



Agenda

Ordinary Meeting of Council

Wednesday 22 March 2023 6pm



Notice of an Ordinary Meeting of Council

Elected Members

An Ordinary Meeting Council of the City of Fremantle will be held on **Wednesday 22 March 2023** in the Council Chamber at the Walyalup Civic Centre, located at 151 High Street, Fremantle commencing at 6.00 pm.

A handwritten signature in black ink, appearing to read "Glen Dougall".

Glen Dougall
Chief Executive Officer

17 March 2023



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1. Official opening, welcome and acknowledgement

Ngala kaaditj Whadjuk moort keyen kaadak nidja Walyalup boodja wer djinang Whadjuk kaaditjin wer nyiting boola yeye.

We acknowledge the Whadjuk people as the traditional owners of the greater Fremantle/Walyalup area and we recognise that their cultural and heritage beliefs are still important today.

2. Attendance, apologies and leave of absence

[Insert any known apologies or previously approved leaves of absence OR]
There are no previously received apologies or approved leave of absence.

3. Applications for leave of absence

_____ requests a leave of absence from _____ to _____ inclusive.

4. Disclosures of interest by members

Elected members must disclose any interests that may affect their decision-making. They may do this in a written notice given to the CEO; or at the meeting.

5. Responses to previous public questions taken on notice

The following questions were taken on notice at the Ordinary Meeting of Council held on 22 February 2023

Gerard MacGill spoke in relation to a matter not on the agenda; regarding the role of the Council nominees on the Joint Development Assessment Panel (JDAP) and asked the following question:

Question 1:

Will Council express the view that its nominees to JDAP focus their contributions on providing "local knowledge", which in the case of 130 was overwhelmingly that the proposal was incompatible with the social and environmental values of their community?

Response

In addition to the Presiding Member and Specialist Members on the JDAP, two local members are nominated to sit on DAPs, administered by Department of Planning, Lands and Heritage (DPLH), on behalf of the Minister for Planning. The DPLH state that "Local representation is a vital component of the Development Assessment Panel (DAP)."



With regard to the appointment of four elected members to JDAP (two members and two deputies), the Council at its meeting 24 November 2021 nominated Cr Andrew Sullivan and Cr Rachel Pemberton (and Cr Ben Lawver and Cr Bryn Jones as deputies) as “the representatives of the City of Fremantle” for a two year term, commencing 27 January 2022.

Mark Woodcock asked the following questions in relation to item PC2302-7:

Question 1:

Can council inform the rate payers, of the impact of the loss of parking to the business or the COF CBD, due to council decisions?

- We have seen Bannister Street Parking close, sold off
- The loss of Point Street, car park, sold, closed
- Dozens of street parking with parklets and increased loading zones due to those lost to parklets.
- Spicer site parking loss
- Soon the loss of the synagogue parking area will be close for the Police Station, how does that impact either license?
- The plans to move the oval field another, parking loss
- Quarry street parking loss
- The leisure centre parking still listed for sale
- And others

Response

Whilst the City has divested from some parking property around Fremantle, the great majority of these remain as car parks and have not significantly impacted on parking opportunities in Fremantle. The City continues to review parking within Fremantle and created the additional temporary car park (Cappuccino Strip Car Park) in 2017 as part of this review.

Question 2

How much parking revenue has COF lost annually since its anti-car campaign began in the late 2010's?

Response

The City of Fremantle has an Integrated Transport Strategy which advocates for and provides policy direction on management and provision of car parking and promoting public transit and active transport within Fremantle's CBD.

As mentioned in the first question above, the City has divested from some of its former parking property and these parking bays remain in use. Much of this was to facilitate the renewal strategy in the centre of Fremantle in conjunction with the redevelopment of the former Myer site. This renewal has supported much of the improved economic activity in and around Fremantle. The revenue generated being generated from some of these sites was provided in a council report

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in August, 2022 (AMRC2208-7). As the City no longer owns these properties, they now provide rate income that was previously not provided. The current revenue is provided in the answer to the query below.

Question 3

How much revenue has been produced from those revenue producing assets used and how much revenue are those investment producing annually now?

Response

This question has already been answered previously in the item to council in August, 2022 (AMRC2208-7) as below;

Income Generation – Rates

The business plan also considered the effect of the development generating additional rate revenue from the developed properties. These estimates and the current actual outcomes are provided below;

	Estimated BP \$	Actual 2022 \$
Former Myer Site	416,678	605,280
QG Car Park	131,750	196,950
QG Retail	14,607	(as below*)
Former Hoyts Centre	267,960	263,466*
Spicer Site	123,261	33,088
Café	10,824	0
Commercial Office & Retail	<u>78,542</u>	<u>(TBD)</u>
TOTAL	<u>1,043,823</u>	<u>1,098,784</u>

Question 4

With the sale of Henderson St carpark the city has lost the ability to encourage shoppers to be the CBD. Can the council inform the rate payers where the revenue for the Henderson St carpark was invested and how much revenue that asset is producing currently?

Response

The City of Fremantle has an Integrated Transport Strategy which advocates for and provides policy direction on management and provision of car parking and promoting public transit and active transport within Fremantle’s CBD, in addition to the City’s Destination Marketing Strategic Plan that outlines the overarching delivery and implementation plan for destination marketing activities to increase visitation along with other outcomes in line with the plan’s seven strategic pillars.

Revenue was from sale of Henderson Street car park was part of the former Kings Square renewal project business plan. The report to council in August, 2022 (AMRC2208-7) provides further detail on this.



Question 5

What is the sale price for this carpark that council is selling and how will that revenue be invested to improve parking in the city which is clearly lacking?

Response

The sale of this site is in line with the former Kings Square Redevelopment Business Plan Council adopted in 2013 with the summary of the outcome of this project provided in a Council report in August, 2022 (AMRC2208-7).

Question 6

What has the city planned to do to improve the terrible reputation COF has with parking in the CBD?

Response

The City of Fremantle has an Integrated Transport Strategy which advocates for and provide policy directions on management and provision of car parking and promoting public transit and active transport within Fremantle's CBD. The City will continue to promote the City as a visitor destination in line with its Destination Marketing Strategy and continue to promote parking opportunities as part of this strategy.

6. Public question time

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time. Further guidance on public question time can be viewed [here](#), or upon entering the meeting.

7. Petitions

Petitions to be presented to council.

Petitions may be tabled at the meeting with agreement of the presiding member.

8. Deputations

8.1 Special deputations

A special deputation may be made to the meeting in accordance with the City of Fremantle Meeting Procedures Policy.



8.2 Presentations

Elected members and members of the public may make presentations to the meeting in accordance with the City of Fremantle Meeting Procedures Policy.

9. Confirmation of minutes

OFFICER'S RECOMMENDATION

Council confirm the minutes of the Ordinary Meeting of Council dated 22 February 2023.

10. Elected member communication

Elected members may ask questions or make personal explanations on matters not included on the agenda.



11. Reports and recommendations from committees

11.1 Planning Committee 1 March 2023

PC2303-4 CADD STREET, NO 8 (STRATA LOT 3) BEACONSFIELD - UNAUTHORISED SCREENING ADDITION TO EXISTING BOUNDARY FENCE (RETROSPECTIVE APPLICATION) (JL 0376/22)

Meeting Date: 1 March 2023
Responsible Officer: Acting Manager Development Approvals
Decision Making Authority: Committee
Attachments: 1. Amended Development Plans
Additional information: 1. Site Photos

SUMMARY

Approval is sought retrospectively for an unauthorised screening addition (lattice work) to an existing fence at No 8 (Strata lot 3) Cadd Street, Beaconsfield.

The proposal is referred to the Planning Committee (PC) due to the nature of some discretions being sought and comments received during the notification period that cannot be addressed through conditions of approval. The application seeks discretionary assessments against the Local Planning Scheme No. 4 (LPS4), Residential Design Codes (R-Codes) and Local Planning Policies. These discretionary assessments include the following:

- **Height of screening material above top of fence.**

The application is recommended for approval subject to a condition requiring modification of the height of the screening addition to comply with Local Planning Policy 2.8.

PROPOSAL

Detail

Approval is sought retrospectively for an unauthorised screening addition to an existing side boundary fence to a property developed with a single house at 8 Cadd Street, Beaconsfield. The proposed works include:

- Latticework screening 610mm high fixed to the top of a 1.8m high side boundary fence constructed of solid Colorbond panels.



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The applicant submitted amended plans on 12 December 2022 including the following:

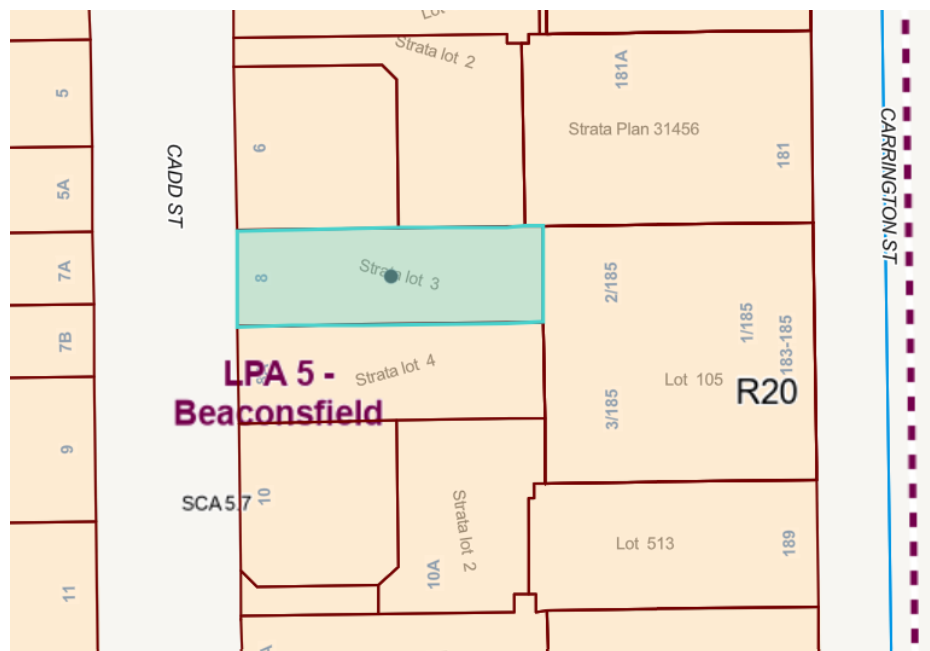
- A detailed elevation of the fence and screening material.
- Accurate measurements of fence and screening material height and ground levels in the vicinity of the fence.

The applicant also provided additional justification for the height of the fence and screening material, which is to prevent a pet dog from jumping over the fence into the neighbouring property.

The amended development plans are included as attachment 1.

Site/application information

Date received: 3 November 2022
Owner name: Taryn Andrews and Christopher Pietroniro
Submitted by: Taryn Andrews
Scheme: Residential R20
Heritage listing: Not listed
Existing land use: Single house
Use class: Single house
Use permissibility: P (As existing)





CONSULTATION

External referrals

Nil required.

Community

The application was advertised in accordance with Schedule 2, clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015, as the proposed height of the fence screening material requires a discretionary assessment under Local Planning Policy 2.8 - Fences. The advertising period concluded on 30 November 2022, and one submission was received. The following issues were raised (summarised):

- The footings for the fence are inadequate to support its overall height.
- The fence and screen exceed the maximum height permitted by the local government for a fence.
- The height causes overshadowing to the property to the south.
- The applicants concern about their pet jumping over the fence has been exacerbated by the raising of the ground level on the applicants' property, and they should consider an alternative means of controlling their pet such as a secondary fence within their own garden.

In response to the above, the applicant submitted the following response:

- The height of the screening material attached to the top of the fence (610mm) is essential to create an overall height that will prevent their pet from jumping over the fence, reducing the height of the screening latticework to a compliant height of 500mm would not be sufficient.

In response to the above, the following comments are provided by officers:

- The applicant has again been requested to consider reducing the height of the latticework screening material to 500mm measured from the top edge of the fence panels, which would make it compliant with the provisions of LPP2.8, but the applicant has declined to do this and has requested the application to be determined in its current form.
- The adequacy of the footings of the fence is a building standards/Dividing Fences Act matter.

The remaining comments are addressed in the officer comment below.



OFFICER COMMENT

Statutory and policy assessment

The proposal has been assessed against the relevant provisions of LPS4, the R-Codes and relevant Council local planning policies. Where a proposal does not meet the Deemed-to-comply requirements of the R-Codes, an assessment is made against the relevant Design principles of the R-Codes. Not meeting the Deemed-to-comply requirements cannot be used as a reason for refusal. In this particular application the areas outlined below do not meet the Deemed-to-comply or policy provisions and need to be assessed under the Design principles:

- Height of screening material along the top of the boundary fence exceeds the maximum height of 500mm specified in Local Planning Policies 1.7 and 2.8.

The above matters are discussed below.

Background

The subject site is located on the eastern side of Cadd Street in Beaconsfield. The site has a land area of approximately 573m² and is currently developed with a single storey single house. The site is zoned Residential and has a density coding of R20. The site is not individually heritage listed nor located within a Heritage Area.

A search of the property file has revealed the following history for the site:

- 14 May 2020 – DA0156/20 – planning approval granted (under officer delegation) for demolition of existing grouped dwelling.
- 18 August 2020 – DA0245/20 – planning approval granted (under officer delegation) for a single storey single house.

The house on the subject site has been relatively recently constructed under the abovementioned planning approval granted in 2020. It is adjoined to the south by an older single storey dwelling at No. 8A Cadd Street, which was formerly one half of a duplex pair of brick and tile grouped dwellings along with the original dwelling on the subject site. The original dwelling at 8 Cadd Street was demolished with planning approval in 2020, and the common party wall was retained to preserve the integrity of No. 8A. The subject site originally had a slight fall in natural ground level from north to south, but at the time of construction of the new house the ground level in the rear garden area was levelled and raised to create a new ground level approximately 400mm (max) higher than the original natural ground level along the boundary line with the adjoining property to the south.

In association with the construction of the new house and site works in the rear garden area, a new dividing fence was erected along part of the common side property boundary between No's 8 and 8A Cadd Street. The fence separates the rear garden areas of both properties and is constructed of solid Colorbond panels. The fence is 1.8m high measured from the current ground level on the subject site. A 610mm high latticework screening device has been attached to the top edge of the fence along its full length. Due to a slightly lower natural ground



level on the adjoining property at 8A Cadd Street, when viewed from this neighbouring property the fence and latticework screen combined presents a maximum height of 2.5m above ground level at 8A Cadd St.

Land Use

The current application does not involve any change of use of the property from the existing single house, which is a 'P' use in the Residential Zone.

Local Planning Policy assessment

Local Planning Policies 1.7 (Development from planning approval under Local Planning Scheme No. 4) and 2.8 (Fences) are relevant to assessment of the application.

Under LPP2.8, a fence to a property which is not heritage listed nor in a heritage area and is not within a primary or secondary street setback area, is permitted to a maximum height of 1.8m without planning approval. These circumstances apply to the properties and subject fence at No's 8 and 8A Cadd Street.

The fence between the rear garden areas of No's 8 and 8A has been erected from the ground level at No. 8 and therefore it is appropriate to measure the fence height from this ground level. Measured on this basis the fence is 1.8m high and is therefore exempt from requiring planning approval.

Under LPP1.7, screening material attached to an existing fence and projecting no more than 500mm above the top of the fence at any point and not situated within a primary or secondary street setback area is exempt from requiring planning approval. Because the screening material attached to the fence on the subject site is 610mm high this criterion is not met and accordingly the screening material alone (not the fence it is attached to) requires planning approval.

LPP2.8 also states the following in respect of side and rear boundary fences and screening materials:

- 5.1 *Council will not approve side and/or rear boundary fences greater than 1.8m in height, or screening material that projects more than 500mm above the top of an approved fence unless the proposed fence/screening will not have any significant impact on adjoining properties by way of overshadowing, solar access or loss of views.*

- 5.2 *Council will have particular regard to comments made by neighbouring owners/occupiers of neighbouring properties where consultation is carried out, and will only consider the criteria in 5.1 to be met where it is satisfied that no significant adverse impacts on the amenity of the neighbour will occur.*



Officers have requested the applicant to reduce the height of the screening latticework to 500mm from the top of the fence having regard to issues raised in the submission from the neighbouring property owner and the provisions of LPP2.8. However the applicant has requested that the application be determined with the screening at the current height of 610mm.

Although the difference in height between the screening in its current form and screening compliant with LPP2.8 is only 110mm and therefore the additional impacts upon the neighbouring property in terms of visual impact and overshadowing are marginal, officers consider on balance that it would be appropriate to require the height of the screening to be reduced. This could be achieved by a condition of approval. Officers consider such a reduction in height would not materially affect the overall effectiveness of the fence and screening to contain pets, or if it does the applicant could consider an additional secondary measure within their own garden to deter pets from getting close to the fence to scramble up or jump it.

CONCLUSION

Officers recommend that the application be approved subject to a condition requiring the height of the screening/latticework to be reduced to 500mm from the top edge of the boundary fence it is attached to, the modifications to be made within 60 days of the date of determination of the application. However, officers do acknowledge that the height of the screening in its current form only exceeds this height by a small amount and accordingly could be considered to satisfy the requirement in LPP2.8 of having no significant adverse impacts on the amenity of the neighbour. If the Planning Committee is of this view, it could resolve to approve the application without the recommended condition.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil



OFFICER'S RECOMMENDATION

Moved: Cr Bryn Jones

Seconded: Cr Geoff Graham

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, unauthorised screening addition to existing boundary fence at No. 8 (Lot 3) Cadd Street, Beaconsfield, subject to the following condition(s):

- 1) This approval relates only to the development as indicated on the approved plans, dated 12 December 2022. It does not relate to any other development on this lot.
- 2) Notwithstanding condition 1 above, within 60 days of this determination notice the screening shall be modified to be a maximum height of 500mm measured from the top edge of the existing fence to which the screening is attached.

Advice Note:

- i. With respect to condition 2, this requires that works are undertaken by the applicant to clear this condition within 60 days of this approval. The applicant/landowner is advised to contact the City of Fremantle Compliance Services team via compliance@fremantle.wa.gov.au or 9432 9999 with photographic confirmation of this condition having been cleared by the prescribed timeframe.
- ii. A BA13 – Building Approval Certificate (BAC) application form is required to be submitted for the unauthorised building works. A Certificate of Building Compliance (BA18) must be submitted with the application and signed and completed by a Registered Building Surveyor Contractor (private sector). A list of Registered Building Surveyors can be obtained from the Department of Mines, Industry Regulation and Safety (DMIRS) website - [Find a registered building surveyor | Department of Mines, Industry Regulation and Safety \(commerce.wa.gov.au\)](https://www.dmirns.wa.gov.au/Find-a-registered-building-surveyor)
The BAC application is also required for the existing retaining wall located to the rear of the existing dwelling (as noted on the plan in Attachment 1.).

Lost: 5/2

For:

Mayor Hannah Fitzhardinge,

Cr Andrew Sullivan, Cr Su Groome, Cr Adin Lang, Cr Ben Lawver

Against:

Cr Bryn Jones, Cr Geoff Graham,

Cr Bryn Jones requested the item be referred to the Ordinary Meeting of Council. Seconded by Cr Su Groome.



Additional Officers Comment

At the March 2023 Committee meeting, Council resolved to not support the Officers recommendation for this application, as the existing height of the screening addition was considered to be appropriate causing no detrimental impact to the southern adjoining property.

OFFICER'S RECOMMENDATION

Council:

APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, unauthorised screening addition to existing boundary fence at No. 8 (Lot 3) Cadd Street, Beaconsfield, subject to the following condition(s):

- 1) This approval relates only to the development as indicated on the approved plans, dated 12 December 2022. It does not relate to any other development on this lot.
- 2) Notwithstanding condition 1 above, within 60 days of this determination notice the screening shall be modified to be a maximum height of 500mm measured from the top edge of the existing fence to which the screening is attached.

Advice Note:

- i. With respect to condition 2, this requires that works are undertaken by the applicant to clear this condition within 60 days of this approval. The applicant/landowner is advised to contact the City of Fremantle Compliance Services team via compliance@fremantle.wa.gov.au or 9432 9999 with photographic confirmation of this condition having been cleared by the prescribed timeframe.
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The BAC application is also required for the existing retaining wall located to the rear of the existing dwelling (as noted on the plan in Attachment 1.).



PC2303-7 REVIEW OF LOCAL PLANNING POLICY 2.25 – TELECOMMUNICATIONS

Meeting date:	1 March 2023
Responsible officer:	Manager Strategic Planning and City Design
Decision making authority:	Council
Attachments:	1. Local Planning Policy 2.25 – Telecommunications
Additional information:	1. D.B.M9 – Telecommunications 2. <i>Telecommunications (Low-impact Facilities) Determination 2018</i>

SUMMARY

In November 2022, Council received a report outlining updates recommended to Local Planning Policy D.B.M9 – Telecommunications, to reflect changes in the Commonwealth legislative, State Planning Policy and local planning frameworks. Additional updates were included to strengthen provisions that relate to the protection of heritage and environmental interests.

The policy relates to the management of non-‘low-impact’ telecommunications facilities. These are the significant pieces of mobile telecommunications infrastructure that are not exempted from requiring development approval under the under the Commonwealth *Telecommunications Act 1997* and *Telecommunications (Low-impact Facilities) Determination 2018*.

At the close of the community engagement period no submissions had been received.

This report recommends that Council resolve to adopt the draft amended policy as previously reported with a title change to: Local Planning Policy 2.25 – Telecommunications.

BACKGROUND

The policy relates to the management of non-‘low-impact’ telecommunications facilities. These are the significant pieces of mobile telecommunications infrastructure that are not exempted from requiring development approval under the under the Commonwealth *Telecommunications Act 1997* and *Telecommunications (Low-impact Facilities) Determination 2018*.

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Examples of exempted telecommunication items included in the *Telecommunications (Low-impact Facilities) Determination 2018* are radio facilities (e.g. certain sizes of dish, antenna, panels) and under and above ground housings and facilities (e.g. conduits, cables, pedestals, cabinets and pillars) where they meet specific size (e.g. height, length, area) and location (e.g. certain types of facility are only considered low-impact in industrial or commercial areas) requirements. New telecommunication towers not attached to a building are not defined as 'low-impact'.

The existing Telecommunications policy was adopted in July 2001 and had not been reviewed since that time.

On 23 November 2022, Council considered a report reviewing Local Planning Policy D.B.M9 – Telecommunications (policy provided in additional information 1), to reflect changes in the Commonwealth legislative, State Planning Policy and local planning frameworks. Additional updates were included to strengthen provisions that relate to the protection of heritage and environmental interests.

Council resolved that:

"Council adopt draft revised Local Planning Policy D.B.M9 – Telecommunications, provided in Attachment 1, for the purposes of public engagement in accordance with Schedule 2, Part 2, Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Local Planning Policy 1.3."

Further information on the review process and rationale is provided in the November 2022 report (PC2211-9).

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

The procedure for amending a local planning policy is provided for under Schedule 2, Part 2, Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015.

The revised policy updates terminology to reflect the *Telecommunications (Low-impact Facilities) Determination 2018* (provided in additional information 2) and the *Telecommunications Code of Practice 2018*.



CONSULTATION

Community Engagement on the amendment of the local planning policy was undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, Part 12, cl. 87 and Council's Local Planning Policy 1.3 – Community Consultation on Planning Proposals.

Community engagement took place between 6 December 2022 and 13 January 2023. At the close of the community engagement period, no submissions had been received.

OFFICER COMMENT

The purpose of the policy is to balance the need for effective telecommunication services and effective roll-out of networks, with the community interest in protecting conservation and heritage values and the visual amenity of local areas.

Under the policy, development approvals received by the City for the erection and/or installation of a non-low-impact telecommunication facility would need to consider site selection, co-location, preferred sites, heritage, visual amenity and facility design, vegetation and natural aspects, and public health and safety.

While the current policy, adopted in July 2001, is retained in its essence, extensive updates were required to bring it into line with current legislative and policy frameworks and the City's current document format

Officers have undertaken a community engagement process on the revised policy with no submissions received.

Officers recommend adoption of Local Planning Policy D.B.M9 – Telecommunications, as previously considered by Council on 23 November 2022 (PC2211-9), renamed to Local Planning Policy 2.25 – Telecommunications, to bring it in line with current naming conventions. Local Planning Policy 2.25 – Telecommunications is provided in Attachment 1.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required



COMMITTEE RECOMMENDATION ITEM PC2303-7

Moved: Cr Bryn Jones

Seconded: Cr Su Groome

**Council adopt amended Local Planning Policy 2.25 – Telecommunications,
as provided in Attachment 1.**

Carried: 7/0

**Mayor Hannah Fitzhardinge, Cr Bryn Jones, Cr Geoff Graham,
Cr Andrew Sullivan, Cr Su Groome, Cr Adin Lang, Cr Ben Lawver**



11.2 Finance, Policy, Operations and Legislation Committee 8 March 2023

FPOL2303-1 PROPOSED CITY OF FREMANTLE CAT MANAGEMENT AMENDMENT LOCAL LAW 2023

Meeting date:	8 March 2023
Responsible officer:	A/Manager Governance
Decision making authority:	Committee
Attachments:	1. Cat Management Amendment Local Law 2023
Additional information:	1. CONFIDENTIAL – Joint Standing Committee on delegated Authority (JSCDL) letter

SUMMARY

This report is to initiate an amendment of the City of Fremantle Cat Management Local Law 2020 in accordance with section 3.16(1) of the *Local Government Act 1995*, to address undertakings made to the Joint Standing Committee on Delegated Legislation; and amend schedule 3 of the City of Fremantle Cat Management Local Law 2020, to include all of the City's 'green' areas.

BACKGROUND

At the Finance, Policy, Operations and Legislation Committee held on 9 February 2022, Council resolved to give notice of its intention to make a City of Fremantle Cat Management Amendment Local Law 2022. The amendment local law was advertised for public comment on 19 February 2022.

At the Ordinary Council Meeting held on 22 June 2022, Council considered the submissions received and adopted the proposed amendment local law, with no further changes. Following the Council decision, a copy of the Explanatory Memorandum and supporting documentation relating to the amendment local law, was sent to the Minister for Local Government and the Joint Standing Committee for Delegated Legislation (JSCDL) for consideration.

The local law was published in the Western Australian Government Gazette on 1 July 2022, No. 97 at page 4035, and local public notice of the adoption of the local law was provided in the Fremantle Herald on 10 July 2022.

The Chair of Joint Standing Committee on Delegated Legislation (JSCDL) wrote to the City on 21 September 2022, advising of matters raised by the committee in response to the Cat Management Amendment Local Law 2022 and recommended an undertaking to delete clause 7.

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This clause amended schedule 3 'Cat Prohibited Areas' to remove the current list of areas where cats are prohibited, and replaced it with the words '*All City of Fremantle owned and managed property*'.

The JSCDL rejected this part of the amendment local law and requested that clause 7 be deleted on the following grounds:

- inconsistency with Cat Act 2011.
- inconsistency with section 79(3)(f) of the Cat Act 2011, which requires a local law to specify places where cats are prohibited absolutely.
- clause 7 operates in a way that has an unintended effect on cat owners existing rights and interests.

A copy of the letter from the JSCDL, is provided in additional documents 1 under confidential cover, as it contains information that is considered confidential and privileged.

Council at its meeting on 26 October 2022, resolved to accept the undertaking provided by the JSCDL and requested officers to prepare an amendment to the Cat Management Local Law 2020, to amend the Cat Prohibited Areas in Schedule 3, to include all of the City's 'green' areas.

FINANCIAL IMPLICATIONS

No financial implications were identified as a result of this report.

LEGAL IMPLICATIONS

If Council resolves to initiate an amendment to the local law, the procedure is the same as it would be for making a new local law. As set out in Section 3.12 of the *Local Government Act 1995*, and summarised below:

- **Council initiate process** - s3.12(2) of the *Local Government Act 1995* (the Act) & Regulation (3) *Local Government (Functions and General) Regulations 1996*
- **Public notice** – s3.12(3) of the Act
- **Notification to Minister** - s3.12(3)(b) of the Act
- **Considering Submissions** – s3.12(4) of the Act
- **Gazettal notice** – s3.12(5) of the Act
- **Public notice** – s3.12(6) of the Act
- **Explanatory Memoranda** – s3.12(7) of the Act
- **Commencement of local law** - s3.14 of the Act
- **Review by government (Joint Standing Committee on Delegated Legislation)** - s3.17 of the Act

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Regulation 3 of the *Local Government (Functions and General) Regulations 1996* requires that for the purposes of Section 3.12 of the *Local Government Act 1995*, the purpose and effect of any proposed local law must be included in the agenda and minutes of a meeting.

CONSULTATION

In accordance with Section 3.12(3) of the *Local Government Act 1995*, the City is required to give local public notice of the proposed City of Fremantle Cat Management Amendment Local Law 2023, inviting submissions for a period of no less than six weeks after the notice is given.

The community will be invited to make a submission via the following methods:

- [My Say Freo](#) website
- email info@fremantle.wa.gov.au
- in person at the Walyalup Civic Centre, 151 High Street, Fremantle
- in writing and posted to PO Box 807, Fremantle WA 6959

OFFICER COMMENT

This report addresses the undertakings provided by the JSCDL and subsequently adopted by Council at its meeting in October 2022, and is intended to remove the following clause 7 from Cat Management Amendment Local Law 2022 (gazette on 1 July 2022):

7. Schedule 3 amended

~~(1)~~ Delete Schedule 3 and insert:

<p><i>Schedule 3 Cat Prohibited Areas</i></p> <p><i>Places where cats are prohibited – All City of Fremantle owned and managed property.</i></p>	<p><i>[clause 2,1]</i></p>
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In response to the request by Council, the proposed amendment will reinstate the original list of "Cat Prohibited Areas" in schedule 3 of the local law and expands the schedule to include all of the City's 'green' areas. The following table shows the expanded list of 'green' areas to be included as cat prohibited areas, and shows the current list of Cat Prohibited Areas in orange shading.



**Schedule 3
Cat Prohibited Areas**

[clause 2,1]

Places where cats are prohibited –

#	Common Name	Location
1	Alfred Park	Alfred Rd, North Fremantle
2	Bathers Beach Reserve/ Arthur Head Reserve	Phillimore St, Fremantle
3	Beach Reserve	Beach St, Fremantle
4	Beacy Park	McCleery St, Beaconsfield
5	Booyeembara Park	80 Montreal St, Fremantle
6	Bruce Lee Reserve	South St, Beaconsfield
7	Burford Reserve 1	1 Burford Pl, North Fremantle
8	Burford Reserve 2	17 Burford Pl, North Fremantle
9	Cantonment Hill Reserve	Queen Victoria St, Fremantle
10	Collick Reserve	Collick St, Hilton
11	Coral Park	Coral St, South Fremantle
12	Cypress Hill	64 Harvest Rd, North Fremantle
13	Cypress Hill POS	6 Cypress Ln, North Fremantle
14	Davies Reserve	Amherst St, White Gum Valley
15	Davis Park	Edgar Ct, Beaconsfield
16	Douglas Park	Douglas St, Fremantle
17	Dublin PAW	The Cutting, North Fremantle
18	East Street Jetty	Beach St, Fremantle
19	Edmund Reserve	Edmund St, Fremantle
20	Edwards College Reserve	College Cnr, O'connor
21	Everybody's Park	Jackson St, North Fremantle
22	Florence Park	Marine Terrace, South Fremantle
23	Frank Gibson Park (G)	Forrest St, Fremantle
24	Fremantle Oval	Ellen St, Fremantle
25	Fremantle Park	4 Ellen St, Fremantle
26	Fremantle Primary School Park	19 Brennan St, Fremantle
27	Fremantle Public Golf Courses	Montreal St, Fremantle
28	Gilbert Fraser Reserve	21 John St, North Fremantle

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29	Gold Park	19 Francisco St, South Fremantle
30	Gordon Dedman Park	6 Thompson Rd, North Fremantle
31	Griffiths Park	Nicholas Cr, Hilton
32	Grigg Park	Snook Cr, Hilton
33	Harvey Beach	Harvest Rd, North Fremantle
34	Hicks Park	Hicks St, North Fremantle
35	Hilton Park	311 Carrington St, Beaconsfield
36	Hines Park	Hines Rd, O'Connor
37	Holland Park	Holland St, Fremantle
38	Hollis Park	South Beach Promenade, South Fremantle
39	Horrie Long Reserve	Forrest St, Fremantle
40	Jarvis Park	30 Jarvis St, O'Connor
41	Knutsford Reserve	Knutsford St, Fremantle
42	Leighton Beach	14 Leighton Beach Bvd, North Fremantle
43	Leighton Beach Reserve	Port Beach Road, North Fremantle
44	Leighton Park 1	1 Leighton Beach Bvd, North Fremantle
45	Leighton Park 2	25 Leighton Beach Bvd, North Fremantle
46	Lillydale Park	Dale St, South Fremantle
47	Lookout Park	12 College Cnr, O'connor
48	McCabe Park	16 Harvest Rd, North Fremantle
49	Mills and Wares Park	17 Jenkin St, South Fremantle
50	Minilya Park	10 Minilya Av, White Gum Valley
51	Monument Hill Memorial Reserve	249 High St, Fremantle
52	Moorni Boorn Park	32 Paget St, Hilton
53	Naylor Reserve	18 Naylor St, Beaconsfield
54	North Fremantle Foreshore Reserve	Johannah St, North Fremantle
55	Parmelia Park	50 Commercial St, South Fremantle
56	Peace Grove	311 Carrington St, Beaconsfield
57	Pensioner Guard Park	21 Pensioner Guard Rd, North Fremantle
58	Petterson Reserve	Petterson Ave, Samson
59	Phillimore Gardens	Phillimore St, Fremantle
60	Pioneer Reserve	1 Short St, Fremantle
61	Plane Tree Reserve	Bayleaf Rtt, O'connor

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62	Point Direction Reserve	431 Harvest Rd, North Fremantle
63	Port Beach reserve	Port Beach Road, North Fremantle
64	Prawn Bay	Johanna St, North Fremantle
65	Princess May Park	92 Adelaide St, Fremantle
66	Queens Square	High St, Fremantle
67	Railway Reserve	28 Phillimore St, Fremantle
68	Rocky Bay Reserve	Rule St, North Fremantle
69	Royal Fremantle Golf Course	359 High Street, Fremantle
70	Rule Park	36 Rule St, North Fremantle
71	S.E.W. Park	465 Thompson Rd, North Fremantle
72	Salentina Ridge POS	11 Moran St, Beaconsfield
73	Sardelic Park	30 Butterworth Pl, Beaconsfield
74	Signal Station Reserve	4 Burt St, Fremantle
75	Sir Frederick Samson Park	McCombe Av, Samson
76	Soroptimist Rose Garden	High St, Fremantle
77	Sorrell Park	483 Bruce St, North Fremantle
78	Sorrell Park	Doepel St, North Fremantle
79	Sorrell Park	482 Bruce St, North Fremantle
80	South Beach Reserve	Ocean Dr, South Fremantle
81	South Beach	Ocean Rd, South Fremantle
82	South Beach Promenade	South Beach Pde, South Fremantle
83	Stevens Reserve	1532 Stevens St, Fremantle
84	Tangney Reserve	Tangney Crescent, Samson
85	The Esplanade Reserve	45 Marine Tce, Fremantle
86	Tuckfield Oval	70 Tuckfield St, Fremantle
87	Tyrone Reserve	Tyrone St, North Fremantle
88	Un-named park	2 Nanine Av, White Gum Valley
89	Valley Park	26 Mulberry Farm Lane, White Gum Valley
90	Virginia Ryan Park	Watkins St, Fremantle
91	Walyalup Koort	3 Adelaide St, Fremantle
92	War Memorial Park	Harvest Rd, North Fremantle
93	Westmeath Park	Westmeath St, North Fremantle
94	Wilson Park	South Tce, South Fremantle



VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COMMITTEE DECISION FPOL2303-1
(Officer’s recommendation)

Moved: Cr Jenny Archibald Seconded: Cr Doug Thompson

Council approve public notice be given, in accordance with the *Local Government Act 1995*, of its intention to make a *City of Fremantle Cat Management Amendment Local Law 2023*, as shown in attachment 1, with the purpose and effect of which is as follows:

Purpose: To amend the *City of Fremantle Cat Management Local Law 2020* consistent with the undertakings provided to the Joint Standing Committee on Delegated Legislation, with inclusion of additional cat prohibited areas.

Effect: To amend schedule 3 of the *City of Fremantle Cat Management Local Law 2020*, to include all of the City’s ‘green’ areas, as follows:

Schedule 3 Cat Prohibited Areas		
[clause 2,1]		
Places where cats are prohibited –		
#	Common Name	Location
1	Alfred Park	Alfred Rd, North Fremantle
2	Bathers Beach Reserve/ Arthur Head Reserve	Phillimore St, Fremantle
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21	Everybody's Park	Jackson St, North Fremantle
22	Florence Park	Marine Terrace, South Fremantle
23	Frank Gibson Park (G)	Forrest St, Fremantle
24	Fremantle Oval	Ellen St, Fremantle
25	Fremantle Park	4 Ellen St, Fremantle
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65	Princess May Park	92 Adelaide St, Fremantle
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93	Westmeath Park	Westmeath St, North Fremantle
94	Wilson Park	South Tce, South Fremantle

Carried: 4/1

For

Cr Jenny Archibald, Cr Fedele Camarda,
Cr Doug Thompson, Cr Frank Mofflin

Against

Cr Marija Vujcic

The above item is referred to the Ordinary Meeting of Council for determination in accordance with the City of Fremantle Delegated Authority Register which requires that at least 5 members of the committee vote in favour of the Committee Recommendation in order to exercise its delegation.



FPOL2303-5 FREMANTLE OVAL – ESTABLISHMENT OF A PRINCIPAL STAKEHOLDER WORKING GROUP

Meeting date: 8 March 2023
Responsible officer: Chief Executive Officer
Decision making authority: Council
Attachments: 1. Terms of Reference: Fremantle Oval PCG
Additional information: Nil

SUMMARY

One of the recommendations in the council endorsed high-level Business Plan for Fremantle Oval, is to establish a project governance structure to assist guide the planning and early evolution of the project.

This report discusses the long-term and short-term governance structure, together with an indication as to the tasks and activities envisaged during the next stage of the project around advocacy and seeking government funding.

To assist with the process, this report recommends the establishment of a Project Control Group (PCG) with representation from project partners, including two elected members from the City of Fremantle. It also recommends a subsidiary group to contain a wider group of secondary stakeholders such as potential future partners, localised property owners and other parties considered appropriate.

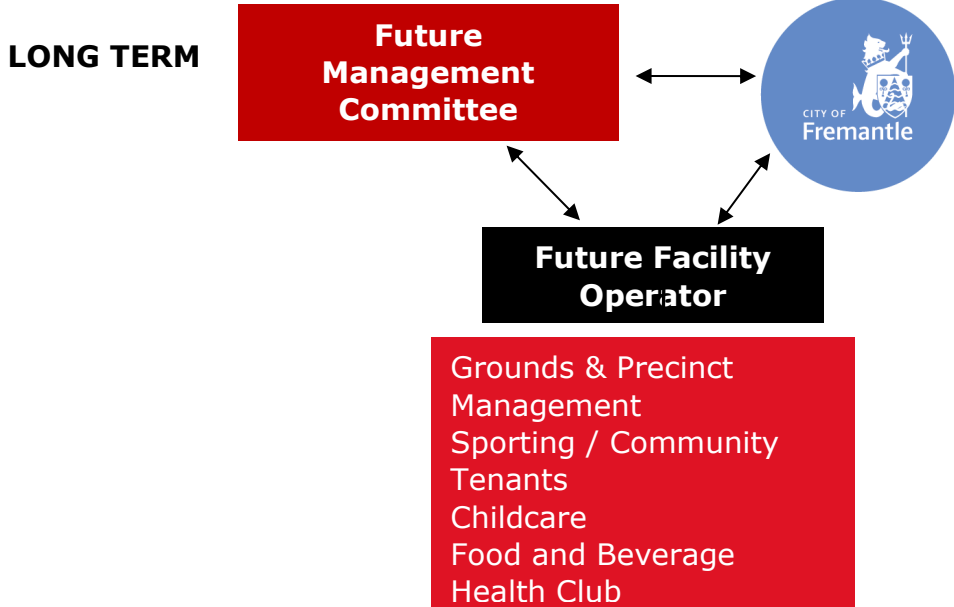
This report seeks council support for the establishment of a PCG and endorsement of elected member nominations to join the group provided from November 2022. From a governance perspective, this group will have the formal status of a City working group.

BACKGROUND

At its meeting on 27 July 2022 Council endorsed the Fremantle Oval Redevelopment Business Plan for the purpose of advancing project advocacy and seeking government funding - on condition that specific design matters are provided for in the final planning and design of the project. One of the key recommendations within the Business Plan is to establish the project governance early on to assist guide the planning and evolution of the project.

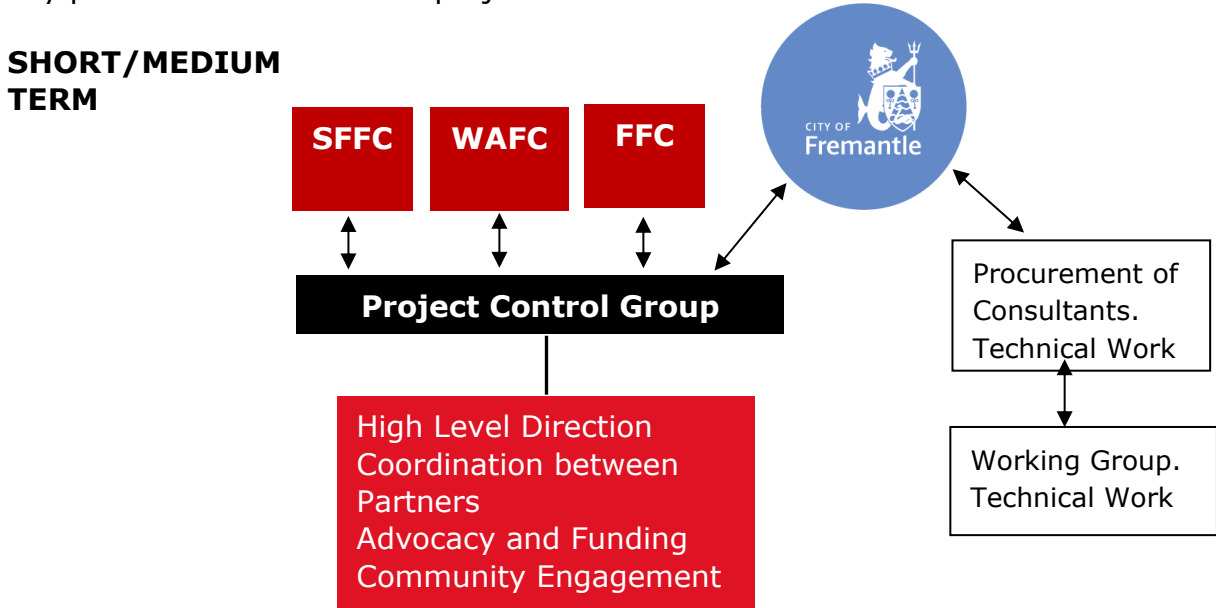


The long-term plan for the governance structure (if/when full funding of the project has been successful) has various options in the Business Plan, all of which can be summarised as:



The Future Management Committee would be represented by all key stakeholders including the four project partners, facility managers and other stakeholders and will require considerable work to establish its legal entity under the Local Government Act and Regulations.

In the short/medium-term, whilst the project is in its planning and feasibility stage, the City can establish a Project Working Group to continue to work with its key partners to advance the project.





Under the existing Council Policy on Internal Groups, the following would apply to a Project Working Group for Fremantle Oval, and requires a resolution of Council:

Category	Purpose	Outcomes	Duration	Membership	Facilitation
Working group	Work collaboratively with council to develop a council strategy/plan or to develop a specific project	Determined by the group once the purpose is defined.	Disbands on adoption of the strategy/plan or project plan. May convert to a reference group once the planning is complete.	Elected members, community members and/or groups, external professionals in a relevant field, or from a relevant organisation, City officers.	Chaired by a member appointed by the group.

A proposal to establish the working group was provided to the November 2022 Finance, Policy, Operations and Legislation (FPOL) meeting to establish the appointment of this group. At the time the appointment was paused to allow consideration of other appropriate stakeholders.

At the November meeting, councillors Mofflin, Sullivan and Camarda nominated for membership of the PCG.

These were endorsed at the FPOL meeting and recommended through to Council. At the Council meeting the Council resolved the following;

"The item be deferred for a decision at the next appropriate Ordinary Meeting of Council, to reconsider the membership of the working group."

FINANCIAL IMPLICATIONS

There are no financial implications to this report in establishing a working group.

LEGAL IMPLICATIONS

Local Government Act 1995.

It is proposed that the Project Working Group will ultimately be replaced by a future management committee for the precinct. The future committee will require significant work to adequately deal with 'commercial enterprises' as



described under Part 3 of the Local Government Act. It is not intended to initiate this larger piece of work until full project funding is established.

CONSULTATION

To date, consultation has occurred between key stakeholders and partners associated with the project. One of the key tasks for the PCG will be to consider how and when to commence engagement with the broader community regarding this potential major city project.

OFFICER COMMENT

To assist with advancing the governance and planning for this project, the establishment of a council Working Group is proposed. The definition of a Working Group (see above, under Background) aligns with the general requirements of a Project Control Group for a major project in its early stages.

See **attachment** for full details of the Terms of Reference.

The key role of the PCG is summarised as:

- To provide high-level project direction and coordination between partners.
- To identify advocacy and funding opportunities.
- To monitor progress and activities.
- To identify how and when community engagement should occur.

It will be the responsibility of each PCG member to consult internally with their respective organisations to ensure that the views and opinions being shared are representative of each project partner.

It is proposed that all key project partners have representation on the PCG, and that the City has two representatives:

- City of Fremantle – Councillor
- City of Fremantle – Councillor
- South Fremantle Football Club – Chief Executive Officer
- WA Football Commission – Executive Manager Facilities
- Fremantle Football Club – Executive General Manager Operations

Group meetings will also be attended by key ex-officio personnel to assist with the operations and effectiveness of the PCG, including:

- City of Fremantle’s CEO, and/or their representative(s).
- Consultants and/or project managers on an ‘as needs’ basis.

As part of the further consideration for other appropriate stakeholders, it is recommended that a secondary working group be established to provide for



extended consideration of redevelopment outcomes and to inform the process of redevelopment.

This broader group will include relevant stakeholders that are not the primary stakeholders but will play a role in the future outcomes of redevelopment.

Part of the initial actions from the PCG will be to establish a list of potential stakeholders to include on the broader group so that invitations may be made in forming this group. The PCG can also establish the terms of reference for the "Redevelopment Reference Group" for council to consider. This has been added to the PCG Terms of Reference attached with this agenda.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COMMITTEE RECOMMENDATION ITEM FPOL2303-5 **(Officer's amended recommendation)**

Moved: Cr Jenny Archibald

Seconded: Cr Doug Thompson

Council:

- 1. Approves the establishment of the Fremantle Oval Project Control Group (PCG) as a formal working group of the City of Fremantle to assist with advancing the early stages of project planning, as described in the Terms of Reference in Attachment 1.**
- 2. Appoint the following membership for the Fremantle Oval Project Control Group:**
 - a. Mayor, Hannah Fitzhardinge (ex-officio)**
 - b. Cr Mofflin**
 - c. Cr Sullivan**
 - d. Cr Camarda**
 - e. Chief Executive Officer, City of Fremantle**
 - f. Strategic Planning Officer, City of Fremantle**
 - g. Chief Executive Officer, South Fremantle Football Club**
 - h. Executive Manager Facilities, WA Football Commission**
 - i. Executive General Manager Operations, Fremantle Football Club.**

Carried: 6/0
Cr Jenny Archibald, Cr Fedele Camarda, Cr Rachel Pemberton,
Cr Marija Vujcic, Cr Doug Thompson, Cr Frank Mofflin



FPOL2303-7 VOICE TO PARLIAMENT

Meeting date: 8 March 2023
Responsible officer: A/Manager Community Development
Decision making authority: Council
Attachments: 1. Uluru Statement from the Heart
Additional information: Nil

SUMMARY

The City of Fremantle has a strong history of social advocacy and support of reconciliation initiatives through its Aboriginal Engagement Plan and Stretch Walyalup Reconciliation Action Plan. Both of which have ignited change and conversation at local and national levels.

In May 2022, the Federal Government endorsed the Uluru Statement from the Heart in full and announced a referendum in 2023/2024 to vote on Voice to Parliament. The official referendum date has not yet officially been set however Spring of 2023 has been noted as a proposed date.

The City of Fremantle has a unique opportunity to continue its support and endorsement of the Uluru Statement from the Heart (Council endorsed 2018) in the lead up to the referendum. Through a range of programs and activations, the City can support the 'Yes Alliance' and ensure community are educated and aware of the subject prior to voting in the referendum.

This report recommends that Council delivers on its endorsement of the Uluru Statement from the Heart and takes a leadership position through the provision of community education and awareness of the Voice to Parliament conversation in the lead up to the referendum.

This report also seeks Council endorsement of a \$35,500 budget amendment for the 2022/2023 financial for the delivery of programs and activities to deliver on the City's endorsement of the Uluru Statement from the Heart.

BACKGROUND

The City of Fremantle has previously endorsed the Uluru Statement from the Heart.

In June 2018, through a Notice of Motion, Council adopted the following resolution;

- 1. Supports the Uluru Statement from the Heart.*
- 2. Requests a statement, supporting the Uluru Statement to the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander People be submitted on behalf of Council.*

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The City’s Stretch Walyalup Reconciliation Action Plan outlines our vision for reconciliation by creating an inclusive, caring community where Aboriginal and Torres Strait Islander people experience the same life outcomes as other Australians.

This vision can be achieved by supporting initiatives where Aboriginal and Torres Strait Islander people can inform and influence policies, systems and programs which impact their lives. The voice to parliament delivers on this vision.

The Uluru Statement from the Heart is an invitation to the Australian people. It asks Australians to accept Aboriginal and Torres Strait Islander people’s invitation to walk with them in a movement of the Australia people for a better future. It calls for the establishments of a First Nations Voice enshrined in the Constitution and a Makarrata Commission to supervise a process of agreement making and truth telling about our history.

In May 2022 the Federal Government endorsed the Uluru Statement from the Heart in full. This was followed by the announcement of a referendum for change to the constitution to be held in the 2023/2024 financial year, with the official date yet to be confirmed.

This announcement has seen the development of several national campaigns including “History is Calling” and the “Yes Alliance”. The coming months are vital to continue the momentum and education on what the Voice to Parliament is, why it is important and what it will mean for the future. This presents a unique opportunity for the City of Fremantle to continue its leadership and social advocacy for equality and reconciliation with Aboriginal and Torres Strait Islander peoples.

FINANCIAL IMPLICATIONS

Consideration of three levels of support up to \$75,000 for programs and initiatives for the Voice to Parliament information campaign is based on the below possible program options. These levels are optional and further consideration to each can be reviewed based on any external funding that may be provided for the community debate as the Federal Government rolls out the process further.

LEGAL IMPLICATIONS

Nil



CONSULTATION

In December 2021, following a presentation to the Walyalup Reconciliation Action Plan Working Group, a sub working group was established to focus on the Uluru Statement from the Heart and identify actions the City of Fremantle could deliver on for its commitment to this statement. Six engagement sessions have been held with the sub working group with focus on Voice, Truth and Treaty and what this means within a Local Government context and identification of projects and initiatives to deliver on this statement. Feedback from the sub working group have been presented back to the Walyalup Reconciliation Action Plan Working Group.

Internal stakeholders across different directorates and business units were engaged with and consulted in October 2022. The purpose of this engagement was to seek support and collaboration to embed community education and awareness within existing projects and identify new projects and programs to be delivered in support of the campaign in the lead up to the referendum. It is this engagement which has informed this report.

An internal working group will be established and continue to operate to support the delivery of this project until the referendum.

OFFICER COMMENT

Advocacy and leadership can be delivered through a program of community education and awareness activities, focused on the Uluru Statement from the Heart and Voice to Parliament. Alignment to "History is Calling" and delivery of programs supports understanding both sides of the referendum conversation, sharing history and truth telling activities and exposure to and understanding of culture. This program can be supported through communication and marketing campaigns.

It is proposed the city, in partnership with key stakeholders and partners, deliver a program to launch a campaign in Fremantle. This proposal will include a concentrated effort over a period in May – July 2022 to align to Reconciliation Week and NAIDOC Week. The theme for Reconciliation Week 2023 is "Be a Voice for Generations" and the theme for NAIDOC Week 2023 is "For Our Elders". Following this concentrated programming, a continued package of activations and programs will remain at various locations around the city until the referendum.

The City's program proposes to engage across sectors including businesses, organisations, and community who are committed to Reconciliation and aligned to be part of this National campaign. To have impact and social change, this community conversation requires different stakeholders, platforms, activities and programs, messaging, and communication over a period of time, with multiple community exposure points. The program intends to make use of the city's various spaces and places across its boundary areas.

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The Yes Alliance will be focusing strongly on training community members as volunteers to be advocates and educators on the Uluru Statement from the Heart and Voice to parliament. Volunteers will be encouraged to hold “Kitchen table conversations” in the community where the topic can be discussed, and questions answered. This is where the City can have a strong role in supporting these conversations through meeting rooms and locations, providing training to volunteers and marketing and promoting these events.

Programs will also be included as part of usual activities at the Fremantle Arts Centre, Walyalup Aboriginal Cultural Centre and Fremantle Library within existing budget.

The following programs and activities have been proposed by internal and external stakeholders.

- **Kitchen Table conversations staff and volunteer training - \$7,000**

Engagement of a consultant to deliver training on the Uluru Statement from the Heart, the specifics of the Voice to Parliament and understanding both perspectives of the referendum question.

- **Community Kitchen Table conversations - \$3,000**

Deliver a series of community BBQ’s and gathering which encourage volunteer led community conversations about the Voice to Parliament.

- **History Centre installation - \$10,000**

Curation and installation of an exhibition display in the local history centre to be installed for Reconciliation and NAIDOC Week. The display will be focussed on local Aboriginal history and Elders who have advocated for change.

- **Business window engagement - \$5,000**

Procurement and installation of a visual campaign, aligned to History is Calling, in business shop windows in Fremantle. Material will include QR codes for community to connect to information and resources.

- **Disclosure panel presentation (FAC) \$15,500**

Disclosure is a quarterly evening of discourse and ideas, a space of ambition and experimentation. From art theory to contemporary identity, Disclosure presenters share knowledge and experience from their own unique vantage points, challenging us to see the world through a different lens, if only for an evening.

**Agenda – Ordinary Meeting of Council
22 March 2023**



In this iteration of DISCLOSURE, taking place during National Reconciliation Week, we convene a panel of First Nations People to discuss the constitutional recognition of Aboriginal and Torres Strait Islander Peoples through a Voice to Parliament.

Bringing together voices of cultural and creative leaders, this panel discussion moderated by Whadjuk Nyoongar journalist Narelda Jacobs, will explore the legal, cultural and social complexities and benefits of a Voice to Parliament, an ambition articulated through the Makaratta: The Uluru Statement from the Heart in 2017.

This event will follow First Nations protocols, with all visitors offered the opportunity to be smoked by Whadjuk Nyoongar representatives upon arrival before being welcomed to Walyalup on Whadjuk Nyoongar Boodja.

• Galup VR – Revealed Activation \$10,500

Galup is multi-artform project about the history of Lake Monger in Perth. The original iteration of the project included a site-specific performance and a virtual reality work created by Noongar theatre-maker Ian Wilkes and artist/filmmaker Poppy van Oorde-Grainger with an oral history from Elder Doolann-Leisha Eatts about a massacre at Galup lake (Lake Monger). Galup explores the transformative impact of truth-telling, examines the destructive nature of colonisation and brings people together for connection and healing.

Given the City of Fremantle's and Fremantle Arts Centre's commitment to truth telling, we propose working with Same Drum media and the Galup team to activate across the Revealed opening weekend. The experience invites small groups to take a virtual experience with Ian Wilkes who revealed the layered histories of country, or *boodja*.

• Art Mural/s - \$23,000

Procurement and installation of a visual campaign, aligned to History is Calling, at one or multiple locations in the City of Fremantle. Murals will include QR codes for community to connect to information and resources.

The above proposals may be packaged into three different assortments for Council to consider. Council can choose from the following tiers of support;

Baseline tier support - \$10,000

Kitchen table conversations staff and volunteer training
Community Kitchen table conversations
Communications campaign



Mid-tier support - \$35,500

Kitchen table conversations staff and volunteer training
Community Kitchen table conversations
History Centre installation
Disclosure panel presentation
Communications campaign

Leadership tier support - \$75,000

Kitchen table conversations staff and volunteer training
Community Kitchen table conversations
History Centre installation
Disclosure panel presentation
Galup VR
Business window engagement
Art Murals
Communications campaign

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

OFFICER'S RECOMMENDATION

Council:

1. Delivers on its commitment to the Uluru Statement by supporting the "Voice to Parliament" campaign through the provision of community education and awareness of the Voice to Parliament conversation in the lead up to the referendum.
2. Adopts the Mid-tier support - \$35,500, being;
 - Kitchen table conversations staff and volunteer training
 - Community Kitchen table conversations
 - History Centre installation
 - Disclosure panel presentation
 - Communications campaign
3. Approves a budget amendment for \$35,500 from unfunded expenditure to the 2022/2023 budget for Mid-Tier support for the Voice to Parliament campaign.



OFFICER'S RECOMMENDATION

Council:

1. Delivers on its commitment to the Uluru Statement by supporting the "Voice to Parliament" campaign through the provision of community education and awareness of the Voice to Parliament conversation in the lead up to the referendum.
2. Adopts the Mid-tier support - \$35,500, being;
 - Kitchen table conversations staff and volunteer training
 - Community Kitchen table conversations
 - History Centre installation
 - Disclosure panel presentation
 - Communications campaign
3. Approves a budget amendment for \$35,500 from unfunded expenditure to the 2022/2023 budget for Mid-Tier support for the Voice to Parliament campaign.

Cr Doug Thompson left the meeting at 6.25pm and returned at 6.29pm prior to voting on this item.

AMENDMENT 1

Moved: Mayor Hannah Fitzhardinge Seconded: Cr Doug Thompson

Amend part 2 of the Officer's recommendation to read as follows:

Council:

1. **Delivers on its commitment to the Uluru Statement by supporting the "Voice to Parliament" campaign through the provision of community education and awareness of the reasons to support the Voice to Parliament conversation in the lead up to the referendum.**
2. **Provisionally Adopts a budget amendment of up to the Mid-tier support—\$35,500 from unfunded expenditure to the 2022/2023 budget for Mid-Tier support for the Voice to Parliament campaign, being sufficient funding to deliver outcomes including;**
 - Kitchen table conversations staff and volunteer training**
 - Community Kitchen table conversations**
 - History Centre installation**
 - Disclosure panel presentation**
 - Communications campaign**
 - With final activities to be agreed through collaboration with the Yes campaign in Western Australia.**



~~3. Approves a budget amendment for \$35,500 from unfunded expenditure to the 2022/2023 budget for Mid-Tier support for the Voice to Parliament campaign.~~

Amendment carried: 6/1

For

Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Fedele Camarda,
Cr Rachel Pemberton, Cr Doug Thompson, Cr Frank Mofflin

Against

Cr Marija Vujcic

Reason for change:

The Yes campaign is in the process of being established in WA and our funding should be targeted at grassroots events and activities that will not be delivered by them. This amendment gives some flexibility to officers to allow them to determine which activities will be most suitable for the Fremantle community.

COMMITTEE RECOMMENDATION FPOL2303-7
(Officer's recommendation, as amended)

Moved: Mayor Hannah Fitzhardinge

Seconded: Cr Doug Thompson

Council:

1. **Delivers on its commitment to the Uluru Statement by supporting the "Voice to Parliament" campaign through the provision of community education and awareness of the reasons to support the Voice to Parliament in the lead up to the referendum.**
2. **Adopts a budget amendment of \$35,500 from unfunded expenditure to the 2022/2023 budget for Mid-Tier support for the Voice to Parliament campaign, being sufficient funding to deliver outcomes including;**
 - Kitchen table conversations staff and volunteer training**
 - Community Kitchen table conversations**
 - History Centre installation**
 - Disclosure panel presentation**
 - Communications campaign**

With final activities to be agreed through collaboration with the Yes campaign in Western Australia.

Carried: 6/1

For

Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Fedele Camarda,
Cr Rachel Pemberton, Cr Doug Thompson, Cr Frank Mofflin

Against

Cr Marija Vujcic



**FPOL2303-8 PERTH FESTIVAL – HIGH VOLTAGE SPONSORSHIP
REQUEST**

Meeting date: 8 March 2023
Responsible officer: Manager Economic Development & Marketing
Decision making authority: Council
Attachments: Nil
Additional information: Nil

SUMMARY

The purpose of this report is to present a sponsorship request for the Perth Festival High voltage event for consideration. The request seeks to enter into a sponsorship agreement between the City of Fremantle and Perth Festival with the provision of in-kind sponsorship support by way of event fee waiver.

This report recommends that Council authorise the Chief Executive Officer to negotiate a sponsorship agreement with the event organiser for the 2023 event.

BACKGROUND

Perth Festival Special Projects (PFSP) are repowering the incredibly successful 2020 event Highway to Hell as a new event called High Voltage. High Voltage has been supported by the WA government, with funding received by Tourism WA to present the event on 7 May 2023. The event was officially announced by Premier Mark McGowan on 27 November 2023 at Fremantle Oval.

High Voltage is a celebration of music, community, and the spirit of Bon Scott. In 2023, the event is being repowered as a street circuit in the heart of Fremantle. Similar to Highway to Hell, High Voltage will feature high profile national bands on trucks performing interpretations of AC/DC.

Three large scale zones of celebration are being created where audiences can gather to watch performances and take part in activities. A series of 'truck stops' will be created along the route where audiences can congregate to watch the trucks stop and perform.

Officers have been working closely with the project team and event organisers to agree on a preferred route and leverage opportunities associated with the event.

Community participation will be a key feature of High Voltage, with many local community groups invited to perform along the route and in key zones.

**Agenda – Ordinary Meeting of Council
22 March 2023**



Perth Festival will welcome high-profile Fremantle music artists on trucks and major stages and will work closely with the Fremantle business community to ensure businesses can leverage the event.

OFFICER COMMENT

High Voltage is a free celebration of live music, community, and the legend – Bon Scott. Building on Perth Festival’s smash hit Highway to Hell (2020), this event is proposed to be an ultimate Freo Sunday session with the City set to be overtaken by the nation’s best live music acts on trucks in the name of rock and celebration.

In this new iteration, High Voltage will welcome thousands of music fans to a huge outdoor concert procession and multiple zones of celebration. The route will include iconic Fremantle locations including Esplanade Reserve, South Fremantle’s South Terrace, and Fremantle Oval.

Performance Trucks

From the back of flatbed trucks, high profile musicians from home, interstate and around the world will pay homage to AC/DC.

Each truck will travel along the circuit with musicians playing constantly and stopping at certain zones to perform to the assembled crowd.

City of Fremantle car parks that are included as part of this event sponsorship proposal will be activated as family-friendly, spectator zones to provide viewing area and add to the capacity of the event.

In addition to these larger zones there will be roving performers on foot weaving in and out of the assembled crowd to herald the impending arrival of the prime movers and to continue to engage the audience as one truck disappears down the circuit and another comes in to view.

Toilets, free water, first aid and information tents will be positioned along the route to ensure adequate facilities available.

Community participation

High Voltage represents a significant opportunity for community engagement through participation by local artists, schools and community performance groups. This includes the programming of multiple large-scale school and community performance groups in the roving programming program, mass choirs at key performance zones and participation from multiple community groups in children and family activities. Fremantle based artists have been prioritised in the music programming, with numerous ‘local legends’ programmed in high profile slots.



Ancillary programming

Additional ancillary programming will be undertaken in key venues adjacent to the circuit. This activity will be programmed and managed by venue owners in consultation with event producers.

Target audience

Key target audiences for this event are:

- People aged 25 – 65 based in Perth and Fremantle with an interest in outdoor events
- Young families looking to engage in free special activities with inter-generational appeal.
- AC/DC and other rock and roll fans.

This event is targeted towards the general public – residents and visitors to Perth.

Mass-marketing channels, including a significant focus on digital, will be employed to increase awareness and attendance of the event.

The strategy will include campaigns across digital, social and traditional media, experiential/ambient advertising focussed in WA for the first year, and then interstate and internationally for years two and three.

The campaign will target consumers geographically and by psychographic interests, reaching those interested in arts and live music.

Audience Segments

Perth Festival Special Projects will overlay Morris Hargreaves McIntyre’s psychographic segmentation tool, Culture Segments, to its targeting. Key groups targeted for this will be Expression, Entertainment and Stimulation.

Expression	22% 353,000	Receptive, confident, Community oriented, Expressive. In tune with their creative and spiritual side. They are ‘people’ people and enjoy activities that help them connect with and share experiences with others. They are most likely to be advocates for the Perth Festival brand.
Entertainment	14% 240,000	Consumers, Populist, Leisure, Mainstream The arts are on the periphery of their lives and compete against many other interests. Occasionally foray into culture for spectacular, must-see experiences. Low priority and growth potential for Perth Festival.
Stimulation	16% 266,000	Active, Experimental, Discovery, Contemporary Live their lives to the full. Look for challenges and opportunities to break away from the crowd. Like to be cutting edge. Slightly lower attention threshold



HIGH VOLTAGE EVENT OBJECTIVES AND OPPORTUNITY

- Creating a new home-grown event aligns with the Government's *Reconnect WA* strategy and is synonymous with WA.
- Activate the WA events calendar in 'shoulder season' with a major new event that will appeal to local and interstate visitors.
- Create a new large scale music event that offers significant opportunity for music artists, suppliers, crew, and industry.
- Create a major new community event in Fremantle offering significant opportunity for community groups, schools, and local businesses to be involved in a joyful, uplifting, large scale event.
- Celebrate Fremantle as the 'spiritual home' of Bon Scott- he grew up there, is buried in the cemetery and his statue is on the waterfront.
- Recognising Fremantle as a creative hub and home of incredible live music scene.
- Highlight Fremantle as a destination for great bars and restaurants.
- Continue the successful partnership between Perth Festival and WA Government.
- Provide opportunities for collaboration between state and local government.

Planned marketing activities

Perth Festival Special Projects will draw on the festival's strong relationships with major media outlets in and around Perth and at a national level to extend the marketing budget.

Driving local engagement is central to the marketing campaign with a small focus on reaching into key Australian capital cities and driving excitement and anticipation online to establish a media campaign with impact and excitement, and which will drive attendance.

The key stages to promoting the event are:

1. Announcement of event by Premier (27 November 2022)
2. Stakeholder engagement and event notifications (November 2022 – April 2023)
3. Launch full event information and content, including maps (12 March 2023)
5. In-event experience (7 May 2023)

The promotion for the event will include the following initiatives:



Advertising

- Key local and national media advertising, predominantly digital, will start following the content launch in March 2023, ramped up with the bulk of advertising spend in the weeks leading up to the event.

Brochures and Posters

- Feature in posters around Perth and Fremantle.

Digital

- Feature on its own bespoke event website.
- Promoted through enews, sent to first announce subscribers, as well as leveraging promotion in the Perth Festival enews.
- Promoted content through social networks: Facebook and Instagram. Includes paid and organic traffic.
- Advertising across search and social from 12 March 2023.
- Feature on visitfremantle.com.au website.

Signage

- High impact signage erected onsite prior to the performance advertising the event.
- High impact signage erected in and around Fremantle and Perth CBD.
- Full signage plan to be confirmed in March 2023.

Sponsorship recognition and benefits

The City of Fremantle, in recognition for its in-kind support through fee waiver will be recognised as a Premier Partner will the following sponsorship benefits, including but not limited to:

Feature in High Voltage collateral such as:

- Event website.
- Relevant media releases.
- High Voltage event sponsor signage.
- Social media announcement.
- Verbal acknowledgement (where relevant).
- PF & City of Fremantle to work together to explore other acknowledgement opportunities.

Partnership Leveraging and Activation:

- Opportunity to create content for sponsor promotions/comms/publicity.
- Opportunity to develop bespoke activations.
- Invitations to City of Fremantle representatives to attend VIP area/function.



FINANCIAL IMPLICATIONS

The proposed sponsorship offering and associated sponsorship benefits to be received by the City has been determined in line with the City of Fremantle Grants and Sponsorship Policy.

An overview of the proposed total in-kind financial contribution by way of fee waiver is provided below.

Application Fee	\$ 95.50
Venue Hire: Major Impact, Community Hire of Venue.	
Road Reserve: Event Day 1 day	\$ 848.00
Fremantle Oval: Event Day - 1 day	\$ 2,970.00
Esplanade Reserve: Event Day - 1 day	\$ 2,970.00
Wilson Park: Event Day - 1 day	\$ 2,970.00
Fremantle Oval: Bump in/out 6 days	\$ 3,498.00
Esplanade Reserve: Bump in/out 3 days	\$ 1,749.00
Wilson Park: Bump in/out 3 days	\$ 1,749.00
Additional fees	
Obstruction Application	\$ 220.00
Health Fees	\$ 871.00
Reg 18 Fee	\$ 1,000.00
Carbay fees: CP10: 65 bays x 7 days @\$37 a bay	\$16,835.00
Carbay fees: CP16: 15 bays x 7 days @\$37 a bay	\$ 3,885.00
Carbay fees: CP24: 16 bays x 1 day @\$37 a bay	\$ 592.00
Carbay fees: CP21: 66 bays x 1 day @\$37 a bay	\$ 2,442.00
Carbay fees: CP21a: 25 bays x 1 day @\$37 a bay	\$ 925.00
Carbay fees: CP11: 197 bays x 1 day @\$37 a bay	\$ 7,289.00
Carbay fees: CP60: 85 bays x 1 day @\$37 a bay	\$ 3,145.00
Carbay fees: Market St: 22 bays @\$37 a bay	\$ 814.00
Carbay fees South Tce: 176 bays @\$37 a bay	\$ 6,512.00
Carbay fees: Marine Tce: 344 bays @\$37 a bay	\$12,728.00
Carbay fees: Norfolk St: 52 bays @\$37 a bay	\$ 1,924.00
Total Fees	\$76,031.50



LEGAL IMPLICATIONS

Sponsorship will be provided under a contractual agreement between Perth Festival (the event organiser) and the City. The City will be recognised as the premiere partner for the event. Provision of sponsorship will be subject to approval of the event by the City of Fremantle, and the event organiser seeking all other necessary approvals.

CONSULTATION

A variety of stakeholders have been engaged and consulted with throughout the development of the concept including but not limited to:

- Fremantle Fishing Boat Harbour
- Businesses along the event route
- City of Fremantle Destination Marketing Working Group

Upon final confirmation of the event, the broader business community will be consulted in order to encourage businesses to engage with, participate in and leverage the event.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required.

COMMITTEE RECOMMENDATION ITEM FPOL2303-8 **(Officer's recommendation)**

Moved: Cr Jenny Archibald

Seconded: Mayor Hannah Fitzhardinge

Council authorise the Chief Executive Officer to negotiate a sponsorship agreement between the City of Fremantle and Perth Festival, which includes the following essential terms:

- 1. The City of Fremantle to provide in-kind sponsorship support by way of event fee waiver to the value of \$76,031.50.**
- 2. The City of Fremantle is recognised as a Premier Partner of the event.**

Carried: 6/1

For

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Fedele Camarda,
Cr Rachel Pemberton, Cr Doug Thompson, Cr Frank Mofflin**

Against

Cr Marija Vujcic



12. Reports and recommendations from officers

C2303-1 BUDGET REVIEW 2022-23

Meeting date:	22 March 2023
Responsible officer:	Director City Business
Decision making authority:	Council
Attachments:	1. Rate Setting Statement – By Nature and Type 2. Net Current Assets Report 3. List of Budget Amendments for Budget Review
Additional information:	Nil

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* a review of the 2022-23 annual budget has been completed and the resulting budget review report is presented to Council for consideration and adoption.

A review has been undertaken for each Directorate by analysing the financial performance of all operating activities, operating projects and capital projects and the overall financial position as at 28 February 2023.

This report recommends that Council:

- 1. Adopt the budget review for the period ending 28 February 2023 and financial reports provided in Attachment 1 and 2.**
- 2. Approve the required budget amendments to the adopted budget for 2022-2023 mid-year budget review as provided in Attachment 3.**
- 3. Note that a copy of this report will be sent to the Department of Local Government, Sport and Cultural Industries in accordance with Regulation 33 of the *Local Government (Financial Management) Regulations 1996*.**

BACKGROUND

The *Local Government (Financial Management) Regulations 1996*, regulation 33A requires that local governments conduct a budget review between 1 January and 31 March in each financial year. A copy of the review and the determination is to be provided to the Department of Local Government and Communities within 30 days of the adoption of the review.

The City has undertaken the review within this period based on the year-to-date revenue and expenditure position as at 28 February 2023. Reviews of budget performance have been undertaken for each service unit with the responsible



Manager. The entire draft budget review has also been considered by the City's Executive.

In addition to this annual budget review the City reviews its actual versus budget position on an ongoing basis and any required budget amendments to the adopted budget are submitted to Council on a monthly basis in accordance with the Budget Management Policy.

FINANCIAL IMPLICATIONS

After considering variances and adjustments, the mid-year Budget Review has provided additional estimated overall surplus of \$769,002 to the current adopted budget.

The amendments to budget account numbers to the adopted budget for 2022-2023 are submitted to Council for approval as outlined at Attachment 3 List of Budget Amendments for Budget Review.

LEGAL IMPLICATIONS

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires a review of the annual budget to be carried out between 1 January and 31 March in each financial year.

The review is to be submitted to Council within 30 days and must:

- (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
- (b) *consider the local government's financial position as at the date of the review; and*
- (c) *review the outcomes for the end of that financial year that are forecast in the budget.*

Council is to consider the review and determine whether to adopt the review, any parts of the review or any recommendations made in the review.

Within 30 days after Council has made a determination a copy of the review and determination is to be provided to the Department.

CONSULTATION

Nil



OFFICER COMMENT

The revised forecast of the City’s budgeted operating results for 2022-23 is an additional surplus of \$769,002. which is mainly due to:

- Increased Fees and Charges revenue of \$0.46m;
- Increased Rates income of \$0.6m;
- Increased Interest Earnings of \$0.84m;
- Increased Other Income of \$0.28m;
- Additional budget of \$1.19m requested for Material and Contracts;
- Capital grants reduction of \$1.19m offset by Capital expenditure savings of \$1.16m;
- Repayment of operating lease \$0.32m (Transferred from Leasing expenditure).

The budget performance will be closely monitored on an ongoing basis throughout the rest of this financial year. Any material budget variance will be reviewed and submitted to Council on a monthly basis in accordance with the Budget Management Policy.

A detailed rate setting statement for the period ending 28 February 2023, incorporating adopted budget amendments to date for this financial year is presented for council to consider in the attached.

The report recommends amendment to budget line items where a material variance between the current budget and the expected outcome at the end of the financial year is anticipated as these variances will have an impact upon the expected end of year surplus or deficit. A detail of individual account changes is provided in attachment 3.

The following table provides a summary of the budget review results by Nature and Type. Positive variances are shown as \$xxx in black and negative variances are shown as (\$xxx) in red. The full Rate Setting Statement which provides a summary of proposed budget amendments with current budget and year to date actual is provided in attachment 1.

Description	Budget Amendment
	\$
Net current assets at start of financial year - surplus/(deficit)	0
Revenue from operating activities (excluding rates)	
Operating Grants, Subsidies and Contributions	55,755



Fees and Charges		462,345
Interest Income		840,000
Reimbursement Income		95,073
Other Revenue		286,654
		1,739,827
Expenditure from operating activities		
Employee Costs		1,120,043
Employee Costs - Agency Labour		(1,140,500)
Materials and Contracts		(1,188,972)
Interest Expense		(23,886)
Utility Charges (gas, electricity, water)		12,000
		(1,221,315)
Amount attributable to operating activities		518,512
Investing Activities		
Capital Revenue		
Capital Grants and Subsidies/		
Contributions for the development of Assets		(1,194,508)
		(1,194,508)
Capital Expense		
Purchase Community Land and Buildings		729,425
Purchase Infrastructure – Roads		633,477
Purchase Infrastructure – Drainage		(81,965)
Purchase Infrastructure – Parks		(16,139)
Purchase Infrastructure - Paths		(30,000)
Purchase Infrastructure – Other		(73,000)
		1,161,798
Amount attributable to investing activities		(32,710)
Financing Activities		
Repayment of Operating Lease		(316,800)
		(316,800)
Amount attributable to financing activities		(316,800)
Budgeted deficiency before general rates		169,002
General rates estimated to be raised		600,000
Closing Funding Surplus (Deficit)		769,002

A snapshot highlight of the major variances <> \$50,000 included in the budget review (excluding staff establishment and agency labour) by Directorate are as follows:



Office of the Mayor and Councillors

The net result from the Office of the Mayor and Councillors is an overall saving in the budget of \$10,000, from a reduction in costs of international relations. The net variance by team is as follows:

Team	Amount
Mayor and Councillor Leadership	
Mayor and Councillor Team	10,000
Grand Total	10,000

Summary of significant adjustments within this budget review for Office of the Mayor and Councillors: NIL

Office of the Chief Executive Directorate (CEO)

The net result from the Office of the Chief Executive Directorate is an additional budget of \$21,000 requested. The net variance by team is as follows:

Team	Amount
Chief Executive Office Leadership	(11,000)
People and Culture Leadership	10,000
People and Culture Team	(20,000)
Grand Total	(21,000)

Summary of significant adjustments within this budget review for the CEO Directorate: NIL

City Business Directorate

The net result from City Business directorate is an overall budget saving of \$1,347,410. The net variance by team is as follows:

Team	Amount
Commercial Parking Team	632,000
Commercial Property Team	(301,340)
Economic Development Team	98,500
Events Team	(10,000)
Finance Team	586,114
Information and Technology Management	50,000
IT Operations Team	315,686
IT Projects Team	(10,000)



Place Marketing Team	38,250
Revenue Team	315,000
Procurement Team	(50,000)
Balance Sheet – Lease payment	(316,800)
Grand Total	1,347,410

A summary of significant adjustments within this budget review for City Business are:

Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
Commercial Parking Team	Fees and Charges	750,000	<p>Additional parking revenue of \$710,000 and additional income of \$40,000 from issuing parking permits.</p> <p>The following car parking sites contribute additional parking revenue of more than \$50k:</p> <ul style="list-style-type: none"> • On street paid parking (\$250,000) • Car park 01 Parry Street Fremantle (\$100,000) • Car park 11 Esplanade Fremantle (\$100,000) • Car park 29 Fremantle Prison Fremantle (\$75,000) • Car park 21 Marine Terrace Fremantle (\$65,000)
	Materials and Contracts	(118,000)	Additional budget of \$118,000 requested for Property lease expenditure and banking fee.
Commercial Property Team	Acquisition of Assets – Buildings	(150,000)	Additional budget of \$150,000 requested for a new project for the tenancy fit-out for 7-9 South Terrace (the former Meatball Bar site). Additional lease income of \$30,000 for this site is also added to this review.



	Fees and Charges	(51,340)	<p>Lease income reduction for the following sites due to vacancy:</p> <ul style="list-style-type: none"> • Evan Davies Building 13 South Terrace Fremantle (\$20,620) • Lease Fremantle Arts Centre Café (25,720) • Walyalup Civic Centre - Newman Court Fremantle (\$70,000) <p>Additional lease income budgeted for Naval Store Cantonment Hill Fremantle (\$35,000) and new lease income (\$30,000) after the tenancy fit-out for 7-9 South Terrace (the former Meatball Bar site).</p>
	Materials and Contracts	(100,000)	<p>Additional budget requested for the following:</p> <ul style="list-style-type: none"> • \$50,000 for commission payable to leasing agent for WCC. • \$50,000 for additional work for Golf course tenancy.
Economic Development Team	Other Revenue	98,500	Transfer verge bond deposits over 10 years from trust fund to Muni fund.
Finance Team	Employee Costs - Others	(90,000)	Budget requested for Long Service Leave Entitlements paid to other local authorities.
	Interest Earnings	800,000	Interest income higher than forecasted due to increased cash rate and rates available for investment of funds surplus to immediate requirements.
	Materials and Contracts	(100,000)	Additional budget required. Additional cost of 21-22 financial audit finalised and paid in 22-23 FY.
Information and Technology Management	Materials and Contracts	50,000	Reduce Budget - Firewall installation completed in 21-22, now transferred from



			project cost to operating costs.
IT Operations Team	Materials and Contracts	340,686	Accounting adjustment - Transfer lease payment to Interest payment and lease liability payment.
Balance Sheet Team	Principal elements of lease payments	(316,800)	
Revenue Team	Estimated amount to be raised from general rates	600,000	Additional revenue resulting from the processing of interim rates mainly due to properties within the industrial port areas.
	Materials and Contracts	(325,000)	Additional budget requested for the following: <ul style="list-style-type: none"> • \$260,000 for GRV revaluations to be received and invoiced in the current financial year • \$40,000 for ESL payable on council owned properties due to Walyalup Civic Centre valuation. • \$25,000 for to external consultancy required for the Hilton Underground Power project.
Procurement Team	Operating Grants, Subsidies and Contributions	(50,000)	No insurance contribution credit received in 2023FY.
City Business Directorate Total		1,338,046	

Community Development Directorate

The net result from Community Development directorate is an additional budget request of \$580,970. The net variance by team is as follows:

Team	Amount
Community Legal Centre Team	(25,000)
Fremantle Arts Centre Team	(795,500)
Leisure Centre Team	239,530
Lifelong Learning Team	10,000
Visitor Services Team	(10,000)
Grand Total	(580,970)



A summary of significant adjustments within this budget review for Community Development are:

Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
Community Legal Centre Team	Employee Costs - Others	(10,165)	Nil impact on the surplus - Reduction of operating grants and related expenditure for the following programme: <ul style="list-style-type: none"> • Grants reduction of \$11,000 from Law Society for Provide general practice community law advice; • Grants reduction of \$72,656 from Department of Justice for Provide Legal Aid - Family Domestic Violence - Legal Health Check. • Grants reduction of \$45,745 as no more Covid grants from Department Attorney General.
	Employee Costs - Staff Establishment	139,566	
	Operating Grants, Subsidies and Contributions	(129,401)	
Fremantle Arts Centre Team	Employee Costs - Staff Establishment	(50,358)	Nil impact on the surplus - Increase of grants and expenditure of \$280,000 due to grant awarded in 22-23 for Revealed 2023.
	Materials and Contracts	(259,642)	
	Operating Grants, Subsidies and Contributions	280,000	
	Materials and Contracts	(133,500)	Additional budget requested to cover the cost of the following events: <ul style="list-style-type: none"> • \$21,000 for Conduct art centre special events • \$22,000 for Conduct Bazaar Christmas markets • \$40,500 for Conduct South lawn events • \$30,000 for Conduct Wardenji festival • \$20,000 for Coordinate arts centre exhibitions



	Fees and Charges	(654,000)	Reduction of income for the following areas: <ul style="list-style-type: none"> • \$475,000 for Art Centre education services due to not meeting revenue targets. • \$226,000 for Conduct South lawn events. Forecast 9 concerts instead of 15 concerts budgeted. • Offset by additional income of \$56,000 from Art Centre Special Events
Leisure Centre Team	Fees and Charges	278,285	This is mainly related to additional income of \$257,085 expected from Fremantle leisure centre swim school
Community Development Directorate Total		(539,215)	

Planning, Place and Urban Development Directorate

The net result from Planning, Place and Urban Development Directorate is an additional budget request of \$60,000. The net variance by team is as follows:

Team	Amount
Community Safety and Rangers Team	(30,000)
Development Approvals Management	(20,000)
Environmental Health Team	10,000
Field Services Compliance Team	(10,000)
Parking Compliance Team	5,000
Strategic Planning and Projects Leadership	(15,000)
Grand Total	(60,000)

A summary of significant adjustments within this budget review for Strategic Planning are:



Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
Parking Compliance Team	Materials and Contracts	(60,000)	Additional FER Lodgement fee requested due to the increase in number of infringements referred to FER (Fines Enforcement Registry).
	Reimbursement Income	60,000	Additional income due to FER costs overpaid in 21-22 reimbursed in 22-23.
Planning, Place and Urban Development Directorate Total		0	

Infrastructure & Projects Directorate

The net result from Infrastructure & Projects directorate is an overall saving in the budget of \$73,562.

Team	Amount
Building Maintenance	(50,479)
Building Projects	16,983
Construction and Maintenance Teams	123,163
Facilities and Environmental Management	(2,323)
Infrastructure Engineering Management	10,000
Mechanical Services Team	82,681
Parks and Landscapes Team	(287,960)
Place and Projects Team	10,000
Resource Recovery Team	22,000
Waste Collection Team	149,497
Grand Total	73,562

A summary of significant adjustments within this budget review for Infrastructure & Projects are:

Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
Building Maintenance Team	Materials and Contracts	(200,383)	Additional costs requested for the following areas: <ul style="list-style-type: none"> \$12,000 for Fremantle Education Centre 1 Parry



Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
			<p>Street-community to cover for cost of repairs due to termite damage.</p> <ul style="list-style-type: none"> • \$101,383 requested for maintenance and services for Walyalup Civic Centre. • \$11,000 for Round house Arthur Head to cover for the cost incurred due to urgent masonry and timber repairs. • \$5,000 for Maintain Moores Building 42-46 Henry Street Fremantle-Community Centre to cover for the priority roof repair works. • \$13,000 for Maintain Fremantle Oval to cover for the cost of underground water leaks in 2 different sections. • \$30,000 for Operate Depot to hire of amenities to the building. • \$5,000 for Maintain Union Stores building as priority works were undertaken to roof. • \$23,000 for Maintain Old Fire Station as repairs to roof leaks, internal lumping leaks and structural repairs to balcony were undertaken.
	Other Revenue	115,904	Insurance settlement received for WCC flood damage in FY 21-22.
Building Projects Team	Capital Grants Subsidies and Contributions	(920,000)	The project for Naval Store project is funded by the tenant, however the project has now been delayed.
	Acquisition of Assets - Buildings	920,910	<ul style="list-style-type: none"> • Reduction of cost of \$920,000 for Design and construct – Naval Store



Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
			<p>project due to the delay of funding by the tenants.</p> <ul style="list-style-type: none"> Additional budget of \$50,000 requested for a new project for Fremantle Park Drainage funded from various cost savings of capital projects.
Construction and Maintenance Teams	Materials and Contracts	(120,000)	Additional budget required to hire special plant which will be utilised for preventative maintenance works for Road Drainage (\$60k), footpath (\$20k) and roads (\$40k).
	Capital Grants Subsidies and Contributions	(110,526)	Net budget savings of \$118,365 - Capital Expenditure reduction of \$228,891 for Resurface - MRRG - South Tce and Wray Av. Initial investigation and design works were carried out and the tender advertised however, tender submissions exceeded budget therefore grant funds received will be returned and the project removed for 2022-23 to be reconsidered for 2024-25. . Expected grant income to cover the project is also adjusted down by \$110,526 to reflect the reduction in project budget.
	Acquisition of Assets – Infrastructure - Roads	228,891	Net budget savings of \$142,092 - Capital Expenditure reduction of \$330,000 for resurface - MRRG - Lefroy Rd EB/WB due to project scope redesigned. Expected grant income to cover the project is also adjusted down by \$187,908 to reflect the reduction in project budget.
	Capital Grants Subsidies and Contributions	(187,908)	
	Acquisition of Assets – Infrastructure - Roads	330,000	



Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
	Acquisition of Assets – Infrastructure - Drainage	(51,965)	Additional budget requested for Drainage - Jenkin and Daly St (\$24,763) and Drainage - York and Long St (\$24,068).
	Acquisition of Assets – Infrastructure - Roads	75,000	Various RTR projects cancelled.
Mechanical Services Team	Fees and Charges	92,400	Additional Income - City's side arm vehicle is being hired by City of Gosnells.
	Acquisition of Assets - Infrastructure - Buildings	(62,162)	Budget is reinstated back to current year position as it was adjusted down with the Carry forward adjustment for P-12028 Program - Coastal Monitoring (South). Additional grant of \$28,696 is also adjusted to match with grant amount approved for the year.
Parks and Landscapes Team	Acquisition of Assets - Infrastructure - Other	(73,000)	Additional budget of \$73,000 requested as City's contribution towards the Dune Creation and Vegetation works to cover the Maintenance of Works, including weeding, watering and planting for a period of 12 months.
	Materials and Contracts	(202,500)	<ul style="list-style-type: none"> Additional budget of \$100,000 requested to cover for completed reactive maintenance works following extreme winter weather impacts and additional works for Ken Allen following lease termination. Additional budget of \$73,000 requested for maintenance of Irrigation - Recreation Reserves due



Team	Account Category (By Nature & Type)	Budget Amendment Amount	Reason
			to reactive maintenance repairs higher than budgeted.
Waste Collection Team	Fees and Charges	62,000	<ul style="list-style-type: none"> Income increased by \$57,000, long outstanding customer debts were collected for commercial waste collection. Additional income of \$5,000 expected for Income generated through new bin purchases
	Materials and Contracts	87,497	Budget savings of \$87,497 for Sweep suburbs and dispose of tailings.
Infrastructure Directorate Total		(15,842)	

Staff Establishment and Agency Labour

The forecast for staff establishment cost is an estimated \$1,633,000 in savings from salaries and wages. This is mostly due to vacancies throughout the year. Of this \$1,133,000 is required to offset the increase in expenditure required for agency staff and consultancy due to the use of temporary staff. The remaining balance of \$500,000 is to offset the vacancy credit estimated as per the adopted budget. The net result from the staff establishment and agency labour is nil.

The staff establishment and agency labour summary by Directorate has been provided below:

Directorate	Budget Amendments			Grand Total (+Budget Savings)
	Staff Establishment Savings	Agency Labour/Consul- tancy	Vacancy Credit	
CEO	(8,000)			(8,000)
City Business	243,000	(114,011)	(125,000)	3,989
Community Development	155,000		(125,000)	30,000
Planning, Place and Urban Development Directorate	137,000		(125,000)	12,000
Infrastructure and Projects	1,106,000	(1,018,989)	(125,000)	(37,989)
Total	1,633,000	(1,133,000)	(500,000)	-



Staff movement within the City due to the organisation restructure has also been addressed in this budget review.

After transferring budget savings from Salary and Wages to Agency Labour, there is Nil impact on the expected end of year surplus or deficit from staff establishment and agency Labour. However staff vacancies and agency labour movement will be closely monitored and any budget savings/overspending will be addressed and submitted to council for approval in accordance with the City’s Budget Management policy.

Details relating to individual account changes is provided in attachment 3.

New Projects – Included

It is proposed as part of this budget review to fund the following new projects:

Team	Account Details	Net Amount	Reason
Commercial Property Team	New project – P-12158 Tenancy Fitout	(150,000)	<p>NEW PROJECT Budget requested for capital contribution from City of Fremantle as the Lessor for the tenancy fit-out for Betty’s Burgers 7-9 South Terrace (the former Meatball Bar site). Payment of the fit-out contribution will be paid in line with a Fit-out Contribution Agreement which will include the milestone works and the proposed contribution and will form part of the future Lease agreement. Ownership of any works delivered via the \$150,000 fit-out contribution will be retained by the City at the conclusion of the Lease.</p> <p>This project is to be funded from the lease income of \$30,000 and the cost savings of capital project P-12093 Resurface - MRRG - South Tce and Wray Ave.</p>
Building Projects Team	New project – P-12159 Fremantle Park Drainage	(50,000)	<p>NEW PROJECT Budget required to deliver Fremantle Park drainage works to prevent water damage to Fremantle Clubs bowling greens, funded from various cost savings of capital projects.</p>



VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

OFFICER RECOMMENDATION

Council:

- 1. Adopt the budget review for the period ending 28 February 2023 and financial reports provided in Attachment 1 and 2.**
- 2. Approve the required budget amendments to the adopted budget for 2022-2023 mid-year budget review as provided in Attachment 3.**
- 3. Note that a copy of this report will be sent to the Department of Local Government, Sport and Cultural Industries in accordance with Regulation 33 of the *Local Government (Financial Management) Regulations 1996*.**



C2303-2 MONTHLY FINANCIAL REPORT - FEBRUARY 2023

Meeting date:	22 March 2023
Responsible officer:	Director City Business
Decision making authority:	Council
Attachments:	1. Monthly Financial Report – February 2023
Additional information:	Nil

SUMMARY

The monthly financial report for the period ending 28 February 2023 has been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

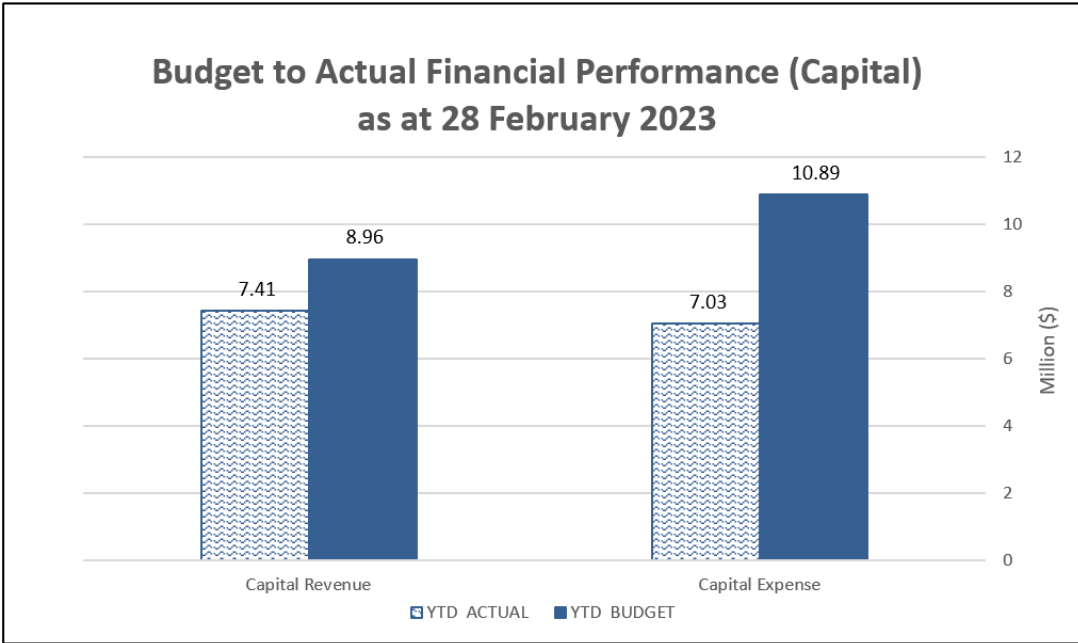
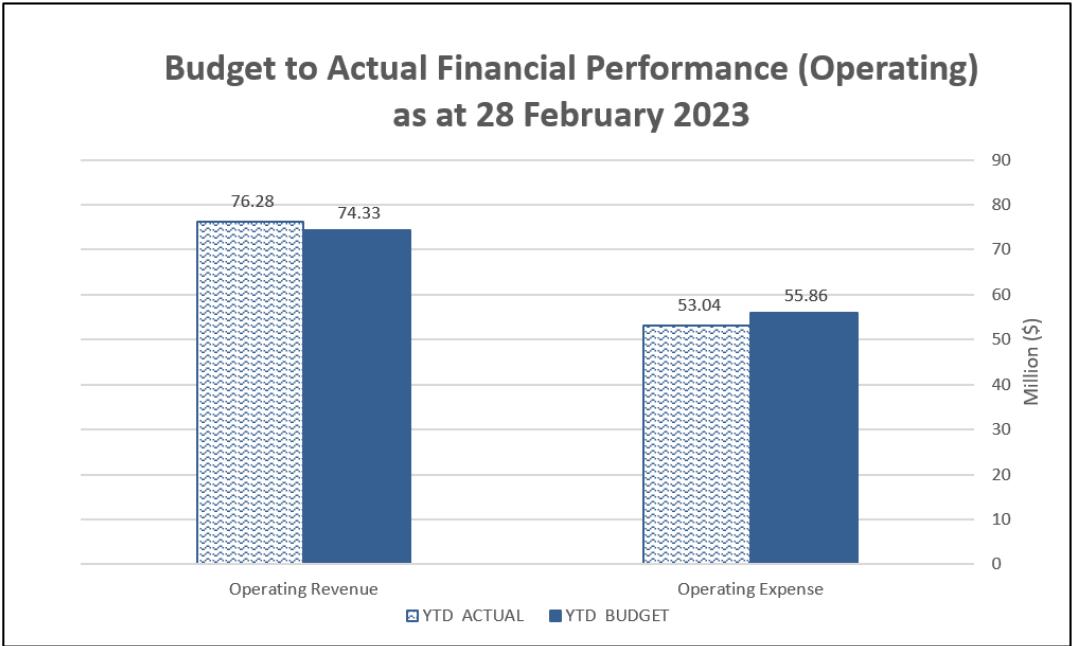
This report provides an analysis of financial performance up to February 2023 based on the following statements:

- **Statement of Comprehensive Income by Nature & Type and by Program;**
- **Rate Setting Statement by Nature & Type and by Directorate; and**
- **Statement of Financial Position with Net Current Assets.**

This financial report for the period ending 28 February 2023 is prepared considering accrued interest on borrowings (loans) and prepaid insurance premiums, also including budget amendments and carry forward adjustments adopted by Council until 31 December 2022. Please note figures reported for 30 June 2022 in this report may be subject to change with the end-of-year audit in phase of being finalised.

BACKGROUND

The following graph and table provide a high-level summary of the Council's year to date financial performance as at 28 February 2023.



**RATE SETTING STATEMENT – BY NATURE AND TYPE
 FOR THE PERIOD TO 28 February 2023**

Below is a summary of the year-to-date Rate Setting Statement, by Nature and Type, to 28 February 2023. The detailed Statement can be found in the attached Financial Report.



Description	YTD Amended Budget	YTD Actual	Variance	Variance
	\$M	\$M	\$M	%
Opening Surplus	14.40	14.82	0.42	2.92%
Operating				
General Rate Revenue	52.59	53.19	0.60	1.14%
Revenue (Exc. Rates)	21.74	23.09	1.35	6.23%
Expenses	(55.86)	(53.04)	2.82	5.03%
Non-Cash Adj.	7.90	7.11	(0.79)	(10.00%)
	26.37	30.35	3.98	15.09%
Investing				
Capital Revenue	8.96	7.41	(1.55)	(17.29%)
Capital Expenses	(10.89)	(7.03)	3.86	35.43%
	(1.93)	0.38	2.31	119.81%
Financing				
Repayment Loans & Leases	(1.66)	(1.94)	(0.28)	(17.09%)
Reserve Transfers	1.16	(2.65)	(3.81)	(327.93%)
	(0.50)	(4.59)	(4.09)	(819.64%)
Closing Surplus	38.34	40.96	2.62	6.81%

STATEMENT OF COMPREHENSIVE INCOME – BY NATURE AND TYPE FOR THE PERIOD TO 28 February 2023

As detailed in the Statement of Comprehensive Income by Nature and Type, operating income and expenses have varied to the Adopted Budget as follows:

Description	YTD Amended Budget \$	YTD Actual \$	Variance \$	Variance %
Operating Income				
Rates (including Annual Levy)	52,775,534	53,378,095	602,561	1.14%
Service Charges	758,804	765,402	6,598	0.87%
Op. Grants, Subsidies & Contributions	2,207,082	1,800,912	(406,170)	(18.40%)
Fees and Charges	16,697,200	17,531,459	834,259	5.00%
Interest Earnings	645,638	1,312,125	666,487	103.23%
Reimbursement Income	948,290	889,785	(58,505)	(6.17%)
Other Income	294,663	606,492	311,829	105.83%
Total	74,327,211	76,284,270	1,957,059	2.63%
Operating Expenses				



Employee Costs	(26,816,637)	(24,401,408)	2,415,229	9.01%
Employee costs - Agency Labour	(474,796)	(1,213,059)	(738,263)	(155.49%)
Materials and Contracts	(16,829,967)	(16,533,768)	296,199	1.76%
Depreciation – Non-Curr. Assets	(7,904,264)	(7,789,699)	114,565	1.45%
Interest Expenses	(333,097)	(351,377)	(18,280)	(5.49%)
Utility Charges	(1,415,868)	(1,147,031)	268,837	18.99%
Insurance Expenses	(708,141)	(663,834)	44,307	6.26%
Other Expenditure	(1,373,105)	(944,063)	429,042	31.25%
Total	(55,855,875)	(53,044,238)	2,811,637	5.03%

Further explanation of material variances can be found under Officer’s Comments below.

FINANCIAL IMPLICATIONS

This report is provided to enable Council to assess how revenue and expenditure are tracking against budget, and to identify any budget issues of which the Council should be informed.

LEGAL IMPLICATIONS

Local Government (Financial Management) Regulation 34 requires a monthly financial activity statement and an explanation of any material variances to be prepared and presented to an ordinary council meeting.

CONSULTATION

Nil

OFFICER’S COMMENT

Summary of financial performance

As at the end of February 2023, the City continues to maintain a favourable financial position which is mainly attributable to additional operating surplus of \$4.77m and underspent capital expenditure of \$3.86m. This is offset by a lower than expected income of \$5.36m received from capital grants and reserves transfers compared to YTD budget. Additional rates revenue has been received after interim processing. Interest income remains higher than budget due to increasing interest rates generating strong investment returns. Overall parking revenue was the primary contributor to increased fees and charges revenue.

**Agenda – Ordinary Meeting of Council
22 March 2023**



As was the case in previous months, agency labour costs have exceeded budget as a result of the need to cover vacancies driven by current labour market challenges. The project and maintenance delivery areas of the organisation remain the primary users of agency labour. This has been offset by significant cost savings in salary and wages.

Expenditure on materials & contracts and utilities has fallen behind budget mainly due to timing difference of receipt of invoices.

In summary, year to date, as at the end of February 2023, the City of Fremantle is carrying an additional surplus of \$2,609,824 over anticipated budget, which is mainly due to:

Favourable variances against the year-to-date budget:

- Additional carry forward funds from the 2021-22 financial year of \$420,700 compared to the amended budget.
 - Note: This reported opening position as presented at the time of preparation of this report may be subject to minor adjustments as the City's external audit for 2021-22 is in the final stages of completion.
- Increased Fees and Charges revenue of \$834,259;
- Increased Interest Earnings of \$666,487;
- Increased Other Income of \$311,829;
- Below-budget operating expenditure of \$2.81m; and
- Below-budget capital expenditure of \$3.86m.

These favourable variances were partially offset by:

- Above-budget Reserve Transfers (Capital and operating) of \$3.81m;
- Below-budget Operating Grants, Subsidies and Contributions of \$406k; and
- Below-budget Capital Grants and Subsidies/ Contributions for the development of Assets of \$1.55m.

Accounting methods

The City manages its finances in line with the requirements of the Local Government Act 1995, associated regulations and Australian accounting standards.

The City carries out accounting on both an accrual basis and a cash basis.

Accrual accounting requires accounting transactions to be recognised and recorded when they occur, regardless of whether payment/receipt has been made at that time, in accordance with the Australian Accounting standards.

**Agenda – Ordinary Meeting of Council
22 March 2023**



The City accounts for Rates, Service Charges, Interest income on term deposits, Insurance expenses and Interest expenses on borrowings (loans) & leases on an accrual basis.




The remainder of income and expenditure items are recognised and recorded at the period they are encountered.

Explanation of Material Variances & YTD Performance




In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, Council adopted the level to be used in statements of financial activity in the 2022-23 financial year for reporting material variances as 10% together with the minimum value of \$100,000 (Refer Item C2201-1 from Council meeting on 20 July 2022).

The material variance thresholds are adopted annually by Council and indicate whether actual expenditure or revenue varies materially from the year-to-date budget. The following is an explanation of significant operating and capital variances to budget as identified in the Rate Setting Statement by Nature and Type.

Building on the favourable opening surplus for the year, the following items explain the City’s major variances in operating performance for this financial year, as highlighted in the year-to-date Rate Setting Statement as at 28 February 2023:

Description	Variance Amount (\$)	Comment
Operating Grants, Subsidies and Contributions	(406,170)	 (18.40%)
Major Variances:		
Operate Fremantle arts centre	(401,416)	Timing Variance: Department of Local Government, Sport and Cultural Industries (DLGSC) grant will be received once the audited financial statements are received and submitted to DLGSC.
Interest Earnings	666,487	 103.23%
Major Variances:		
Receive investment income	678,895	Favourable variance: City is earning a higher investment income compared to budget as current investment interest rates are higher than forecasted.
Other Revenue	311,829	 105.83%



Description	Variance Amount (\$)	Comment
Major Variances:		
Walyalup Civic Centre (WCC) Flood Damage	115,904	Receipt of part payment in relation to the insurance claim for the WCC flood damage.
Miscellaneous Revenue – Monitor financial accounting processes	98,230	Favourable variance: unclaimed funds that have been held in the Trust Fund for more than 10 years have been transferred to the Municipal Fund – as authorised under LG Act 1995 S6.9 (4). Note: requirement to retain sufficient information to enable repayment if and when claimed.
Manage destination marketing plan implementation	50,190	Receipt of partnership fee for various events.
Employee Costs & Agency Labour	1,676,966	 6.14%
Major Variances:		
Employee Workers' Compensation Premiums	254,222	Timing variance: budget forecast based upon prior year actual and phased across the financial year to recognise amortisation of the premium and contingency for performance adjustments relating to the current and prior years. Budget phasing to be adjusted to reflect revised timing.
Employee Costs	1,830,264	Favourable variance: vacancies in staff positions partially offset by agency labour.
Agency Labour	(738,263)	Unfavourable variance: use of Agency Labour to provide relief for vacant positions, funded from salary and wages savings.
Utility Charges	268,837	 18.99%
Major Variances:		
Electricity Charges	205,619	Timing variance: delay in receiving and processing invoices for the month of January mainly related to street lighting invoice and invoices for few other locations.
Other Expenditure	429,042	 31.25%
Major Variances:		




**Agenda – Ordinary Meeting of Council
22 March 2023**



Description	Variance Amount (\$)	Comment
Sponsorship/support South Fremantle Football Club	275,000	Timing Variance: City's sponsorship contribution is to be processed post-execution of the lease agreement which is anticipated to occur prior to the end of FY 2022/23.
Support the mayor and councillors	43,603	Timing variance : actual sponsorship expenses were lower than anticipated.
Support CAT bus service	27,676	Timing variance: delay in receipt of February invoice.
Train and develop elected members	27,474	Timing variance - actual training and development expenses were lower than anticipated.
Capital Revenue - Capital Grants and Subsidies/ Contributions for the development of Assets	(1,550,022)	▼ 17.30%
Major Variances:		
P-12066 Design and construct - Naval Store	(920,000)	This project is funded by the tenant, however the project has now been delayed. Project will be removed from the capital project list at MYR. Associated expenditure will also be removed.
P-12027 Design and construct - Griffiths Park - Upgrade	(247,000)	City is awaiting on Local Roads and Community Infrastructure Program (LRCIP) grant funding from Department of Infrastructure, Transport, Regional Development, Communications and the Arts.
P-11819 Design and construct - Dick Lawrence - Playspace	(90,000)	
P-12138 Design and construct - John St Riverwall Replacement	(89,904)	Accounting variance: grant funds received in FY 2021-22. The unspent portion is classified as a grant liability on the balance sheet. The grant revenue is only recognised as income as it is expended.
Capital Expense - Purchase Community Lands and Buildings	1,994,620	▲ 44.57%
Major Variances:		
P-12066 Design and construct - Naval Store	920,000	This project is funded by the tenant, however the project has now been delayed. Project will be removed from the capital project list at MYR. Associated grant will also be removed.

**Agenda – Ordinary Meeting of Council
22 March 2023**



Description	Variance Amount (\$)	Comment
P-12145-Design and construct - North Fremantle Bowling Club	250,000	Timing variance – Project is expected to commence in May. Budget phasing to be adjusted.
P-10223 Design and construct - Arts Centre - Roof	236,840	Timing variance – Project is on going. Budget is expected to be utilised within this financial year.
P-11842 Design and construct-Westgate Mall courtyard	179,534	Timing variance – Project is expected to commence in April. Budget phasing to be adjusted.
P-11829 Design and construct-Kings Square Commercial tenancy	164,452	Timing variance – a commercial tenancy space is vacant, expected to be tenanted by end of financial year.
Capital Expense - Purchase Infrastructure - Roads	318,040	 34.37%
Major Variances:		
P-12093 Resurface - MRRG - South Tce and Wray Ave	228,891	Initial investigation and design works were carried out and the tender advertised however, tender submissions exceeded budget therefore grant funds received will be returned and the project removed for 2022-23 to be reconsidered for 2024-25.
P-12001 Resurface - MRRG - Hampton Rd (NB)	43,425	Favourable variance: project complete and under budget.
Capital Expense - Purchase Infrastructure - Drainage	144,856	 61.97%
Major Variances:		
P-12140 Drainage – Port Beach carpark	120,000	Timing Variance – Project is in procurement stage, works are expected to commence in May. Budget phasing to be adjusted.
Capital Expense - Purchase Infrastructure - Parks	874,793	 40.52%
Major Variances:		
P-12148 Design and construct - Walyalup Koort Lighting	290,000	Timing variance – Project is in procurement stage and awaiting for tender responses. Budget is expected to be utilised.
P-12096 Design and construct - Pioneer Park - Bore	225,000	Timing variance - project in design phase and works are due to be completed by May.
P-10077 Program-Parks-Infrastructure	188,688	Timing variance - various infrastructure renewal projects are in the design and



Description	Variance Amount (\$)	Comment
		procurement phases and have experienced delays due to resource availability. All works are expected to be complete this financial year.
P-12079 Program - Dog improvements	63,000	Timing variance – project is in procurement phase and works are expected to be completed by end of financial year.
Capital Expense - Purchase Infrastructure - Other	299,597	▲ 10.85%
Major Variances:		
P-12134 Program - Access and inclusion	160,000	Accounting variance – Project budget was incorrectly allocated against this project. Budget to be transferred to P-11992 Design & construct–South Beach–Changerooms projects.
P-11878 - Design and construct -Walyalup Koort – Public Art	104,449	Timing variance – Project budget is expected to be spent in April. Budget phasing to be adjusted.
Capital Expense - Purchase Furniture and Fittings	100,111	▲ 84.98%
Major Variances:		
P-11077 Install-Kings Square Network infrastructure	34,638	Timing variance – Project works have commenced in February. Budget is expected to be utilised by end of financial year.
P-10897 Purchase-Wi-Fi network infrastructure	32,032	
Financing Activities	(283,785)	▼ (17.09)%
Major Variances:		
Repayment of Operating Lease	(202,734)	Accounting variance: requiring an internal correction to allocate costs against budget in relation the operating lease for IT equipment.
Reserve Transfers	(3,807,219)	▲ 327.93%
Major Variances:		
Transfer to Reserve (Restricted) – Capital	(3,006,598)	Timing variance : as approved by council resolution FPOL2211-12 funds were



Description	Variance Amount (\$)	Comment
		transferred from Retained Surplus B/Fwd to the below Reserves, - Hilton Park Sports Reserve - \$1m - Investment Fund Reserve - \$1m - Fleet Reserve - \$0.5m - South Beach Reserve - \$0.5m. Budget phasing to be adjusted to reflect the same.
Transfer from Reserve (Restricted) – Capital	760,984	Timing variance: variance is primarily attributed to an underspend on capital works, therefore, the required funding from Reserves is less than budgeted year to date.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

OFFICER'S RECOMMENDATION

Council receive the Monthly Financial Report, as provided in Attachment 1, including the Statement of Comprehensive Income, Statement of Financial Activity, Statement of Financial Position and Statement of Net Current Assets, for the period ended 28 February 2023.



C2303-3 STATEMENT OF INVESTMENTS – FEBRUARY 2023

Meeting date:	22 March 2023
Responsible officer:	Director City Business
Decision making authority:	Council
Attachments:	1. Statement of Investments – February 2023
Additional information:	Nil

SUMMARY

This report outlines the investment of surplus funds for the month ending 28 February 2023 and provides information on these investments for Council consideration.

This report recommends that Council receive the Investment Report for the month ended 28 February 2023, as provided in Attachment 1.

The investment report provides a snapshot of the City’s investment portfolio and includes information as at 28 February 2023 in relation to:

- **Portfolio details;**
- **Portfolio credit framework;**
- **Portfolio liquidity;**
- **Portfolio fossil fuel summary;**
- **Interest income; and**
- **Investing activities.**

BACKGROUND

In accordance with the Investment Policy adopted by Council, the City of Fremantle invests its surplus funds, long term cash, current assets and other funds in authorised investments as outlined in the policy.

Due to timing differences between receiving revenue and the expenditure of funds, surplus funds may be held by the City for a period of time. To maximise returns and maintain a low level of credit risk, the City invests these funds into appropriately rated and liquid investments, until the City requires the money for operational expenditure.

The City has committed to carbon neutrality and therefore seeks to ensure its financial investments consider the City’s One Planet Fremantle Strategy. The City therefore seeks to limit investments in financial institutions which support, either directly or indirectly, fossil fuel companies, while balancing compliance with the Investment Policy.



FINANCIAL IMPLICATIONS

Investment interest earned year to date is \$913,533 against a YTD budget of \$234,638 and a full year adopted budget of \$310,950. Interest earnings year to date are substantially higher than budget, with \$150,760 being earned in February with investment opportunities continuing to offer attractive interest rates.

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 3.54% for the month of February 2023. The City's actual portfolio return in the last 12 months is 1.64%, which compares on par with the benchmark Bloomberg AusBond Bill Index reference rate of 1.76% (refer to Attachment 1 point 8).

LEGAL IMPLICATIONS

The following legislation is relevant to this report:

- *Local Government (Financial Management) Regulations 1996* Regulation 19 – Management of Investments; and
- *Trustee Act 1962* (Part 3)

Authorised Deposit-taking Institutions are authorised under the *Banking Act 1959* and are subject to Prudential Standards which are overviewed by the Australian Prudential Regulation Authority (APRA).

CONSULTATION

Nil

OFFICER COMMENT

The City's Investment Portfolio Manager has provided a comprehensive Investment Report for the month ending 28 February 2023 which can be viewed in the Attachment. A summary of the investment report is provided below.

1. Portfolio Details

As at 28 February 2023, the City's investment portfolio totalled \$50.65m. The market value of this investment was \$50.96m at that time, which takes into account accrued interest.

The investment portfolio is made up of:

Cash Investments (<= 3 months)	\$ 11.15m
Term Deposits (> 3 months)	\$ 39.50m
TOTAL	\$ 50.65m

**Agenda – Ordinary Meeting of Council
22 March 2023**



Of which:

Unrestricted cash	\$ 41.38m
Restricted cash (Reserve Funds)	\$ 9.27m
TOTAL	\$ 50.65m

The current amount of \$41.38m held as unrestricted cash represents 49.66% of the total adopted budget for operating revenue (\$83.31m)

2. Portfolio Credit Framework

The City’s Investment policy determines the maximum amount to be invested in any one Tier, or any one financial institution within a Tier, based on the credit rating of the financial institution. Council adopted amendments to this policy at its Ordinary Council Meeting held on 25 November 2020, and the current adopted Counterparty Credit Framework is noted below.

Portfolio Credit Framework limits

The Portfolio Credit Framework limits prescribe the limit of investments that may be made within any Tier of financial institutions. The maximum allocation to be invested in each Tier, and the City’s actual investment allocation in those Tiers as at 28 February 2023, is outlined below, and shows that the distribution of the City’s investments across the four Tiers is compliant.

Tier	Allocation	Allocation %	Maximum Allocation %	% Used of Maximum Allocation	% Available of Maximum Allocation	% Exceeded of Maximum Allocation
Tier 1	16,020,009.58	31.63%	100.00%	31.63%	68.37%	0.00%
Tier 2	26,131,363.60	51.59%	60.00%	85.98%	14.02%	0.00%
Tier 3	8,500,000.00	16.78%	35.00%	47.94%	52.06%	0.00%
Tier 4	0.00	0.00%	15.00%	0.00%	100.00%	0.00%
	50,651,373.18					

Values used in the above calculations exclude interest for term deposits and other simple interest securities.

Within each Tier, the Counterparty Credit Framework limits prescribe the limit of investments that may be made with any one financial institution. The maximum percentage of investments to be held with any one financial institution, within a given Tier, are outlined below.



Counterparty credit framework

Investments are not to exceed the following percentages of average annual funds invested with any one financial institution and consideration should be given to the relationship between credit rating and interest rate.

Credit quality	Maximum % of total investments
Tier 1 (excl. AAA government) AAA to AA-	45%
Tier 2 A+ to A-	25%
Tier 3 BBB+ to BBB-	10%
Tier 4 Unrated	(\$1m)

The City’s funds invested as at 28 February 2023, relative to the Counterparty Credit Framework limits were as follows:



As highlighted in the chart above, the City’s portfolio of investments as at 28 February 2023 is compliant with the City’s investment policy.

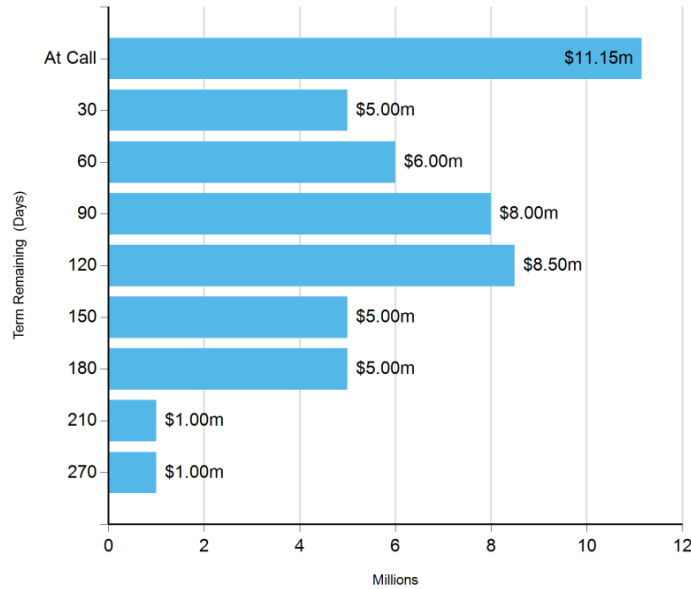
3. Portfolio Liquidity Indicator

The City’s investments are to be made in a manner to ensure sufficient liquidity to meet all reasonably anticipated cash flow requirements, without incurring significant costs due to the unanticipated sale of an investment.

The below graph provides details on the maturity timing of the City’s investment portfolio as at 28 February 2023. Currently, all investments will mature in one year or less.



Face Value by Term Remaining

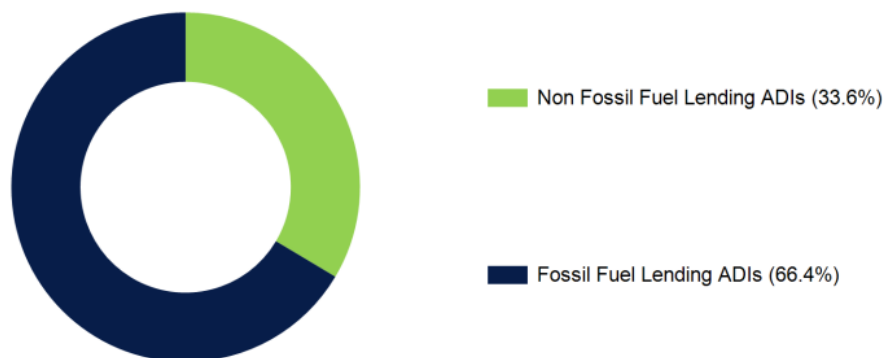


4. Portfolio Summary by Fossil Fuels Lending Authorised Deposit-Taking Institutions (ADIs)

To support the City’s ability to undertake greater fossil fuel divestment, a review of the Investment Policy was presented and adopted by Council on 25 November 2020 which incorporated a minor change to the investment framework to increase the percentages allocated to Tier 3 and Tier 4 categories, allowing greater flexibility. Since December 2020 investments have been made in accordance with the revised policy to increase the percentage invested in “Green Investments”; being ADIs that do not lend to industries engaged in the exploration for, or production of, fossil fuels (Non-Fossil Fuel Lending ADIs).

As at 28 February 2023, \$17m (33.6%) of the City’s portfolio was invested in “Green Investments”.

Fossil Fuel vs Non Fossil Fuel Lending ADI



Refer to Attachment 1 (Note 7) for details on which financial institutions these investments are held in.



5. Interest Income for Matured Investments

Per Attachment 1 (Note 9), interest income earned during February 2023 from matured investments was \$149,415.

6. Investing Activities

In February 2023, seven term deposits totalling \$10.0m, matured and out of a total of \$7.0m were reinvested across 5 term deposits.

Full details of the institutions invested in, interest rates, number of days and maturity date for investments held as at 28 February 2023 are provided in Attachment 1.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

OFFICER'S RECOMMENDATION

Council receive the Investment Report for the month ending 28 February 2023, as provided in Attachment 1.



C2303-4 SCHEDULE OF PAYMENTS – FEBRUARY 2023

Meeting date:	22 March 2023
Responsible officer:	Procure to Pay Team Lead
Decision making authority:	Council
Attachments:	1. Schedule of Payments and Listings 2. Purchase Card Transactions <i>Attachments viewed electronically</i>
Additional information:	Nil

SUMMARY

The purpose of this report is to present to Council a list of accounts paid by the Chief Executive Officer under delegated authority for the month ending 28 February 2023, as required by the *Local Government (Financial Management) Regulations 1996*.

This report recommends that Council accept the list of payments made under delegated authority and accept the detailed transaction listing of Purchase Card expenditure.

BACKGROUND

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's municipal or trust fund. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid under delegation for the month of February 2023, is provided within Attachments 1 and 2.

FINANCIAL IMPLICATIONS

A total of \$6,546,760.53 in payments were made this month from the City's municipal and trust fund accounts.

LEGAL IMPLICATIONS

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
 - (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*



- (d) sufficient information to identify the transaction.*
- (2) A list of accounts for approval to be paid is to be prepared each month showing*
 - (a) for each account which requires council authorisation in that month –*
 - (i) the payee’s name;*
 - (ii) the amount of the payment; and*
 - (iii) sufficient information to identify the transaction; and*
 - (b) the date of the meeting of the council to which the list is to be presented.*
- (3) A list prepared under sub-regulation (1) or (2) is to be –*
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) recorded in the minutes of that meeting.*

CONSULTATION

Nil

OFFICER COMMENT

The following table summarises the payments for the month ending 30 November 2022 by payment type:

Payment Type	Amount (\$)
Cheque / EFT / Direct Debit	\$ 4,165,310.84
Purchase card transactions	\$ 39,391.19
Salary / Wages / Superannuation	\$ 2,334,001.50
Other payments	\$ 8,057.00
Total	\$ 6,546,760.53

Attachment 1 provides a detailed listing of the payments by Cheque, EFT and Direct Debit, while Attachment 2 provides a detailed listing of Purchase Card transactions for the month ending 28 February 2023.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required



OFFICER'S RECOMMENDATION

Council:

- 1. Accept the list of payments made under delegated authority, totalling \$6,546,760.53 for the month ending 28 February 2023, as contained within Attachment 1.**

- 2. Accept the detailed transaction listing of Purchase Card expenditure, totalling \$39,391.19 for the month ending 28 February 2023, as contained within Attachment 2.**



13. Motions of which previous notice has been given

A member may raise at a meeting such business of the City as they consider appropriate, in the form of a motion of which notice has been given to the CEO.

14. Urgent business

In cases of extreme urgency or other special circumstances, matters may, on a motion that is carried by the meeting, be raised without notice and decided by the meeting.

15. Late items

In cases where information is received after the finalisation of an agenda, matters may be raised and decided by the meeting. A written report will be provided for late items.

16. Confidential business

Members of the public may be asked to leave the meeting while confidential business is addressed.

17. Closure