X 300 articulated riser	Ea	8	\$ 240.00	\$ 264.00
7	Other Items			\$ 1,400.00	\$ 1,540.00
	Completion				\$ -
	As constructed drawings	Item	1	\$ 400.00	\$ 440.00
	As constructed Survey Data to "O-spec" as noted in irrigation spec.	Item	1	\$ 500.00	\$ 550.00
	Manuals	Item	1	\$ 200.00	\$ 220.00
	Testing & Commissioning	Item	1	\$ 300.00	\$ 330.00
	Other Items (Please list below)				\$ -
					\$ -
					\$ -
	TOTAL			\$ 110,540.00	\$ 121,594.00
	Contingency	Percentage	10%	\$ 11,054.00	\$ 12,159.40
	Total Including Contingency			\$ 121,594.00	\$ 133,753.40

Preston Point Precinct Master Plan—final concept map



Notes

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

Item	Activity	Unit	Estimated Quantity	Pricing Excl. of GST	Pricing Incl. of GST
1	Security Fencing			\$ 3,500.00	\$ 3,850.00
	<i>Install temporary fencing to secure the site works. Temporary fencing shall be 2.4m x 2.1m with weld mesh and installed on concrete or similar base. Fencing to meet Australian Standards.</i>				
	Install temporary fencing as specified in the drawing. Temporary fencing to be installed for 4 months or until handover to client	m	500	\$ 3,500.00	\$ 3,850.00
2	Removal of Grass Material			\$ 26,600.00	\$ 29,260.00
	<i>Perform Field Top Maker to remove grass and thatch material</i>				\$ -
	Remove grass and thatch material to a depth of 40mm using a field top maker and loading into to equipment to transport away as specified in the drawing.	m ²	14000	\$ 6,300.00	\$ 6,930.00
	Remove from off site grass and thatch material to waste management site.	m ²	14000	\$ 20,300.00	\$ 22,330.00
3	Site Preparation and Earthworks			\$ 39,700.00	\$ 43,670.00
	<i>Perform rotary hoeing and earthworks to area specified in drawings</i>				\$ -
	Rotary hoe area to a depth of 150mm in four directions until the soil profile is free of all clumps and is consistent to carry out levelling and free of rocks and other debris	m ²	14000	\$ 6,300.00	\$ 6,930.00
	Import, spread and level any required additional clean fill to specification to ensure finished surface level will be achieved.	m ³	300	\$ 13,800.00	\$ 15,180.00
	Apply pre-plant nutrients as per specification for Nutrismart and gypsum at specified rates	m ²	14000	\$ 2,800.00	\$ 3,080.00
	Carry out Laser levelling of the area as specified in drawings to design levels	m ²	14000	\$ 16,800.00	\$ 18,480.00
4	Install Ki Kuyu Stolons and Solid Turf			\$ 33,600.00	\$ 36,960.00
	<i>Install Ki kuyu stolons and solid turf and pre-plant nutrients as specified</i>				\$ -
	Apply pre-plant nutrients at specified rates for 2Spec Establish and Kikstart or alternative similar product	m ²	14000	\$ 2,800.00	\$ 3,080.00
	Plant Ki kuyu stolon's at 10:1 ratio using a muck spreader and applied evenly over the surface. Incorporate stolons using a rotary hoe design for grass planting or similar planting machine and surface to be rolled after planting.	m ²	14000	\$ 29,400.00	\$ 32,340.00
	Install solid Ki kuyu turf around the concrete cricket pitch	m ²	70	\$ 1,400.00	\$ 1,540.00
5	Post Planting Establishment and Maintenance			\$ 4,000.00	\$ 4,400.00
	<i>Perform establishment and maintenance works, through to handover, as shown on the drawings and as specified herein.</i>				\$ -
	Carry out Mowing, top-dressing, fertilising and pesticide spraying, Irrigation scheduling for a period of 4mnths or until hand-over	Per/mth	4	\$ 4,000.00	\$ 4,400.00
6	Irrigation			\$ 1,740.00	\$ 1,914.00
	<i>Supply and install all required irrigation infrastructure as shown on the drawings.</i>				\$ -
	Lateral pipe, including all fittings				\$ -
	40mm Class 9 SWJ Lateral pipe	m	50	\$ 1,500.00	\$ 1,650.00
	Sprinklers				\$ -
	Supply and install Hunter I-25-04-SS gear drive, nozzle and 25 X 300 articulated riser	Ea	8	\$ 240.00	\$ 264.00
7	Other Items			\$ 1,400.00	\$ 1,540.00
	Completion				\$ -
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	Manuals	Item	1	\$ 200.00	\$ 220.00
	Testing & Commissioning	Item	1	\$ 300.00	\$ 330.00
	Other Items (Please list below)				\$ -
					\$ -
	TOTAL			\$ 110,540.00	\$ 121,594.00
	Contingency (10%)		10%	\$ 11,054.00	\$ 12,159.40
	Total Including Contingency			\$ 121,594.00	\$ 133,753.40

12.1.4 Local Roads and Community Infrastructure Program Funding

Applicant	N/A
File ref	F/GSB1
Prepared by	Nicholas King, Executive Manager Technical Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	16 March 2021
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Silas Street Drainage Plan2. Zephyr Carpark Drainage Plan

Purpose

To seek Council approval to amend the 2020-21 budget, recognising the Local Roads and Community Infrastructure Program Funding Phase 2 received from the Federal Government \$262,131, while also authorising expenditure of the two drainage projects of:

- Silas Street between Council Place and St Peters Road, and
- Zephyr car park river outfall rationalisation.

Executive Summary

The Town has been allocated total grants under the Local Roads and Community Infrastructure Grant Program (LRCI) funding (Phase 1 \$84,181 & phase 2 \$262,131) of \$346,312. It is proposed to use all of the LRCI funding for a drainage upgrade (Silas Street Roundabout \$196,000) and rationalisation works (Zephyrs carpark \$134,370), with the remaining balance of the LRCI funds (\$15,942) to be allocated to Fortescue Footpath works.

Background

Following the effects of the COVID-19 pandemic on the economy, on 22 May 2020 the Australian Government announced a new \$500 million LRCI Program. This initial program included an allocation to the Town of East Fremantle of \$84,181, where the guidelines state projects are to be physically completed by 30 June 2021.

In addition to this through the 2020–21 Budget, the Australian Government announced a \$1 billion extension of the LRCI Program, following strong community and local government support. This additional funding known as phase 2 included an additional allocation to the Town of East Fremantle of \$262,131 for the LRCI program, where the guidelines state projects are to be physically completed by 31 December 2021. With total funding received from the LRCI program to be \$346,312.

Further information on the Local Roads and Community Infrastructure Grant Program can be found at https://investment.infrastructure.gov.au/infrastructure_investment/local-roads-community-infrastructure-program/

Consultation

To date discussion with Council at March Council Forum, and Water Corporation regarding pipes to Perth works, and the likely alignment of the Silas Street project and Water Corporation project.

Policy Implications

Nil.

Financial Implications

Total Grant Local Roads and Community Infrastructure Grant Program funding to be received by the Town is \$346,312. It is proposed to use all of the LCRI funding for a drainage upgrade and rationalisation works.

Currently Council has made in its 2020/21 Budget a capital works allocation for drainage (Account E12761) \$104,181, of which it was originally proposed \$20,000 (muni funds) of this would be used to undertake the Silas Street drainage works. Considering the extent of LCRI funding it is proposed to re-allocate this \$20,000 from drainage into Fortescue footpath upgrade capital project, which had been removed as a result of the mid-year budget review.

Income & Expenditure summary

Project	Estimated cost	Income	
Silas St Works	\$196,000	(\$196,000)	Phase 1 & 2 LCRI
Zephyr car park	\$134,370	(\$134,370)	Phase 2 LCRI
Sub Total	\$330,370	(\$330,370)	Total
Total LCRI funding (Phase 1 & 2)		346,312	
Surplus LCRI Funding		(\$ 15,942)	

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

Strategic priority 3 – Built Environment

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

Strategic priority 4 – Natural Environment

4.2 Enhance environmental values and sustainable natural resource use

4.2.1 Reduce waste through sustainable waste management practices

Site Inspection

Not applicable

Comment

Town Drainage – Silas Street Roundabout

The Town in mid-2019 commissioned Talis consultants to map the entire drainage network, including potential rationalisation of the network, investigating future Gross Pollutant Trap (GPT's) locations and designs for specific noted flooding areas being:

- Glyde St north of George St where flooding occurs to low lying homes
- Oakover Street south of Canning Hwy
- Silas Street at intersection of St Peters Rd

The Talis report recognises several drainage hot spots where regular flooding occurs, however one of the most prominent sites is the Silas Street and St Peters Road roundabout where flooding

occurs during most minor storm events. Considering the investigation has been undertaken it makes sense to use a large portion, if not all of the LCRI program funding to undertake upgrades to the drainage network. The cost of works for the Silas Street and St Peters Road roundabout drainage upgrade as per drawing (number C-100) below, is estimated at approximately \$196,000.

It is recommended this be funded using LCRI funds as follows:

- | | |
|--|------------------|
| • 100% of the Phase 1 amount of the LCRI program of | \$ 84,181 |
| • A portion of the phase 2 amount of approximately \$196,000 | <u>\$111,819</u> |

Should Council be supportive of the proposal to upgrade drainage at Silas Street and St Peters Road roundabout, a project nomination form will need to be submitted to the Federal Governments Infrastructure Investment program, which will trigger the phase 2 letter of offer from the Federal Government for the phase 2 funding amount.

Stormwater outfalls

As part of the report Talis identified all of the existing river outfall locations within East Fremantle, noting that there are more than 20 uncontrolled river outfalls. Rationalising some of these outfalls should be seen as a priority to reduce possible pollutants running into the river. The Zephyr car park proposal is one which would reduce the existing outfalls from three to one, with the possibility to also install a GPT to prevent further pollutants into the river. These rationalisation works as per item 3.2 below has been estimated to cost approximately \$134,370.

It is recommended this be funded using 100% of the remaining portion of the phase 2 LCRI program funding.

12.2.4 OFFICER RECOMMENDATION

That Council:

- 1. amend its budget to recognise the phase 2 additional funding of \$262,131 from the Federal Government Local Roads and Community Infrastructure Grant Program.**
- 2. authorise expenditure of this funding for the following two projects, and amend the budget accordingly:**
 - Silas Street drainage upgrade – approx. estimate \$196,000**
 - Zephyr car park drainage rationalisation – approx. estimate \$134,370.**

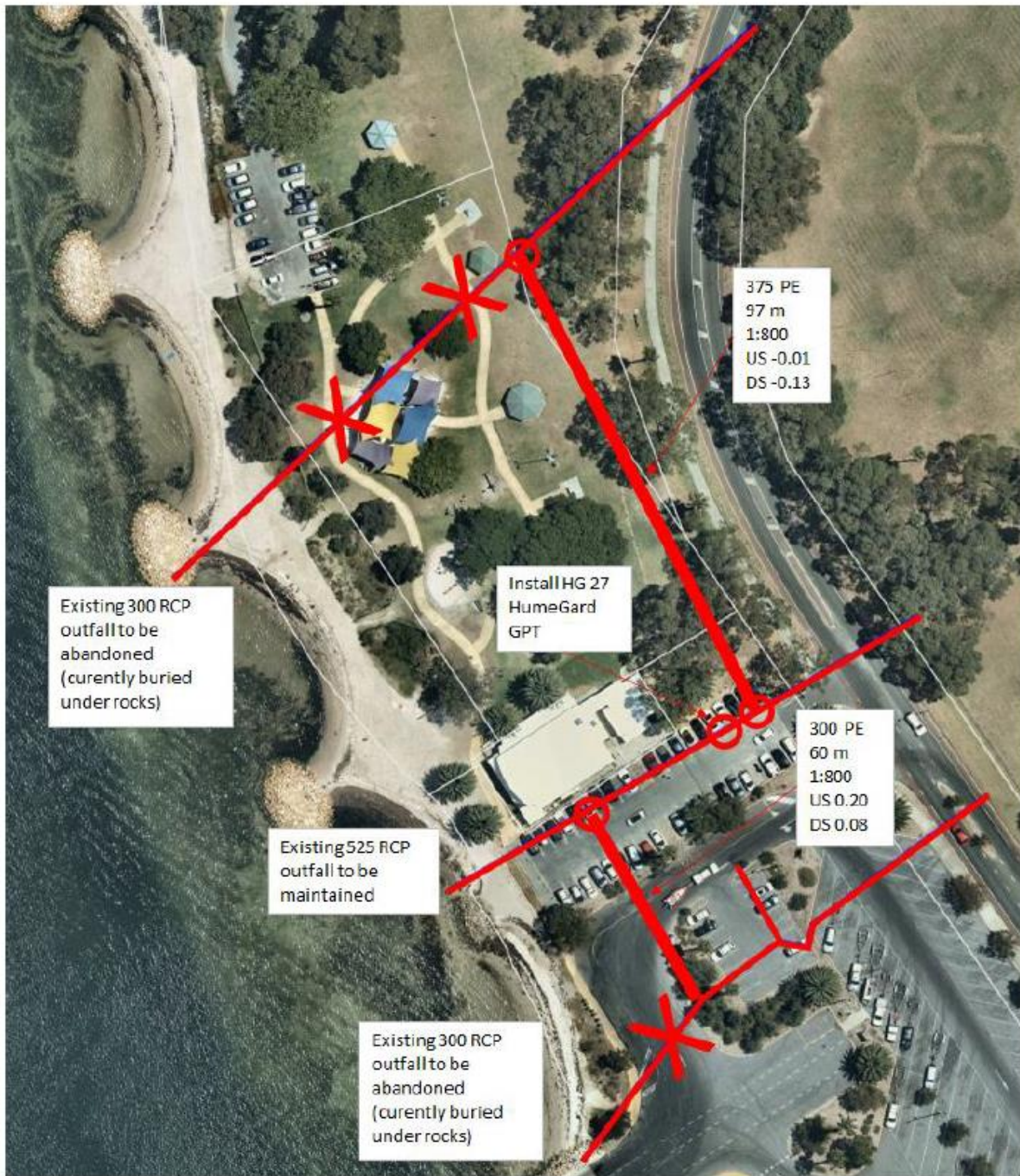


Figure 3-2: Proposed drainage diversions at Zephyr car park.

12.2 GOVERNANCE

12.2.1 Local Government Elections 2021

Applicant	N/A
File ref	C/ELE3
Prepared by	Janine May, EA to CEO
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	16 March 2021
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Correspondence from Western Australian Electoral Commission

Purpose

To authorise the conduct of the 2021 Local Government Ordinary Elections by the Western Australian Electoral Commission.

Executive Summary

The Electoral Commissioner advised Council on 16 December 2020 of his agreement to be responsible for the conduct of the ordinary elections in 2021 for the Town in accordance with section 4.20(4) of the *Local Government Act 1995* subject to Council resolving that the Commission undertake the election.

It is recommended that Council declare the Electoral Commissioner responsible for the conduct of the 2021 ordinary elections by postal vote.

Background

Local government ordinary elections are held every two years with the next election to take place on Saturday 16 October 2021.

Elected members up for re-election at this time are:

Mayor Jim O'Neill
Cr Jenny Harrington
Cr Andrew McPhail
Cr Michael McPhail

Consultation

WA Electoral Commission

Statutory Environment

Local Government Act 1995, Part 4, Division 4:

Section 4.20 (4) - A local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

Section 4.61 (2) - The local government may decide to conduct the election as a postal election.*
**(absolute majority required)*

Policy Implications

Nil.

Financial Implications

The WA Electoral Commission have provided an estimated cost of \$35,000 inc GST to conduct the 2021 election as a postal ballot, based on the following assumptions:

- 5,850 electors
- response rate of approximately 45%
- 5 vacancies
- count to be conducted at the offices of the Town of East Fremantle
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for lodgement of the election packages.

The Commission raised the option of using the Australia Post Priority service for the lodgment of election packages at an additional charge of \$1,170.

Costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day
- any additional postage rate increase by Australia Post
- any unanticipated costs arising from public health requirements for the COVID 19 pandemic.

The actual cost of the 2019 elections was \$19,710.93

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

Strategic Priority 5: Leadership and Governance

5.3 Strive for excellence in leadership and governance

Site Inspection

Not applicable

Comment

There are two main benefits in having the election conducted as a postal election:

- generally it results in increased voter participation.
- it removes Town staff from the process (the Returning Officer is appointed by the Commission) therefore creating independence (separation) and impartiality.

Other benefits that have been quoted for postal elections are:

- it is easier for electors to vote.
- it assists new candidates as all electors get the profile of all candidates.

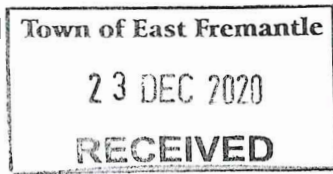
Apart from its statutory advertising requirements, it is intended to promote this election through the website, Facebook, e-newsletter, noticeboards and local papers to encourage a high elector participation rate.



12.2.1 OFFICER RECOMMENDATION

That Council:

- 1. declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required.**
- 2. decides, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.**
- 3. resolves to designate the Town Hall as the polling place for the 2021 local government elections.**

WESTERN AUSTRALIAN
Electoral Commission

LGE 028

Mr Gary Tuffin
Chief Executive Officer
Town of East Fremantle
PO Box 1097
FREMANTLE WA 6959



Town of East Fremantle
Doc No: ICORR92444
File: C/ELE1
Reg Date: 16 DEC 2020
Officer: JANINE

Attach:

Dear Mr Tuffin

Local Government Ordinary Election: 2021

The next local government ordinary elections are being held on 16 October 2021. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election to assist in your 2021/2022 budget preparations.

The estimated cost for the 2021 election if conducted as a postal ballot is \$35,000 inc GST, which has been based on the following assumptions:

- 5,850 electors
- response rate of approximately 45%
- 5 vacancies
- count to be conducted at the offices of the Town of East Fremantle
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages.

An additional amount of \$1,170 will be incurred if your Council decides to opt for the Australia Post Priority Service for the lodgement of election packages.

Costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day
- any additional postage rate increase by Australia Post
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

The Commission is required by the *Local Government Act* to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election you will be advised as early as possible.


The current procedure required by the Act is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2021 for the Town of East Fremantle in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. My agreement is subject to the proviso that the Town of East Fremantle also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

In order to achieve this, your council would need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

I look forward to conducting this election for the Town of East Fremantle in anticipation of an affirmative vote by Council. If you have any further queries please contact Phil Richards Manager, Election Events on 9214 0400.

Yours sincerely



Robert Kennedy
ELECTORAL COMMISSIONER

16 December 2020

12.2.2 Withdrawal of Caveat for Lot 26 on Plan 2232, 24 Hamilton Road, East Fremantle

File ref	RAT/1
Prepared by	Jessica Melia, Rates Officer
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The purpose of this report is to seek Council's authority for the Mayor and CEO to sign and affix the Common Seal to a Withdrawal of Caveat for Lot 26, 24 Hamilton Street, East Fremantle.

Executive Summary

In 1946 the Town of East Fremantle registered a caveat against the aforementioned land as a stormwater drainpipe is placed at the southern boundary fence line, running west to east or visa versa.

The property has commenced sale proceedings and this has triggered the owners to request Council to consider withdrawing the caveat, as the existence of the caveat may disadvantage the sale process.

Background

The Town has identified that drainage infrastructure is contained within the verge and carriageway of the property and in the strip of Crown Land on the eastern border within the fence line.

The Town proposes to seek a Council resolution to withdraw the caveat and replace this with an Easement Deed for a specified purpose (drainage infrastructure) as defined under the *Land Administration Act 1997*:

(4)In this section —

***specified purpose** means for —*

- (a) the provision of pipes, conduits, cables, transmission lines, and other services; or*
- (b) the provision of any structure, plant, or equipment; or*
- (c) the provision of access for carrying out of any works and the performance of any maintenance that is necessary for, or ancillary or incidental to, giving effect to any of the purposes referred to in paragraph (a) or (b); or*
- (d) a prescribed purpose.*

The terms of the caveat registered in 1946 allowed the Mayor and Councillors of East Fremantle full power and authority to enter in and through the said property, without specific reason or purpose.

An Easement Deed will provide the Town with more control to protect infrastructure by allowing the right to carry out necessary maintenance works, remove obstructions and identify liability and costs, and obligations of successive registered proprietors. The replacement deed cannot be modified or surrendered without the prior approval from the Town.

The Easement Deed will be prepared by the Town's Solicitors, but the contents of the Easement Deed will be verified by the Town's Executive Manager of Technical Services before registration.

Statutory Environment

Section 9.49A of the *Local Government Act 1995* provides;

9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer,*
each of whom is to sign the document to attest that the common seal was so affixed.

Land Administration Act 1997

Financial Implications

McLeod's Solicitors, who are the Town's nominated Local Government Solicitor, will be instructed to prepare both the Withdrawal of Caveat and Easement Deed. To complete this work a quote has been provided to the Town in the range of \$1,500 to \$2,000 plus GST.

The Town will be responsible to pay for all costs involved in the easement, including registration fees and the surveyor's costs incurred. The current owners proposing to sell the property shall be responsible for all costs associated with the Withdrawal of Caveat.

Risk Implications

No significant risk identified.

Comment

It is recommended that Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal in relation to the Withdrawal of Caveat that has been prepared in relation to Lot 26 on Plan 2232, 24 Hamilton Street, East Fremantle and further authorise the preparation and registration of an Easement Deed to give the Local Government more control to protect the Town's Infrastructure.



12.2.2 OFFICER RECOMMENDATION

That Council, with respect to 24 Hamilton Street (Lot 26 on Plan 2232), East Fremantle:

- 1. authorise the Mayor and Chief Executive Officer to affix the Common Seal to the Withdrawal of Caveat form and any other relevant documents pertaining to the Withdrawal of Caveat; and**
- 2. request that an easement deed be prepared providing the Town with a property right to access the land for the provision and maintenance of drainage infrastructure.**
- 3. authorise the Mayor and Chief Executive Officer to affix the Common Seal to the Easement and any other relevant documents in relation to this matter.**

12.2.3 2019/20 Electors' Meeting

Applicant	Town of East Fremantle
File ref	C/ELM1
Prepared by	Janine May, Executive Assistant to CEO
Supervised by	Gary Tuffin, Chief Executive Officer
Date of Meeting	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Minutes of Annual Electors' Meeting 24 February 2021

Purpose

To present the Minutes of the 2019/20 Annual Electors' Meeting and facilitate consideration of any decisions taken at the meeting.

Executive Summary

This report documents items raised at the Annual Electors' Meeting and resulting proposed action.

Background

Council held its Annual Electors' Meeting on Wednesday, 24 February 2021 which was attended by eight members of the public.

A copy of the minutes was circulated to all elected members on the 3 March 2021.

Statutory Environment

Under Section 5.33(1) of the *Local Government Act 1995*, all decisions made at an Electors' Meeting "are to be considered at the next ordinary council meeting or, if that is not practicable at the next meeting thereafter".

Section 5.33(2) of the Act provides that *if* the Council makes a decision in response to a decision made at an Electors' Meeting, the reasons for the decision are to be recorded in the minutes.

Policy Implications

There are no policy implications.

Financial Implications

N/A

Strategic Implications

STRATEGIC PRIORITY 5: Leadership & Governance

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

Site Inspection

N/A

Comment

Apart from receiving the Minutes of the previous Electors' Meeting and the 2019/20 Annual Report, the following motion was carried:

"Moved Ms J Taggart, seconded Mr J Farmer

That Council Officers take steps to engage with the developers of the former Woodside Hospital site to relate concerns of local residents prior to the submission of a development approval application."

Council officers are of the view that as Council is not the decision maker and may not be responsible for community consultation under one of the potential planning approval pathways, early discussions with affected residents would be beneficial in assisting those residents in understanding the proposal and conveying their concerns to the developer. As a consequence, arrangements have been made for Ms Taggart to meet with the Executive Manager Regulatory Services and Senior Planner on 24 March 2021 to convey and discuss residents' concerns.

Given the level of concern from residents in the streets adjacent to the development site, it is believed this is a fair request and should be supported.

A number of requests were made during the meeting, namely:

- Direct debiting of rates be implemented

The Executive Manager Corporate Services has agreed to investigate this payment option.

- Council officers meet with affected residents, once a development approval application for the former Woodside Hospital site is lodged.

Planning officers were supportive of this suggestion as it would be beneficial to explain the details of the proposal and outline the degree of variations to the R Codes proposed.

- Condition of the Angwin Street footpath.

The Executive Manager Technical Services has undertaken to arrange necessary repairs to this footpath.

- Factoring in abnormal traffic flows during the construction of the High Street Upgrade project when collecting traffic data for the East Fremantle Oval development proposal.

It was agreed the collected data should factor in this situation.

- Arranging traffic counts for Dalgety and Fortescue Streets and examination of historic traffic data for these streets.

Traffic counters would be installed in these streets, once currently scheduled traffic counting is completed.

- Arranging a photo from the Newton residence to compare tree canopies between 1972 and now.

The Communications and Marketing Officer has arranged to visit the Newton's home to take this photograph.

12.2.3 OFFICER RECOMMENDATION

That:

- 1. the minutes of the Electors' Meeting held on 24 February 2021 be received.**
- 2. Council Officers take steps to engage with the developers of the former Woodside Hospital site to relate concerns of local residents prior to the submission of a development approval application.**

MINUTES OF THE ELECTORS' GENERAL MEETING, HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY, 24 FEBRUARY 2021 COMMENCING AT 6.30PM.

1. OPENING OF MEETING

Present

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

Mr G Tuffin	Chief Executive Officer (CEO)
Ms C Catchpole	Acting Executive Manager Regulatory Services (A/EMRS)
Mr P Kocian	Executive Manager Corporate Services (EMCS)
Mr N King	Executive Manager Technical Services (EMTS)
Ms L Collett	Communication and Marketing Officer (CMO)
Ms J May	Executive Assistant to CEO

There were eight electors in attendance.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. WELCOME TO GALLERY

The Mayor welcomed eight members of the public and thanked them for attending tonight's meeting.

4. INTRODUCTION OF ELECTED MEMBERS AND STAFF

Mayor O'Neill introduced staff members and elected members.

5. APOLOGIES

Ms M Flynn, Allen Street.

6. CONFIRMATION OF MINUTES OF PREVIOUS ANNUAL MEETING OF ELECTORS

That the Minutes of the Electors' Meeting held on 25 February 2020 be received.

(CARRIED)

7. MATTERS FOR DISCUSSION

7.1 *Contents of the Annual Report*

Mayor O'Neill highlighted the following projects that commenced or continued through 2019/2020, or were currently underway:

East Fremantle Oval

- \$20M funding commitment made by both major political parties.
- Design formalised and agreed through community consultation, guided by working group.
- Business Case available online for public comment until 15 March 2021.

Urban Streetscape and Public Realm Style Guide

- Adopted by Council in December 2020.

Integrated Movement and Traffic Management Strategy (including parking)

- Close to finalisation, tentatively scheduled for April for public consultation.

Riverside Road

- Community consulted regarding tree species and landscaping plan. Landscaping now complete.

Niergarup Track

- Track works are now complete, further compacting of path completed upon request by users.
- Landscaping plan shared with community and planting will begin in winter 2021.

Preston Point reserve

- Grass re-leveling and cricket wicket upgrade works are completed, with the temporary fencing to be removed within the next week.

Preston Point Road North Precinct Recreational Masterplan

- The Plan is being reviewed in coming weeks to highlight actions taken since and give users the opportunity to provide any updates on their priorities and proposed projects.

Pipes for Perth

WaterCorp will commence works mid-year to upgrade subterranean water pipes on Fraser Street, Petra Street, Fletcher Street, Moss Street, George Street, Silas Street, St Peters Road and Sewell Street. There will also be work completed on the corner of Preston Point Road, Staton Road and Alexandra Road. Work is expected to be completed in early 2022.

Local Planning Scheme No. 3 - Amendment 17 – No. 7 – 27 Canning Hwy between East and Glyde Street

- Council endorsed for advertising at its meeting of 8 December 2020.
- Allows for residential development only at R80 (i.e. apartments) if all 6 lots are developed as one integrated site in accordance with a Local Development Plan (LDP) and Design Guidelines (remains at R20 if no LDP).
- Building height proposed - restricted to 2 - 4 storeys.

- Department of Planning Lands and Heritage approved Amendment for advertising 18 February 2021.
- Advertising cannot commence until Environmental Protection Authority have also authorised advertising to commence.
- Advertising period is 60 days – all forms of advertising, including signs on street frontages will be used.
- After advertising, Council to consider submissions then either support, with or without modifications, or not support.

Local Planning Scheme No. 3 - Amendment 14 – Roofing 2000 site

- Minister for Planning gave final approval January 2021. No support for Council endorsed Amendment.
- Gazetted 5 February 2021.
- Allows for up to ~20-storey building and 3 storeys at St Peters Road.
- Owners and architect are developing plans for submission of a Development Application.
- Completed the first round of the State Design Review Panel assessment.
- Development Approval application most likely to be sought through the State Development Assessment Unit.
- Planning approval decision maker is the WAPC – new approval process established by new planning legislation (July 2020) in response to COVID and planning reform initiatives.

Royal George Hotel Site

- Restoration works continue. Owner intends to complete by August 2021.
- Planning approval for rear of site and re-use of Hotel will be sought through the State Development Assessment Unit/ WAPC process.
- Planning approval decision maker is the WAPC – new approval process established by new planning legislation (July 2020) in response to COVID and planning reform initiatives.
- Completed 4 rounds of State Design Review Panel.
- Development Approval application expected to be submitted in February 2021.
- Advertising/consultation process will follow State Planning department guidelines – 28 days for submissions.
- Owner has been instructed by State Planning to discuss options for increasing off-site parking with the Town.

Former Woodside Maternity Hospital – 18 Dalgety Street

- Development plans prepared for State Design Review Panel and have been assessed through 3 rounds of the Panel – Panel has endorsed the plans and the design.
- Owners have not indicated which development approval process they will choose – i.e. DAP or State Development Assessment Unit/WAPC.
- No formal Development Approval application has been submitted.
- No detailed plans for a development Approval application have been viewed by the Town. Final design has not been assessed by the Town.
- Traffic Impact Assessment not complete but will be required to be submitted with Development Approval application.
- No timeframe indicated for submission of Development Approval application.
- Public consultation will not commence until Development Approval application has been submitted.
- The Town has forwarded all comments received from residents to the owners.

Local Planning Strategy

- Endorsed by Council 19 November 2019, immediately forwarded to Department of Planning Lands and Heritage seeking approval to advertise.
- Comments received via from Department of Planning Lands and Heritage discussed and reviewed with the Department throughout 2020.
- Town commissioned the Department's mapping and analytics services in January 2021 – received first draft maps in February 2021.
- Draft Local Planning Strategy guidelines released by the Department for comment February 2021 (including template for mapping and analysis).
- Changes over the past year due to State government planning reform and review of the Town's Strategic Community Plan have meant that parts of the draft Local Planning Strategy also needed to be updated.
- The Town continues to re-structure the Strategy, so it aligns with the new draft guidelines.
- It is anticipated a revised draft of the Strategy will be forwarded to the Department in April/May to seek consent to advertise.

Integrated Traffic Management and Movement Strategy

- Three plans underpin the Strategy – Parking Plan, Management and Movement Plan and Active Transport Plan.
- Consultants, Cardno have completed the Strategy.
- Following consideration by senior Town staff and endorsement by Council for advertising – the Strategy will be made available for public comment.
- Following consultation period, the Council will consider submissions and then endorse document as is, or with modifications.
- Intended that consultation commence April/May 2021.

Urban Streetscape and Public Realm Style Guide

- Adopted by Council on 8 December 2020.
- Guides works in public spaces throughout the Town including verges, parks, footpaths, street trees and urban spaces.
- Overall Guide and Precinct Pamphlets developed.
- Documents available on the website and can be printed on request.

Community Assistance Grants

- The Town of East Fremantle's Community Assistance Grants Program opens on Monday, 29 March 2021 and closes on Monday, 24 May 2021 at 4pm.
- Application forms, guides and other information are available on the Town's website.

Community-Led Initiatives

- Community members are welcome to submit projects at any time.

Youth Meet Up

- The Town's first Youth Meet Up event to be held on Sunday, 18 April 10am – 2pm in Locke Park.

FOGO Rollout

- The FOGO rollout occurred in the first week of July 2019. Bins delivered to 3,115 properties.

Action on Climate Change

- In November 2019 and March 2020, the Town recognised the current climate emergency.
- In June 2020 expressions of interest sought for a newly formed Community Action Reference Group (CARG) on climate change.
- The first meeting of the CARG was held in September 2020 and its Terms of Reference confirmed. They are now working on an Action Plan.

Waste to Energy Agreement

- On 29 January 2021 the Town announced a new deal for waste being converted to energy.
- Under the deal, regular waste collected through the Town's red-lidded bins will be sent to the Avertas facility in Kwinana, instead of to landfill.
- The Agreement is expected to generate substantial savings over its 20 year span.

Draft Waste Plan

- Department of Water and Environmental Regulation require local governments to develop a waste plan for the future. Council staff commenced this waste plan in January 2020.
- By implementing a three-bin FOGO system, the Town has made good progress.
- The Town currently has one of the highest levels of diversion from landfill of all the Perth metropolitan Councils with 65% of waste being diverted from landfill.

Waterwise Council

- Council officers commenced work on becoming a Waterwise Council which ultimately occurred in July 2020. This will ensure that the Council is eligible for ongoing funding for waterwise grants.

243 Canning Hwy – environmental assessment – old petrol station on Canning Highway and Oakover Street

- Classified as '*possibly contaminated - investigation required*' (PCIR) under the *Contaminated Sites Act 2003* due to uncertainty as to whether the site is suitable for the proposed Public Open Space land use.
- Council arranged for Western Environmental to undertake a preliminary site investigation during the COVID lockdown which was completed in July 2020.

The Town's capacity in Operations lifted following the hiring of Nicholas King to the new position of Executive Manager Technical Services.

New employees in the Ranger team will see an enhanced focus on community safety and a conciliatory approach to regulatory matters in response to public concerns.

The auditor's report in the Annual Report 2019-20 is an unqualified report.

Ms J Taggart, Dalgety Street

Ms Taggart commented that the information contained within this Report on the former Woodside Hospital site had been taken directly from the developers' brochure and did not fairly represent the current situation from the Council and residents' perspective.

Mayor O'Neill acknowledged Ms Taggart's concern.

Moved Cr Harrington, seconded Cr Watkins
That the 2019-20 Annual Report be received.

(CARRIED)

7.2 General Business

7.2.1 Ms N Thomas, 4 Coolgardie Avenue

Mayor O'Neill read the following email from Ms N Thomas:

"I am unable to attend the Feb meeting but ask that direct debiting of rates be put on your agenda and instituted asap. Thanking you."

Mayor O'Neill advised that this request would be investigated and asked if the Executive Manager Corporate Services wished to make comment.

EMCS advised that the Council computer system had the capacity to accommodate a direct debit function and the implementation of this payment option can be explored.

7.2.2 Ms L Telfer, Hamilton Street (Extinction Rebellion Pink Wall)

Ms Telfer expressed her objection to the painting of the Extinction Rebellion group name on the wall of the property at the corner of Alexandra Road and Canning Highway. Ms Telfer was concerned that this now sets a precedent for other political parties to permanently advertise on private walls within the Town.

Ms Telfer maintained the pink wall was advertising, not art. The wall was very offensive to many people who were appalled by the Extinction Rebellion group's actions in recent times.

Mrs P Newton, Alexandra Road

Mrs Newton concurred with Ms Telfer's comments advising that many residents were not aware of the activities of Extinction Rebellion. She considered it was free advertising for this group and paved the way for other abusive messages and slogans on other walls within the Town. The message on the wall had served its purpose and it was time it was taken down. Other businesses must comply with Council's rules and regulations, why not this group?

Mayor O'Neill stated that he took full responsibility for the approval of the pink wall. His rationale for approving the wall was that he believed it was a non-confrontational/non-violent way of getting the message across about climate change. A number of people, including a local artist, believed it was a work of art. He advised he did not support the ethos and culture of the group.

Following a query regarding the sunset clause on planning approvals, the CEO advised the Town's *Meeting Procedures Local Law* provides a timeframe of approximately 24 hours, but he would need to confirm this. As this period of time had elapsed, and the approval had been provided in writing, the decision can no longer be revoked.

Mrs Newton advised she did not receive the opportunity to comment on the wall and asked why the proposal was not advertised to residents. The Mayor advised that the proposal was advertised to surrounding residents, however, not to the full extent of Alexandra Road, so did not include her property.

7.2.3 J Farmer, Sewell Street (Royal George Hotel)

Mr Farmer enquired whether the staff were aware of what was happening behind the scaffolding at the Royal George Hotel and who was supervising to ensure that it is restored to its former glory.

The A/EMRS advised that the first stage of restoration was replacing like for like eg downpipes, guttering, window and door frames, roof and cupola etc. The contract builder for the site was supervising the work which had been vetted by the Heritage Council. All works are to be in accordance with the approved Heritage Conservation Plan, also approved by the Heritage Council. Some restoration works cannot be commenced until redevelopment works to the rear of the building were completed, so that they were not damaged in the construction process.

Mr Farmer sought clarification that no development approval application had been received.

The A/EMRS advised no formal development approval application had been submitted at this point that the Town had been advised of.

7.2.4 Ms J Taggart (Former Woodside Hospital Site)

Ms Taggart advised that she had doorknocked all properties in Dalgety and Fortescue Street and nearly all residents shared her concerns regarding the proposed development of the former Woodside Hospital site.

Ms Taggart advised she had no objection to aged care accommodation on the site, however had become aware that:

- a large number of ancillary facilities were to be established on the site which would be available to the general public and was concerned with the resulting traffic. How can R15 zoning have a large commercial activity within aged care?
- it was proposed to be three storeys on the southern side with effectively another storey underground.
- a two storey below ground car park was proposed containing 109 car bays.

From the concept plans provided, local residents were very concerned with bulk and scale of development, setbacks, overshadowing, increased traffic and the provision of ancillary services for the general public. The two year construction period would have a huge impact on surrounding properties

Ms Taggart advised that an architect had looked at the plans and advised that the owners of 26 Dalgety Street and 29 Fortescue Street would be completely overshadowed by the development. These long time owners are completely devastated by the impact of this proposal and one couple are attempting to sell their home.

Ms Taggart requested Council meet with local residents to hear their concerns prior to providing comment on any development proposal. These residents would like an assurance that they will have an opportunity to voice their serious concerns.

The A/EMRS advised that no development approval application had been lodged that the Town had been advised of at this stage and explained the development approval process will either follow that required for a Development Assessment Panel or a Significant Development (ie State Development Assessment Unit/WAPC) approval process.

Ms Taggart said that local residents felt very vulnerable going up against a very large organisation which employs planning and design experts, marketing staff and lobbyists to ensure the success of their development application. Enquiries had revealed it would cost local residents at least \$5,000 for a planner to assess the likely impact the plans would have on surrounding properties.

Discussion took place on the merits of meeting with local residents before or after a development approval application is lodged.

Ms Taggart queried whether it was possible for Council to engage with developers to convey the concerns of residents or assist residents once a development approval application is received.

Ms Taggart stressed local residents were not wanting to stop the development, just make it more reasonable.

Moved Ms J Taggart, seconded Mr J Farmer

That Council Officers take steps to engage with the developers of the former Woodside Hospital site to relate concerns of local residents prior to the submission of a development approval application. (CARRIED)

Ms Taggart requested that once a development approval application is lodged, Council Officers meet with local residents to explain the development approval application and the proposal in detail.

7.2.5 Ms L Telfer, Hamilton Street (Priority List for Footpaths)

Ms Telfer suggested Council should have a list of footpaths prioritised by condition for renewal. She advised that the footpath on the west side of Angwin Street was in an appalling condition with an elderly resident recently tripping on the uneven surface and sustaining an injury.

EMTS advised Council did have a process to prioritise the condition of footpaths which was reviewed each year, however the Angwin Street footpath would be looked at with a view to carrying out repairs.

7.2.6 Ms L Telfer, Hamilton Street (East Fremantle Oval)

Ms Telfer asked whether Council was factoring in the abnormal traffic flows in the area during the construction of the High Street Upgrade project (Leach Highway roundabout), when collecting traffic data for the East Fremantle Oval development proposal.

Mayor O'Neill acknowledged this point and assured Ms Telfer that this would be taken into account with the traffic data collected.

Ms Taggart asked when the last traffic counts were done in Dalgety and Fortescue Streets?

The CEO advised that he would arrange for traffic counts in both streets and also look at historic traffic data. It was also noted that the developer for the Woodside Hospital site would be required to commission a traffic impact study.

7.2.6 Mr J Newton, Alexandra Road (Tree Canopy)

Mr Newton advised that in relation to discussions regarding tree canopies within the Town, he had an old photo taken in 1972, from his residence, which captured a long range view across the Town. The photo showed the roofs of many homes within the Town, whereas now the area and roofs were covered by trees. Mr Newton invited the Council to come and take another photo from his residence to illustrate the extent of tree growth in the area.

Mayor O'Neill advised a Council Officer would be in contact to arrange the photo to be taken.

7.2.7 Mr J Farmer, Sewell Street - New Rangers

Mr Farmer asked whether the employment of the two new Rangers was in addition to the existing two Rangers.

The EMCS advised that Council now had only one full-time Ranger with the two new Rangers employed to work weekends.

8. CLOSURE OF THE MEETING

There being no other business Mayor O'Neill thanked everyone for attending and declared the meeting closed at 7.46pm.

12.2.4 Registration of Caveat for Lot 138 on Strata Plan 66227

File ref	P/SIL1
Prepared by	Jessica Meila, Rates Officer
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting Date:	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Purpose

The purpose of this report is to seek Council's approval to register a Caveat on Lot 138 on Strata Plan 66227 Unit 113, 1 Silas Street, East Fremantle.

Executive Summary

The Town has recently received Notification of Bankruptcy in respect of Unit 113, 1 Silas Street, East Fremantle.

Rates and service charges due and payable under *section 6.44 of the Local Government Act 1995 (Act)* in respect of the Land, as at 3 March 2021, were \$5,823.04. The Town has previously attempted to recover unpaid rates and service charges owed in respect of the Land which were unsuccessful.

Pursuant to section 6.64(3) of the *Local Government Act 1995*, it is recommended the Town of East Fremantle secure outstanding rates by lodging a Caveat against the Certificate of Title. Lodging such a Caveat prevents any dealings including refinancing or sale of land on the land prior to the outstanding rates debt being paid.

Background

Pursuant to Council's Debt Collection Policy, where payment of rates or service charges imposed in respect of any land is in arrears of more than three (3) years, the Town of East Fremantle has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land.

Section 6.64(3) of the *Local Government Act 1995*, however states, that "*where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land*". As this is a unique situation, it is recommended that a caveat be registered contrary to the Policy requirement of 3 years outstanding rates. It is also recommended that the Town, as a debt recovery strategy, write to the mortgagee advising that a caveat has been lodged and the Town will consider commencing sale proceedings pursuant to section 6.68 of the *Local Government Act 1995*, as soon as rates are arrears of more than 3 years.

Statutory Environment

Section 9.49A of the *Local Government Act 1995* provides;

9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or

- (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of –*
- (a) *the mayor or president; and*
- (b) *the chief executive officer or a senior employee authorised by the chief executive officer,*
- each of whom is to sign the document to attest that the common seal was so affixed.*

Section 6.64 (3) of the *Local Government Act 1995* provides local governments with power to register a caveat for the non-payment of rates.

Financial Implications

McLeod's Solicitors, who are the Town's nominated Local Government Solicitor will be instructed to prepare the Caveat to secure outstanding rates and service charges and the registered property owner will be responsible to pay for all costs involved in the Caveat, including registration fees and the Town's solicitors costs incurred.

Risk Implications

No significant risk identified.

Comment

Considering the above, it is recommended that the Town of East Fremantle register a Caveat on the Certificate of Title for Lot 138 on Strata Plan 66227 as lodging such a Caveat prevents any dealings including refinancing or sale of land on the land prior to the outstanding rates debt being paid.

McLeod's Solicitors will attend to this matter in due course and all costs associated with the Caveat will be met by the registered property owners. Once the Caveat document has been prepared the Mayor and CEO will be requested to sign and affix the Common Seal to the caveat document.

12.2.4 OFFICER RECOMMENDATION

That Council, with respect to Unit 113, 1 Silas Street, East Fremantle (Lot 138 on Strata Plan 66227):

- 1. authorise the preparation and registration of the Caveat and further authorise the Mayor and CEO to sign and affix the Common Seal in relation to any other documents pertaining to the Caveat on Lot 138 on Strata Plan 66227 once prepared.**
- 2. endorse a letter being provided to the Mortgagee advising that a Caveat will be registered on the land, and that Council will formally consider sale proceedings pursuant to section 6.68 of the *Local Government Act 1995*, as soon as rates are in arrears of more than three years.**

12.2.5 East Fremantle Yacht Club – Request for New Lease

File ref	R/RSC8
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Letter of Request from East Fremantle Yacht Club 2. Plan re lease boundary discrepancy

Purpose

This report recommends that Council delegate authority to the Chief Executive Officer to negotiate a new 21-year lease with the East Fremantle Yacht Club on the basis that the Yacht Club cover all expenses associated with preparing the Deed of Surrender of the current lease and the preparation of a new lease.

Executive Summary

The East Fremantle Yacht Club has requested a new 21-year lease (see correspondence appended to this paper) to provide long term tenure and a planning horizon to undertake building works and secure bank finance.

Background

The East Fremantle Yacht Club (EFYC) has a 21-year lease, which commenced on 1 January 2008 and terminates on the 31 December 2028. The permitted use under the lease is for the purpose of a Yacht Club and all social and other functions, ancillary purposes and activities usually conducted by an active Yacht Club.

The annual lease fee on commencement was \$21,000 per annum plus GST, with CPI indexation each year, and a market review every 5 years. The last market review was undertaken in January 2018, and the EFYC currently pays \$32,926 ex GST in annual rent.

The EFYC is also assessed as a rateable organisation. Council resolved to provide a 25% COVID concession for the 20/21 financial year, which resulted in \$39,795.84 in rates being raised. Without the concession, rates levied would have amounted to \$53,060.64.

Consultation

Michael Brunswick, General Manager – East Fremantle Yacht Club
Council Concept Forum 9 March 2021

Statutory Environment

Section 3.58 of the *Local Government Act 1995* outlines the requirements with regards to the disposal of property.

3.58. Disposing of property

(1) *In this section –*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

-
- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* details the requirements for an exempt disposal for the purposes of section 3.58. As the land is used for

recreational and sporting purposes, and the members are not permitted to receive any pecuniary profit from the body's transactions, the disposal is considered to be exempt.

Policy Implications

There are no Council Policies relevant to this matter.

Financial Implications

It is proposed that all costs associated with preparing documents be the responsibility of the East Fremantle Yacht Club.

Strategic Implications

Strategic Priority 1 "Social" in the Town's Strategic Community Plan 2020-2030 includes the following relevant objectives:

- 1.1 Facilitate appropriate local services for the health and wellbeing of the community.
- 1.2 Inviting open spaces, meeting places and recreational facilities.

Site Inspection

Not undertaken to date.

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 the club is unable to secure long term tenure through a new lease, impacting long term planning and financing arrangements.	Possible (3)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, low impact, low news item	Accept Officer Recommendation

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
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

It is recommended that the request for a new 21 lease from the EFYC be endorsed subject to the following principles:

- There be no reduction in rent. However, the market review clause could be considered onerous as the cost of the valuation report is circa \$8k. A rent methodology based on revenue (similar to the Swan Yacht Club arrangement that was approved by Council last year) could be considered in lieu of a market valuation each 5 years, with a stipulation that rent will not be reduced. Rent is also assessed on the ground lease only and does not capture the rental value of the buildings. This should be clarified in the lease agreement.
- The EFYC continue to be assessed as a rateable sporting organisation.
- Further clarification be provided in the lease that the Town is the owner of all in-situ buildings, irrespective of who funded/built the assets.
- The EFYC incur all costs associated with preparing the Deed of Surrender and new Lease.
- That the lease boundary be amended as the Club's lease extends outside Lot15722 and into the road reserve.

12.2.5 OFFICER RECOMMENDATION

That Council:

1. **delegate authority to the Chief Executive Officer to dispose of part of the property Lot 1522 on Deposited Plan 40473, by way of a 21-year lease, to the East Fremantle Yacht Club (EFYC) on the terms and conditions detailed below:**
 - **There be no reduction in rent. A rent methodology based on revenue (similar to the Swan Yacht Club arrangement that was approved by Council last year) is to be considered in lieu of a market valuation each 5 years, with a stipulation that rent will not be reduced. Rent is also assessed on the ground lease only and does not capture the rental value of the buildings. This should be clarified in the lease agreement.**
 - **The EFYC continue to be assessed as a rateable sporting organisation.**
 - **Further clarification be provided in the lease that the Town is the owner of all in-situ buildings, irrespective of who funded/built the assets.**
 - **The EFYC incur all costs associated with preparing the Deed of Surrender and new Lease.**
 - **That the lease boundary be amended as the Club's lease extends outside Lot15722 and into the road reserve.**
2. **authorise the Mayor and Chief Executive Officer to affix the Common Seal to the Deed of Surrender and new lease agreement once finalised.**

Mr. Gary Tuffin
Chief Executive Officer
Town of East Fremantle
PO Box 1095
FREMANTLE WA 6959

Dear Gary

RE: East Fremantle Yacht Club Lease

Further to our discussions on the 24th November, please find the following submission for an extension of our lease term

Current Lease

The current Lease of Crown Land held under Management Order I623532 with the Town of East Fremantle and leased by the East Fremantle Yacht Club Inc. is due to expire on the 31st December 2028.

As the Club has had tenure over this property since 1933, we believe we have been an self-reliant and independent association during the past 87 years and will continue to be so well into the future.

Our history includes numerous milestones and celebrations that have developed a deep sense of pride in our Membership base which we foster and encourage through all demographics that are associate with us. The Club has delivered Local, State, National and International Champions in our pastime who adorn our Clubhouse facility and have highlighted the East Fremantle name for generations.

The Club is Community based and our efforts each year are designed to improve our facilities and Membership to benefit the East Fremantle and surrounding areas. Many of our activities are designed to bring families to the river and experience the sensational Swan River, where we exist.

Aside from being a responsible tenant of the Crown Land that is provided to us, we are an ardent exponent for maintaining the pristine quality of our waterway.

Proposed Lease Extension

The East Fremantle Yacht Club has provided a long-term Vision to the Town of East Fremantle some twelve years ago and recently we received planning approval for the first stage of our Development, in line with our long-term Facility Development Program. This project will connect our young families with the river and grassed area to the East of our Clubhouse, and given final approvals, we will be commencing building as soon as we are able. This project will again be funded by the Members of the East Fremantle Yacht Club.

In line with our strategy, our next phase will see the building grow to the north with the continuation of our balcony in line with the facility that was built some twelve years ago and continues the pursuit of our overall Vision. Once completed as a standalone structure, the original central building will be able to be rebuilt while we maintain access for our Members.

The unique and protected nature of our water lease provides the Club with the potential to expand our marina facilities to meet the high demand for both sailing and power boat vessels, wishing to join our Club.

With timing right for the Club to pursue our long-term strategy, **we are in need of assistance in achieving funding through our lenders to meet our commitments**. While our 87 years of operation speaks volumes for our stability and foundations, lenders require long term tenure to offset any liabilities they may see.

For funding and long-term Membership stability reasons, **we are seeking to extend our current lease for a further twenty-one years**. With the EFYC focus on generational involvement with our Club, newly joined and long-standing families will welcome the opportunity to continue their relationship with the Club until the mid-way point of the 21st Century.

Council support for this initiative will allow us to properly plan for and execute a Centenary Celebration befitting a well loved and strongly supported Club.

I would welcome any opportunity to discuss this further with yourself or the Council and can provide further information relevant to the Application as required.

Yours sincerely.

Mike Brunswick
General Manager

FORM L1C

FORM APPROVAL No.LAA-1022

TENURE CODE

WESTERN AUSTRALIA
 LAND ADMINISTRATION ACT 1997
 TRANSFER OF LAND ACT 1893 as amended

LEASE OF CROWN LAND (L)

DESCRIPTION OF LAND (NOTE 1)

As to portion only: Lot 15722 on Deposited Plan 40473 being the area shown coloured grey and hatched on the plan attached marked "A"

EXTENT

Part

VOLUME

LR3132

FOLIO

985

LIMITATIONS, INTERESTS, ENCUMBRANCES and NOTIFICATIONS (NOTE 2)

J088218 Class A Reserve 7800
 I623532 Management Order

LESSOR/LESSORS (NOTE 3)

TOWN OF EAST FREMANTLE of PO Box 1097, East Fremantle, Western Australia

LESSEE/LESSEES (NOTE 4)

EAST FREMANTLE YACHT CLUB (INCORPORATED) of Petra Street, East Fremantle, Western Australia

TERM OF LEASE (NOTE 5)

21 Years - Months - Days
 Commencing from the 1 day of January in the year 2008

THE LESSOR HEREBY LEASES TO THE LESSEE the land above described subject to the encumbrances as shown hereon (Note 6)

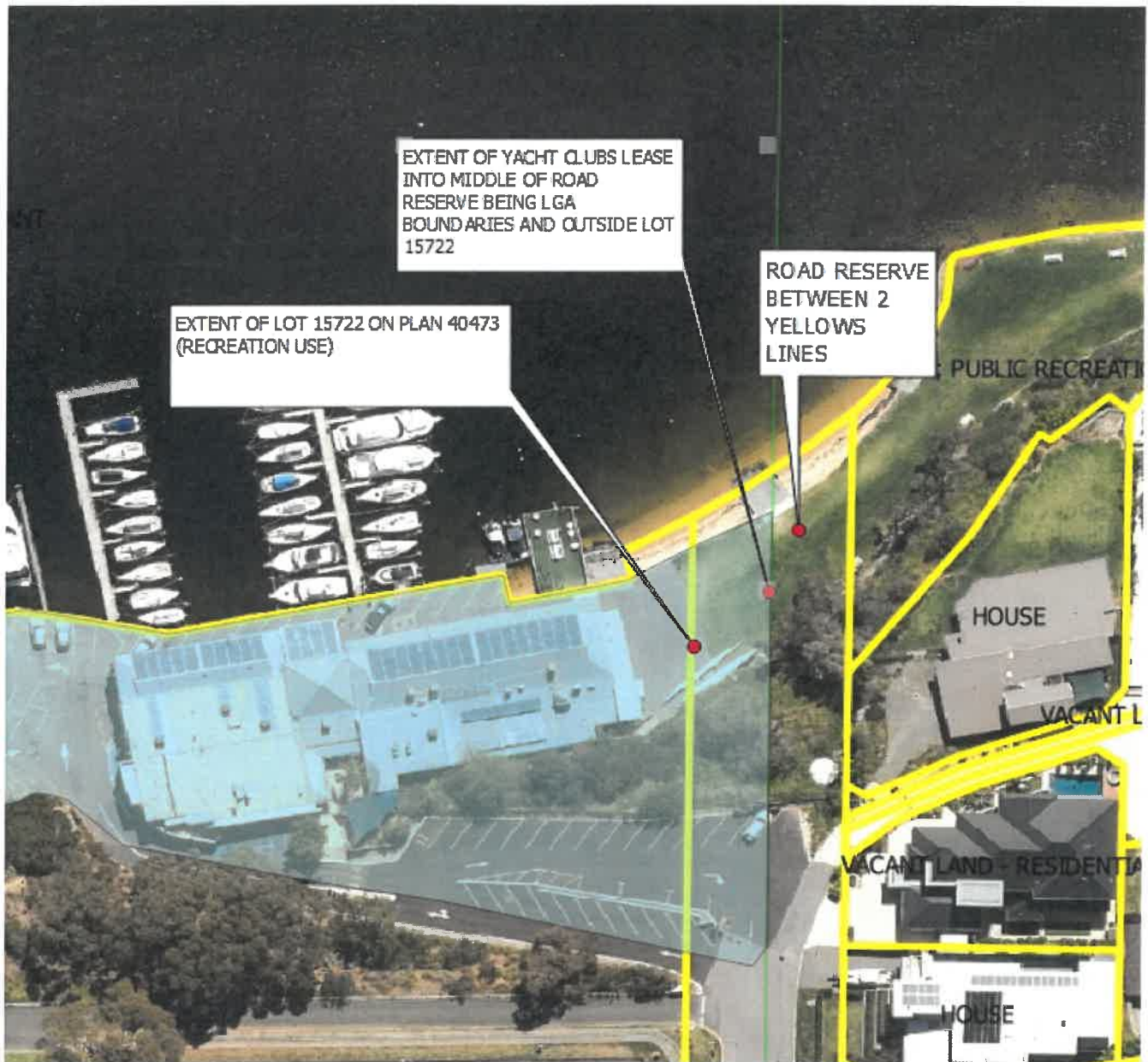
For the above term for the clear yearly rental of (Note 7) See the within lease payable (Note 8)

APPROVED FOR THE PURPOSES OF SECTION 18 OF THE LAND ADMINISTRATION ACT 1997

[Signature]
 by Order of the Minister for Lands

This document is still subject to the registration requirements of the Transfer of Land Act 1893.

16/6/08



Regards,

John Riley
 Environmental Officer | Statutory Assessments | Rivers and Estuaries Branch
 Department of Biodiversity, Conservation and Attractions
 Locked Bag 104, Bentley Delivery Centre WA 6983
 Phone: (08) 9278 0925
 Email: john.riley@dbca.wa.gov.au Web: www.dbca.wa.gov.au

We acknowledge the Whadjuk people as the Traditional Owners of this land.

12.2.6 Leeuwin Scout Hall – Consideration of Future Use

File ref	R/RSC4
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Evaluation Matrix

Purpose

This report recommends that Council resolve to delegate authority to the Chief Executive Officer to negotiate a long-term lease with the Hurricane Dragon Boat and Outrigger Canoe Club Inc for the use of the property known as the Leeuwin Scout Hall and Boat Shed (Reserve 28785 being Lot 8192 on Deposited Plan 172085 and being the whole of the land comprised in Crown Land Title Volume LR3004 Folio 859), with the proposed lease to commence from 1 July 2021.

Executive Summary

Licence Agreements have been executed with the Hurricane Dragon Boat and Outrigger Canoe Clubs Inc and the Scout Association of WA for the shared use of the Leeuwin Scout Hall and Boat Shed, with agreements to expire on 30 June 2021.

The intent of the licences was to prescribe permitted hours for the two user groups to manage interactions and to allow the quiet enjoyment of the facility. However, current arrangements do not appear to be meeting the needs of users, with Town staff being contacted on a regular basis to resolve issues related to the sharing of the space. The ongoing management of this facility is consuming a disproportionate amount of staff time.

Following a public invitation for Expressions of Interest (EOIs) for the facility, and a formal assessment process of those EOIs, it is recommended that the Hurricane Dragon Boat and Outrigger Canoe Club Inc be endorsed by Council as the preferred tenant under an exclusive use arrangement, effective from the 1 July 2021.

Background

At the Ordinary Meeting of 19 May 2020, Council resolved as follows:

17.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved Cr Donovan, seconded Cr A McPhail

That Council support the investigation of an alternative facility use model, or models, for the Leeuwin Scout Hall, which is to include the following process:

- 1. Meeting with the current incumbents to explain and discuss the proposed process*
- 2. Formal advice of the withdrawal of the existing draft lease agreements*
- 3. Initiation of casual hire agreements (minimum term of 12 months) with FFSSG and HDBOCC 'hall area' bookings managed by the Town of East Fremantle*
- 4. Delineation of storage areas within the existing 'boat shed' portion of the facility, and clarification of what items the Town envisages are 'suitable' for storage*
- 5. Community consultation to gather ideas for consideration*
- 6. Preparation of a proposal for an alternative facility use model, or models, for consideration by Council.*

(CARRIED UNANIMOUSLY)

In response to the Council resolution of 19 May 2020, interested parties were given an opportunity to submit an Expression of Interest to lease the Leeuwin Scout Hall and Boat Shed. The call for Expressions of Interest was advertised on the 13 November 2020 via the following channels:

- Local newspapers
- Email newsletter
- Noticeboards
- Social media
- Print newsletter
- Webpage

Submissions closed on 11 January 2021 with the Town receiving submissions from the following groups:

- Fremantle Rowing Club
- Hurricane Dragon Boat and Outrigger Canoe Club
- Scouts WA
- Community Boat Shed – Tony Jones

An internal Evaluation Panel comprising the Executive Manager, Corporate Services; Coordinator, Community Engagement and Executive Assistant, Corporate Services evaluated the four submissions, with scoring included in the attached evaluation matrix.

Consultation

Coordinator, Community Engagement
Executive Assistant, Corporate Services
Executive Team
Elected Members - Council Concept Forum 9 March 2021

Statutory Environment

Section 3.58 of the *Local Government Act 1995* outlines the requirements with regards to the disposal of property.

3.58. *Disposing of property*

- (1) *In this section —*
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only dispose of property to —*
 - (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*

- (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
 - (a) the names of all other parties concerned; and*
 - (b) the consideration to be received by the local government for the disposition; and*
 - (c) the market value of the disposition —*
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
 - (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) any other disposition that is excluded by regulations from the application of this section.*

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* details the requirements for an exempt disposal for the purposes of section 3.58. As the land is used for recreational and sporting purposes, and the members are not permitted to receive any pecuniary profit from the body's transactions, the disposal is considered to be exempt from the requirements of section 3.58 of the *Local Government Act 1995*. The Town is therefore not required to advertise the disposal, nor determine a market value.

Policy Implications

There are no Council Policies directly relevant to this matter.

Financial Implications

It is proposed that all costs associated with preparing lease documents be paid by the Lessee.

The current Licensees pay \$30 each per week for the use of the facility, with the Town responsible for all outgoings.

The proposed lease fee by the Hurricane Dragon Boat and Outrigger Canoe Club Inc is \$2,000 per annum, with the lessee to be responsible for all outings.

Strategic Implications

Strategic Priority 1 “Social” in the Town’s Strategic Community Plan 2020-30 includes the following relevant objectives:

- 1.3 Facilitate appropriate local services for the health and wellbeing of the community.
- 1.4 Inviting open spaces, meeting places and recreational facilities.

Site Inspection

Town staff conducted a site meeting with interested parties on the 22 January 2021.

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 respondents do not agree with Councils’ decision, resulting in a negative reaction.	Possible (3)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, low impact, low news item	Treat through writing to all respondents outlining the basis for the decision.

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Likelihood	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
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

Respondents to the Expression of Interest were required to address the following qualitative criteria in their submission:

- Alignment with Strategic Plan (40% weighting)
- Key Personnel Skills and Experience (30% weighting)
- Respondents Resources (30% weighting)

as well as completing a Compliance and Risk Assessment.

The Evaluation Panel assessed the submissions against the qualitative selection criteria, scoring on a scale from 1-10. The weighted results of these assessments are as follows, with full scoring provided in the evaluation matrix included as attachment 1 to this report.

Fremantle Rowing Club	7.076
Hurricane Dragon Boat and Outrigger Canoe Club	7.058
Scouts WA	6.485
Tony Jones	5.017

The Evaluation Panel also compiled the following list of advantages and disadvantages of each Submission for consideration.

Community Boat Shed

Advantages	Disadvantages
<ul style="list-style-type: none"> • Unique concept • Meets Heritage and Social Aspirations • Links into Area Promotion • Has a strong Education element 	<ul style="list-style-type: none"> • Currently not an Incorporation nor an established group • Heavily reliant on external funding • Likely to be a long lead up time before project would be activated • Council would more than likely need to contribute to capital, building maintenance. A high level of subsidy is envisaged

Hurricane Dragon Boat and Outrigger Canoe Club Inc

Advantages	Disadvantages
<ul style="list-style-type: none"> • Have partnerships with Community ie disabled and young people, schools • Proactive and positive club, always respond to opportunities shared by Council and respectful of Council requirements • Financially sound – evidence of paying bills • Large membership base (38% of membership is local to East Fremantle) • Have a tested digital application to manage bookings 	<ul style="list-style-type: none"> • Appear to be utilising the facility for personal craft storage by members • Have included a proposal to build an annexe for additional storage. This has been previously rejected by Council

<ul style="list-style-type: none"> • Demonstrated willingness to maintain and improve the facility • Looking at external funding options, including NDIS • Have joined Act Belong Commit • Have good governance arrangements • It is noted that without this building they would not have a 'home' 	
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Fremantle Rowing Club

Advantages	Disadvantages
<ul style="list-style-type: none"> • Have partnerships with other groups within the community • Gives the Town the opportunity to upgrade the facility utilising the proposed commercial fee • Pop Up Community event in the hall every month delivering community vibrancy • Very established group • Large membership base (25% of membership is local to East Fremantle) 	<ul style="list-style-type: none"> • Already have a facility next door to the Swan Yacht Club.

Scouts WA

Advantages	Disadvantages
<ul style="list-style-type: none"> • Proposed partnership with the East Fremantle Yacht Club • Scouts constructed the facility in 1973 • Suitability of the location for water entry of the Joey Scouts 	<ul style="list-style-type: none"> • Already lease another Council facility • Scouts WA have demonstrated an inability to adequately manage both properties financially • Scouts WA also have two sites in neighbouring Mosman Park including another facility on the Swan River at Freshwater Bay • There appears to have been a lack of maintenance since the initial occupation • Are wanting a peppercorn lease and will only charge a basic fee for community use

Based on the above assessment, the Hurricane Dragon Boat and Outrigger Canoe Club is the preferred applicant for the Facility.

12.2.6 OFFICER RECOMMENDATION

That Council, with respect to the property known as the Leeuwin Scout Hall and Boat Shed (Reserve 28785 being Lot 8192 on Deposited Plan 172085 and being the whole of the land comprised in Crown Land Title Volume LR3004 Folio 859), resolve to:

1. dispose of the property by way of long-term lease to the Hurricane Dragon Boat and Outrigger Canoe Club Inc, with an effective lease commencement date of 1 July 2021.
2. delegate authority to the Chief Executive Officer to negotiate the lease with the following key terms to apply:
 - (i) 5 year term commencing from 1 July 2021
 - (ii) Annual lease fee of \$2,000 (ex GST) plus CPI increase each year, payable by quarterly instalments in arrears
 - (iii) Lessee responsible for all outgoings including the cost of building insurance, utilities, refuse collection, state government charges such as the emergency services levy
 - (iv) Town to be responsible for structural maintenance.
3. authorise the Mayor and Chief Executive Officer to affix the Common Seal to the final lease document.
4. request the Chief Executive Officer write to all respondents to the Expression of Interest explaining the reason for Council's decision.
5. consider an allocation in the 2021/22 Budget for building repairs and maintenance of Camp Waller to provide a building that is fit for purpose.

Qualitative Criteria Assessment		Hurricane				Leeuwin Boat Shed - Tony Jones				Fremantle Rowing Club				Scouts WA			
0 - does not meet 3 - needs work 6 - meets 10 - exceeds		Karen	Bron	Peter	7.06	Karen	Bron	Peter	5.02	Karen	Bron	Peter	7.08	Karen	Bron	Peter	6.49
Alignment with Strategic Plan																	
A) Describe your organisations experience in delivering services in communities and your capacity to activate the Building to provide and promote community services and regular activities		6	6	6.5		5	5	7		7	8	7		7	7	7	
B) Describe how your proposal aligns to the following objectives from the Town's Strategic Community Plan:																	
1. Strengthen the sense of place and belonging through inclusive community interaction and participation		6	7	6.5	2.73	8	8	7	2.67	8	8	7	2.88	6	7	7	2.69
2. Provision of adequate recreational, sporting and social participation		8	9			8	8			8	8			8	8		
3. Activate inviting open spaces that encourage social connection		7	8			7	8			7	7			7	7		
4. Enrich identity, culture and heritage through programs, events and celebrations		5	6			8	8			5	5			5	5		
5. Facilitate community group capacity building		7	7			5	4			7	8			5	5		
6. Partner with stakeholders to actively protect, conserve and maintain the Swan River Foreshore		8	8			5	4			8	8			8	7		
Key Personnel Skills and Experience																	
Describe your capacity to staff the Building throughout the business hours. Respondents must address the following:																	
A) Describe the services provided by the onsite personnel including their core duties and the responsible external reporting position		8	8	7	2.30	5	6	5	1.45	7	6	7	2.05	7	7	7	2.15
B) Describe the proposed opening hours of the Building and how you will manage after hours usage. Describe how the broader public may be able to access the facility during the proposed opening hours		8	8	7		4	4	5		7	7	7		8	7	7	
C) Any additional information																	
Proposed lease fee per annum (incl. rates / taxes / GST)		\$2,000				??				\$12,000				??			
Proposed utilities per annum		\$1,000				??				As req.				??			
Proposed lease period										10yrs							
Respondents Resources																	
Respondents should demonstrate their ability to maintain, clean and secure the building																	
1. Describe your anticipated processes for cleaning and maintaining the premises including external areas including the car park		7	6	7	2.03	3	3	3	0.90	7	7	7.5	2.15	7	7	7	1.65
2. Advise financial capacity to meet lease fees (stipulate proposed annual lease fee) outgoings and building maintenance requirements		7	7	7		3	3	3		7	9	9		3	3	6	
3. If it is proposed that the facilities are to be used by others please advise of proposed fees for use		7	8	7		3	3	3		6	7	7		6	6	6	
4. The Town will not permit the external storage of any plant and equipment under a new lease. Please advise of how you would address storage requirements within the existing facility for your group. Please provide a storage plan		5	6	7		3	3	3		6	7	7		5	5	5	
Compliance Criteria																	
Respondents are to provide their Australian Business Number and or proof of Incorporation		6			6.00	0			0.00	6			6.00	6			6.00
Compliance with the Specification contained in the Request						0											
Provision of adequate certificate of insurance currency (or statement advising that required insurances for public liability workers compensation and building insurance can be obtained)						0			0.00	6			6.00	6			6.00
Compliance with the Delivery Date																	
Proof that your organisation is local and comprises of a minimum of 25%						3											
TOTAL MEMBERS		66			8.00	0			3.00	289			7.00	48			3.00
EAST FREO MEMBERS		25				0				85				6			
Percentage Local		37.9				0.0				29.4				12.5			
Risk Assessment Criteria																	
An outline of your organisational structure inclusive of any branches and number of personnel.					6.00				2.00				6.00				6.00
Incorporated Associations are required to provide a copy of their Constitution.					6.00				2.00				6.00				6.00
If companies are involved, attached their current ASIC company extracts search including latest annual return					N/A				N/A				N/A				N/A
Provide the organisations directors/company owners and any other positions held with other organisations					N/A				N/A				N/A				N/A
Provide a summary of the number of years you have been operating					6.00				2.00				6.00				6.00
Are you presently able to pay all your debts in full as and when they fall due					6.00				2.00				6.00				6.00
Are you currently engaged in litigation as a result of which you may be liable for \$50,000 or more					6.00				2.00				6.00				6.00
		Hurricane				Leeuwin Boat Shed				Fremantle Rowing Club				Scouts WA			

12.2.7 New Legislation – Standards for CEO Recruitment, Performance Review & Termination and Acting CEO Appointments Policy.

File ref	A/LCG1 & C/POL1
Prepared by	Janine May, EA to CEO
Supervised by	Gary Tuffin, CEO
Meeting Date	16 March 2021
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Proposed Standards for CEO Recruitment, Performance and Termination 2. Draft Appointment of an Acting Chief Executive Officer Policy

Purpose

For elected members to:

1. adopt standards incorporating the model standards for CEO recruitment, performance and termination (**Attachment 1**)
2. consider the adoption of the draft Appointment of an Acting Chief Executive Officer Policy (**Attachment 2**)

Executive Summary

The *Local Government (Administration) Amendment Regulations 2021* (CEO Standards Regulations), was gazetted on 2 February, effective from 3 February 2021.

Following the gazettal of these new Regulations, the model standards are taken to be the adopted standards.

The new Regulations also require Council to adopt a Policy for temporary employment or appointment of a CEO.

Background

Following gazettal of the *Local Government Legislation Amendment Act 2019* in June 2019 a number of legislative changes have been introduced.

The *Local Government (Administration) Amendment Regulations 2021* (CEO Standards Regulations) bring into effect the introduction of mandatory minimum standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers.

Consultation

The Standards for CEO Recruitment, Performance and Termination and a draft policy on Temporary Employment/Appointment of a CEO were presented to elected members at the March Concept Forum where no objections were raised regarding adopting both documents.

Statutory Environment

Local Government Act 1995

Local Government Legislation Amendment Act 2019

Local Government (Administration) Regulations 2021 (CEO Standards Regulations)

Local governments are required to adopt standards that incorporate the model standards within three months, under the new s.5.39B(2) of the Act. This and section 5.39C. are reprinted below:

5.39B. Adoption of model standards

- (1) *In this section —*
model standards means the model standards prescribed under section 5.39A(1).
- (2) *Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt* standards to be observed by the local government that incorporate the model standards.*
*** Absolute majority required.**
- (3) *Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend* the adopted standards to incorporate the amendments made to the model standards.** **Absolute majority required.**
- (4) *A local government may include in the adopted standards provisions that are in addition to the model standards, but any additional provisions are of no effect to the extent that they are inconsistent with the model standards.*
- (5) *The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.*
- (6) *The CEO must publish an up-to-date version of the adopted standards on the local government's official website.*
- (7) *Regulations may provide for —*
 - (a) *the monitoring of compliance with adopted standards;*
 - and
 - (b) *the way in which contraventions of adopted standards are to be dealt with.*

5.39C. Policy for temporary employment or appointment of CEO

- (1) *A local government must prepare and adopt* a policy that sets out the process to be followed by the local government in relation to the following —*
 - (a) *the employment of a person in the position of CEO for a term not exceeding 1 year;*
 - (b) *the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.* *** Absolute majority required.**
- (2) *A local government may amend* the policy.* *** Absolute majority required.**
- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) *The CEO must publish an up-to-date version of the policy on the local government's official website.*

Policy Implications

Once draft Policy 1.2.9 Appointment of Acting Chief Executive Officer is adopted, it will be included in the Council's Policy Register.

Financial Implications

There are no significant financial implications associated with this item.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

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

5.1 Strengthen organisational accountability and transparency

5.1.1 Strengthen governance, risk management and compliance

Site Inspection

Not applicable.

Risk Implications

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council not adopting the CEO Standards and Acting CEO Policy would put it in contravention of government legislation.	Rare (1)	Moderate (3)	Low (1-4)	COMPLIANCE Non-compliance results in litigation, criminal charges or significant damages or penalties	Accept Officer Recommendation

Risk Matrix

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

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

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

Comment

The CEO Standards amend the *Local Government (Administration) Regulations 1996* to prescribe model standards for the recruitment, selection, performance review and termination of local government CEOs. In addition to prescribing minimum requirements for these processes, the CEO Standards will also require local governments to advertise the position of CEO if a period of 10 or more years has elapsed since a recruitment process has been carried out. WALGA has strongly advocated against this requirement.

Council is able to include in the Standards additional provisions that are not inconsistent with the model standards.

A review of the Town's current process for the CEO's Annual Performance Review is considered to meet the proposed model requirements.

12.2.7 OFFICER RECOMMENDATION

That Council resolve to:

- 1. adopt the Standards for CEO Recruitment, Performance and Termination**
- 2. adopt Policy 1.2.9 Appointment of an Acting Chief Executive Officer.**
- 3. publish both documents on Council's website in accordance with section 5.39B(6) & 5.39C(4) of the *Local Government Act 1995*.**



***Standards for CEO recruitment, performance
and termination***

*Error! Use the Home tab to apply Name of Act/Reg to the text that you want to
appear here. -*

(Reg 18FA & Schedule 2)

Adopted by Council [REDACTED] March 2021

Contents

Division 1 — Preliminary provisions	3
1. Citation.....	3
2. Terms used.....	3
Division 2 — Standards for recruitment of CEOs	4
3. Overview of Division.....	4
4. Application of Division	4
5. Determination of selection criteria and approval of job description form	4
6. Advertising requirements.....	4
7. Job description form to be made available by local government	4
8. Establishment of selection panel for employment of CEO.....	5
9. Recommendation by selection panel	5
10. Application of cl. 5 where new process carried out.....	6
11. Offer of employment in position of CEO	6
12. Variations to proposed terms of contract of employment.....	6
13. Recruitment to be undertaken on expiry of certain CEO contracts	6
14. Confidentiality of information	7
Division 3 — Standards for review of performance of CEOs.....	8
15. Overview of Division.....	8
16. Performance review process to be agreed between local government and CEO	8
17. Carrying out a performance review	8
18. Endorsement of performance review by local government.....	8
19. CEO to be notified of results of performance review	8
Division 4 — Standards for termination of employment of CEOs.....	9
20. Overview of Division.....	9
21. General principles applying to any termination	9
22. Additional principles applying to termination for performance-related reasons	9
23. Decision to terminate	9
24. Notice of termination of employment.....	9

Division 1 — Preliminary provisions

1. Citation

These are the Town of East Fremantle *Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

- (1) In these standards —

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Town of East Fremantle;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or

- (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —
independent person means a person other than any of the following —
 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the *negotiated contract*) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the *incumbent CEO*) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the *performance issues*) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.



1.2.9 Appointment of Acting Chief Executive Officer

Type:	Office of the CEO – Human Resources
Legislation:	<i>Local Government Act 1995</i>
Delegation:	DA1 Acting Chief Executive Officer
Other Related Documents:	Policy 1.2.2 CEO Leave Approval

Objective

To ensure compliance with *Local Government Act 1995 s5.39C* by having a policy regarding the employment of an acting Chief Executive Officer.

Scope

To provide a framework and guidelines for the employment of an acting CEO.

Policy

Section 5.39C of the *Local Government Act* requires the adoption of a policy regarding the employment of an acting Chief Executive Officer (CEO).

Council delegates (DA1) to the CEO, appointment of an internal employee higher duties Acting CEO subject to the following conditions:

1. The relief appointment is for a period not exceeding 5 weeks.
2. Policy 1.2.2 CEO Leave Approval – requires the CEO to obtain approval from the Mayor prior to taking to leave.

The Chief Executive Officer must inform the elected members of all proposed Acting CEO arrangements.

For CEO vacancy periods over 5 weeks the appointment of the Acting CEO shall be determined by Council.

The CEO shall report to Council any proposal to fill an Acting CEO role over five weeks with as much advanced notice as possible. In this case the CEO may recommend a suitable internal candidate for higher duties.

If the Chief Executive Officer's position becomes vacant, all acting arrangements are to be determined by the Council.

Section 5.39C of the *Local Government Act 1995* prevents the appointment of an Acting CEO for a period greater than 12 months.

Responsible Directorate:	Office of the Chief Executive Officer
Reviewing Officer:	Chief Executive Officer
Decision making Authority:	Council
Policy Adopted:	
Policy Amended/Reviewed:	

12.2.8 Endorsement of (Reflect) Reconciliation Action Plan

Applicant	N/A
File ref	A/RAP
Prepared by	Janine May, EA to CEO
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Draft Town of East Fremantle (Reflect) Reconciliation Action Plan

Purpose

To endorse the draft Town of East Fremantle (Reflect) Reconciliation Action Plan (RAP) for submission to Reconciliation Australia.

Executive Summary

A **Reconciliation Action Plan** is a strategic document that will support our organisation's vision and planning documents including our Strategic Community Plan and Corporate Business Plan. It includes practical actions that will drive our organisation's contribution to reconciliation both internally and in the community. It is also an expression of our Council's strong commitment to genuine reconciliation by ensuring that Aboriginal people (along with all of us) experience genuine respect, excellent relationships with our Council and their fellow citizens, and equitable opportunities.

A **Reflect RAP** outlines our plan for the next 12 – 24 months. It is designed to lay solid foundations for longer term and more ambitious plans (known as 'Innovate' and 'Stretch' RAPs) that will follow. Committing to a Reflect RAP allows us to develop relationships, deciding on a clear vision for reconciliation and further exploring our sphere of influence, before committing to specific actions or initiatives. This process will help to produce future RAPs that are locally relevant and meaningful, mutually beneficial and sustainable.

Background

Prior to commencing the preparation of this Plan, the following has occurred:

- 'Reconciliation Readiness' training to all staff and elected members
- A 'brain storm' of potential Reconciliation, generated by elected members (in a meeting co-facilitated by Noel Nannup, a respected Nyoongar Elder)
- The establishment of a Working Group (through a call for nominations, and direct referrals to appropriate Elders).

The following members were appointed to Council's Reconciliation Action Plan Working Group in September 2020:

- *James Back*
- *Geoff Addison*
- *Farley Garlett*
- *Gladys Yarran*
- *Malcolm Champion*
- *Margaret King*

- *Mike Pforr*
- *Crs Collinson, Harrington & M McPhail*
- *Gary Tuffin CEO*

The Working Group, together with consultants Danny Ford (Karambang Services) and Tim Muirhead (CSD Network), have met on a number of occasions to develop the (Reflect) RAP.

Consultation

Town's Reconciliation Action Plan Working Group
Consultants Danny Ford (Karambang Services) and Tim Muirhead (CSD Network),

Statutory Environment

N/A

Policy Implications

N/A

Financial Implications

CSD Network, in partnership with Kambarang Services Pty Ltd responded to RFQ 17 -2019/20 to undertake the preparation of the (Reflect) Reconciliation Action Plan and related workshops for a fixed fee of \$12,775 (GST Exc.)

A meeting fee of \$250 per meeting was paid to the 3 Elders for their assistance (cultural advice) in developing the RAP.

To support the delivery of the plan, a project Budget of \$22,000 has been provided for the various initiatives identified in the plan. For further details refer to RAP Pages 19-23.

Council currently has an allocation of \$35,000 in the 2020/21 Budget for reconciliation activities.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

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

1.1 Facilitate appropriate local services for the health and wellbeing of the community

1.1.1 Strengthen the sense of place and identity through inclusive community interaction and participation.

Site Inspection

Not applicable

Comment

Our Reflect RAP will help us realise key aspects of our Strategic Community Plan.

Our hope, then, through this RAP, is that Whadjuk, Nyoongar and other Aboriginal and Torres Strait Islander residents and stakeholders will want to stand in partnership with us in ensuring that their people and their Boodjar thrives. We know that that can only occur if we take genuine, committed action as outlined in this Plan.

Once Council has endorsed the draft RAP, the document will be forwarded to Reconciliation Australia to provide feedback and a quality assurance process to ensure the development of a RAP that meets quality requirements. Notwithstanding this, Council staff will continue to progress actions from the Plan.

12.2.8 OFFICER RECOMMENDATION

That Council:

- 1. endorse the draft Town of East Fremantle (Reflect) Reconciliation Action Plan (RAP)**
- 2. instruct the Chief Executive Officer to submit the draft RAP to Reconciliation Australia for their assessment and approval.**

Town of East Fremantle (REFLECT) Reconciliation Action Plan





Citizenship Ceremony - January 2021
Cr Dean Nardi, Mayor Jim O'Neill, Cr Tony Natale, Cr Jenny Harrington (Deputy Mayor) Cr Kerry Donovan
Nyoongar Elders: Rosemary Walley, Theresa Walley

Acknowledgement of Country

*Nyoongar boodja Kya Wanju boodja booranyinj Nyoongar moort.
Noonakaat yuwal koorl Wadjuk djinnakerding goora goora.
Nitja djen ngallanga bardlaninjury deman nga manga.*

Hello and welcome to the land of the Wadjuk Nyoongar people.
The people of the land have walked in this place for a long time.
Their feet have followed the footsteps of their grandfathers and their grandmothers.



Town of East Fremantle Reconciliation Working Group

Left to right: Tim Muirhead (Consultant), Gary Tuffin (CEO), Danny Ford (Consultant), Cr Jenny Harrington (Deputy Mayor), Cr Michael McPhail, Cr Cliff Collinson (Nyongar Elders) Malcolm Champion, Gladys Yarran & Farley Garlett

Absent: Geoff Addison & Mike Pforr

The Town gratefully acknowledges the extraordinary expertise and life experience that the Reconciliation Action Plan Working Group was able to contribute to the development of this plan.

Contents

Message from the Mayor and CEO	5
What is a Reflect Reconciliation Action Plan (RAP)?	6
Our Business.....	6
Governing for our place and our people.....	6
Our organisation	6
Our values	7
Our Reflect RAP	9
Towards Partnership	9
Our process	9
In keeping with our Strategic Community Plan.....	10
Notes on Terminology	10
WHAT WE PLAN TO DO	11
RESPECT.....	11
RELATIONSHIP	15
OPPORTUNITY	17
GOVERNANCE AND ACCOUNTABILITY	18
Reconciliation Action Plan Budget	19
Appendix 1 – “Who can speak for what”	24

Message from the Mayor and CEO

We are delighted to present the Town of East Fremantle's Reflect Reconciliation Plan Action Plan (RAP), which is an important first step along the path on a journey of healing in our relationship with our Town's first peoples. Reconciliation is a responsibility to which we must commit if we are to become an organisation that respects every individual, ensures equality in opportunities, and provides services that are valued by all of our community members.

The Town has begun a process of healing and learning by developing a culturally sensitive, inclusive and capable workplace, and the development of this Reflect RAP provides important guidance and direction for our journey. This RAP is an expression of our commitment to reconciliation, and whilst our words are important – the promises we make and the terms we use for our places, our stories, our local land, animals and plants, our weather and seasons – our actions are just as crucial. So that our words guide our actions, this Reflect RAP outlines the practical steps East Fremantle will take so that Reconciliation is embedded in our policies, strategies and plans, and into the way we conduct business in the Town.

The scope of this RAP includes the way we care for our Boodja (land), healing, a place to belong, protocols, dates of significance, building cultural competency in our organisation, events, employment and procurement. By integrating the RAP into these day to day aspects of our Town's work, Reconciliation will take meaningful and practical life in our Town. We have set ambitious and progressive goals for the year ahead, and we invite our Reference Group, and our community more broadly, to hold us to account in terms of how we meet these targets. We will report on our progress as we go along, and we welcome your ideas to bring this RAP to life.

As an organisation, our challenge is to continue to deepen our awareness, understanding and appreciation of Aboriginal cultural issues across the organisation and acknowledge their contribution to our daily business. I encourage everyone to join us in discovering more about the culture and values of our Nyoongar people.

Reconciliation is a shared journey that opens our eyes, our hearts, our minds. This plan was developed in consultation with our Reference Group including our local elders and we thank them for their contribution to date, and we look forward to an ongoing partnership built on empathy and mutual respect. Our Town's vision reflects our joint and shared purpose and this RAP guides how we will deliver this vision in a way that is grounded in our shared past and our bright and promising future. It's up to us to fulfill it.

<<images and/or signatures can be added here>>

Jim O'Neill – Mayor Gary Tuffin – CEO

What is a Reflect Reconciliation Action Plan (RAP)?

A **Reconciliation Action Plan** is a strategic document that will support our organisation's vision and planning documents including our Strategic Community Plan and Corporate Business Plan. It includes practical actions that will drive our organisation's contribution to reconciliation both internally and in the community. It is also an expression of our Council's strong commitment to genuine reconciliation by ensuring that Aboriginal people (along with all of us) experience genuine respect, excellent relationships with our Council and their fellow citizens, and equitable opportunities.

A **Reflect RAP** outlines our plan for the next 12 months. It is designed to lay solid foundations for longer term and more ambitious plans (known as 'Innovate' and 'Stretch' RAPs) that will follow. Committing to a Reflect RAP allows us to develop relationships, deciding on a clear vision for reconciliation and further exploring our sphere of influence, before committing to specific actions or initiatives. This process will help to produce future RAPs that are locally relevant and meaningful, mutually beneficial and sustainable.

Our Business

Governing for our place and our people

The Town of East Fremantle is an incorporated body under the *Local Government Act 1995*. It is nestled along the Swan River/*Derbarl Yerrigan* located within Whadjuk Nyoongar land. The Town's resident population is diverse in its culture and heritage. We are committed to ensuring that people and communities living in East Fremantle have optimum wellbeing. In this, we also strive to ensure that the natural environment - the *Boodjar*^{1*} - in our area is healthy and strong, and that all infrastructure and buildings meet the needs and aspirations of our residents and other stakeholders.

We are responsible for ensuring that the *Boodjar* remains as healthy as possible, and that our community and our visitors are enriched by connection with this place. Whadjuk people have been the custodians of this Boodjar for millennia, and remain deeply connected to it today, so we want to honour that connection by working in partnership with them in this work of caring for and healing country.

Our organisation

We are a small Council, with less than 8,000 people in an area of 3.2 sq km and employing just 45 Full Time Equivalent (FTE) staff². We are small, but strong in community spirit. While this means we have a relatively small rates base, it also means we have a unified community, and that we are well placed to focus strongly on caring for the people and Boodjar within our local area.

Of our 45 FTE, at this stage we have one casual employee who is Whadjuk, or Nyoongar or Aboriginal. We hope that, through enacting our Reconciliation Action Plans, that we will change this.

Our organisation will also look for opportunities to share Whadjuk, or Nyoongar or Aboriginal resources, ie Fremantle Library, or other local councils, ie Mosman Park.

1. Words of the Noongar language can have various spellings.

2. This represents total employees.

Our values

In developing this Reflect RAP we have been mindful of our corporate values:

- Respect** Being courteous always and valuing the views and opinions of others by having due regard to their rights and responsibilities.
- Integrity** Holding oneself to consistent standards exemplified by being honest and having a strong moral code, upholding the reputation of the organisation.
- Teamwork** Working together to achieve agreed outcomes by building and sustaining a high-performance work environment underpinned by trust and commitment.
- Empathy** Willing to develop an understanding of someone's concerns and consider their needs and feelings in working with them to address work related issues and solve problems.

Our Vision: Inclusive community and lifestyle, balancing growth and sustainability.

(source: Community Strategic Plan 2020 – 2030, page 15)

OUR GUIDING PRINCIPLES

Inclusive, Diverse and Connected Community

Our community values:

- a cohesive community with a heart/hub
- connectivity and walkability
- community safety

The Town of East Fremantle will work to create a socially connected, inclusive and safe community.

Natural Environment Stewardship

Our community would like:

- green, open spaces and increased activation of the river front
- negative environmental impact minimised and Climate Change responsiveness

We will prioritise maintaining and enhancing the Swan River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

Balanced Growth, Valued Heritage and Unique Places

Our community wants to live in a Town that:

- has a unique sense of character
- balances heritage and charm with a growing community and natural environment
- offers housing and hospitality options

Our decisions will contribute to accessible, well-planned built landscapes, which are in balance with the Town's unique heritage and open spaces.

Transparent and Accountable Governance

Our community desires:

- a responsive Council which actively seeks community input and communicates well.

The Town of East Fremantle will endeavour to be a proactive, approachable Council, which values community consultation, transparency and accountability. We will be sustainable, "locally" focused and responsive to do business with.

Our Reflect RAP

Towards Partnership

The troubled relationship between Aboriginal and non-Aboriginal Western Australians began right here on our foreshore. It was here that contact between us was first made. We were, by most accounts, made welcome, initially, as other visitors had been before. Those early Whadjuk people could not possibly have predicted the disruption that was about to befall them, and their descendants. Today, we at the Town of East Fremantle strive to govern for all our residents and stakeholders. We are aware, though, that very few Aboriginal people live within our boundaries. We are also aware that Aboriginal people have experienced a very particular history of race-based exclusion, segregation and injustice on our land. As a result, we acknowledge that quite specific reconciliation work is needed to build a relationship of trust and partnership. We will need, first, to ensure that Aboriginal stakeholders in our place (Traditional Owners), those with historic connections, current residents, visitors, employees come to know that they and thousands of generations of their ancestors are genuinely **respected**. Then we can all work towards developing stronger **relationship** between us all, as individuals and as groups. Our hope, and our commitment, is that this relationship and respect will provide a foundation for us to stand together with Aboriginal people in their long, courageous journey of healing, re-empowerment, and **opportunity**.

Our process

The process of developing our Reflect RAP has already increased our capacity to work effectively towards genuine respect, relationship and opportunity. Key steps along the way have included:

- 1) providing 'Reconciliation Readiness' training ('Towards Partnership; delivered by Kambarang Services) to all our staff and elected members
- 2) a 'brain-storm' of potential Reconciliation, generated by elected members (in a meeting co-facilitated by Noel Nannup, a respected Nyoongar Elder)
- 3) establishment of a Reference Group (through a call for nominations, and direct referrals to appropriate Elders)

Working Group members included:

Local Elders

Mr Malcolm Champion (Elder)
Ms Gladys Yarran (Elder)
Mr Farley Garlett (Elder)

Aboriginal resident

Mr Geoff Addison

Non-Aboriginal residents

Mr Mike Pforr
(via telephone) Mr James Back
Ms Margaret King

Town of East Fremantle - Councillors

Cr J Harrington
Cr C Collinson
Cr M McPhail
Mr Gary Tuffin (CEO)

The HR Coordinator (Linda McNab) provided project co-ordination and general project support.

The process was independently facilitated by consultants Danny Ford, Lead Consultant Karambang Services and Tim Muirhead, Lead Consultant, CSD Network.

The Town gratefully acknowledges the extraordinary expertise and life experience that this Working Group was able to contribute to our organisation.

- 4) The RAP Working Group provided, initially, input to the appropriate content for the RAP, and then thoroughly reviewed the early drafts.

In keeping with our Strategic Community Plan

Our Reflect RAP will help us realise key aspects of our Strategic Community Plan.

Our hope, then, through this RAP, is that Whadjuk, Nyoongar and other Aboriginal and Torres Strait Islander residents and stakeholders will want to stand in partnership with us in ensuring that their people and their *Boodjar* thrives. We know that that can only occur if we take genuine, committed action as outlined in this Plan.

Notes on Terminology

In this Plan we have used the term 'Nyoongar', as the generic term to refer to the fourteen clans of the South West. We acknowledge that some prefer the term Bibbulmun, but have used the former term for brevity, at the request of the Elders on our Reference Group.

Where we refer specifically to Whadjuk people, we mean the Traditional Owners of Whadjuk Boodjar (which approximates the Perth plains).

We use the term 'Aboriginal and Torres Strait Islander' when we are not referring specifically to Whadjuk or Nyoongar/Bibbulmun people.

Prior to developing this RAP, we have ensured that *all* of our staff managers and elected members participated in Reconciliation Readiness training ('Walking Together', delivered Kamarang Services). This has raised awareness of and increased, even further, our enthusiasm for contributing to genuine reconciliation, ensuring that we are optimising our contribution to **respect** for, **relationship** with, and **opportunities** for, Aboriginal people.

WHAT WE PLAN TO DO

	RESPECT	'Milestones' and/or notes	Timeline	Responsibility
1	RESPECT FOR BOODJAR Work together to highlight and enhance Whadjuk/Nyoongar connection with, and knowledge of, the Boodjar we're on.	(Note: this action will <i>begin</i> during the Reflect RAP, and likely continue into the innovate RAP)		
1a	Consult with key Elders and/or other knowledge-holders, to collect traditional knowledge of our lands and waters, including stories, places of significance, place names, traditional practices, and recent (i.e. last 190 years) history.	i. Budget for cultural consultancy ii. CD worker to coordinate. (est \$5,000) iii. Consultation occurring iv. Information gathered and collated.	12-24 months	• External Consultant
1b	Establish conceptual plan, with Reference Group, for Whadjuk/Nyoongar artwork to highlight contemporary culture.	Conceptual plan established	12 months	• Public Art Committee
1c	Gain agreement from Elders on <u>potential place names</u> using a) The original (Whadjuk) names and/or b) Names that honour Whadjuk and Aboriginal connection to the area. ⁴	(part of 1a and 1b)) Consulted with key Whadjuk Elders and cultural knowledge-holders Established ToEF guide to Whadjuk terminology.	12 months	• External Consultant
1d	Consider, in discussion with Elders, use of the name " <i>Boyal Walyalup</i> " (Eastern edge of Walyalup area) in descriptions of the local area.	Name approved/disapproved by consensus of Elders. ⁵	6 months	• Reconciliation Reference Group in conjunction with Council (EMs)
1e	Establish <i>conceptual</i> plan to highlight Whadjuk sites and related stories, and connect them via a 'Trail'	(based on info gained in 1A) Concept developed (with Reference Group).	24 months ⁶	• External Consultant

³ Boodjar = the life giving land.

⁴ (See 1c) Gaining support of wider community for the formal re-naming and/or dual naming may be longer term - in the life of the Innovate or Stretch RAPs – after public awareness campaigns (e.g. East Fremantle/Boyal Walyalup, Swan River/Derbal Yerigan)

⁵ Note – this is not suggesting a name change for Council – just description of the area.⁶

⁶(See 1e) Completion of the Trail is likely to be in following years (ie in Innovate or Stretch RAP).

	RESPECT	'Milestones' and/or notes	Timeline	Responsibility
2	HEALING Work together to identify places and opportunities for healing, together; healing our land and healing our history.	(Note: this action will <i>begin</i> during the Reflect RAP, and likely continue into the innovate RAP).		
2a	Explore possibilities for a precinct, or precincts, that will foster, <i>for all people</i> ⁷ , healing, reconciliation and connection with Whadjuk/Nyoongar culture. This should be done in conjunction with Whadjuk Elders and cultural knowledge-holders, accepting their authority. Ideas that could be explored include: <ul style="list-style-type: none"> • Recognition (such as memorials or monuments) of the processes of enforced dispossession (including stolen generations, social exclusion); • A 'healing ground' – offered by Whadjuk people and Town of East Fremantle for all people to use for private and collective healing, (drawing on Aboriginal insights in healing); • A 'healing flame' in memory of the resilience and suffering of the past (including the Stolen Generations and the history of Wadjemup⁸); • A (well designed) fire-pit for smoking ceremonies, shared 'campfire' (for yarning circles); • Revitalisation of the Niergarup Track; • Dancing ground; • 6 season 'bush-tucker' (<i>mereny</i>) garden; • Connection to Whadjuk/Nyoongar boodjar-based spirituality; • Grass Trees. 	Engagement of Elders and other knowledge-holders> Ideas proposed, and levels of support by stakeholders assessed (for consideration during Innovate RAP).	6 months 12 months	<ul style="list-style-type: none"> • Reconciliation Reference Group • Planners, place makers, artists etc working within, or in partnership, with the Town.
2b	Engage Aboriginal and non-Aboriginal people in 'yarning circles' about processes for healing and encourage <i>community based</i> (including Aboriginal-led, processes, ceremonies) healing.	Yarning Circle events have occurred.	Begin in 6 months, then ongoing.	<ul style="list-style-type: none"> • Coordinator Community Engagement

⁷ (See 2a) Including schools

⁸ Wadjemup is the original name for 'Rottnest Island'

	RESPECT	'Milestones' and/or notes	Timeline	Responsibility
3	A PLACE TO BELONG Review why so few Aboriginal people live in East Fremantle and consider what can be done to make it more 'Aboriginal-friendly'.	(Note: this action will <i>begin</i> during the Reflect RAP, and likely continue into the innovate RAP)		
3a	Explore what might be done to make East Fremantle (Boyal Walyalup) a more welcoming place for Aboriginal and Torres Strait Islander people.	Aboriginal and Torres Strait Islander residents have been invited to contribute. Content of "Welcome to Country" signs agreed. Opportunities to make Whadjuk and broader Nyoongar culture more visible have been explored.	12 months	• Reconciliation Reference Group
4	PROTOCOLS Establish and maintain <i>protocols of respect</i> for Nyoongar people.	(Note: Some deliverables will <i>begin</i> during the Reflect RAP, and to continue into the Innovate RAP)		
4a	Incorporate Nyoongar Welcome to Country, storytelling and/or cultural ceremonies into Citizenship Ceremonies .	i. Nyoongar welcome/stories included.	Established within 6 months, ongoing	• Executive Assistant to CEO
4b	Develop clear, simple policy and procedure for appropriate "welcome to country" and "acknowledgement of country" ⁹ in the Town's meetings, key documents, speeches and events.	i. Develop and Agree Protocols (in discussion with RAP Reference Group) ii. Enact protocols of welcome and acknowledgment. Consider inclusion of Uluru Statement from the Heart in the Town's Welcome Pack as acknowledgement of Aboriginal call for partnership.	3 months Ongoing	• Reconciliation Reference Group in conjunction with Council (EMs)
4c	Include written acknowledgement of country in on-line correspondence – particularly email signatures.	• Confirm email signatures: e.g. <i>The Town of East Fremantle acknowledges the Traditional Custodians, the Nyoongar people, and their continuing connection to the land, waters and community.</i> • Obtain endorsement from RAP Reference Group.	3 months	• Communications and Marketing Officer
4d	Consider appropriate Nyoongar language into the 'Welcome to Town of East Fremantle' signs. ¹⁰	i. Agree appropriate words through discussions with RAP Reference Group. ii. Implement during Innovate RAP.	6 months	• Reconciliation Reference Group • Elected Members

⁹ See draft Acknowledgement of Country on cover page.

¹⁰ (See 4e) eg 'Wanju Boyal Walyalup on Whadjuk Nyoongar Boodjar'. Welcome to East Fremantle area, on the land of Whadjuk people. (Elders to provide the accurate wording.)

	RESPECT	'Milestones' and/or notes	Timeline	Responsibility
5	DATES OF SIGNIFICANCE Review key dates, through the lens of Aboriginal-led reconciliation.	(Note: Some deliverables will <i>begin</i> during the Reflect RAP, and likely continue into the Innovate RAP)		
5a	Review activities of Australia Day/Survival Day (26 January). Consider marking it with reflection and commemoration, rather than celebration. ¹¹	This is likely to involve generating discussion with: a) RAP Reference Group. b) East Fremantle community groups and residents. c) Auspire (Australia Day Council) and Reconciliation WA. d) Other Councils.	Begin discussions – 3 months. (Changes will likely be during Innovate RAP)	<ul style="list-style-type: none"> Reconciliation Reference Group TOEF – Elected Members
5b	Consider a special date to recognise Nyoongar nations' custodianship of our land/boodjar. ¹² (eg 6 June the date when formal recognition of that connection was given (187 years late) in 2016.	As above		<input checked="" type="checkbox"/> Reconciliation Reference Group <input checked="" type="checkbox"/> TOEF – Elected Members
6	TOWARDS A CULTURALLY COMPETENT ORGANISATION Ensure our staff have the requisite competence to work effectively with diverse Nyoongar and other Aboriginal people, and to address culturally important local issues.			
6a	Make 'Reconciliation Readiness' training available to all new ¹³ staff, within 3 - 6 months of their induction.	Training providers and program selected Training made available to all new staff (likely via attendance at community based 'Reconciliation Readiness' training. (See 8b)	3 months Ongoing	<ul style="list-style-type: none"> Human Resources

¹¹ Please note: **All Elders on our RAP Reference Group are opposed to acknowledging 26 January as our national day.**

¹² (See 5b) Explore opportunity for a 'Local Government partnership and recognition day' or similar be established by a collective of Local Govts via WALGA?

¹³ All existing staff have undertaken the training

	RELATIONSHIP	'Milestones' and/or notes	Timeline	Responsibility
7	EVENTS: NAIDOC AND NRW Lead our communities in marking NAIDOC Week and National Reconciliation Week (NRW) ¹⁴ .			
7a	Host at least one event in each of these weeks.	Event held (KAYA/welcome sign for all events).	On-going	<ul style="list-style-type: none"> Coordinator Community Engagement
7b	Publicise (in partnership with other Councils) NAIDOC and NRW events occurring in our local area and our region.	Program publicised.	On-going	<ul style="list-style-type: none"> Marketing & Communications Officer
8	RECONCILIATION IN THE COMMUNITY Support community-based Reconciliation activity			
8a	Explore mutually beneficial relationships with: <ul style="list-style-type: none"> <i>East Fremantle Football Club</i> (to learn from and build on their excellent support of Aboriginal players and families). NAIDOC Week. <i>Richmond Primary School</i>; (to learn from and build on their work in Reconciliation and student awareness during NAIDOC Week). <i>Glyde In</i>. <i>Bahai Centre</i>. 	Initiate discussions. Collaborate on, or support, at least one initiative.	3 months 12 months	<ul style="list-style-type: none"> Coordinator Community Engagement
8b	Provide opportunities for our residents to engage in sessions and activities that raise awareness around Nyoongar culture and history, and keys to genuine reconciliation, and include new staff.	Offer one RAP in-house training seminar for community.	9 months	Coordinator Community Engagement – via External Consultant

¹⁴ (See '7') This is required by RWA for Reflect RAP.

	RELATIONSHIP	'Milestones' and/or notes	Timeline	Responsibility
9	ABORIGINAL ENGAGEMENT Systematically improve processes of <i>engagement</i> with appropriate Nyoongar and/or other Aboriginal people.			
9a	Establish clear protocols on <i>who can speak for what issues</i> ; what issues should be discussed with: <ul style="list-style-type: none"> • <i>Traditional Owners</i> (including those living outside of East Fremantle); • Aboriginal people with <i>historic</i> connections, and • Aboriginal <i>residents</i>. (See examples in Appendix 1.)	<ul style="list-style-type: none"> • Draft list of 'topics' relevant to each group.¹⁵ • Seek feedback from people from each group. • Provide list and explanations to all staff and Elected Members. 	<ul style="list-style-type: none"> • 2 months • 6 months • 9 months 	<ul style="list-style-type: none"> • TOEF
9b	Research appropriate content for guidelines on appropriate Aboriginal engagement. ¹⁶	Appropriate content collated, in readiness for establishment of Guidelines during Innovate phase.	9 months	<ul style="list-style-type: none"> • External Consultant

¹⁵ See 'sample list' in **Appendix 1**

¹⁶ City of South Perth have an excellent Aboriginal Engagement Policy.

	OPPORTUNITY	'Milestones' and/or notes	Timeline	Responsibility
10	ABORIGINAL EMPLOYMENT Increase employment of Nyoongar/other Aboriginal staff.			
10a	All Council work-units identify any appropriate opportunities for: <ul style="list-style-type: none"> • Trainee/cadetships that that can draw more Aboriginal people into the organisation • Roles that will benefit from Aboriginal knowledge and connection (Rangers, culture and arts, landscaping and land management, community development). 	Opportunities identified.	12 months	• Senior staff
10b	Council develop networks of Aboriginal contacts throughout the Perth metro area, to highlight any job opportunities that are arising.	Email list of key contacts developed.	6 months	• Human Resources
10c	Job descriptions include, as a desirable criterion, 'Aboriginality, and connection as part of Aboriginal communities.	Criterion included.	3 months	• Human Resources
10d	Agree to create the cultural environment for Aboriginal employment, and explore opportunities for traineeships/cadetships, to pursue in the Innovate RAP.	Review Recruitment processes and procedures.	6 months	• Human Resources
11	ABORIGINAL PROCUREMENT Give priority to Aboriginal businesses in procurement of goods and services.			
11a	Prioritise procurement from Aboriginal owned, management and staffed businesses.	Aboriginal businesses are being targeted for procurement.	Ongoing	• All staff

	GOVERNANCE AND ACCOUNTABILITY	'Milestones' and/or notes	Timeline	Responsibility
12	STRATEGIC COMMUNITY PLAN Ensure that Council integrates reconciliation, including key elements of this RAP, into its Strategic Community Plan (including our Vision).			
12a	Highlight particular elements for incorporating into the Strategic Community Plan (including the Vision – See Appendix 2).	Elements highlighted.	6 months	• TOEF
12b	Integrate reconciliation and Whadjuk/Nyoongar and other Aboriginal perspectives into all appropriate sections of the of the Strategic Community Plan.	Seek input from RAP Working Group on Community Strategic Plan.	12 months (inclusion will occur in Innovate Phase)	• TOEF
13	ABORIGINAL VOICE(S) TO COUNCIL			
13a	Continue the RAP Advisory Group to ensure that Aboriginal perspectives are taken into account in decisions that may impact local Aboriginal people, or cultural connection to Boodjar (country).	Agree on <ul style="list-style-type: none"> • group membership • Terms of Reference • Sitting fees Meet quarterly – once plan is adopted.	On-going	• TOEF

(Note) TOEF = Town of East Fremantle

Reconciliation Action Plan Budget

ACTIVITY		Budget Amount	Comments
1	RESPECT FOR BOODJAR Work together to highlight and enhance Whadjuk/Nyoongar connection with, and knowledge of, the Boodjar we're on.		
1a	Consult with key Elders and/or other knowledge-holders, to collect traditional knowledge of our lands and waters, including stories, places of significance, place-names, traditional practices, recent (ie last 190 year) history, etc.	\$ 4,000	Engage external consultant in conjunction with Reconciliation Reference Group (RRG)
1b	Establish conceptual plan, with Reference Group, for Whadjuk/Nyoongar artwork to highlight contemporary culture.	\$ 1,500	Engage external Aboriginal consultant in conjunction with the Public Art & RRG
1c	Gain agreement from Elders on potential place names using a) The original (Whadjuk) names and/or b) Names that honour Whadjuk and Aboriginal connection to the area.	\$ 1,000	Elders & Reconciliation Reference Group sitting fees
1d	Consider, in discussion with Elders, use of the name "Boyal Walyalup" (Eastern edge of Walyalup area) in descriptions of the local area.	\$ -	No charge part of meeting fees - RRG
1e	Establish conceptual plan to highlight Whadjuk sites and related stories, and connect them via a 'Trail'	\$ 3,000	Engage external consultant
2	HEALING Work together to identify places and opportunities for healing, together; healing our land and healing our history.		
2a	Explore possibilities for a precinct, or precincts, that will foster, for all people, healing, reconciliation and connection with Whadjuk/Nyoongar culture. This should be done in conjunction with Whadjuk Elders and cultural knowledge-holders, accepting their authority.	\$ 1,250	Reconciliation Reference Group sitting fees
2b	Engage Aboriginal and non-Aboriginal people in 'yarning circles' about processes for healing and encourage <i>community based</i> (including Aboriginal-led, processes, ceremonies, etc.) healing.	\$ 1,500	Presenter/story teller costs

3	A PLACE TO BELONG Review why so few Aboriginal people live in East Fremantle, and consider what can be done to make it more 'Aboriginal-friendly'.		
3a	Explore what might be done to make East Fremantle (Boyal Walyalup) a more welcoming place for Aboriginal and Torres Strait Islander people.	\$ -	No additional cost associated with this activity - Administrative activity
4	PROTOCOLS Establish and maintain <i>protocols of respect</i> for Nyoongar people.		
4a	Incorporate Nyoongar Welcome to Country, story-telling and/or cultural ceremonies into Citizenship Ceremonies ,	\$ -	No additional cost associated with this activity - Administrative activity
4b	Develop clear, simple policy and procedure for appropriate "welcomes to country" and "acknowledgement of country" in the Town's meetings, events, etc.	\$ -	No additional cost associated with this activity - Administrative activity
4c	Include written acknowledgement of country in on-line correspondence – particularly email signatures.	\$ -	No additional cost associated with this activity - Administrative activity
4d	Consider appropriate Nyoongar language into the 'Welcome to Town of East Fremantle' signs.	\$ -	No additional cost associated with this activity - Reconciliation Action Group
5	DATES OF SIGNIFICANCE Review key dates, through the lens of Aboriginal-led reconciliation.		
5a	Review activities of Australia Day/Survival Day (January 26th). Consider marking it with reflection and commemoration, rather than celebration.	\$ -	No cost associated with this activity - Staff & Elected members
5b	Consider a special date to recognise Nyoongar nations' custodianship of our land/boodjar (eg 6 June the date when formal recognition of that connection was given (187 years late) in 2016	\$ -	No cost associated with this activity - Staff & Elected members
6	TOWARDS A CULTURALLY COMPETENT ORGANISATION Ensure our staff have the requisite competence to work effectively with diverse Nyoongar and other Aboriginal people, and to address culturally important local issues.		
6a	Make 'Reconciliation Readiness' training available to all new staff, within 3 - 6 months of their induction	\$ 750	Develop internal training module for new staff
Sub total - Respect		\$ 13,000	

RELATIONSHIP		Budget Amount	Comments
7	EVENTS: NAIDOC AND NRW Lead our communities in marking NAIDOC Week and National Reconciliation Week (NRW)[1].		
7a	Host at least one event in each of these Weeks.	\$ 2,000	To be incorporated into the Annual Budget.
7b	Publicise (in partnership with other Councils) NAIDOC and NRW events occurring in our local area and our region.	\$ -	No additional cost associated with this activity - Administrative activity - Marketing Officer
8	RECONCILIATION IN THE COMMUNITY Support community based Reconciliation activity		
8a	Explore mutually beneficial relationships with: <ul style="list-style-type: none"> • <i>East Fremantle Football club</i> (to learn from and build on their excellent support of Aboriginal players and families). NAIDOC Week • <i>Richmond Primary School</i>; (to learn from and build on their work in Reconciliation and student awareness during NAIDOC Week • <i>Glyde In</i> • <i>Bahai Centre</i> 	\$ -	No additional cost associated with this activity - Administrative activity
8b	Provide opportunities for our residents to engage in sessions and activities that raise awareness around Nyoongar culture and history, and keys to genuine reconciliation, and include new staff.	\$ 1,500	Engage external consultant -incorporate into annual events calendar
9	ABORIGINAL ENGAGEMENT Systematically improve processes of engagement with appropriate Nyoongar and/or other Aboriginal people.		
9a	Establish clear protocols on who can speak for what issues ; what issues should be discussed with <ul style="list-style-type: none"> • <i>Traditional Owners</i> ((including those living outside of East Fremantle); • Aboriginal people with <i>historic</i> connections, and • Aboriginal <i>residents</i>. 	\$ 500	Reconciliation Reference Group Activity.
9b	Research appropriate content for guidelines on appropriate Aboriginal engagement.	\$ 500	Reconciliation Reference Group Activity.
Sub Total - Relationship		\$ 4,500	

OPPORTUNITY		Budget Amount	Comments
10	ABORIGINAL EMPLOYMENT Increase employment of Nyoongar/other Aboriginal staff.		
10a	All Council work-units identify any appropriate opportunities for <ul style="list-style-type: none"> • Trainee/cadetships that that can draw more Aboriginal people into the organisation • Roles that will benefit from Aboriginal knowledge and connection (eg Rangers, culture and arts, landscaping and land management, community development, etc). 	\$ -	No additional cost associated with this activity - Administrative activity
10b	Council develop networks of Aboriginal contacts throughout Metro area, to highlight any job opportunities that are arising.	\$ -	No additional cost associated with this activity - Administrative activity
10c	Job descriptions include, as a desirable criteria 'Aboriginality, and connection as part of Aboriginal communities.	\$ -	No additional cost associated with this activity - Administrative activity - HR
10d	Agree to create the cultural environment for Aboriginal employment, and explore opportunities for traineeships/cadetships, to pursue in the Innovate RAP.	\$ -	No additional cost associated with this activity - Administrative activity - HR
11	ABORIGINAL PROCUREMENT Give priority to Aboriginal businesses in procurement of goods and services.		
11a	Prioritise procurement from Aboriginal owned, management and staffed businesses.	\$ -	No additional cost associated with this activity - Administrative activity - All staff
Sub Total - Opportunity		\$ -	

GOVERNANCE AND ACCOUNTABILITY		Budget Amount	Comments
10	STRATEGIC COMMUNITY PLAN Ensure that Council integrates reconciliation, including key elements of this RAP, into its Community Strategic Plan (including our Vision).		
10a	Highlight particular elements for incorporating into the Community Strategic Plan	\$ -	No additional cost associated with this activity - Administrative activity
10b	Integrate reconciliation and Whadjuk/Nyoongar and other Aboriginal perspectives into all appropriate sections of the of the Community Strategic Plan.	\$ -	No additional cost associated with this activity - Administrative activity
11	ABORIGINAL VOICE(S) TO COUNCIL		
11a	Continue the RAP Advisory Group to ensure that Aboriginal perspectives are taken into account in decisions that may impact local Aboriginal people, or cultural connection to Boodjar (country)	\$ 4,500	4 RRG meetings per year - \$250 per meeting p/p
Sub Total - Governance		\$ 4,500	
Total RAP Budget		\$ 22,000	

Appendix 1 – “Who can speak for what”

This is an EXAMPLE ONLY of a list that outlines ‘who speaks for what’, based on Rose Walley’s concept of three different forms of connection to country/place:

- Traditional Ownership (T/O)
- Historic connection (ie within last 190 years)
- Residence: (ie – live here today)

NB: One person may be in more than one category. Eg – a T/O could **also** have historic (last 100 years) **and** live in the local area (resident). The ‘T/O’ and Historic columns are marked for those who do **not** relate to the local area.

Who can speak for:	Tradn'l Owner (T/O) Group	Historic (Since colonisation)	Resident
Dealing with ‘anti-social’ behaviour			✓
Creating ‘culturally safe’ communities/neighbourhood			✓
Naming buildings and other structures	✓	✓	x
Establishing ‘Healing Grounds’	✓	✓	
Programs – eg youth, etc			✓
Cultural ‘significant’ dates/ceremonies	✓ (trad'l)	✓ (local historic)	✓ (national)
NAIDOC	✓	✓	✓
Sites of significance	✓	✓	
Sacred sites – What is appropriate/not appropriate	✓		
Use of Aboriginal names in streets, parks etc.	DECIDE	SUGGEST	
Services/gaps			✓
Smoking ceremonies	✓	?	?
Official opening/Welcome to Country	✓	X	X
Acknowledgement of Country		✓	✓
What are ‘dangerous’ and ‘safe’ sites?	✓	✓	
Naming of centres, roads, parks, etc	✓	✓	?
Education on spiritual places	✓		
Policy and issues around flags	✓	✓	✓
Aboriginal staffing at the Council	?	?	✓
Local Aboriginal Employment	?	?	✓
Ongoing community consultation	✓	✓	✓

REPORT 12.2.8**ATTACHMENT 1**

Cultural Protocol	✓ ¹	?	
Youth engagement/programs	?	?	✓
Community inclusion	✓	✓	✓
Development applications/planning	✓ (First)	✓	✓
New buildings, community centres, infrastructure planning	✓ (First)	✓	✓
Cultural Centre	✓	✓	✓
Aboriginal Advisory Group	✓	✓	✓
Community Events (NAIDOC/NRW, etc)	✓	✓	✓

¹ If the TO has no historic connection or residence – so has never lived there, they would need to consult with those TO's with that connection.

12.3 COMMUNITY

12.3.1 Public Art Panel Recommendation – Silas Street Roundabout Installation

File ref	A/ART1
Prepared by	Karen Dore, Coordinator Community Engagement
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	16 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Public Art Panel Meeting Minutes (03/03/2021) unconfirmed 2. Engagement Checklist (Inform) 3. Invitation to submit a Concept Design 4. Concept Design – Judith Forrest

Purpose

Council is requested to consider and endorse the recommendation of the Town's Public Art Panel to install the selected piece of public artwork in the Silas Street Roundabout.

Executive Summary

In February 2020 four concept designs were submitted that were not supported by the Public Art Panel. Therefore, the Panel then approached five artists to ascertain their interest in the installation. Three artists were then invited to submit a concept design. These three designs were reviewed at the most recent meeting of the Public Art Panel, and the Panel has recommended the proposal received by Judith Forrest and Dan Gentle be accepted.

Background

The purpose is to install a unique and memorable landmark artwork that creates a focal point for the East Fremantle Town Centre, an entry statement that:

- captures the spirit of East Fremantle;
- reinforces the Town Centre as a unique location where people work, shop, recreate and visit; and
- interprets aspects of the area's unique cultural heritage.

Consultation

Public Art Panel
Regulatory Services
Technical Services

Further Community Engagement is proposed, refer to Attachment 2.

Statutory Environment

Under Council's Purchasing Policy, three written quotes are required for purchases over \$20k. This requirement has been met via the expression of interest process.

Policy Implications

Public Art Policy (4.1.3)

Section 1 – Objectives

1.3 Social To enhance social cohesion within East Fremantle by:

- using public art to develop attractive, diverse places, that the community enjoy; and
- using public art to develop meeting places, that community members want to visit.

Financial Implications

The proposed investment into this installation is \$45,000 (plus site works, estimated at \$7,000). The funds have been allocated from the Arts and Sculpture Reserve (as per the 4-year Public Art Action Plan).

Strategic Implications

“Town of East Fremantle Strategic Community Plan 2020-2030”

Strategic Priority 1 – Social

A socially connected, inclusive and safe community

1.2 Inviting open spaces, meeting places and recreational facilities

1.2.2 Activate inviting open spaces that encourage social connection across all age groups

Site Inspection

An inspection of the site was undertaken by all proponents on 30 November 2020. Advice with regards to the installation was also received from Cardno and Western Power, this was prior to the preparation of the Artist’s brief and relevant information was included within the Brief (see Attachment 3).

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 the art installation is not well received by the community	Unlikely (2)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Substantiated, low impact, low news item	Manage by advertising the proposed installation for a minimum of 21 days

Comment

The recommended Artists have provided the following commentary in relation to their design and how it responds to the Town’s Public Art Strategy;

“The Silas Street roundabout was described to me as the centre of East Fremantle but like all roundabouts it is actually the beginning of a change in direction and a starting place to somewhere else. The location and the artwork together “form a linkage connecting point for activities the particularity of the locales and the way that people relate to and use these areas.” Places where

one might go to after exiting the roundabout included destinations for work for pleasure and for fitness.

On roundabouts the destinations are signposted, but here I use icons, not letters to suggest a place to get a coffee, go to the gym or physic, walk the dog or visit the shops. I present a range of individual characters with suggest activities and incorporate appropriate costumes. The characters are stylised but still reflect different sexes and ethnicities. "The people of the Whadjuk, Noongar Nation relate clearly to the identity of East Fremantle"

Like any signage I have used clear bright colours and highly visible combinations. The style is reminiscent of international graphics and similar strong design tropes often appear in the works of some well-loved international designers. However, my designs are original, and I am sure the imagery is easily interpreted. I will be accessible to all whether they can readily reference the style or not. "contemporary works of art in the public realm accessible to a wide audience." An eye-catching work like this can mark out and identify the area; becoming a way finder, reference point and a focal point. The public art policy document expresses a desire to be open and non-traditional in response to public art opportunities and this encouraged me to present a design which is an individual response that carries within it the personal design signature of the artist...."

Council is now requested to give consideration to endorsing the recommendation from the Public Art Panel in accepting the proposal received from Judith Forrest and Dan Gentle for the installation of their proposed sculpture at the roundabout located at the intersection of Silas Street and St Peters Road.

12.3.1 PUBLIC ART PANEL RECOMMENDATION

That Council:

- 1. accept the recommendation of the Public Art Panel to engage Judith Forrest and Dan Gentle for the installation of a sculpture as detailed in attachment 4, in the roundabout located at the intersection of Silas Street and St Peters Road, East Fremantle; and**
- 2. support the proposed Community Engagement.**

MINUTES

1. DECLARATION OF OPENING OF MEETING

The Chairperson declared the meeting open at 5:38pm.

2. RECORD OF ATTENDANCE**2.1 Attendance**

Cr Jenny Harrington, Chairperson

Mayor Jim O'Neill

Mr Tony Jones

Ms Carmel O'Neill

Ms Soula Veyradier *arrived at 5.49pm*

Mr Gary Tuffin, Chief Executive Officer (CEO)

Minute Taker: Ms Karen Dore, Coordinator Community Engagement (CCE)

2.2 Apologies

Ms Nikki Liley

Ms Wendy Robertson

Tony Jones advised the group that he has worked with Angela McHarrie and knows Judith Forrest, and offered to leave the room for the Silas Street Roundabout installation deliberations. Following a brief discussion it was agreed by all present that he be a part of the process.

3. ACCEPTANCE OF PREVIOUS MINUTES

Moved Carmel O'Neill Seconded Jim O'Neill

That the Public Art Panel accept the Minutes of their previous meeting, dated Wednesday 20 January 2021, as a true and correct record of proceedings.

Carried Unanimously

4. BUSINESS PERTAINING TO ART & SCULPTURE RESERVE FUNDING**Summary of proposed expenditure for 2020-2021**

- *Silas Street Roundabout – \$58,000 (underway)*
- *Glasson Park Mural – \$10,000 + \$1,000 (complete)*
- *Know Thy Neighbour Program – up to \$10,000 (program pending)*
- *Balance (\$16,000) – approximate cost for Trotting Booth Lighting is \$10,000.*

4.1 Trotting Booth Lighting

ACTION: To request a quote from "Lime Lighting".

4.2 Silas Street Roundabout

The three Concept Designs received were reviewed. Refer to attachment for a summary of the deliberations.

1. IEM94002 - Angela McHarrie

2. IEM94003 - Jake Coghlan

3. ICORR93997 - Judith Forrest

ACTION: Report (Ordinary Council Meeting, 16 March 2021) recommending the Concept Design submitted by Judith Forrest.

4.3 Annual Mural – Glasson Park

ACTION: Letter to Jessee Lee Johns from Council thanking him for his work and after-sales service.

4.4 Know Thy Neighbour #3 Program

Soula provided an update, noting that IAS have been encouraged to reapply for funding in May, with a special note to be made with regards to the proposed locations.

STATUS: pending.

4.5 Inaugural Annual Art Awards

It was decided that the Awards be deferred to 2021-22. In the meantime the Panel is to establish the purpose of the Awards and develop a project plan. It was suggested that a local theme could be selected, for example, the Traffic Bridge / local birds (Grey Heron, Pelican, Swan, Rufus Night Heron).

ACTION: Research what is being undertaken by other LGs, to ascertain if there's a specialist gap that could be filled. Joondalup, Armadale and Collie currently host Acquisitive Art Awards which could provide a basis.

5. REQUESTS FOR COMMENT FROM THE PUBLIC ART PANEL

Nil requests for comment.

5.1 Fremantle Biennale 2021 (FYI - update)

(Note: this funding allocation will not be from the Art Reserve)

Approvals are progressing, through the Town's Event Notification process, for the three **Crossing 21** installations within East Fremantle proposed for November 2021.

6. OTHER BUSINESS

6.1 Sculptures by the Sea – Catalogue and Private Tour Invitation

ACTION: Tour to be booked for 11am on Thursday 18 March 2021.

6.2 East Fremantle Oval Percent for Public Art

General discussion in relation to ideas for the new building, including the possibility of utilisation of Sumpton Green as a community space, including an art exhibition space and place for heritage.

The Panel were made aware of founding Panel member, Olga Cironis', continuing ill-health.

ACTION: flowers and card to be organised.

7. CLOSURE OF MEETING

The Chairperson declared the meeting closed at 6:45pm.

Next Meeting

- Wednesday 2 June 2021, 5:30pm **TBC**

PUBLIC ART PANEL MEETING - MINUTES
Wednesday, 3 March 2021



Public Art Actions Matrix (Excerpt as at 25/01/2021)						
Ref.	Description	Timeframe				Responsible
		2018-19	2019-20	2020-21	2021-22	
5. New Public Art Commissions & Projects						
5.1	Major 18-19	Richmond Raceway Turnstile Booths	\$ 30,250 completed July 2020 \$10,000 allowance for lighting			PAP
5.2	Minor 18-19	Hubble Street Mural, Jarrad Martyn	\$ 8,000 completed November 2018			PAP
5.3	Minor 18-19	Petra Street External Window, Trish Burvill	\$ 3,000 completed June 2019			PAP
5.4	Major 19-20	Silas Street Roundabout	\$ 2,000 four unsuccessful concepts June 2020			PAP
			\$ 58,000 available Concept Designs (3) (\$1,500) Budget for artwork (\$45,000) Ground / site works (\$5,500) Contingency (\$6,000)			
5.5	Minor 19-20	Mural – Glasson Park	\$ 11,000 completed February 2021			PAP
5.6	Minor 19-20	Community Art	\$ 10,000 Know Thy Neighbour (KTN)			PAP
5.7	Major 20-21	Installation – location to be selected, invitation for EOI	\$ 50,000 \$ 6,000 available due to reduced budget (COVID)			PAP
5.8	Minor 20-21	Mural	No budget (COVID) 2020-2021.			PAP
5.9	Minor 20-21	Inaugural Annual Art Awards – brief to be prepared	No budget (COVID) 2020-2021, suggest deferral to 2021-2022 (refer 03/03/21 Agenda).			PAP
5.10	Major 21-22	Installation – location to be selected, invitation for EOI	\$ 50,000			PAP
5.11	Minor 21-22	Mural – location to be selected, invitation for EOI	\$ 10,000			PAP
5.12	Minor 21-22	Community Art / Sculpture Trail – to be discussed	\$ 10,000			PAP

Silas Street Roundabout Deliberations


Attachment to Public Art Panel Minutes of 03/03/2021

Note

- Cost estimate for siteworks (footings) is \$4,000 plus two days of traffic management (footings day and installation day) at \$3,400.
- Drainage works are to be undertaken in the area in June 2021, so there will need to be liaison between the artist and Technical Services in relation to the final timeline.

Panel members voted “1” – Favourite to “3” Least Favourite, meaning that the concept with the lowest number is the most popular.

<i>Artist</i>	Member One	Member Two	Member Three	Member Four	Member Five	Member Six	Member Seven	Member Eight	Comments
1. Judith (13)	2	2	1	1	1	2	1	3	Fun, quirky and whimsical. Depicting Town centre life. A person-centred work. Portrays a sense of community and belonging. Localised, an inviting approach to the landscape. Colourful.
2. Angela (16)	3	1	2	3	3	1	2	1	A fun literal play on ‘roundabout’ but what’s the link to East Freo? Is the colour right? A circular work that represents unity and continual movement. Appears simple, but is complex in form.
3. Jake (19)	1	3	3	2	2	3	3	2	Needs colour for that location. The mount looks like a stake through the form. The angle of the mount adds to the piece, but will it pass engineering requirements?

		<h1 style="margin: 0;">Community Engagement</h1> <h2 style="margin: 0; background-color: #f4a460; display: inline-block; padding: 2px 10px;">INFORM Checklist</h2>	
Project Name:		Silas Street Roundabout – Public Art Installation	
Responsible Officer:		Karen Dore, Coordinator Community Engagement <i>on leave 11 to 29 March 2021</i>	
Manager Approval:		Peter Kocian, Acting Chief Executive Officer	
Engagement Objective:		To raise awareness of the chosen piece.	
Promotional Period:		Start Date:	18 March 2021
		Closing Date:	8 April 2021
Stakeholders			
Stakeholders to be targeted:		Ratepayers and Residents.	
Access / Inclusion:		The fact sheet is available in hard copy on request and assistance is available over the phone.	
Proximity Consideration:		Residents and business owners within the sightlines of the proposed installation.	
Public Comment Plan			
Methods	Responsible	Date Due	Complete / Notes
AWARE			
Collateral	CMO	N/A	General “consultations”
Newsletter - eMonthly	CMO	March	<< link to be added >>
Web – Consultation	Project Lead	17/03/21	<< link to be added >>
INFORM			
Advert - Newspaper	CMO	N/A	No statutory requirement
Email List	Project Lead	17/03/21	Email interested parties from previous engagement
Facebook & Social Post/s	CMO	TBA	<< link to be added >>
Fact Sheet	Project Lead (CMO approved)	10/03/21	Y:\Corporate and Community\Economic Community Development\Art Strategy and Plan\Public Art Projects\SilasStreet\Fact Sheet - Silas Street Roundabout Installation.docx
Mail out (proximity)	CMO	18/03/21	Letter-drop (Fact Sheet) to Silas Street / St Peters Road residents and businesses.
Media Release	CMO	N/A	Potentially affected residents letter-dropped as above
Newsletter - eBulletin	CMO	N/A	Captured within eNews
Newsletter – Mail (¼ly)	CMO	N/A	Missed February, next is May / June
Noticeboards (4)	Project Lead	17/03/21	Fact Sheet to four boards
Reception Screen	Cust. Service	N/A	General “consultations”
Signage (at site)	Project Lead	17/03/21	Signage to be installed onsite
Web – News Item	CMO	TBA	<< link to be added >>
Web – Own Page	Project Lead	N/A	Refer to consultation page
STATUTORY			
Regulatory	Via Reg. Services	N/A	N/A
Heritage	Via Reg. Services	N/A	N/A
WA Government Gazette	Via EA-CEO	N/A	N/A
Submit to Coordinator Community Engagement for internal recording / dissemination			
Executive Leadership Team		Attachment to Council Report	
Customer Service (via Team Leader)		To do, following endorsement of Council	
Elected Members		Attachment to Council Report	



Invitation to Submit a Concept Design *Silas Street Roundabout Installation*

Purpose: to install a unique and memorable landmark artwork that creates a focal point for the East Fremantle Town Centre, an entry statement that;

- captures the spirit of East Fremantle;
- reinforces the Town Centre as a unique location where people work, shop, recreate and visit; and
- interprets aspects of the area's unique cultural heritage.

The artwork should share the vision of the Town's Public Art Strategy.

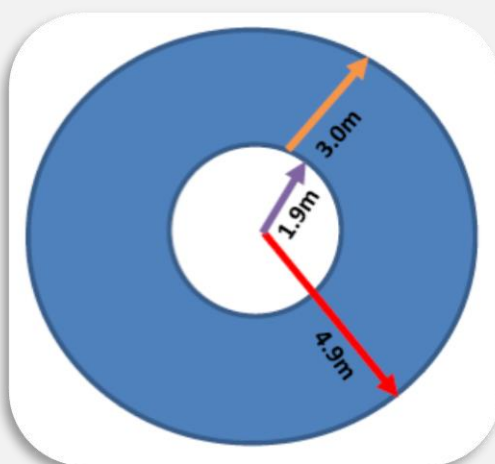
www.eastfremantle.wa.gov.au/enjoy-east-fremantle/public-art-strategy/public-art-strategy.aspx.

Budget: the budget for the commissioned artwork is up to \$45,000.

Site: the installation will be located centrally in the roundabout situated at the intersection of Silas Street and St Peters Road, East Fremantle.

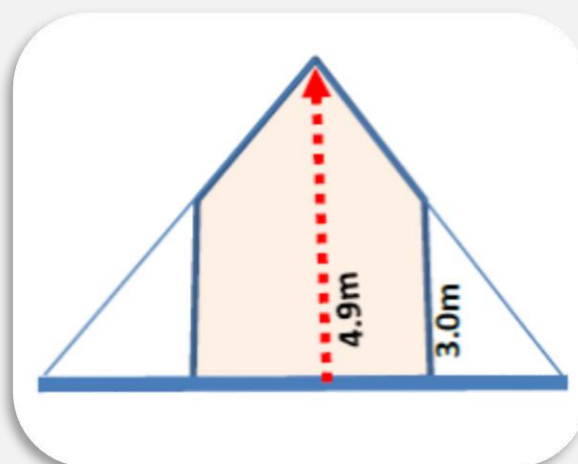
Silas Street Roundabout Public Art Installation Dimensions to meet clearance requirements

Maximum Footprint



3.8m diameter circle, 1.9m width when measured from the centre of the roundabout

Maximum Height



4.9m at the centre tapering to 3.0m at the footprint edge (3.0m from the road edge).

Diagrams are not to scale

Please note that the measurements above picture the absolute MAXIMUM building envelope allowable, as such it is recommended that your design – especially with relation to the maximum height – allow at least a 10-15% 'buffer'.



Considerations: the final piece should;

- be fabricated from durable materials, but be sufficiently frangible so as to not withstand a significant vehicle impact;
- utilise materials that are, in the most part, non-conductive and should be suitably earthed;
- have no entrapment areas or sharp edges;
- be accompanied by certification provided by a suitably qualified engineer confirming that it complies with relevant Government regulations and Australian Standards;
- have a minimum lifespan of twenty years and incorporate an anti-graffiti coating to its finish, noting that it should avoid being 'glary' in sunny conditions;
- be sufficiently robust to withstand general wind loading, noting that due to its proximity to residences there should be no noise (including wind) associated with the piece;
- have the ability to be installed and maintained from ground level (*the overhead powerlines require a 6.0m clearance at all times and are 11.0m from the centre of the roundabout*);
- have a narrow base which is able to be mounted with bolts (of the type that shear on impact) to a concrete foundation; and
- be of a slim design that does not extend past inner kerbing to ensure critical sight lines are not compromised and that the installation is unlikely to be damaged by passing traffic.

Timeline

- 19 February 2021, artist deadline for Design Concept submission
- 1 March 2021 – Design Concept Proposals presented for consideration by the Public Art Panel.
- 16 March 2021 – Public Art Panel recommendation of one piece to be endorsed by Council.
- Artist/s advised of outcome.
- Artist to propose commencement date, ideally works to be substantially complete by 30 June 2021.
- Public Art Agreement prepared by the Town of East Fremantle, for co-signing by the artist.

Design Concept Proposal Requirements

Your submission should include;

The total cost of your proposal (see sample Price Page, reverse, for format).

- An estimated timeline from notification through to installation.
- A sketch or digital draft of your proposed artwork, including dimensions, mounting style, materials and site preparation* details.
- Evidence that the considerations, as listed, have been deliberated.
- A statement (200 to 400 words) of how the piece will tell the story of East Fremantle's Town Centre, in relation to the requirements of the Public Art Strategy.

The Town of East Fremantle will undertake, and meet the costs of, required approvals and *site preparation, noting that there are no underground services for consideration should excavation be required.

Your submission should be made in writing, by 4pm, 19 February 2021 to the Town of East Fremantle, PO Box 1097 Fremantle WA 6959 or admin@eastfremantle.wa.gov.au.

Note: late submissions will not be accepted.

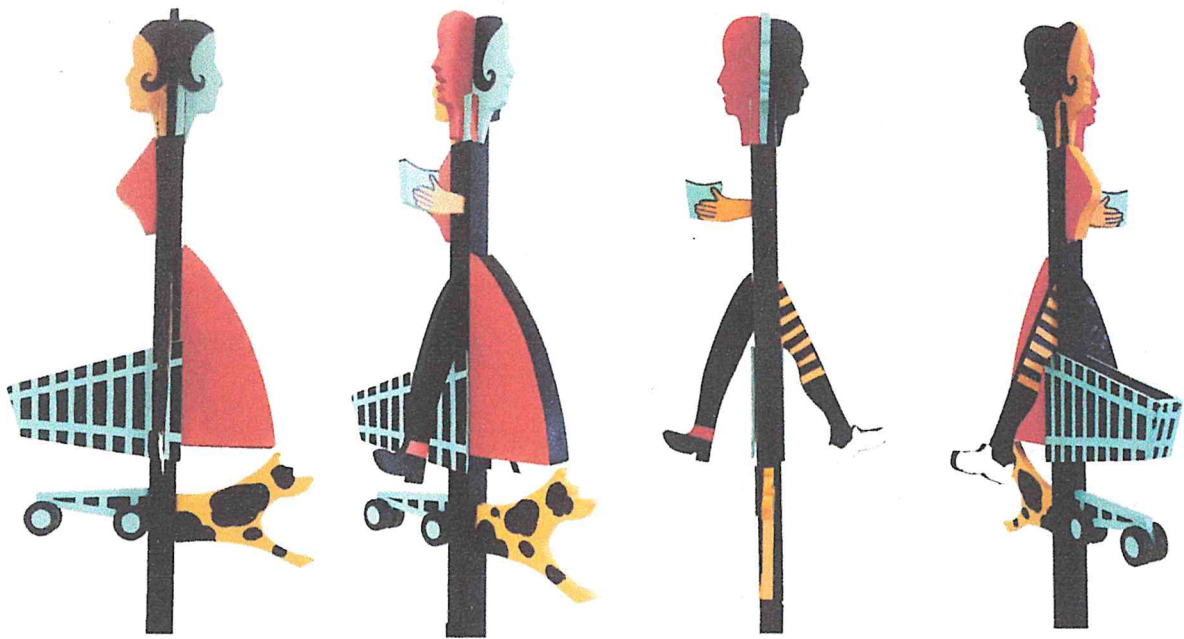
Release Date: 22 January 2021

Contact: Karen Dore, Coordinator Community Engagement
9339 9342 / kdore@eastfremantle.wa.gov.au

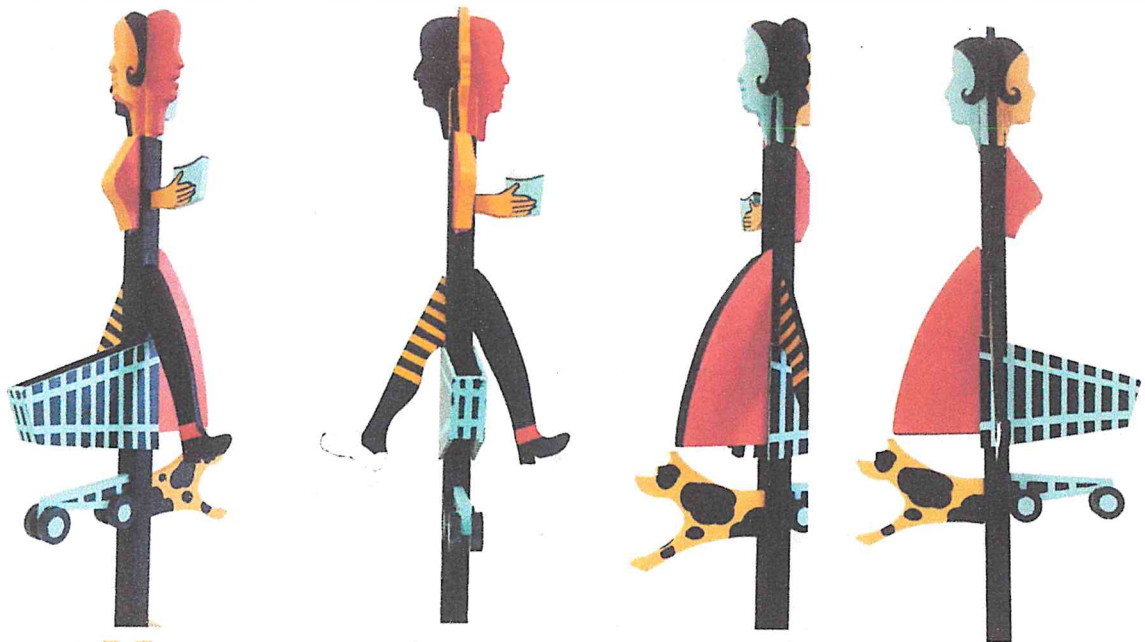


Concept Design Price Page		
Service Description	Cost GST Exclusive	Cost GST Inclusive
Design Formalisation	\$	\$
Travel	\$	\$
Design Amendments (one round)	\$	\$
Final Design	\$	\$
Formal Documentation (final design)	\$	\$
Engineering Certification	\$	\$
Materials	\$	\$
Fabrication	\$	\$
Manufacture	\$	\$
Transport	\$	\$
Delivery	\$	\$
Installation	\$	\$
Contingency	\$	\$
	\$	\$
	\$	\$
	\$	\$
<u>LUMP SUM TOTAL</u>	\$ _____	\$ _____
Hourly rate for additional services.	\$	\$



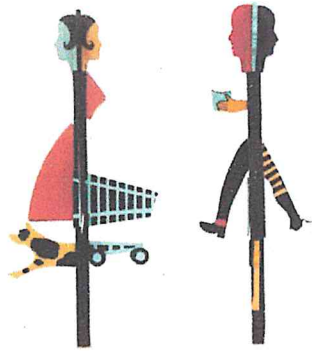


design concept
J Forrest & D Gentle



silas st roundabout

Design Concept Proposal



1. A statement (200 to 400 words) of how the piece will tell the story of East Fremantle's Town Centre, in relation to the requirements of the Public Art Strategy.

This section will explain and link the artwork I am proposing into the framework of the East Fremantle Public Art strategy. I have highlighted these connections within the text by referring back to the town's policy document (sections underlined).

The Silas Street roundabout was described to me as the centre of East Fremantle but like all roundabouts it is actually the beginning of a change in direction and a starting place to somewhere else. The location and the artwork together "form a linkage connecting point for activities the particularity of the locales and the way that people relate to and use these areas." Places where one might go to after exiting the roundabout included destinations for work for pleasure and for fitness.

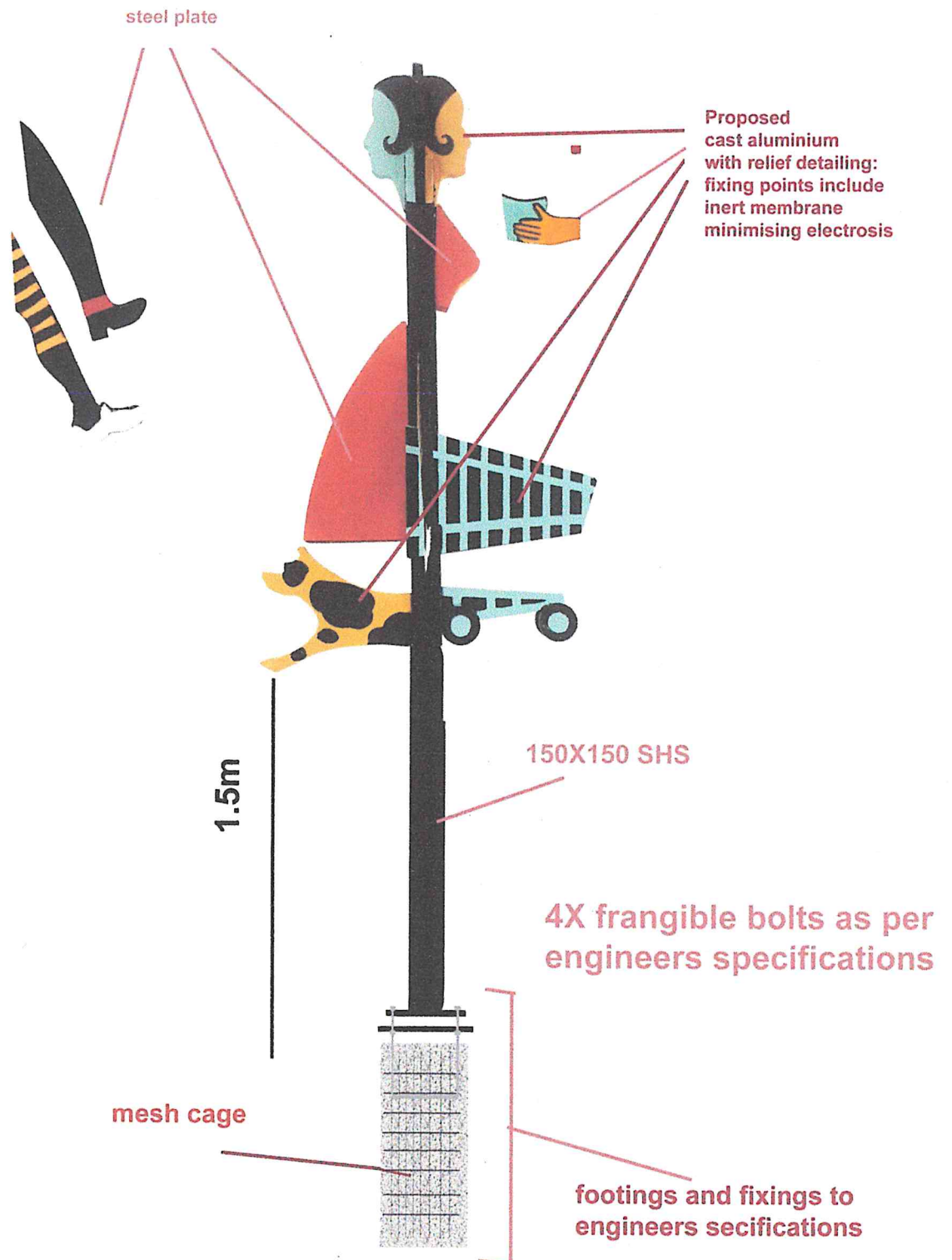
On roundabouts the destinations are signposted, but here I use icons not letters to suggest a place to get a coffee, go to the gym or physio, walk the dog or visit the shops. I present a range of individual characters with suggest activities and incorporate appropriate costumes. The characters are stylised but still reflect different sexes and ethnicities. "The people of the Whadjuk, Noongar Nation relate clearly to the identity of East Fremantle"

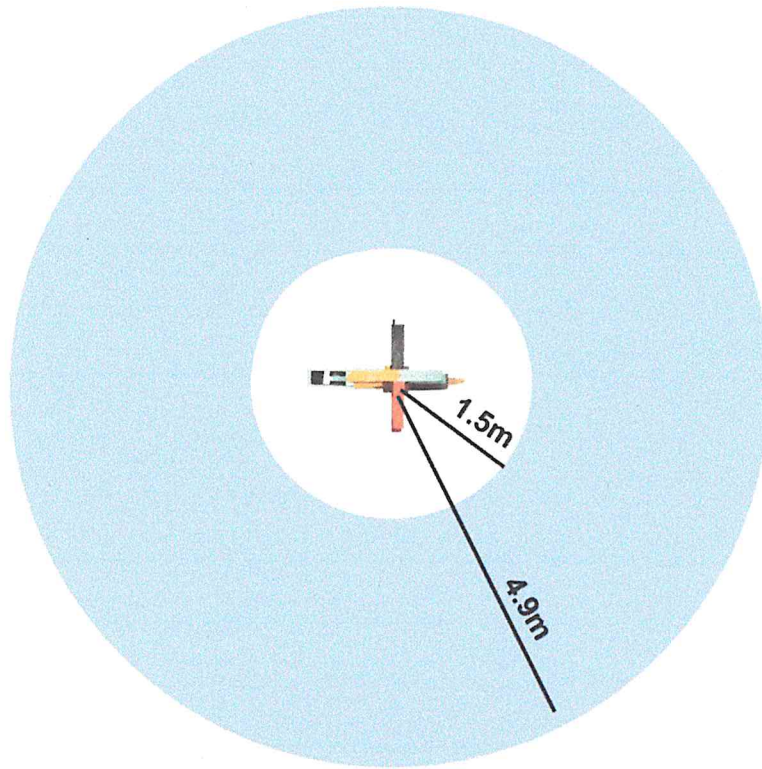
Like any signage I have used clear bright colours and highly visible combinations. The style is reminiscent of international graphics and similar strong design tropes often appear in the works of some well loved international designers. However my designs are original and I am sure the imagery is easily interpreted. I will be accessible to all whether they can readily reference the style or not. "contemporary works of art in the public realm accessible to a wide audience." An eye catching work like this can mark out and identify the area; becoming a way finder, reference point and a focal point. The public art policy document expresses a desire to be open and non traditional in response to public art opportunities and this encouraged me to present a design which is an individual response that carries within it the personal design signature of the artist. The Town of East Fremantle recognises that culture and the arts are intrinsic to building stronger communities and stimulating the local economy"

2. Evidence that the considerations, as listed, have been deliberated.

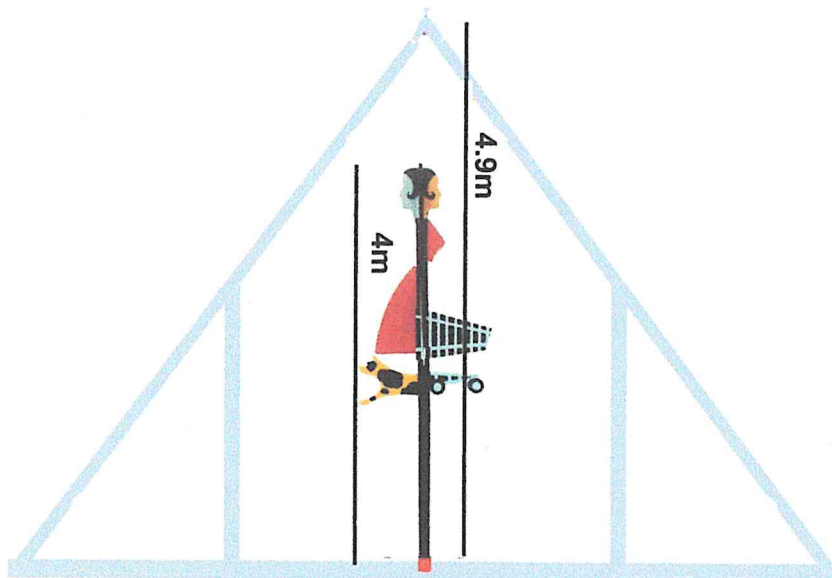
Together with my co applicant Dan Gentle we have designed a structure that will meet the requirements of the engineer in terms of sturdiness and durability. We are aiming for a lifespan of at least 20 years with minimum maintenance. We have considered traffic safety and that in the case of an accident the sculpture would collapse at the base without damage to the public. The mounting incorporates frangible fixings which are designed for this type of structure. The last word on this is of course the engineer and we are prepared to re think both design and materials if necessary. As shown in his CV Dan has considerable practical knowledge and technical expertise so I am confident that the design presented is feasible. In terms of visibility, the narrow base allows a clear view around and through the structure and the artwork presents no problems being high enough off the ground and not extending out far enough to obscure the viewing area for motorists.

ALL SPECIFICATIONS SUBJECT TO ENGINEER'S DRAWINGS





FOOTPRINT



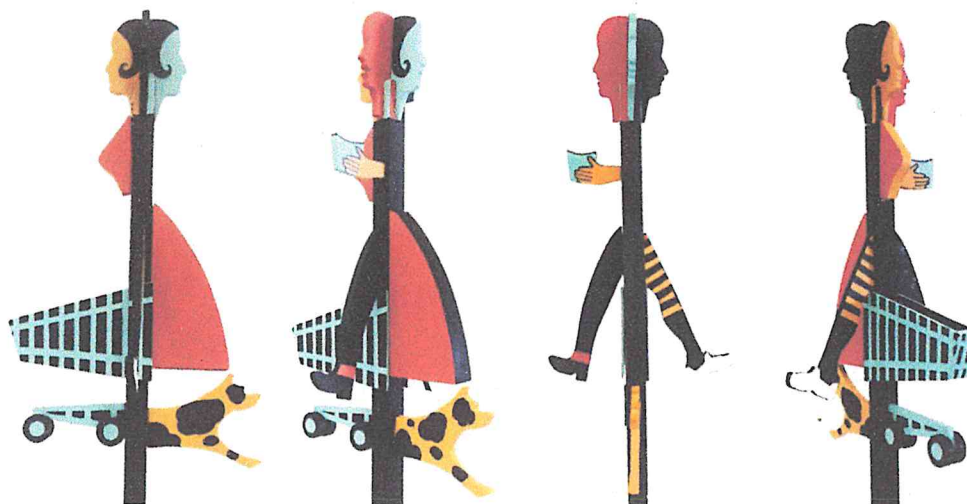
HEIGHT



• An estimated timeline from notification through to installation.

When compiling this timeframe I was cognisant that there were several key dates over which we have no control so the proposed timeframe may be adjusted in accordance with council or committee schedules. Staged payments have been included to enable us to proceed with major purchases and expenses in a timely manner.

GOAL	NOTES	DATE: week beginning	PAYMENT
EOI submitted	completed	19th Feb 2021	
Concept Proposal submitted	completed	19th February 2021	
Panel assesses submissions	under committees control	1st March 2021	
Recomendation to council	under councils control	16th March 2021	
Artist advised of outcome	estimated	26th March 2021	
Public Art agreement signed	estimated	31st March 2021	1st payment 30%
artist to propose commencement date	dependant on key issues relating to council schedule	5th April 2021	
engineers cert obtained		12th April 2021	
Construction prep	purchasing materials	19th April 2021	
construction begins		26th April 2021	
main componants completed		17th May 2021	2nd Payment 30%
painting and finishing of elements		24th May 2021	
assembly completed		14th June 2021	
footings constructed		21st June 2021	
instalation of artwork		28th June 2021	3rd Payment 20%
contract completed documentation to art committee		19th July 2021	4th Payment 10%



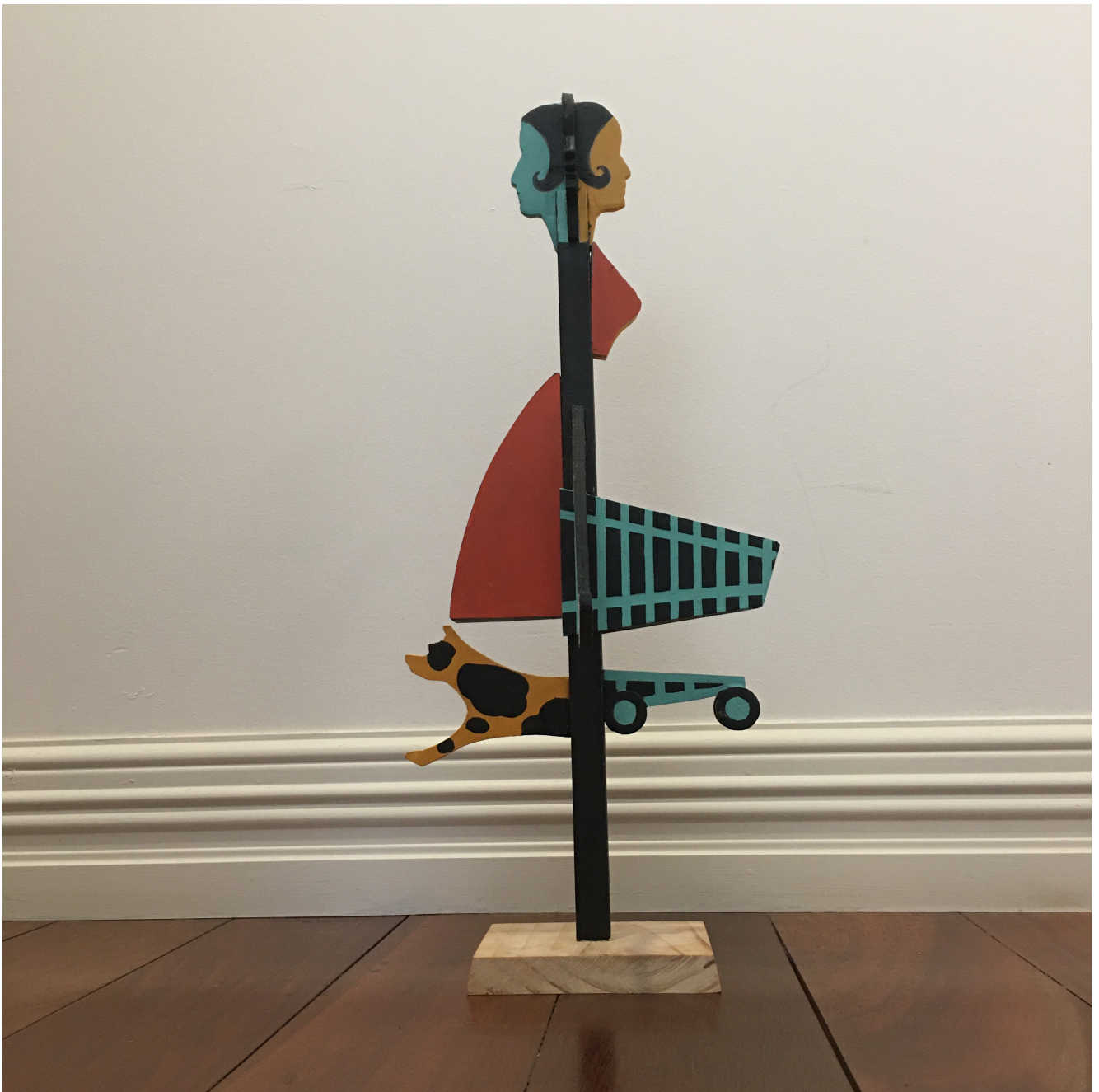
Budget: Total cost for realising the project

DESCRIPTION	COST	GST	TOTAL	NOTES
ENGINEERS CERT	350	35	385	
DESIGN DEVELOPMENT	650	65	715	BASED ON CONCEPT DEVELOPMENT FEE INCLUDES SIGN OFF DOCS & DOCUMENTATION
MATERIALS	2000	200	2200	
CASTING	2500	250	2750	
FABRICATION	8000	800	8800	
TRAVEL/TRANSPORT	500	50	550	TO FROM FABRICATORS & PAINTERS
INSTALLATION/FOOTINGS	4000	400	4400	INC HAULEGE TO SITE
PREP & PAINTING	2500	250	2750	
PATTERN MAKING & MATERIALS	2000	200	2200	
STUDIO FEE	5500	550	6050	PART WORKSHOP RENT 3 MTHS
SUNDRIES	1500	150	1650	
ARTIST FEES	9000	900	9900	TOTAL FOR FORREST & GENTLE
CONTINGENCIES	6500	650	7150	10-15%
Totals	45000	4500	49500	

Contact:

JUDITH FORREST
 102 BROOME STREET HIGHGATE WA 6003
 PH 08 9328 6825 MOB 0415867300 lucjudith@optusnet.com.au









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