



MINUTES

SPECIAL COUNCIL MEETING

Tuesday, 30 January 2024 at 6:30 PM

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MINUTES

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY 30 JANUARY 2024.

1 OFFICIAL OPENING

The Presiding Member opened the meeting at 6.32pm.

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 ANNOUNCEMENT TO GALLERY

“Members of the gallery are advised that no Council decision from tonight’s meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting, unless Council, by resolution carried at this meeting, requested the CEO to take immediate action to implement the decision.”

4 RECORD OF ATTENDANCE

4.1 ATTENDANCE

The following members were in attendance:

Mayor J O’Neill	Presiding Member
Cr K Donovan	
Cr J Harrington	
Cr L Maywood	
Cr A McPhail	
Cr M Wilson	

The following staff were in attendance:

Mr J Throssell	Chief Executive Officer (CEO)
Mr A Malone	Executive Manager Regulatory Services (EMRS)
Ms J May	Minute Secretary

There were three members of the public in attendance.

4.2 APOLOGIES

Cr White

4.3 APPROVED

Crs Collinson & Natale.

5 DISCLOSURES OF INTEREST

5.1 FINANCIAL

Nil

5.2 PROXIMITY

Nil

5.3 IMPARTIALITY

5.3.1 8.1 NAMING OF CAFÉ – EAST FREMANTLE COMMUNITY PARK

Mayor O’Neill made an impartiality declaration in this item as he lives opposite the East Fremantle Community Park.

6 PUBLIC QUESTION TIME

6.1 PUBLIC QUESTION TIME

Nil.

PROCEDURAL MOTION

Moved Cr Harrington, seconded Cr Donovan

That the Order of Business be changed to allow a deputation by Belgravia Leisure and the confidential item “Naming of Café - East Fremantle Community Park” to be deal with behind closed doors.

(CARRIED UNANIMOUSLY 6:0)

For: Mayor O’Neill, Crs Wilson, Donovan, Harrington, McPhail & Maywood

Against: Nil

8. MATTERS BEHIND CLOSED DOORS

PROCEDURE MOTION

Moved Cr Wilson, seconded Cr Donovan

That the meeting be closed to the public at 6.37pm to consider a deputation from representatives of Belgravia Leisure and the confidential item “Naming of Café – East Fremantle Community Park” under the terms of the Local Government Act 1995, Section 5.23(2)(e).

(CARRIED UNANIMOUSLY 6:0)

For: Mayor O’Neill, Crs Wilson, Donovan, Harrington, McPhail & Maywood.

Against: Nil

6.2 DEPUTATIONS

6.2.1 ITEM 8.1 NAMING OF CAFE– EAST FREMANTLE COMMUNITY PARK

Sharon Chalwell (Marketing Manager), Deb Graham (Area Manager) & Nigel Cameron (Venue Manager) of Belgravia Leisure provided a powerpoint presentation on the Naming of the Café at East Fremantle Community Park.

The deputation left the meeting at 7.15pm

8.1 NAMING OF CAFE – EAST FREMANTLE COMMUNITY PARK

(Confidential Report)

PROCEDURAL MOTION

Moved Mayor O’Neill, seconded Cr Harrington

That the matter be deferred to a Special Council Meeting to be held on Tuesday, 6 February at 6pm.

CARRIED UNANIMOUSLY 6:0

For: Mayor O’Neill, Crs Wilson, Donovan, Harrington, McPhail & Maywood.

Against: Nil

PROCEDURAL MOTION

Moved Cr Harrington, seconded Cr Wilson

That the meeting be reopened to members of the public at 7.33pm.

CARRIED UNANIMOUSLY 6:0

For: Mayor O’Neill, Crs Wilson, Donovan, Harrington, McPhail & Maywood.

Against: Nil

7 BUSINESS

Reports start on the next page

7.1 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2023

Report Reference Number	SCR-283
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Jonathan Throssell, Chief Executive Officer
Meeting date	Tuesday, 30 January 2024
Voting requirements	Absolute Majority (part 1 of recommendation, otherwise simple majority)
Documents tabled	Nil
Attachments	
	1. Annual Report for the Year Ended 30 June 2023

PURPOSE

It is recommended that Council accepts the Annual Report for the Year Ended 30 June 2023 and sets a date for the Annual General Meeting of Electors.

EXECUTIVE SUMMARY

Section 6.4 of the *Local Government Act 1995* requires local governments to prepare an annual financial report for the preceding financial year. The financial report is to be prepared and presented in the manner and form prescribed in the *Local Government (Financial Management) Regulations 1996*.

The Annual Report comprises the Annual Financial Report, Auditors Report and information prescribed in Regulation 19B of the *Local Government (Administration) Regulations 1996*.

The Annual Report reflects the achievements of the Town in the previous financial year. Acceptance of this Report allows the setting of the date of the Annual Electors' Meeting.

BACKGROUND

The Annual Report details a strong year of achievement by the Town of East Fremantle in the year under review, and details progress on the achievement of priorities as determined in the 2020-2030 Strategic Community Plan.

CONSULTATION

Manager Marketing and Information
Executive Team

STATUTORY ENVIRONMENT

Annual Report

Under s5.54 of the *Local Government Act 1995*, the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year. If the auditor's report is not available in time for the annual report to be accepted by this date, the annual report is to be accepted no later than two months after the auditor's report becomes available.

Under s5.27(2), an electors' general meeting is to be held on a day selected by the local government but no more than 56 days after the local government accepts the annual report for the previous financial year.

Local Governments are required to publish the annual report, including audit reports, on their website within 14 days after the report has been adopted by Council.

Annual Electors’ Meeting

Under s5.29 of the *Local Government Act 1995*, a local government must give at least 14 days’ local public notice of the date, time, place and purpose of the meeting.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

The Annual Report will be professionally designed and published. A recurrent budget allocation exists.

STRATEGIC IMPLICATIONS

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.

RISK IMPLICATIONS

RISKS

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 Town receives a qualified audit report	Possible (3)	Moderate (3)	Moderate (5-9)	Reputation/Compliance	Control through robust internal controls and staff development

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

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

SITE INSPECTION

N/A

COMMENT

The Town had its exit meeting with the Office of Auditor General on Wednesday 22 November 2023, with the Auditor's Report received on 11 December 2023. With the December Ordinary Meeting of Council on 12 December 2023, there was not sufficient time for Council to receive the Annual Report. Pursuant to section 5.54 of the *Local Government Act 1995*, Council must accept the Annual Report by 10 February 2024.

The Annual Report for the Year Ended 30 June 2023 comprises of two parts:

1. Written Report detailing the Town's achievements for the financial year and inclusive of information prescribed by Regulation 19B of the *Local Government (Administration) Regulations 1996*.
2. Annual Financial Report for the year ended 30 June 2023, inclusive of the Auditor's Report.

Both documents have been consolidated in a final published version of the Annual Report, to be made available at the Annual General Meeting of Electors.

The Annual Financial Report (inclusive of the Auditors Report) will also be tabled at the Audit Committee Meeting in February 2024. Representatives from the Office of the Auditor General will be attending this meeting and will discuss the Auditors Report.

CONCLUSION

The Annual Report for the Year Ended 30 June 2023 is recommended to Council for adoption.

7.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution 013001

OFFICER RECOMMENDATION

Moved Mayor O'Neill, seconded Cr McPhail

That Council:

- 1. pursuant to s5.54 (1) of the *Local Government Act 1995*, by absolute majority accepts the Annual Report for the Year Ended 30 June 2023, inclusive of the Annual Financial Report and Auditors' Report.**
- 2. requests that the Annual Report be published on the Town's website within 14 days of this meeting.**
- 3. pursuant to s5.27 (2) of the *Local Government Act 1995*, resolves to convene the Annual General Meeting of Electors for Tuesday 27 February 2024 and provide 14 days advance local public notice of the time, date and place of this meeting.**

(CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY 6:0)

For: Mayor O'Neill, Crs Wilson, Donovan, Harrington, McPhail & Maywood

Against: Nil

REPORT ATTACHMENTS

Separate attachment

9. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.42pm

*I hereby certify that the Minutes of the special meeting of the **Council** of the Town of East Fremantle, held on **30 January 2024**, Minute Book reference **1. to 9.** were confirmed at the meeting of the Council on*

20 FEBRUARY 2024



Presiding Member