



# AGENDA

## SPECIAL COUNCIL MEETING

Tuesday, 30 January 2024 at 6:30 PM

### **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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## NOTICE OF MEETING

Elected Members

A Special Council Meeting of the Council will be held on 30 January 2024 at 6:30 PM in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.



JONATHAN THROSSELL  
Chief Executive Officer  
**23 January 2024**

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# 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 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

### 4.2 APOLOGIES

### 4.3 APPROVED

Crs Collinson, Donovan & Natale.

## 5 DISCLOSURES OF INTEREST

### 5.1 FINANCIAL

### 5.2 PROXIMITY

### 5.3 IMPARTIALITY

## 6 PUBLIC QUESTION TIME

### 6.1 PUBLIC QUESTION TIME

### 6.2 DEPUTATIONS

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#### 6.2.1 ITEM 8.1 BEGRAVIA LEISURE

Deb Graham (Area Manager), Sharon Chalwell (Marketing Manager) & Nigel Cameron (Venue Manager)

## 7 BUSINESS

Reports start on the next page

## 7.1 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2023

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

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### 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.

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### 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.

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### 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.

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### CONSULTATION

Manager Marketing and Information  
Executive Team

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### 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

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

## SITE INSPECTION

N/A

## COMMENT

The Town had it’s 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** Choose an item. Click or tap to enter a date.

### OFFICER RECOMMENDATION

**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.

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REPORT ATTACHMENTS

Separate Attachment

## 8 MATTERS BEHIND CLOSED DOORS

### **PROCEDURE MOTION**

**That the meeting be closed to the public to discuss confidential item “Naming of Café – East Fremantle Community Park” under the terms of the Local Government Act 1995, Section 5.23(2)(e).**

### 8.1 NAMING OF CAFE - EAST FREMANTLE COMMUNITY PARK

(Confidential Report)

## 9 CLOSURE