



Minutes

Ordinary Meeting of Council

Wednesday, 28 April 2021, 6.00pm

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ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held in the North Fremantle Community Hall
on **Wednesday, 28 April 2021** at 6.00 pm.

1 Official opening, welcome and acknowledgment

The Presiding Member declared the meeting open at 6.02pm and welcomed members of the public to the meeting.

2 Attendance, apologies and leave of absence

2.1 Attendance

Cr Andrew Sullivan	Deputy Mayor/South Ward
Cr Marija Vujcic	South Ward
Cr Doug Thompson	North Ward (arrived 6.27)
Cr Rachel Pemberton	City Ward
Cr Adin Lang	City Ward
Cr Jenny Archibald	East Ward
Cr Su Groome	East Ward
Cr Geoff Graham	Beaconsfield Ward
Cr Hannah Fitzhardinge	Beaconsfield Ward
Cr Sam Wainwright	Hilton Ward
Cr Frank Mofflin	Hilton Ward
Mr Philip St John	Chief Executive Officer
Mr Glen Dougall	Director City Business
Mr Paul Garbett	Director Strategic Planning and Projects
Mr Graham Tattersall	Director Infrastructure
Ms Marisa Spaziani	People and Culture Director
Ms Charlie Clarke	Manager Governance
Mr Paul Dunlop	Manager Communications and Events
Mr Ryan Abbott	Manager Parks and Landscape
Ms Kayla Goodchild	Meeting Support Officer

There were approximately 18 members of the public and 1 members of the press in attendance.

2.2 Apologies

Nil

2.3 Leave of absence

Cr Bryn Jones

3. Applications for leave of absence

COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Hannah Fitzhardinge

Council approve, Cr Sam Wainwright's request for a leave of absence from 24 May to 4 June 2021 (inclusive).

Carried: 10/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

Council approve, Cr Andrew Sullivan's request for a leave of absence from 13 May to 16 May 2021 (inclusive) and from 24 June to 2 July 2021 (inclusive).

Carried: 10/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

4. Disclosures of interest by members

Cr Adin Lang declared a proximity interest in item number PC2104-9. Cr Lang owns property within the subject area.

5. Responses to previous public questions taken on notice

The following questions were taken on notice at the Ordinary Meeting of Council held on 24 March 2021.

Questions received from Michelle Sheehy

Michelle Sheehy made a statement in support of the CFMEU position in relation to a current Enterprise Bargaining Agreement (EBA) negotiation between the City and the union.

Question 1

If there is no risk to the city and that actually no real cost to your budget, why has the CEO not fixed this issue?

Response

The CEO has indicated to the Unions consistently both in writing and in meetings that if the Unions are prepared to negotiate on the Annual leave clause in line with the changes already put forward by the City then he is prepared to do this.

On 6 October, following a conciliation conference before the Fair Work Commission during which the Union and the City agreed to consider an amended clause that both parties could live with, in good faith the City put forward an amended annual leave clause. This amended clause was rejected out of hand by the Unions and the Unions refused to put forward any other alternative.

To date, it has only been the City that has attempted to resolve this issue.

Question 2

The CEO has been requested to fix this issue this week and has not yet done so. The CEO reports to Council, so how long are you going to give him to fix this issue?

Response

The issue of employment and negotiating EBA's is the responsibility of the CEO. The Council is not involved in staffing matters.

Questions received from Mick Kitson

Question 1

Are you aware that the fair work act provides protections to employers who are subject to genuine financial disruption?

Response

The City has always been aware that the Fair Work Act has a stand down clause. The City's EBA does not contain a stand down clause and if the City needed to stand anyone down it would do so under the stand down clause of the FWA. The EBA contains an annual leave clause (has done so with union approval for more than 10 years). The City applied the clause in the EBA in March 2020.

Question 2

Given this, do you think it is acceptable that the CEO is trying to hold on to employment conditions that are not needed by the City and do great damage to the reputation of the City?

Response

An agreement in principle on the whole agreement was reached in March 2020, following negotiations that had occurred for over 6 months during which both parties had made concessions to their positions without any discussion regarding the annual leave clause. In June 2020 the Unions withdrew from this agreement and have not been prepared to come back to the table on anything other than the City removing the annual leave clause in dispute but still want the benefit of the concessions already made.

The clause in dispute has been in the EBA, agreed by the Unions for the last 10 years. The City does not agree that the clause is not needed, however it has attempted to resolve the issue proposing an amended annual leave clause and later offering to commence discussions whereby the Union's position to withdraw the clause could be discussed in the context of renegotiating the whole agreement.

The Union's position to try to obtain the change without agreeing to further negotiation on the agreement as a whole is not agreed by the City.

Questions received from Michelle Mackenzie

In relation to the removal of the gates at Stevens Reserve dog park.

Question 1

Who did council consult with regarding the removal of the gates at Stevens Reserve?

Response

For the past 3 years City officers have been consulting with the Fremantle Cricket Club and educating Stevens St users about being responsible dog users, this has been increased over the past 6 months. It has been mentioned on the City's social media channels, interaction with residents at the reserve, and information leaflets distributed.

Question 2

What notification was provided to residents about the removal of the gates- where and when. When did the trial start?

Response

A sign was placed at Stevens Reserve the day the gates were removed – 17 March 2021.

Question 3

What is the evaluation framework to measure the trial - who is doing the evaluation, where can it be found, will the results be made public?

Response

There is no formal evaluation, the removal of the gates was a trial to assist in the control of dog owners who weren't complying with the City's Dog Local Law. Feedback will be gained from the Fremantle Cricket Club and residents who use the reserve at the end of the period to determine the success of the trial.

Question 4

Is this the thin edge of the wedge - will the gates at the pool be removed to improve the management of children?

Response

No, this is considered to be a rhetorical question

Questions received from Mark Woodcock

Question 1

When will the council know the cost of the tent city expenses and when will the rate payers be informed, refer to my questions from February 2021?

Response

Tent City costs are being finalised this month as the City was waiting on a returfing program to occur.

Question 2

Has the council looked at the expense of rebranding Kings Square with the proposed name change?

Response

Any cost implication will be considered as part of the draft budget process.

Question 3

Has the council sought any professional advice on the positive and negative impacts of changing the name of Kings Square and the impact it would have on the CBD businesses, visitor and foot traffic numbers for the city?

Response

No.

Question 4

Has the city done a cost benefits analysis to the city for the expense of changing Kings Square name?

Response

No.

Question 5

When will the city call an annual general electors meeting, In 2015 it was in Dec, 2016 was in Dec, 2018 it was in Feb, 2019 was in Early Feb, 2020 was in early March, we are not at the end of March and still no notice for the Fremantle

Response

The City has experienced a considerable delay in obtaining the results of its 2020 financial audit from the Auditor General.

The City's Annual Report and Annual General Meeting of Electors will be presented to council for consideration of adoption and date setting as soon as possible following Council's adoption of the City's 2020 financial audit report.

The AGME will be held in accordance with Part 5, Division 2, Subdivision 4 of the Local Government Act 1995 and Part 3 of the Local Government (Administration) Regulations 1995

Questions received from Andrew Luobikis

Question 1

When are we likely to see an audited report on the financial and governance health of the City?

Response

The City undertakes a program of internal auditing of its systems and procedures in alignment with legislation.

The City of Fremantle carries out the following review/audit functions and the corresponding reports are presented, in the first instance, to the Audit and Risk Management Committee through its Agenda. These reports can also be made available upon request.

Annually	3 yearly
Compliance audit return (CAR)	Systems and Procedures review
Annual Financial Statements	Financial Management Review

In common with other local governments the City has experienced a considerable delay in obtaining the results of its 2020 financial audit from the Auditor General. The Audit Report and financial statements will be presented to the Ordinary Council Meeting held on 28 April 2021.

Question 2

Why has there not been a Ratepayers General Electors Meeting Scheduled as required under the Local Government Act?

Response

The City has experienced a considerable delay in obtaining the results of its 2020 financial audit from the Auditor General.

The City's Annual Report and Annual General Meeting of Electors will be presented to council for consideration of adoption and date setting as soon as possible following Council's adoption of the City's 2020 financial audit report.

The AGME will be held in accordance with Part 5, Division 2, Subdivision 4 of the Local Government Act 1995 and Part 3 of the Local Government (Administration) Regulations 1995

Question 3

Why is there focus on supporting non ratepaying residents with legal assistance on renting and how to work the system against ratepaying landlords? Ratepayers are the funders of the City, not to mention supply the much needed rental accommodation that they are being victimised and demonised for providing. I find this disrespectful to your ratepayers and don't understand the focus, so can you please explain?

Response

The Fremantle Community Legal Centre is funded primarily by the state government. The service is provided in accordance with State Government legislation, policies and procedures.

Questions received from Elisabeth Megroz

Question 1

Please explain why in the past questions on notice were accepted by 5pm, without personally submitting them on a piece of paper at the meetings?

Response

The City undertakes a program of internal auditing of its systems and procedures in alignment with legislation.

The City of Fremantle carries out the following review/audit functions and the corresponding reports are presented, in the first instance, to the Audit and Risk Management Committee through its Agenda. These reports can also be made available upon request.

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Compliance audit return (CAR)	Systems and Procedures review
Annual Financial Statements	Financial Management Review

In common with other local governments the City has experienced a considerable delay in obtaining the results of its 2020 financial audit from the Auditor General. The Audit Report and financial statements will be presented to the Ordinary Council Meeting held on 28 April 2021.

Question 2

Why would the City not advise with a reply that there is a cut off time of 3pm when this had not been the case previously?

Response

In order to accommodate public question time requirements during the Covid-19 related lockdown/limitations the process was temporarily suspended. The City has now reverted to its pre-Covid requirement that questions and statements are to be made at a meeting.

A report clarifying Public Question Time processes will be presented to Council for consideration in May.

Question 3

Could the City please explain how it is that questions on notice asked in person after 6pm on the meeting day, are tabled in the minutes but not the questions on notice submitted electronically at 4.52 pm on the meeting day?

Response

Electronic questions were only received by the City during the Covid-19 related lockdown/limitations.

Questions not asked at a meeting will be responded to as general communication and will not be included in the Minutes of a meeting

Question 4

Given elected members as well as staff have advised (24 February) that questions on notice need to be presented in person either verbally or in written form at the meetings, could the City please explain how the living principles of the One Planet policy and strategy are compatible with the cost associated of appearing in person at your meetings, as compared to an electronic submission of questions on notice?

Response

The context of this query is not clear, could you please provide some further detail?

Question 5

Could the City please explain whether having to appear in person to submit a question on notice is inclusive and equitable? What if I have young children, cook dinner for family, am a carer, have a disability, no transport available, at work, am ill?

Response

The City may allow the submission of questions in extenuating circumstances at the discretion of the presiding member.

Members of the public may arrange for someone to ask questions on their behalf at a meeting or submit their questions electronically as general communication.

Question 6

Could the City please clarify what the procedure for submitting questions on notice is?

Response

A member of the public may ask a question or make a statement at a public meeting of council during 'Public Question Time' (outlined on the Agenda to the meeting) in the following ways:

- By registering their intention to ask a question at the meeting venue before the meeting starts (a sign-in sheet will be provided, and the presiding member will call them forward to address the meeting); or
- By raising their hand when the presiding member asks if there are any additional questions and or statements from members of the public

Question 7

Please explain what proposal the Fremantle Biennale submitted to the City to be granted funds.

Response

The Fremantle Biennale is funded through the City of Fremantle Public Art Program. The Fremantle Biennale presented and submitted a proposal to the City of Fremantle in May 2020 that was accepted by the City.

Question 8

Given the Fremantle Biennale is responsible for leaving ratepayers with a clean up bill in excess of \$200 000, would the City explain what if any consequences were imposed on Fremantle Biennale?

Response

The artwork by Felice Varini, titled Arc D'Ellipses was installed on facades on High Street for the inaugural Fremantle Biennale in 2017. The extension of the installation from 3 weeks to 12 months was supported by the City of Fremantle in recognition of the success in the artwork attracting visitors to Fremantle. The removal of the artwork saw much needed restoration works of the facades of these heritage buildings resulting in a substantial improvement to this heritage precinct. This was supported by the City of Fremantle and individual owners of the High Street buildings.

Question 9

Could the City please clarify where posters may be attached to? (e.g., private fencing/wall. Public fences (along railway lines), on residential/public buildings, in windows, etc).

Response

The Activities in Thoroughfares and Public Places and Trading Local Law states that a person shall not post any bill, or paint, stencil, place or affix any advertisement on any street or on any building, structure, fence, wall, hoarding, sign, post, blind or awning in, or within fifteen metres of any street.

There are exceptions to this in certain scenarios with licenses and or owner/occupiers advertising in or on their occupied premises.

Question 10

Would the Council please explain the reasons for not including community representatives in the Kings Square Place Development Working Group membership?

Response

The question is taken as being a request regarding non-commercial community representation. The working group membership includes elected members and it is considered that this membership represents all community members.

Question 11

Could the city please explain the need for establishing a working group and spending more money on another place management plan if the place is already 'revitalised'?

Response

The completion of the broader Kings Square development presents a significant opportunity to promote the current revitalisation of Fremantle's city centre and build positive perceptions among potential visitors, residents and investors.

The ongoing development and success of the Kings Square precinct will provide strong consideration and planning around the following:

- Place management priorities and principles inclusive of design, activation, events and prioritisation of infrastructure for the urban realm.
- Development and delivery of brand, marketing and communications strategies including the establishment of a brand narrative for the precinct for both destination and investment marketing.
- Ongoing engagement and collaboration with adjacent and surrounding businesses.
- Enabling access to, engagement with and community ownership of the space for the broader community.
- Leveraging the significant investment made to date in order to attract further external investment into the City Centre and greater Fremantle.
- Enabling opportunities for the private sector, major existing stakeholders and other partners to contribute to and participate in the ongoing activation of the precinct.

Question 12

Please would the City clarify what specific jobs the following entities perform or provide and for whom:

- a. Bliss Media
- b. Data#3
- c. Detailed Marketing
- d. Esri
- e. First Dat Merchant Solutions Australia
- f. Envisionware Pty Ltd
- g. Marketforce Productions
- h. MetroCount
- i. MG Group WA
- j. More Than Ideas Pty Ltd

Response

- a. Website redevelopment – Economic Development
- b. Various IT support – IT
- c. Social Media Monitoring – Economic Development
- d. Graphical Information System (Mapping) – IT
- e. Merchant payment solutions (NAB Bank) – Various City Payment devices
- f. Library Software – Library
- g. Advertising – Various
- h. Traffic Counting Services – Infrastructure and Projects
- i. Construction Company – Infrastructure and Projects
- j. Strategy Consultant – Council

Question 13

The City makes payments for the Norfolk Street Syndicate, who are they?

Response

Privately owned car park the City manages

Question 14

What are the rent payments to Sullivan Commercial Pty Ltd for?

Response

Government owned car park the City manages.

Question 15

What are the payments to SKS Land Pty Ltd for?

Response

Privately owned car park the City manages.

Question 16

A Community Grant (\$4400) was paid to Tender Funerals Perth Ltd, please clarify if this 'Tender Funerals' is a community group (not a franchise of a business with the same name)?

Response

Tender Funerals is a not-for profit organisation that provides affordable funerals for people experiencing hardship.

Question 17

Regular payments to the Child Support Agency are made, what is this for?

Response

Payroll deductions for the tax office.

Question 18

A payment (\$823) was made for a lease variation with the Enkel Collective, what new lease arrangement is between the City and Enkel?

Response

To amend the lease with Enkel at Naval Stores to include the mezzanine floor into the lease.

Question 19

Regular payments in February (in excess of \$14500) were made for 'alcohol stock for events', what are these events? Is this considered a justified expenditure given increased rates and cut services because of a lack of available funds?

Response

For public events at Fremantle Arts Centre.

Question 20

What are payments to Burgess Rawson (WA) Pty Ltd of almost \$50000 for?

Response

Government owned car parks leased by the City.

Question asked by Clayton Gunning at the Ordinary Meeting of Council – 24 February 2021

Question 1

Can I have a copy of the details, organised by each group/sport, of all funds, including in-kind support, provided to sporting clubs in the 2018/2019 and 2019/2020 financial years

Response

Club	2018 / 2019 Fees Waived or Payments made by CoF	2019 / 2020 Fees Waived or Payments made by CoF
Fremantle All Abilities Netball Club	\$330.00	\$330.00
Fremantle City Dockers Junior Football Club	\$4819	
Fremantle City Football Club	\$500	
Fremantle Mosman Park Cricket Club	\$300.00	\$300.00
Fremantle Port Swimming Club	\$150.00	\$150.00
Fremantle Surf Life Saving Club	\$16,500.00	\$6,456.00
Fremantle Table Tennis Club	\$250.00	\$250.00
Hilton Palmyra Cricket Club	\$306	
Hilton Park Bowling Club	\$ 445.00	\$ 445.00
Hilton Park Junior Cricket Club	\$1,890.00	
Hilton Squash Club		\$300.00
North Fremantle Amateur Football Club	\$1,000.00	\$8,000.00
South Fremantle Football Club		\$27,500.00
South Fremantle Women's Football Club		
Taekwondo Oh Do Kwan O'Connor		\$ 300.00

6. Public question time

Questions received from Andrew Luobikis

1. FPOL2104-12:

It was noted on the council website in the 2020-2021 Rates notice that the Rate in the dollar would increase 10%. From the council site "Ten Percent will see an increase of less than two percent, and 16 percent of ratepayers will see their rates go up by more than two percent."

- A) Will this be reflected when advertised to the public?
- B) can the city publish the rate increase over the last ten years at current NPV?
- C) Why when on average ratepayers saw a 10% reduction in property values and GRB assessment by the Valuer General last year, but no respite was given as many suffered during the COVID pandemic, do we see multiple businesses get tens of thousands of dollars for rates Etc. waived, and up to \$5000 grants for street parties?
- D) In light of COVID hardships, will all ratepayers be given payment concession options without penalty for quarterly of 6 monthly or discount if paid in full similar to other councils like Rockingham did last year?

2. Why was my question from last Ordinary meeting dated 24/3/21 regarding FPOL2103-11 not reflected accurately as written on notice and verbally on the night to show this motion and who the motion was from being Councillor Pemberton?
3. FPOL2104-3:
The Fremantle oval master plan mentions "Optional underground parking" Why when Fremantle has lost parking and revenue to the City, along with increased density and population/visitors would the City not make this a mandatory requirement?
4. PC2104-9:
 - A) Why has a traffic study not been done with respect to this Heart of Beaconsfield Master plan to ensure with increased density and population better transport infrastructure is put in place for vehicle traffic? Wouldn't the previously proposed Roe8/9 and the Fremantle bypass have resolved any future concerns?
 - B) What other plans does the City have to engage the State/Federal Government on ameliorating this problem for the future considering South Street and other arterial roads are already clogged with traffic?

Questions received from the Fremantle Society

1. During FY2019-20 there were 3 significant asset devaluations. These significant loss adjustments are fundamental in understanding the council's FY2019-20 comprehensive loss of \$32,886,286. Why is no commentary provided on these adjustments in the monthly agenda in the month they happen, particularly the \$59,528,111 devaluation?

Please provide details of these new valuations:
 - (1) devaluation of land \$59,528,111,
 - (2) loss on disposal/demolition of property \$6,843,638, and
 - (3) devaluation of investment property \$6,391,253.
2. How is the council satisfied there is no fraud (even immaterial) given significant weaknesses identified in the audit report, plus all the Information System weaknesses and poor IS rating identified by the auditor?
3. What is the formula calculation (actual figures – starting point plus adjustments) to show how council has imputed new (but contradictory) unaudited ratios that now meet expected standards?

Marilyn Hopkins spoke in favour of PC2104-7

Stephanie Poly spoke in favour of FPOL2104-3

Kate Thresher spoke in favour of FPOL20104-3

Katie Helps spoke in favour of FPOL2104-3

Mercel Tesehenorff spoke in favour of FPOL2104-3

7. Petitions

Nil

8. Deputations

8.1 Special deputations

Nil

8.2 Presentations

Nil

9. Confirmation of minutes

COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

Council confirm the minutes of the Ordinary Meeting of Council dated 24 March 2021

Carried: 9/1

For

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin,
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic

10. Elected member communication

Nil

11. Reports and recommendations from committees

11.1 Planning Committee 7 April 2021

Cr Doug Thompson arrived at 6.27pm prior to consideration of the following item.

PC2104-7 PAGET STREET, NO. 91 (LOT 1179), HILTON – DEMOLITION OF SINGLE HOUSE, RETAINING AND SITE WORKS (TG DA0046/21)

Meeting Date:	7 April 2021
Responsible Officer:	Manager Development Approvals
Decision Making Authority:	Committee
Agenda attachments:	1. Development Plans
Additional information:	1. Heritage Assessment 2. Applicant Photos 3. Site Photos 4. Applicant comments on demolition

SUMMARY

Approval is sought for the demolition of an existing Single house at 91 Paget Street, Hilton. The proposal also includes works to level and retain the site in accordance with a subdivision application which is concurrently being considered by the City.

The proposal is referred to Planning Committee (PC) as it proposes the demolition of a building within the Hilton Heritage Area. The application seeks discretionary assessments against Local Planning Scheme No.4 (LPS4) for demolition of a dwelling in a heritage area.

The existing dwelling is considered to be of cultural heritage significance, being an original dwelling from the first construction phase of Hilton and it makes a contribution to the cultural heritage significance of the Heritage Area, especially noting its location at the entry point to the suburb. As such, the application to demolish the dwelling is recommended for refusal.

PROPOSAL

Detail

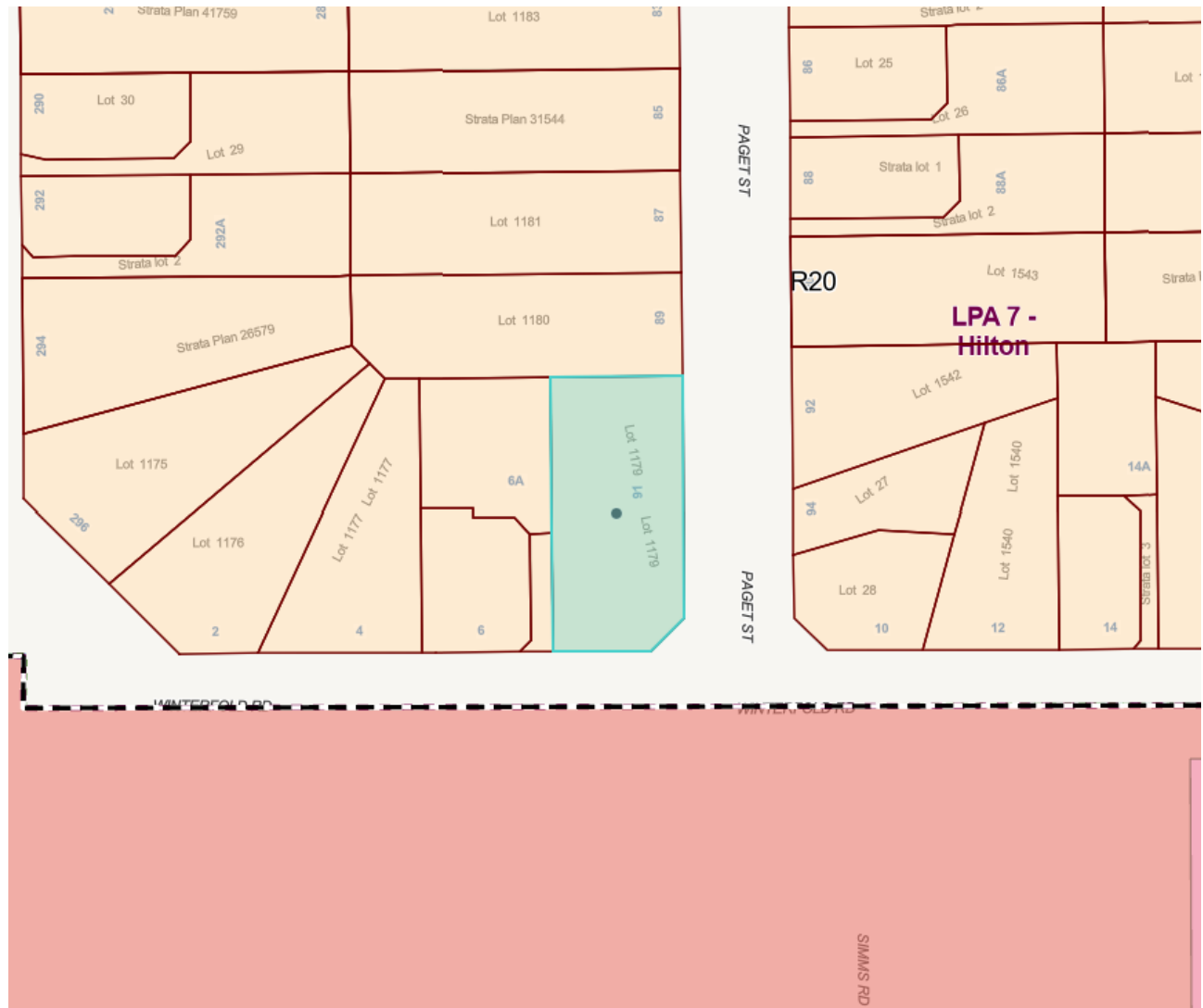
Approval is sought for the demolition of the existing Single house, and for retaining and fill to the subject site associated with a subdivision application that is being considered concurrently with this application for planning approval.

The applicant submitted photos and comments in support of the application to demolish the dwelling.

Development plans are included as attachment 1.

Site/application information

Date received: 2 February 2021
Owner name: MCMC Pty Ltd
Submitted by: Narrow Lot Homes
Scheme: Residential R20
Heritage listing: Hilton Heritage Area
Existing land use: Single house
Use permissibility: P



CONSULTATION

Community

The application was advertised in accordance with Schedule 2, clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015, as the development comprised the demolition of a dwelling in a heritage area. The advertising period concluded on 5 March 2021, and two (2) submissions were received. The following issues were raised (summarised):

- Both submitters supported the demolition of the existing dwelling on site stating that the dwelling has been compromised by additions over time and is now considered to be of derelict condition.

- The submitters were concerned in relation to the removal of existing trees and vegetation on the subject site.

Submitters also provided comment on the potential future development of the proposed new lots. These comments are noted however as no development plans have been received for these new lots beyond the proposed retaining walls these matters would need to be considered through any subsequent development approval applications. It is noted that no development approval is required for the removal of trees and vegetation on private property, however, the removal of any street trees would be subject to the City's approval. Other comments are discussed in the officer comment section of the report 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. In this particular application the following matters require detailed assessment:

- Demolition of dwelling in heritage area.
- Retaining and fill.

The above matters are discussed below.

Background

The subject site is located on the eastern corner of Winterfold Road and Paget Street. The site has a land area of approximately 1196m² and is currently occupied by a Single house, comprising an original dwelling and two storey addition to the north of the original dwelling. The site is zoned Residential and has a density coding of R20. The site is located within the Hilton Heritage Area

The natural ground level of the site falls approximately 3 metres from the north west corner to the south west corner.

An application is currently being considered by the WAPC for the subdivision of the parent lot into three lots as reflected on the submitted development plans.

Demolition of Dwelling in Heritage Area

In approving an application for demolition, Council is to be satisfied of the following in accordance with clause 4.14.1 of LPS4:

“Council will only grant planning approval for the demolition of a building or structure where it is satisfied that the building or structure:

- (a) has limited or no cultural heritage significance, and*
- (b) does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located.”*

The applicant has not provided a heritage assessment supporting the proposed demolition, but has provided the following comments to support their proposal (Summarised):

- The only original feature from the dwelling is the chimney.
- One wall of the original dwelling was removed to make way for the staircase for the 1970s extensions (see photo below provided by applicant)

- A central section of the early home remains but has been clad with brick veneer.
- The kitchen and bathroom fittings throughout are 1971 additions.
- The applicant contends that no original features of the property remain, the property is not of heritage significance, and that any original heritage significance of the property was 'lost' when the property was renovated in 1971.



Figure 1: Interior of dwelling showing removed side wall.

The applicant also supported their application with photos of the current state of the property, which are provided as additional information. A full copy of the applicant's letter supporting the application is also provided as additional information.

As detailed in Local Planning Policy 3.7 'Hilton Garden Suburb Precinct' Heritage Area the area is of cultural heritage significance within the City of Fremantle as an example of a substantially intact 'Garden Suburb' dating from the immediate post World War 2 period and characterised by its curvilinear road layout, parks, large and irregular shaped lots.

It has historical value as an area developed by the State Housing Commission to provide affordable housing at a time of increased housing demand in Australia, particularly to house new arrivals: returned servicemen and immigrants. It also has historical significance for its association with the importation of prefabricated homes from Austria and for the timber homes designed by prominent architect Marshall Clifton, many of which remain extant in the area. House design was influenced by the modernist movement in architecture which prevailed widely in the post-war period. The designs were functional without being decorative.

Hilton was developed in two phases resulting in the distinctive areas of houses west of Collick Street (built mainly in the 1940's and 1950's) and east of Collick Street (built mainly in the 1960's). When Hilton was developed in the 1940's and 1950's the State Housing Commission constructed mostly timber framed houses and it was not until the 1960's that they started to construct brick homes.

The original dwelling is noted to be in situ in the City's earliest aerial photography (1953) of the locality (shown below)



Figure 2: 1953 Aerial of property showing development in situ.

Hilton has aesthetic value for its parks, streetscapes, mature trees, areas of indigenous vegetation and birdlife. Its stock of relatively intact modest housing, including both timber and brick cottages, set on large lots, many with mature trees and gardens, contribute to the ambiance of the area and create a distinct and cohesive streetscape character. It has social value to the people who live there for the range of community facilities provided and the diversity of the local community including private owners, Department of Housing tenants, elderly people and families.

The subject building forms part of the earliest development of the Hilton Area, and the demolition of the dwelling would have an impact on the character of the streetscape through the loss of both the dwelling and the surrounding trees and gardens. The dwelling is further significant due to its location at the southern boundary of the Heritage Area. Although it is noted that the building has been modified, it is considered that the retained portion of the original dwelling is of heritage significance and worthy of retention.

With respect to the extent of demolition on site, it is noted that later additions and less important portions of the building could potentially be removed, with the City's heritage officer providing the below plan delineating the extent of the building which could be supported for demolition. It is considered that the retention of the subject dwelling would not necessarily preclude potential subdivision of the subject site, due to the location of the portions of the building recommended to be retained being in the centre of the lot. The applicant has chosen to seek determination of the application for full demolition of the subject site.



Figure 3: Aerial plan showing the areas of the dwelling which could be supported for demolition

In accordance with the attached heritage assessment, the demolition of the existing dwelling will reduce the significance of the Hilton heritage Area and the application is recommended for refusal.

Retaining and Site works

The proposed retaining and site works across the site has been designed in compliance with the deemed-to-comply requirements of the R-Codes in providing for no fill in excess of 0.5m close to property boundaries and by setting retaining works back from the front property boundary by 3 or more metres. The site levels have been designed so as to follow the fall of the property while permitting the establishment of level sites.

Considered in isolation, it is considered that the proposed retaining and fill to the site could be considered in accordance with the relevant R-Codes design principles, however these works would necessitate the demolition of the existing dwelling on site, which is not able to be supported.

Future development of the lots

The application does not address the future development of the three proposed lots shown on the development plans beyond the retaining walls and site works discussed above. Should the demolition of the dwelling and subdivision application be supported, it is anticipated that further development applications will be received for the development of the subject lots.

Generally it is noted that the development of the property would be subject to compliance with the Hilton Heritage Area Local Planning Policy (LPP 3.7) which provides for large street setbacks and single storey dwellings on properties directly fronting the street. Any development on these lots, if created, would be considered against the requirements of this policy.

CONCLUSION

In accordance with the above assessment and the attached heritage assessment, the existing dwelling is considered to make a significant contribution to the cultural heritage significance of the Hilton Heritage Area and its retention is recommended. As such, the application is recommended for refusal.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

COMMITTEE DECISION ITEM PC2104-7 **(Officer's Recommendation)**

Moved: Cr Bryn Jones

Seconded: Cr Frank Mofflin

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Demolition of existing Single house, retaining and fill at No. 91 (Lot 1176) Paget Street, Hilton, as detailed on plans dated 2 February 2021, for the following reasons:

1. The proposed demolition of the existing dwelling on site is not supported in accordance with clause 4.14.1 of Local Planning Scheme No.4 (LPS4) as the existing dwelling is considered to have cultural heritage significance and makes a contribution to the broader cultural heritage significance and character of the Hilton locality which is a prescribed heritage area under LPS4.

2. The proposal is detrimental to the amenity of the area, detrimental to the cultural heritage significance of the area, and incompatible with the objectives of the Residential Zone set out in clause 3.2.1 (a) of the Local Planning Scheme No.4, as per clauses 67(a), (l) and (n) of the Deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Advice note

- i) The applicant/owner is advised that the City may support the demolition of the later additions on the subject site, where a proposal includes the retention of the original dwelling. The applicant/owner is encouraged to contact the City's Heritage Team to discuss this option.

Carried: 6/0

Cr Bryn Jones, Cr Geoff Graham, Cr Andrew Sullivan,
Cr Su Groome, Cr Rachel Pemberton, Cr Frank Mofflin

**Cr Bryn Jones requested the item be referred to the Ordinary Meeting of Council.
Seconded by Cr Andrew Sullivan.**

ADDITIONAL OFFICER COMMENT

In response to additional submissions circulated to the Planning Committee by the proponent on 7 April 2021, the following additional officer comment is provided regarding the status of the Hilton Garden Suburb precinct as a Heritage Area under the provisions of Local Planning Scheme No. 4.

1. The City's Municipal Heritage Inventory (MHI) was first adopted in 2000 and incorporated both individual places and precincts.
2. The Municipal Heritage Inventory and precincts have been reviewed and updated numerous times since adoption.
3. Local Planning Scheme provisions were introduced in 2008 to clarify statutory protection for places on the Municipal Heritage Inventory, by including places on a Heritage List, or within Heritage Areas.
4. On 15 September 2010, following a review of the Hilton Local Planning Area and its heritage significance, Council resolved to initiate modifications to the boundaries of the "Hilton Garden Suburb Precinct" Heritage Area and seek comment on these and an associated draft Local Planning Policy (LPP3.7). Following consideration of public feedback on the revised boundary (as per below) and policy, on 25 January 2011, Council resolved to adopt these under the provisions of Local Planning Scheme No. 4. This clearly established inclusion of the subject site within the boundaries of the Heritage Area.
5. Deemed scheme provisions were introduced through the *Planning & Development (Local Planning Schemes) Regulations 2015* which established replacement provisions providing protection for places on the Heritage List (established from the MHI individual places) and Heritage Areas (established from the MHI precincts), maintaining statutory provision and protection for Heritage Areas. Demolition of a single house in a Heritage Area is not exempt from requiring development approval.



COUNCIL DECISION ITEM PC2104-7
(Committee recommendation)

Moved: Cr Geoff Graham

Seconded: Cr Su Groome

Council:

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Demolition of existing Single house, retaining and fill at No. 91 (Lot 1176) Paget Street, Hilton, as detailed on plans dated 2 February 2021, for the following reasons:

- 1. The proposed demolition of the existing dwelling on site is not supported in accordance with clause 4.14.1 of Local Planning Scheme No.4 (LPS4) as the existing dwelling is considered to have cultural heritage significance and makes a contribution to the broader cultural heritage significance and character of the Hilton locality which is a prescribed heritage area under LPS4.**
- 2. The proposal is detrimental to the amenity of the area, detrimental to the cultural heritage significance of the area, and incompatible with the objectives of the Residential Zone set out in clause 3.2.1 (a) of the Local Planning Scheme No.4, as per clauses 67(a), (l) and (n) of the Deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.**

Advice note

- i) The applicant/owner is advised that the City may support the demolition of the later additions on the subject site, where a proposal includes the retention of the original dwelling. The applicant/owner is encouraged to contact the City's Heritage Team to discuss this option.

Carried: 9/2

For

Cr Jenny Archibald, Cr Su Groome,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic, Cr Geoff Graham

11.2 Finance, Policy, Operations and Legislation Committee 14 April 2021

FPOL2104-3 INCREASING CANOPY COVER AND BIODIVERSITY IN THE CITY OF FREMANTLE

Meeting date: 14 April 2021
Responsible officer: Manager Parks and Landscape
Decision making authority: Committee
Attachments: Nil
Additional information: Nil

SUMMARY

At the Ordinary Meeting of Council on 27 January 2021, Councillor Adin Lang moved an Elected Member Motion requesting investigation into the status of and further opportunities to increase canopy cover and biodiversity in the City of Fremantle. The purpose of this report is to summarise these investigations and recommend a series of actions to achieve them.

BACKGROUND

At the Ordinary Meeting of Council on 27 January 2021, Councillor Adin Lang moved an Elected Member Motion requesting information supporting an agenda to:

- Increase budget to support the implementation of the Green Plan and Urban Forest Plan.
- Deliver more trees and biodiversity through tree planting, natural areas planting program and green corridors.
- Involve community in ownership of street/public trees more.

In response, Council resolved the following:

With the objective of increasing canopy cover and biodiversity, the City of Fremantle should investigate the following and return a report to FPOL on 14 April 2021:

1. *Review and update the existing Street and Reserve Tree Policy.*
2. *Provide an update on the actual number of trees planted annually against the annual planting targets in the Urban Forest Plan.*
3. *Review the Local Law regarding damage to City Property in relation to damage or removal of trees.*
4. *Suggest new planting targets based on a review to achieve the Urban Forest Plan targets.*
5. *Suggest how the Green Corridors in the City can be improved.*
6. *Review the existing Verge Garden Scheme and suggest how the scheme can be reinstated and expanded following Covid budget reduction.*
7. *Suggest how 'Friends of' groups can access and utilise more financial support.*
8. *Review the types of tree species planted, with a view to plant more endemic and local species.*
9. *Review reporting methods for tree planting and revegetation planting to simplify data presentation. E.g., note more accurate numbers on how many trees and shrubs are planted each year.*

10. Increasing protection and support for Clontarf Hill as an important public open space, noting the City of Fremantle's previous resolution in August 2018 that the loss of A Class from the High Street reserve be offset for Main Roads land on Clontarf Hill.
11. Liaise with 'Friends of' groups to identify their needs to maximise success of bush care activities.
12. Engage with other significant landholders in Fremantle to engage them with initiatives and aspirations to increase local canopy cover and biodiversity.

Additionally, at the Finance, Policy, Operations and Legislation Committee on 20 January 2021, Cr Adin Lang presented a petition containing approximately 1300 signatures, requesting the following:

Increase funding for more trees, shade and wildlife in Fremantle by turning our city into an Urban Forest!

This report responds to Council's resolution and provides the information requested or a proposal as to how the recommendation can be addressed.

FINANCIAL IMPLICATIONS

The proposed budget submissions will be submitted for Council consideration through the annual budget process.

Urban Forest Plan

Despite exceeding the Urban Forest Plan tree planting targets, officers propose to maintain the established targets with the following estimated annual budget. For street trees, the costs include the purchase of the tree, planting and two years of watering and aftercare. For natural areas trees, the costs include the purchase of the tree (tubestock) and assume community planting. As noted in the officer comment section, to achieve 100% of the total tree planting target, 80% will be planted in the street and reserve tree program, with the balance to be in natural areas.

Year	21/22	22/23	23/24	24/25	25/26	26/27
Urban Forest Plan Target Trees	1,080	1,845	1,525	1,798	1,576	1,599
Supply, plant and water street and reserve trees	\$226 560	\$332 280	\$320 360	\$346 496	\$328 856	\$318 696
Supply trees (tubestock)	\$864	\$1 476	\$1 220	\$1 440	\$1 260	\$1 280

Officers are also developing a program of works to plant trees in hard surface areas such as carparks and streets where no verge is available for tree planting. There are associated engineering costs to construct tree pits and associated infrastructure ready for planting and that support establishment and survival of the tree in otherwise unfavourable conditions. The anticipated budget increase for these specific treatments are to be determined and an increased budget request will be made based on the number of trees confirmed as requiring this specific planting treatment.

Officers have applied for \$16,540 in grant funding under the 2021/22 Local Government Urban Canopy Grant Program provided by WALGA and Water Corporation. If successful, the grant will enable an additional 188 trees to be planted in 2022, bringing forward tree planting targets from 2023 and beyond as required by the grant eligibility criteria. This will result in a corresponding budget increase requirement for planting costs \$25,223 in 2021/22 and an increase in tree maintenance costs in 2022/23 of \$18,779.

The City will require a corresponding increase in the annual tree maintenance budget to support the growth and ongoing maintenance requirements of an increased number of trees. The forecast annual increase to the existing tree maintenance budget is detailed below and will be included in the annual budget process.

Year	21/22	22/23	23/24	24/25	25/26	26/27
Annual Cost Increase	\$11 150	\$23 850	\$43 200	\$73 800	\$61 000	\$71 920

Green Corridors

Officers currently include a budget in existing projects for planting within green corridors when the project has scope for inclusion of landscaping. Officers will also develop a program of capital projects to install new landscaping within green corridors and submit them as part of the annual budget process. This is in addition to operational budgets where strategic documents and reports on landscape connectivity are used to guide annual works programs.

Verge Garden Scheme

In 18/19, Council allocated \$20,000 to the verge garden preparation assistance scheme and \$20,000 to the subsidised plant scheme. In 19/20, Council suspended the verge garden preparation assistance scheme and the subsidised plant scheme due to Covid. In 20/21, Council suspended the verge garden preparation assistance scheme due to Covid budget impacts and allocated \$12,000 to the subsidised plant scheme. For the 21/22 financial year, officers propose a budget allocation of \$20,000 to the verge garden preparation assistance scheme and \$20,000 to the subsidised plant scheme, acknowledging the verge garden assistance scheme is to be reviewed as part of the Verge Garden Policy review. The City has also successfully applied annually for the Water Corporation water wise grant for up to \$10,000 (50:50 matched grant) to subsidise this program.

'Friends of' Groups

The City contributes \$15,000 annually to the Perth NRM Coastal and Marine Program that provides a coastal facilitator for the southern metropolitan coastline and access to Perth NRM programs that connect community to coastal conservation within City coastal reserves. This program has supported and continues to support the Friends of Fremantle Beaches in various coastal dune restoration activities in partnership with the City, as well

attract volunteers and connect community and school groups to coastal conservation and restoration within the City. The program has been successful in attracting external grant funding for coastal dune restoration activities within the City's coastline.

It is proposed to request additional operational budget for Maintain natural areas to implement a 'Friends of Bushland Extension Program' in the 2021/22 and future budget approval processes. The additional budget will consist of:

- \$21,000 to provide additional materials, contract labour and skill development activities to support the on-ground works anticipated in 'Friends of' groups activities and that may be used as matching financial contributions for external grant applications.
- Up to \$2,000 per group, available to eligible Friends of groups to support the operation of their group.

This will be in addition to the City's current community grants program which eligible Friends of groups may apply for.

This increased level of service will initially be provided within the existing staff establishment and will be reviewed during the first year and then annually to ensure it is sustainable and is meeting the objectives of the proposed Friends of Bushland Policy.

There are various external grants programs available to Friends of groups. It is common for these grants programs to require a minimum 50:50 cost sharing arrangement, often with the applicants' cost contribution comprised of a mix of in-kind and financial contributions. Depending on the detail of individual grant applications, there is potential to attract upward of \$45,000 per annum in external funding via Friends of groups for activities within City-managed land that contributes to the implementation of the respective natural area's management or operational plan.

Clontarf Hill

To increase support for Clontarf Hill as an important public open space, officers will submit a project proposal for budget consideration by Council in 2021/22. The project will support the Friends of Clontarf Hill in undertaking land management activities to restore and enhance the natural landscape. This support may be used by the Friends of Clontarf Hill as matching contributions in grant applications to increase their available budget to carry out activities that restore the landscape. The project proposal would seek the following for an initial three years:

- 2021/22 \$18,500
- 2022/23 \$26,000
- 2023/24 \$18,500

The success of the project will be reviewed annually and a continuation of the project beyond three years should the need be demonstrated.

LEGAL IMPLICATIONS

'Friends of' Groups

Individual volunteers are required to be covered by insurance should an injury or accident occur while undertaking activities on City-held land. Friends of groups can purchase their own public liability insurance if they are incorporated, alternatively volunteers may be covered by the City's insurance provided they meet requirements to ensure compliance with the City's insurer.

Information on insurance options and volunteers' obligations will be detailed in the proposed 'Friends of Bushland Manual for Friends of groups', together with information on requirements to address occupational health and safety for volunteers.

Clontarf Hill

Friends of Clontarf Hill are responsible for confirming with the City that they have landowner permission to conduct landscape restoration activities on Clontarf Hill.

CONSULTATION

Verge Garden Policy

To revise the Verge Garden Policy, inclusive of the verge garden scheme, officers propose to undertake community consultation to understand attitudes towards verges, what verge treatments people currently have, how they would like to use their verge, what some of the barriers are from them achieving this and how the City could better support the creation of verge gardens through the verge garden preparation assistance scheme. The feedback gained through the consultation will be used to inform the revised Policy.

Friends of groups

In 2017, the City released a survey via MySay to determine what sorts of activities community members like to do and what skills they could contribute with respect to undertaking or coordinating on-ground activities within the City's natural area reserves. The survey was promoted via the Friends of group network at that time, known interested community members and the City's media channels and 21 responses were received. The results of the survey informed the City's approach to supporting and developing Friends of Groups in the City.

Due to the low numbers of community members responding to the survey, the high level of responses relating to interest in on-ground activities and low level of responses relating to administration and coordination of on-ground activities, the City focussed on continuing and expanding its coordination and promotion of community planting days. This resulted in increasing the numbers of volunteers interested in participating in on-ground activities.

In 2018, the City partnered with three other local governments via the South West Group NRM facilitator to develop a community capacity building program for Friends of Groups and won a grant to implement this over 2019 and 2020. The program aimed at building skill and knowledge within each group to operate and attract more volunteers that would then build their capacity to participate in on-ground activities with the City. This resulted in an increased number of Friends of groups successfully applying for external grant funds for activities on City managed land.

Given the community interest generated by previous year's on-ground activities of hosted plantings and Sydney Myer funded capacity building project, the volume of activity now exists to warrant formalising the City's service to Friends of groups via Friends of Bushland Policy, Friends of Bushland Extension Program and Friends of Bushland Manual.

To support the development of the proposed policy, program and manual, further consultation will be undertaken with the Friends of Groups to revisit previous consultation outcomes, align expectations and ensure the policy, program and manual continues to strengthen the capacity of Friends of groups to operate and sustain their group together with their on-ground activities within the context of the respective City management or operational plans for each reserve.

OFFICER COMMENT

The Strategic Community Plan was based on a visioning exercise conducted in 2014 which identified "Green: A city which values its environment" as one of 6 key themes. The Plan identifies "better quality natural habitat with space for endemic biodiversity" as a key outcome, with the objective to 'protect and enhance the City's natural landscapes and biodiversity. The measures of success are as follows:

- Maintain and upscale 1,000 new trees per year program.
- A 10% increase year on year of native verge gardens.
- Protect existing significant trees and increase overall tree canopy by 20% by 2020.
- Management plans prepared for environmentally significant terrestrial areas including our coastal and river foreshores.

The City's annual program is further guided by:

- the One Planet Action Plan, Green Plan 2020, Towards Establishing a Green Network Report: vegetation connectivity modelling report 2014 and Urban Forest Plan
- policies including the Street and Reserve Tree Policy and Verge Garden Policy
- site specific management plans.

These documents are used to inform a range of programs including annual tree planting, natural areas revegetation, community planting and friends of group activities, verge garden scheme and landscape plantings.

For the purposes of responding to the Motion, the officer comment section has grouped the resolution into similar themed operational areas of Urban Forest Plan, Green Corridors, Friends of Groups and Other Landholders. The comment provides the information requested or a proposal as to how the recommendation can be addressed.

Urban Forest Plan

Review the Local Law regarding damage to City Property in relation to damage or removal of trees.

Protection for trees is currently provided through the Local Government Property Local Law 2002 under Clause 4.3(3) - A person must not remove or damage or attempt to remove or damage any flora which is on or above any local government property, unless that person is authorised to do so under a written law or with the written approval of the local government. This can be enforced with a penalty of \$125. Additionally, under Clause 10.3(2) any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000. Given this maximum penalty exceeds the cost of supply, planting and establishing a tree, officers believe it provides a significant enough deterrent and compensation for the loss or damage of a tree and recommend no change is required.

Review and update the existing Street and Reserve Tree Policy.

The Street and Reserve Tree Policy was adopted by Council in 2017 with the purpose of defining how trees under the management and care of the City will be planted, pruned, maintained and removed. The Policy is due for a review and Officers propose to draft a revised Policy and bring to Council for consideration. Some of the additional areas suggested for the revised policy include all properties, where practical, will have at least one street tree planted in the verge and an increase over the current protection for trees within or adjacent to development and/or construction sites.

Provide an update on the actual number of trees planted annually against the annual planting targets in the Urban Forest Plan.

The Urban Forest Plan was adopted in 2017 and the City commenced its implementation the same year. The implementation was affected by Covid related impacts on budget, with the 2019/20 financial year tree planting budget suspended. The Urban Forest Plan identifies native vegetation areas in the implementation plan and therefore these have been included in the summary. However, for the purposes of reporting, these have been kept separate from street and park tree planting. A summary is provided as follows:

UFP Boundary	2018		2019		2020 *		2021 proposed	
	2017/18 FY budget		2018/19 FY budget		2020/21 FY budget			
Area	Street and Park	Natural Areas**	Street and Park	Natural Areas**	Street and Park	Natural Areas**	Street and Park	Natural Areas
North	49	40	80	70	13	0		
West	143	340	92	20	88	250		
East	109	0	48	250	26	1004		
South	404	782	314	800	96	60		
Total	705	1,162	716 (includes 219 various park trees)	1140	223	1314	477	1000

Total trees planted	1,867	1,856	1,537	1,477
UFP Target	1,172	1,040	805	1065

*Note: the 2019/20 financial year budgets for tree planting and natural areas revegetation were withdrawn due to cost savings enforced at the commencement of Covid-19 in March 2019. 2020 street and park trees were planted later in 2020 utilising a portion of the 2020/21 tree planting program budget to meet some resident verge tree requests. 2020 natural area trees planted as part of revegetation was undertaken with existing external grants sourced by Friends of groups or other City partnerships, was under existing contracts and was undertaken with a portion of the 2020/21 budget for the 2021 revegetation program.

**Data from some natural area sites have not been included as the Friends of groups who undertook these works have not provided information to the City.

Tree planting numbers are currently reported annually in the One Planet Annual Report and corporate Annual Report however, have excluded natural areas plantings. The Urban Forest Plan targets include all locations, including natural areas.

Suggest new planting targets based on a review to achieve the Urban Forest Plan targets.

The Urban Forest Plan identifies tree planting targets across the City and includes tree planting in natural areas, however doesn't specify targets for each landscape type. For the purpose of implementing the plan, officers propose to aim to plant 80% of the target trees in streets and reserves, as this is where the most benefit will be achieved in reducing the impacts of urban heat island effects and improving amenity in urban areas. The balance of the trees will be planted through the annual revegetation program and will generally exceed the annual urban forest plan targets. The costs for achieving these targets are noted in the financial section of this report.

The implementation of the Urban Forest Plan has highlighted some of the challenges and barriers to planting trees in the urban and suburban environments. Physical site conditions and constraints such as hard surfaces or utility service corridors present barriers to tree planting. Officers currently liaise closely with the Engineering team on projects such as road or car park renewal to include the construction of tree pits in these projects. Officers also propose to develop a program of works to plant trees in some of the difficult urban and suburban environments (City streets, narrow historical streets, car parks) which will need to be supported by additional budget for constructing tree pits in hard surfaces. These will be submitted for consideration in future budget cycles and will support the achievement of tree planting targets.

As well as physical constraints, there can be some resistance to planting trees. In the Urban Forest Plan, Goal 1 – Engage is to engage residents, businesses, community groups and government agencies in educating and facilitating ownership of the urban forest. Education material has been used to support major tree planting projects and will continue to be a key part of improving community awareness of the benefits of trees. This may also be partially supported by the revised Street and Reserve Tree Policy.

Review the types of tree species planted, with a view to plant more endemic and local species

The benefits of planting endemic and local species are well understood and documented, and include improved habitat, species biodiversity and species more resilient and adaptable to the location and changing climate. Over the past 4 years, the City has been undertaking a process of auditing the street trees within the City. To date, data has been gathered for Fremantle, Samson, North Fremantle, South Fremantle, Hilton and White Gum Valley. O'Connor and Beaconsfield are currently being audited and upon completion will give a recent set of data on the City's street trees. The audit includes tree location, genus, species, health, form, useful life expectancy and Helliwell tree value (an assessment system used worldwide for assessing the Amenity Value of a tree as a dollar value). Among other things, this data set can be used to establish a baseline of the genus and species composition of the City's street trees, including by location.

The data also provides an understanding on the age and health profile of the City's street trees and will be used for succession planning and transition of species which may include a shift to more endemic and local native species. This may result in divergence from some of the tree species identified in the Urban Forest Plan.

Moving forward, combining the tree audit data with on the ground knowledge will allow a more considered and data driven approach to the tree planting and maintenance program. The structure of the tree team has recently been developed to align with this approach providing both the staff capacity and resource level to implement the Urban Forest Plan and manage the increasing number of trees within the City.

Review reporting methods for tree planting and revegetation planting to simplify data presentation. E.g., note more accurate numbers on how many trees and shrubs are planted each year.

Overall numbers of trees planted are currently reported annually through the One Planet Annual Report and in the corporate Annual Report.

The City is currently reviewing the Environmental section of the website, to report more broadly and make more information available for the community. The environmental section will include, among others, a Biodiversity and Green Spaces tab. It is proposed the Biodiversity and Green spaces section will include annual, consolidated reporting section for tree planting and revegetation planting including:

- numbers of trees planted annually reported against the UFP targets
- Genus and species composition
- Locations by the Urban Forest Plan areas (north, south, east and west)
- Revegetation planting numbers and Genus and species.

It is anticipated this information will also be presented in the same format in the Annual and One Planet Reports.

Green Corridors

Suggest how the Green Corridors in the City can be improved.

The Greening Fremantle: Strategy 2020 identifies natural areas, biodiversity and linkages as “landscape areas that, although historically have been modified, provide a natural habitat for flora and fauna. These areas include river foreshores, coastal areas and urban bushland such as Cantonment Hill and Samson Park. These areas are important to provide a connection to nature in an urban setting and areas to protect and enhance biodiversity. Links between these areas are important to allow for fauna movement, increase flora biodiversity and improve amenity to encourage walking, cycling and other transport modes across the city.” The objectives of the linkages are:

- Develop links that increase the amount of flora/vegetation cover and increase habitats
- For native fauna and encourage their movement between green spaces.
- Increase and improve linkages between green spaces and areas of biodiversity.
- Ensure biodiversity areas and links are protected and/or managed and integrated into development so as to maintain function and integrity.
- Provide connectivity and encourage walking and cycling between green areas and POS and between activity nodes and centres.

The green linkages cover a diverse range of landscape typologies, including natural areas, parks, road reserves and land not owned or managed by the City. The approach for each linkage is defined in the Strategy and includes regional biodiversity, local biodiversity, green space and pedestrian and cycle connectivity. Improvements have been completed on green linkages and include Samson Reserve revegetation, Lefroy Road tree planting, Hilton Park tree planting, Frank Gibson playground upgrade, North Fremantle foreshore revegetation, Booyeembara Park revegetation, South Beach landscape plantings, coastal revegetation and Stevens Street tree planting.

In addition to these projects, officers propose to put together a program of greening projects to further implement linkages and submit them to Council for consideration in the annual budget cycles. The following project examples are located on the green linkages and highlight how the linkages can be improved through existing or proposed capital projects:

- Fremantle Public Golf Course and Community Facility Project: the City is improving a portion of the Montreal Street linkage through increased tree planting and landscaping and improved pedestrian and cycle connectivity.
- Griffiths Park Playground, irrigation and drainage swale renewal: Officers have proposed a project in the 2021/22 budget process to align the playground renewal of Griffiths Park with an upgrade of the irrigation system and existing drainage swale. The irrigation upgrade presents the opportunity to hydrozone the park, converting areas of turf to planting and trees. The drainage swale is currently a fenced, deep basin with little biodiversity/environmental value. It is proposed to convert the sump to a biofiltration swale integrated into the park (not fenced) providing habitat and amenity.

- **City Median Strips:** An upgrade of median strips across the City is an opportunity to create green linkages with trees and planting, showcase Western Australia's unique flora, increase amenity, create sustainable drainage through biofiltration swales and provide habitat and biodiversity.

Projects delivered under the Heart of Beaconsfield, and the extension of the Perth-Fremantle PSP through Leighton both provide opportunities for future projects.

Review the existing Verge Garden Scheme and suggest how the scheme can be reinstated and expanded following Covid budget reduction.

The Verge Garden Policy was adopted by Council in 2017 and outlines the City's approach to the verge preparation assistance scheme, mulch, the plant subsidy scheme, verge garden materials and verge garden maintenance. The verge garden scheme assists residents develop verge gardens by undertaking verge preparation and providing mulch and subsidised plants. Applications for the verge garden preparation assistance scheme far exceeds the budget allocated for the scheme. In 2019 there were 115 applications and the City was able to prepare 38 verges within the allocated budget, some of which were mulch deliveries only (no earthworks). These are assessed on the following order of priority: Seniors Card or Health Care Card holder, followed by size of verge where large verges have higher priority, followed by not had the property's verge prepared in the previous 10 years. The uptake of subsidised plants is high and generally reaches capacity. The number of applications for the scheme and uptake of the subsidised plant program indicate a high community desire to create and maintain verge gardens.

The Verge Garden Policy is now due for a review. Officers propose to undertake community consultation to gain an understanding of how residents want to use their verge and barriers to development to inform the Policy and how the City can support residents through the verge garden assistance scheme. A revised Verge Garden Policy will then be brought back to Council for consideration. Some of the areas suggested for consideration in the update Policy include:

- Revision of the verge garden preparation assistance scheme to help support a broader range of the community create verge gardens.
- Creation of smaller vegetable or community gardens.
- Activation of verges through play equipment, furniture and community gathering spaces.
- Self-assessment of verge garden designs to make it easier for the resident
- Approach to managing non-compliant verges (i.e. extensive hard surfaces) to create tree planting and verge garden opportunities.

Friends of Groups

Suggest how 'Friends of' groups can access and utilise more financial support. Liaise with 'Friends of' groups to identify their needs to maximise success of bush care activities.

Support for friends of groups is an objective of the Greening Fremantle: Strategy 2020 Actions “3.1 Review and develop management plans and programs for community group participation in design, implementation and ongoing management of POS and other green spaces”, “3.2 Provide and promote grant opportunities for community partnering projects” and “3.3 Develop the City’s capacity to assist “Friends of” and other groups for the implementation of enhancement plans”.

The City liaises with ‘Friends of’ groups each year to identify their needs to maximise the success of bush care activities on City managed land within the existing operational budget provisions to maintain natural areas, existing staff establishment and service arrangements with non-government organisations and provides supporting documentation for Friends of groups grant applications. The City liaises with and supports Friends of groups through the year to implement their activities and coordinate works. The City actively supports the capacity development of ‘Friends of’ groups and their external grant applications to implement on-ground works, as well as co-host community planting days to support the promotion of their group and engage more volunteers. Activities are consistent with City management or operational plans for each respective natural area.

Based on information and evidence obtained over at least the previous six years through working alongside various ‘Friends of’ groups and as volunteer-led activities have increased, officers propose to formalise and enhance this service level in 2021/22 with the introduction of a proposed ‘Friends of Bushland Policy’ supported by a ‘Friends of Bushland Extension Program’ and a user-friendly ‘Friends of Bushland Manual for Friends of groups’ that explains the program. The aim of the policy, program and manual is to clarify expectations, roles and responsibilities, support succession planning, volunteer recruitment and broader community involvement, build capacity of Friends of groups to operate and achieve their goals, ensure best practice conservation land management is undertaken, and facilitate community participation in operational planning for natural areas. Additionally, officers propose to support Friends of groups financially as noted in the Financial section of this report.

There are various external grants programs available to Friends of groups. It is common for these grants programs to require a minimum 50:50 cost sharing arrangement, often with the applicants’ cost contribution comprised of a mix of in-kind and financial contributions. There is potential to attract additional external funding for activities within City-managed land that contributes to the implementation of the respective natural area’s management or operational plan should Friends of Groups be able to apply to the City for matching contributions through an increased budget provision to do so.

Grants programs that the City has provided support to ‘Friends of’ groups to apply for and have successfully been awarded and implemented include Department of Planning, Lands and Heritage Coastwest grants, state Natural Resource Management Office Community Stewardship Grants and Department of Agriculture, Water and the Environment Communities Environment Program. Additional opportunities to further enhance the City’s service delivery to Friends of groups exist in other grant funding programs, including the State Natural Resource Management Office’s Community Collaboration Grants program, Department of Biodiversity, Conservation and Attractions Community Rivercare Program and the State government’s River Guardians Program.

Other Landholders

Increasing protection and support for Clontarf Hill as an important public open space, noting the City of Fremantle's previous resolution in August 2018 that the loss of A Class from the High Street reserve be offset for Main Roads land on Clontarf Hill.

The Mayor contacted Minister for Transport on 31 August 2018 requesting the transfer of land at Clontarf Hill and was advised the freehold and reserve land held by Main Roads was not available to be transferred at the time (November 2018). Additionally, Main Roads advised they had previously offered the 2.047ha of land (Reserve 21680) to the department of Department of Planning, Lands and Heritage as part of the South West Native Title Settlements. In February 2021, the City contacted DPLH for an update and were advised they will be progressing a significant volume of land through the Phases of the Noongar Land Base Strategy to ready land for Offer to the pending Noongar Boodja Trust. Due to the significance of this land parcel, it is likely that Reserve 21680 will be included in this body of work. Formal consultation with the City on this is anticipated over the coming year.

Clontarf Hill is important for its Aboriginal heritage and forms part of the Manjaree Trail developed by the Noongar community of Fremantle and Cockburn; interpretation signage has been installed on site. An application for heritage listing has been made under the *Aboriginal Heritage Act 1972* for artefacts / scatter, ceremonial, mythological, natural feature and as a camp and hunting place. It is an important Whadjuk Noongar site.

The Friends of Clontarf Hill have been actively engaged in maintaining and enhancing the conservation values of Clontarf Hill for over 25 years. According to the *Towards Establishing a Green Network: vegetation connectivity modelling report 2014*, Clontarf Hill is an area of priority conservation and is an important junction of both a north-south regional ecological linkage and a rare east-west ecological linkage, it is part of an ecological linkage that connects the coast to the Beeliar wetlands. Clontarf hill also contain a remnant stand of tuart trees, tuart woodlands and forests of the Swan Coastal Plain are listed as Critically Endangered and recognised as a Threatened Ecological Community under the *Environment Protection and Biodiversity Conservation Act 1999*.

Clontarf Hill contains a number of woody weeds and nuisance grass weeds that present a persistent challenge to the Friends of Clontarf Hill to control and that degrade the bushland. The resource required to achieve effective reduction and control of these weed species is currently not available to the Friends of Groups as they rely solely on grant funding and their own fundraising. City funds made available for weed management would support the Friends of Clontarf Hill in maintaining this important public open space for its conservation values, the Friends of Group would also be able to put forward these funds as a matching contribution for any external grant funds they apply to, potentially increasing the resource available and expanding their revegetation efforts.

Engage with other significant landholders in Fremantle to engage them with initiatives and aspirations to increase local canopy cover and biodiversity.

The Urban Forest Plan identifies 52% of 3m+ canopy coverage trees are located on public lands (public lands includes parks, reserves and open space available to the public including Clontarf Hill, Fremantle Oval, both public and private golf courses, Fremantle Hospital, Fremantle Prison, museums and spaces along Fishing Boat Harbour). This highlights the size of the area and number of trees that are outside City owned or managed land presenting a constraint to achieving and maintaining canopy cover and biodiversity. Some of the other significant landholders identified include:

- Public Transport Authority
- Fremantle Port Authority
- Department of Transport
- Main Roads WA
- Department of Education
- Department of Communities
- Private schools
- Development WA
- Water Corporation
- Western Australian Planning Commission

Planning proposals exist over a number of the landholdings (including Development WA's and Department of Education's Swanbourne Street site, and the WAPC and Main Roads' Lefroy Road Quarry site. Further proposals are being developed for the Fishing Boat Harbour. Implementation of tree planting in these areas will most likely occur in conjunction with plan implementation.

The City currently offers support on the verge with subsidised plants through the verge garden plant subsidy schemes, whereby schools and commercial properties can apply for more plants or request free street trees.

The City has education material on the social, economic and environmental benefits of trees and greening for this purpose and could offer assistance with tree planting and greening, this could include:

- Identification of sites suitable for tree planting and greening.
- Advice on planting including species and maintenance
- Provision of trees and plants for planting on non-City owned or managed land.

Should Council decide to assist with tree planting on non-city managed land, officers can develop a program for consideration in future budget cycles. This may include setting a target for tree planting on non-City managed land, however achieving a target would be dependent on reaching agreement with land owners/managers for access for planting and ongoing responsibility and costs for watering and maintenance of the trees.

Summary

The implementation of the recommendations detailed in this report are very closely related to the availability of staff resources and capacity.

Suitable budgets will also need to be identified, prioritised and approved by Council to progress aspects of these works and programs.

Timeframes for achieving these actions depend on staff capacity of the relevant team for any approved budgets. Upon approval of a project or program budget, officers will investigate resource availability and capacity requirements to develop proposed timeframes for implementation.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

OFFICER'S RECOMMENDATION

Moved: Cr Adin Lang

Seconded: Cr Sam Wainwright

Council:

1. Note the petition received at the Finance, Policy, Operations and Legislation Committee on 20 January 2021 requesting the City of Fremantle "Increase funding for more trees, shade and wildlife in Fremantle by turning our city into an Urban Forest!".
2. Note that the Local Government Property Local Law 2002 provides sufficient protection for trees and the removal or damage of a plant can be enforced under Clause 4.3(3) with a penalty of \$125 and that under Clause 10.3(2) a penalty not exceeding \$5,000 may be applied upon conviction.
3. Request officers commence a program of review and development for the Policy areas detailed below, in the following order of priority, and bring them back to Council for consideration:
 - a. Street and Reserve Tree Policy.
 - b. Verge Garden Policy, inclusive of the verge garden scheme, noting community consultation will be undertaken to inform the Policy and the verge garden assistance scheme.
 - c. Friends of Bushland Policy, consulting with existing Friends of Groups, inclusive of financial support to be considered during the annual budget process.
4. Note the City is currently restructuring and updating the environmental section of the website, which includes a consolidated reporting section for tree planting and revegetation planting, which will include numbers and species of trees planted.
5. Note officers will include the operational programs as part of the annual business planning process, and will submit budgets to Council for consideration in the annual budget process, including:
 - a. \$227 424 in the 2021/22 financial year to achieve the annual tree planting targets of the Urban Forest Plan.
 - b. \$20 000 in the 2021/22 financial year to reinstate the verge garden preparation assistance scheme.
 - c. \$35 000 in the 2021/22 financial year to provide materials, resources and financial assistance to support Friends of Groups.

- d. \$18 500 in the 2021/22 financial year to support the Friends of Clontarf Hill bushland restoration works.
 - e. A program of green linkage projects in future budget cycles.
6. Note the Department of Planning, Lands, Heritage has advised the City they will be progressing a significant volume of land through the Phases of the Noongar Land Base Strategy to ready land for Offer to the pending Noongar Boodja Trust and it is likely that Reserve 21680 will be included in this body of work, noting in the interim officers will contact Main Roads Western Australia requesting confirmation that they support actions to restore the natural bushland and/or contribute funds to prevent further bushland degradation.

AMENDMENT 1

Moved: Cr Adin Lang

Seconded: Cr Jenny Archibald

Amend the officer's recommendation, to include the following wording shown in green italics, to read as follows:

Council:

1. Receive the petition received at the Finance, Policy, Operations and Legislation Committee on 20 January 2021 requesting the City of Fremantle "Increase funding for more trees, shade and wildlife in Fremantle by turning our city into an Urban Forest!".
2. *Request a media and education campaign that city trees are city property, and they are protected as such.*
3. Request officers commence a program of review and development for the Policy areas detailed below, in the following order of priority, and bring them back to Council for consideration:
 - a. Street and Reserve Tree Policy *in the 2021/22 financial year.*
 - b. Verge Garden Policy, inclusive of the verge garden scheme, noting community consultation will be undertaken to inform the Policy and the verge garden assistance scheme *in the 2021/22 financial year.*
 - c. Friends of Bushland Policy, consulting with existing Friends of Groups, inclusive of financial support to be considered during the annual budget process, *in the 2022 calendar year.*
4. Note the following:
 - a) That the Local Government Property Local Law 2002 provides sufficient protection for trees and the removal or damage of a plant can be enforced under Clause 4.3(3) with a penalty of \$125 and that under Clause 10.3(2) a penalty not exceeding \$5,000 may be applied upon conviction.

- b) City is currently restructuring and updating the environmental section of the website, which includes a consolidated reporting section for tree planting and revegetation planting, which will include numbers and species of trees planted *by September 2021 following the winter tree planting season.*
- c) Officers will include the operational programs as part of the annual business planning process, and will submit budgets to Council for consideration in the annual budget process, including:
 - i. \$227 424 in the 2021/22 financial year to achieve the annual tree planting targets of the Urban Forest Plan.
 - ii. \$20 000 in the 2021/22 financial year to reinstate the verge garden preparation assistance scheme.
 - iii. \$35 000 in the 2021/22 financial year to provide materials, resources and financial assistance to support Friends of Groups.
 - iv. \$18 500 in the 2021/22 financial year to support the Friends of Clontarf Hill bushland restoration works.
 - v. *\$22 000 in the 2021/22 financial year for consultancy budget to plan the new program of green linkage projects to be implemented in future budget cycles.*
 - vi. *Note we are 1961 trees behind our targets for the Urban Forest Plan which equates to \$519 665 dollars. To catch up, Council should plant extra trees as follows:*
 - *2020/21 \$103,933 and 393 extra trees*
 - *2021/22 \$103,933 and 393 extra trees + \$25,493 for second year watering*
 - *2022/23 \$103,933 and 393 extra trees + \$25,493 for second year watering*
 - *2023/24 \$103,933 and 393 extra trees + \$25,493 for second year watering*
 - *2024/25 \$103,933 and 389 extra trees + \$25,493 for second year watering*
 - *2025/26 \$25,493 for second year watering*
 - *TOTAL \$ 519 665 and 1961 trees + \$127 465 watering.*
- d) The Department of Planning, Lands, Heritage has advised the City they will be progressing a significant volume of land through the Phases of the Noongar Land Base Strategy to ready land for Offer to the pending Noongar Boodja Trust and it is likely that Reserve 21680 will be included in this body of work, *noting in the interim officers will contact Main Roads Western Australia requesting confirmation that they support actions to restore the natural bushland and/or contribute funds to prevent further bushland degradation.*
- e) *The imminent deletion of the Roe 8 and 9 from the Metropolitan Region Scheme (MRS) by the Labor Government now provides the first meaningful opportunity for Clontarf Hill and other linkage lands owned by MRWA to be vested as a Reserve for the purpose of bush land restoration and protection.*

Carried: 6/0

Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright

Reason for change:

The changes are submitted to reflect the feedback received from relevant stakeholders.

COMMITTEE RECOMMENDATION ITEM FPOL2104-3
(Officer's recommendaiton as amended)

Moved: Cr Adin Lang

Seconded: Cr Sam Wainwright

Council:

- 1. Receive the petition received at the Finance, Policy, Operations and Legislation Committee on 20 January 2021 requesting the City of Fremantle "Increase funding for more trees, shade and wildlife in Fremantle by turning our city into an Urban Forest!".**
- 2. Request a media and education campaign that city trees are city property, and they are protected as such.**
- 3. Request officers commence a program of review and development for the Policy areas detailed below, in the following order of priority, and bring them back to Council for consideration:**
 - a. Street and Reserve Tree Policy in the 2021/22 financial year.**
 - b. Verge Garden Policy, inclusive of the verge garden scheme, noting community consultation will be undertaken to inform the Policy and the verge garden assistance scheme in the 2021/22 financial year.**
 - c. Friends of Bushland Policy, consulting with existing Friends of Groups, inclusive of financial support to be considered during the annual budget process, in the 2022 calendar year.**
- 4. Note the following:**
 - a) That the Local Government Property Local Law 2002 provides sufficient protection for trees and the removal or damage of a plant can be enforced under Clause 4.3(3) with a penalty of \$125 and that under Clause 10.3(2) a penalty not exceeding \$5,000 may be applied upon conviction.**
 - b) City is currently restructuring and updating the environmental section of the website, which includes a consolidated reporting section for tree planting and revegetation planting, which will include numbers and species of trees planted by September 2021 following the winter tree planting season.**
 - c) Officers will include the operational programs as part of the annual business planning process, and will submit budgets to Council for consideration in the annual budget process, including:**

- i. \$227 424 in the 2021/22 financial year to achieve the annual tree planting targets of the Urban Forest Plan.
 - ii. \$20 000 in the 2021/22 financial year to reinstate the verge garden preparation assistance scheme.
 - iii. \$35 000 in the 2021/22 financial year to provide materials, resources and financial assistance to support Friends of Groups.
 - iv. \$18 500 in the 2021/22 financial year to support the Friends of Clontarf Hill bushland restoration works.
 - v. \$22 000 in the 2021/22 financial year for consultancy budget to plan the new program of green linkage projects to be implemented in future budget cycles.
 - vi. Note we are 1961 trees behind our targets for the Urban Forest Plan which equates to \$519 665 dollars. To catch up, Council should plant extra trees as follows:
 - 2020/21 \$103,933 and 393 extra trees
 - 2021/22 \$103,933 and 393 extra trees + \$25,493 for second year watering
 - 2022/23 \$103,933 and 393 extra trees + \$25,493 for second year watering
 - 2023/24 \$103,933 and 393 extra trees + \$25,493 for second year watering
 - 2024/25 \$103,933 and 389 extra trees + \$25,493 for second year watering
 - 2025/26 \$25,493 for second year watering
 - TOTAL \$ 519 665 and 1961 trees + \$127 465 watering.
- d) The Department of Planning, Lands, Heritage has advised the City they will be progressing a significant volume of land through the Phases of the Noongar Land Base Strategy to ready land for Offer to the pending Noongar Boodja Trust and it is likely that Reserve 21680 will be included in this body of work, noting in the interim officers will contact Main Roads Western Australia requesting confirmation that they support actions to restore the natural bushland and/or contribute funds to prevent further bushland degradation.
- e) The imminent deletion of the Roe 8 and 9 from the Metropolitan Region Scheme (MRS) by the Labor Government now provides the first meaningful opportunity for Clontarf Hill and other linkage lands owned by MRWA to be vested as a Reserve for the purpose of bush land restoration and protection.

Carried: 6/0

Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright

Cr Jenny Archibald requested the item be referred to the Ordinary Meeting of Council. Seconded by Cr Andrew Sullivan.

ADDITIONAL OFFICER INFORMATION

Definition of targets for tree planting

- Natural areas are included in the tree planting data because the Urban Forest Plan (UFP) defines the urban forest as *“all trees and other vegetation within the city and the soil and water that supports it”* and given the highly developed and urban nature of the City, our natural areas are an important ecological, social and environmental resource which contribute to and form part of the urban forest.

The UFP includes natural areas in the annual City Targets table and this is explained in Part D: Urban Forest Action Plan where it states in the approach to new and replacement tree planting distribution in City owned tenure that the distribution of new tree planting has been undertaken in the application of key criteria which includes *“green spaces that require infill planting or replacement planting to maintain healthy active communities”* and *“native vegetation areas identified as Priority Conservation Action Areas that require infill planting.”*

While the UFP doesn't further specify annual numbers for natural areas and street and reserve trees, officers considered the annual targets against the actual numbers planted and recommended that an approach be taken to aim for 80% in the street and reserve trees and 20% in natural areas (though we expect to continue to exceed this natural areas target yearly, noting a lower individual survival rate and natural regeneration occurs in natural areas). The 80% of the annual target for street and reserve trees represents an increase of approximately 15% on previous actual numbers planted and is considered achievable pending budget allocation.

Should Council request the current approach be amended to have 100% of the UFP target in streets and reserves, officers would recommend a revision of the UFP to determine the feasibility given two key criteria are being removed from distribution assessment defining the annual targets. To support this, a strong Street and Reserve Tree Policy position would be required to enforce the planting and retention of trees at all residential properties, for example mandating a minimum of 1 street tree per frontage where adequate space for a tree is available, and all commercial/industrial properties have a minimum number of street trees per metre of frontage.

To clarify, the number of 1961 for 'catch-up' planting included in the amended Committee recommendation represents the number of additional trees that would need to be planted if the UFP actual numbers planted from 2017 to 2021 did not include any trees from natural areas planting (that is – if the actual numbers of trees contributing to the UFP targets over that period are street and parks trees only).

OFFICER ALTERNATIVE RECOMMENDATION

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Adin Lang

Council:

1. Receive the petition received at the Finance, Policy, Operations and Legislation Committee on 20 January 2021 requesting the City of Fremantle “Increase funding for more trees, shade and wildlife in Fremantle by turning our city into an Urban Forest!”.
2. Request a media and education campaign that city trees are city property, and they are protected as such.
3. Request officers commence a program of review and development for the Policy areas detailed below, in the following order of priority, and bring them back to Council for consideration:
 - a. Street and Reserve Tree Policy in the 2021/22 financial year.
 - b. Verge Garden Policy, inclusive of the verge garden scheme, noting community consultation will be undertaken to inform the Policy and the verge garden assistance scheme in the 2021/22 financial year.
 - c. Friends of Bushland Policy, consulting with existing Friends of Groups, inclusive of financial support to be considered during the annual budget process, in the 2022 calendar year.
4. Note the following:
 - a) That the Local Government Property Local Law 2002 provides sufficient protection for trees and the removal or damage of a plant can be enforced under Clause 4.3(3) with a penalty of \$125 and that under Clause 10.3(2) a penalty not exceeding \$5,000 may be applied upon conviction.
 - b) City is currently restructuring and updating the environmental section of the website, which includes a consolidated reporting section for tree planting and revegetation planting, which will include numbers and species of trees planted by September 2021 following the winter tree planting season.
 - c) The City’s Urban Forest Plan defines the urban forest as “*all trees and other vegetation within the City and the soil and water that supports it*” and has proposed annual City Targets for new and replacement trees on City owned tenure following an assessment of key criteria, that includes native vegetation areas and green spaces, to define planting distribution, as such the City’s planting targets are on-track subject to continued budget allocations as detailed in this report.
 - d) Officers will include the operational programs as part of the annual business planning process, and will submit budget proposals to Council for consideration in the annual budget process, including:

- i. \$227 424 in the 2021/22 financial year to achieve the annual tree planting targets of the Urban Forest Plan.
 - ii. \$20 000 in the 2021/22 financial year to reinstate the verge garden preparation assistance scheme.
 - iii. \$35 000 in the 2021/22 financial year to provide materials, resources and financial assistance to support Friends of Groups.
 - iv. \$18 500 in the 2021/22 financial year to support the Friends of Clontarf Hill bushland restoration works.
 - v. A program for the implementation of green linkage projects commencing in the 2021/22 financial year.
- e) The Department of Planning, Lands, Heritage has advised the City they will be progressing a significant volume of land through the Phases of the Noongar Land Base Strategy to ready land for Offer to the pending Noongar Boodja Trust and it is likely that Reserve 21680 will be included in this body of work, noting in the interim officers will contact Main Roads Western Australia requesting confirmation that they support actions to restore the natural bushland and/or contribute funds to prevent further bushland degradation.
- f) The imminent deletion of the Roe 8 and 9 from the Metropolitan Region Scheme (MRS) by the Labor Government now provides the first meaningful opportunity for Clontarf Hill and other linkage lands owned by MRWA to be vested as a Reserve for the purpose of bush land restoration and protection.

AMENDMENT 1

Moved: Cr Rachel Pemberton

Seconded: Cr Adin Lang

Amend part 4 a) of the alternative officer's recommendation.

4. Note the following:

- ~~a) That the Local Government Property Local Law 2002 provides sufficient protection for trees and the removal or damage of a plant can be enforced under Clause 4.3(3) with a penalty of \$125 and that under Clause 10.3(2) a penalty not exceeding \$5,000 may be applied upon conviction.~~
- a) That Council value their street and verge trees and would request that where there is evidence of a person causing malicious damage or killing a City tree asset, that under the provisions of the Local Government Property Local Law 2002, request officers actively seek to apply a penalty of up to \$5,000 AND seek replacement value of the tree.

Amendment carried: 11/0

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

Reason:

The amendment is proposed to provide a clearer statement about the whole picture of where the City are at with the Round House and Arthurs Head conservation, including the costs incurred by the City to date and the need to continue to advocate for funding support to address the urgent works that are required.

AMENDMENT 2

Moved: Cr Adin Lang Seconded: Cr Su Groome

Add a new Recommendation 4 (and renumber subsequent recommendations):

- 4. Supports the City proposed implementation practice that a minimum of 80% of the "Total Trees Required Per Year" as identified in the "City Targets" schedule in the Urban Forest Plan be delivered as trees in streets, parks and other urban areas, and the remaining target may include successful tubestock plantings in bushland areas. Trees planted to meet the targets should be species that will grow to at least three metres in height and be of suitably advanced specimens at the time of planting. Preference should be given to species that are either endemic to the area, native to Australia, or provide habitat and food source for local fauna where the setting makes that appropriate, except where an area specific landscape or urban design outcome is warranted.**

Amendment carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

AMENDMENT 3

Moved: Cr Adin Lang

Seconded: Cr Frank Mofflin

Amend existing recommendation 4c (which becomes 5c) to read as follows:

- ~~4c~~ **5c** ~~The City's Urban Forest Plan defines the urban forest as "all trees and other vegetation within the City and the soil and water that supports it" and has proposed annual City Targets for new and replacement trees on City owned tenure following an assessment of key criteria, that includes native vegetation areas and green spaces, to define planting distribution, as such the City's planting targets are on track subject to continued budget allocations as detailed in this report.~~ Notes that by applying the 80% ratio to the target for new and replacement trees to be planted in streets/parks/urban areas (as supported in part 4 above), the City is behind in its target with respect to tree plantings in streets/parks/urban areas but has achieved good rates of tubestock plantings in bushland areas. An uplift in the number of trees to be planted in street verges, parks and urban areas is now required over the next few years to meet the Urban Forest Plan targets. Adjustment to the 10 year budget is required to achieve this.

Amendment carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

COUNCIL DECISION ITEM FPOL2104-3

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Adin Lang

Council:

- 1. Receive the petition received at the Finance, Policy, Operations and Legislation Committee on 20 January 2021 requesting the City of Fremantle "Increase funding for more trees, shade and wildlife in Fremantle by turning our city into an Urban Forest!".**
- 2. Request a media and education campaign that city trees are city property, and they are protected as such.**
- 3. Request officers commence a program of review and development for the Policy areas detailed below, in the following order of priority, and bring them back to Council for consideration:**
 - a. Street and Reserve Tree Policy in the 2021/22 financial year.**
 - b. Verge Garden Policy, inclusive of the verge garden scheme, noting community consultation will be undertaken to inform the Policy and the verge garden assistance scheme in the 2021/22 financial year.**
 - c. Friends of Bushland Policy, consulting with existing Friends of Groups, inclusive of financial support to be considered during the annual budget process, in the 2022 calendar year.**
- 4. *Supports the City proposed implementation practice that a minimum of 80% of the "Total Trees Required Per Year" as identified in the "City Targets" schedule in the Urban Forest Plan be delivered as trees in streets, parks and other urban areas, and the remaining target may include successful tubestock plantings in bushland areas. Trees planted to meet the targets should be species that will grow to at least three metres in height and be of suitably advanced specimens at the time of planting. Preference should be given to species that are either endemic to the area, native to Australia, or provide habitat and food source for local fauna where the setting makes that appropriate, except where an area specific landscape or urban design outcome is warranted.***
- 5. Note the following:**
 - a) *That Council value their street and verge trees and would request that where there is evidence of a person causing malicious damage or killing a City tree asset, that under the provisions of the Local Government Property Local Law 2002, request officers actively seek to apply a penalty of up to \$5,000 AND seek replacement value of the tree.***

- b) City is currently restructuring and updating the environmental section of the website, which includes a consolidated reporting section for tree planting and revegetation planting, which will include numbers and species of trees planted by September 2021 following the winter tree planting season.
- c) *Notes that by applying the 80% ratio to the target for new and replacement trees to be planted in streets/parks/urban areas (as supported in part 4 above), the City is behind in its target with respect to tree plantings in streets/parks/urban areas but has achieved good rates of tubestock plantings in bushland areas. An uplift in the number of trees to be planted in street verges, parks and urban areas is now required over the next few years to meet the Urban Forest Plan targets. Adjustment to the 10 year budget is required to achieve this*
- d) Officers will include the operational programs as part of the annual business planning process, and will submit budget proposals to Council for consideration in the annual budget process, including:
 - i. \$227 424 in the 2021/22 financial year to achieve the annual tree planting targets of the Urban Forest Plan.
 - ii. \$20 000 in the 2021/22 financial year to reinstate the verge garden preparation assistance scheme.
 - iii. \$35 000 in the 2021/22 financial year to provide materials, resources and financial assistance to support Friends of Groups.
 - iv. \$18 500 in the 2021/22 financial year to support the Friends of Clontarf Hill bushland restoration works.
 - v. A program for the implementation of green linkage projects commencing in the 2021/22 financial year.
- e) The Department of Planning, Lands, Heritage has advised the City they will be progressing a significant volume of land through the Phases of the Noongar Land Base Strategy to ready land for Offer to the pending Noongar Boodja Trust and it is likely that Reserve 21680 will be included in this body of work, noting in the interim officers will contact Main Roads Western Australia requesting confirmation that they support actions to restore the natural bushland and/or contribute funds to prevent further bushland degradation.
- f) The imminent deletion of the Roe 8 and 9 from the Metropolitan Region Scheme (MRS) by the Labor Government now provides the first meaningful opportunity for Clontarf Hill and other linkage lands owned by MRWA to be vested as a Reserve for the purpose of bush land restoration and protection.

Carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

11.1 Planning Committee 7 April 2021

Cr Adin Lang declared a proximity interest in item number PC2104-9. He left the meeting at 7.24 and was absent during discussion and voting of this item.

PC2104-9 THE HEART OF BEACONSFIELD MASTERPLAN – OUTCOMES OF ADVERTISING AND FINAL ADOPTION

Meeting date:	7 April 2021
Responsible officer:	Manager Strategic Planning
Decision making authority:	Council
Attachments:	1. Engagement Report 2. Final Masterplan Concept (including Context Map and Ideas Pages)
Additional information:	1. Draft Masterplan Concept (Advertised)

SUMMARY

The Heart of Beaconsfield (THOB) project was initiated in 2016 and seeks to reenvision the area and coordinate a number of potential redevelopments being planned within the suburb. The project involved extensive engagement with the community and key stakeholders, with a draft masterplan concept adopted by Council in November 2020 for the purposes of inviting public comment.

Consultation on the draft masterplan was undertaken between January and February 2021. A total of 82 submissions were received. General support for the plan was expressed in a number of submissions, and in particular the green links, north-south pedestrian connections and improved/expanded open spaces received praise. Significant concern was expressed in a number of submissions regarding the density and building heights shown throughout the masterplan area, particularly on the Lefroy Road Quarry site. A number of comments were also received in relation to the provision of other recreation facilities, sustainability principles, vehicular transport and congestion concerns, and other matters.

This report considers the feedback received during the advertising period, changes proposed to the plan in response, and recommends that Council formally adopt the Heart of Beaconsfield Masterplan concept as a non-statutory City document.

BACKGROUND

The City of Fremantle began the Heart of Beaconsfield (THOB) master-planning project in partnership with the then Department of Housing and others, in 2016. The project was initiated in large part due to the planned redevelopment of a number of State-owned landholdings within the suburb, including the Davis Park precinct and Lefroy Road TAFE site. It sought to respond to the various changes occurring, and to establish a joint vision and guiding framework to inform them.

The process and engagement undertaken to prepare the draft Heart of Beaconsfield Masterplan was outlined in a report to Council in November 2020 (SPT2011-2), in response to which Council resolved to:

1. *Note the engagement undertaken in the development of the Heart of Beaconsfield master planning project to date.*
2. *Endorse the draft Heart of Beaconsfield Masterplan provided in Attachment 1 for the purposes of community consultation, noting the following features of the plan:*
 - a. *Location of strategic green link connecting South Street to Lefroy Road and Clontarf Road to the south as per Greening Fremantle strategy;*
 - b. *Development of surplus reserve to the south of Bruce Lee Oval for medium density residential purposes;*
 - c. *New full-size sports oval, additional open space and reconfigured residential development footprint on the Lefroy Road Quarry site;*
 - d. *Opportunities for further traffic calming and to assist with Fremantle College pick-up/drop-off through road treatments and realignment of car parking;*
 - e. *Retention of Bruce Lee Oval and Davis Park park;*
 - f. *Retention of community facilities including Fremantle College, child care centres, ACTIV and opportunities to expand on these through a new social node on Lefroy Road;*
 - g. *Diversification of housing typologies throughout the precinct, but maintaining transition interface to established residential areas.*
3. *Undertake community consultation on the draft masterplan for a period of not less than 28 days, commencing in early-mid January 2021.*
4. *Thank members of the Heart of Beaconsfield Working Group for their ongoing support and input into the project to-date.*

The purpose of this report is to consider the outcomes of the consultation referenced in Resolution 2 and 3.

The project contributes to many of the Council's strategic outcomes and objectives relating to places for people / housing and urban design, health and wellbeing / recreation, sustainability and movement, and is also considered to align with State-level planning direction for the central metropolitan sub-region, and state planning policy.

CONSULTATION

Consultation on the draft masterplan (Additional Information 1) was undertaken between 19 January and 15 February 2021.

Awareness and promotion was undertaken via:

- Direct email to previous participants (over 200 people) and local precinct group.
- Letters to all owners and occupiers within and adjoining the masterplan area.
- Dedicated page on My Say Freo and inclusion in the monthly e-newsletter.
- Posters distributed to local businesses within the project area (e.g. newsagencies, bakery and food store).
- Promotion through City's social media channels and Freo Weekly newsletter.
- A 'Talk to a Planner' session held at the Freo Farmers Market (located within the project site) on Sunday 31 January 2021, attended by approximately 150-200 people.

At the conclusion of this consultation, a total of 82 submissions were received expressing a variety of views on the project. Many of these submissions (62) were made through My Say Freo, however some were also received via hard copy, email and through the Farmers Market session. A summary of the common comments is provided below. Further detail on the outcomes of this consultation can be obtained via the Engagement Report provided at Attachment 1.

Positive Themes

- General support expressed for preparation of the plan and its key objectives.
- Strong support for the north-south 'green link' and the idea of connecting existing and proposed areas of open space.
- Strong support for improvements to public transport and other alternative transport opportunities within the area.
- Support for redevelopment of the disused Quarry site and in particular the opportunity to 'green' and beautify the site (notwithstanding building height objections – see below). Support was also expressed for redevelopment of the disused TAFE site and the Davis Park social housing precinct.
- Support for retention of Bruce Lee Oval, however some reservations expressed regarding redevelopment of southern car park.
- Support for the concept of diverse housing generally and the prospect of improving housing affordability within the area.
- Support for the idea of retaining important community facilities and expansion upon these as part of a 'social hub' (although some suggested the size of this hub wasn't adequate).
- Some support for increased density to enrich the community and help local business.
- Some support for provision of a new sporting oval on the quarry site and integration into the green link and open space network.

Negative Themes

- Strong objection to building heights in certain areas of the masterplan, in particular within the Quarry site where buildings exceeding 8 storeys are shown adjacent to the properties on Longford Road in the Salentina Ridge subdivision. Other building height concerns included the South Street mixed use zone and the old TAFE site. Some comments suggested that buildings between 3 – 5 storeys would be more appropriate as maximum heights.
- Concerns regarding the scale of redevelopment proposed and the impact this could have on traffic and car parking within the immediate area, and the wider suburb more broadly. The ambiguity of the '8 storeys or greater' height limit for housing type 'A' was also queried.
- Concerns regarding the design of new development, in particular taller buildings exceeding 5 storeys, especially if these were to be social housing 'towers'.
- Objection to the provision of a sporting oval, particularly given the existence of other ovals within the area and the lack of other non-sporting recreational facilities/venues.
- Concern that the masterplan does not explicitly acknowledge or provide for the ongoing operation of the Fremantle Farmers Markets, including car parking provision.

- Concern the plan focusses too much on apartment development and should cater more for family homes in keeping with the established character of the suburb.

Other Comments/Miscellaneous Suggestions

- The plan should prioritise maintaining and increasing urban tree canopy, including tree retention on private and public land, particularly to support native fauna habitat.
- There should be a greater emphasis on sustainability and housing affordability in the plan.
- Queries regarding dwelling yields and anticipated private/public housing mix.
- Numerous suggestions for improvements to recreation facilities within the area which do not entail a new sporting oval e.g. walking trails, swimming pools, playgrounds, yoga/gym studios, amphitheatres and performing arts venues.
- Queries about management of the Quarry development, including remediation, soil stability, ground levels and associated health risks from contamination.
- Existing partial Pedestrian Access Way (PAW) within Salentina Ridge subdivision should connect to the Quarry site.

A submission was also received from Main Roads objecting to the masterplan due to its illustration of traffic signals on South Street : given the WAPC's recent decision on the Davis Park Structure Plan to remove the signals there proposed, it is recommended that the draft Masterplan be updated to show these as 'possible future traffic signals - subject to the approval of Main Roads WA' to recognise the uncertainty of securing Main Roads support for the signals but maintain Council's desire for them. Some extra detail is proposed for the informing 'Movement/Connectivity' Ideas Page.

OFFICER COMMENT

Officers have reviewed all submissions and provide the following further detail and brief comment in response. Modifications suggested to the plan in response to public feedback are included in Attachment 2.

Residential Design, Density and Height

A significant number of submissions (approximately half) raised building height and residential density as a primary concern. This was most prevalent in relation to the quarry and old TAFE sites, where responses suggested that buildings any higher than 3-5 storeys would result in significant amenity and visual impacts, particularly in relation to overshadowing, overlooking and inconsistency with character for a 'low density' suburb.

At least 11 submissions were from residents on Longford Road, immediately to the west of the quarry site where the advertised draft master plan showed potential for a building potentially in excess of 8 storeys adjoining single residential dwellings on top of the escarpment. These submitters also raised concern regarding the 2-3 storey town house typology shown along the western embankment of the quarry, citing soil contamination and stability concerns and querying the general appropriateness for this style of development to occur in such a location.

Some submissions made mention of social housing and queried whether this will feature heavily within new dwelling stock, with a number expressing concerns about concentrations of public housing. Others expressed concern about the loss of home for tenants.

Some submissions requested greater reference to more sustainable and innovative built form.

Response:

The introduction of different housing forms and densities sought to address the objective to provide greater diversity of housing, given the relative homogeneity of housing type in the area and ideas expressed in earlier consultation. Concentration of density in well serviced locations (particularly those located on good public transport routes) also reflects a key planning policy of both the state and Council. The extent of height and density is, however, a judgement to be made.

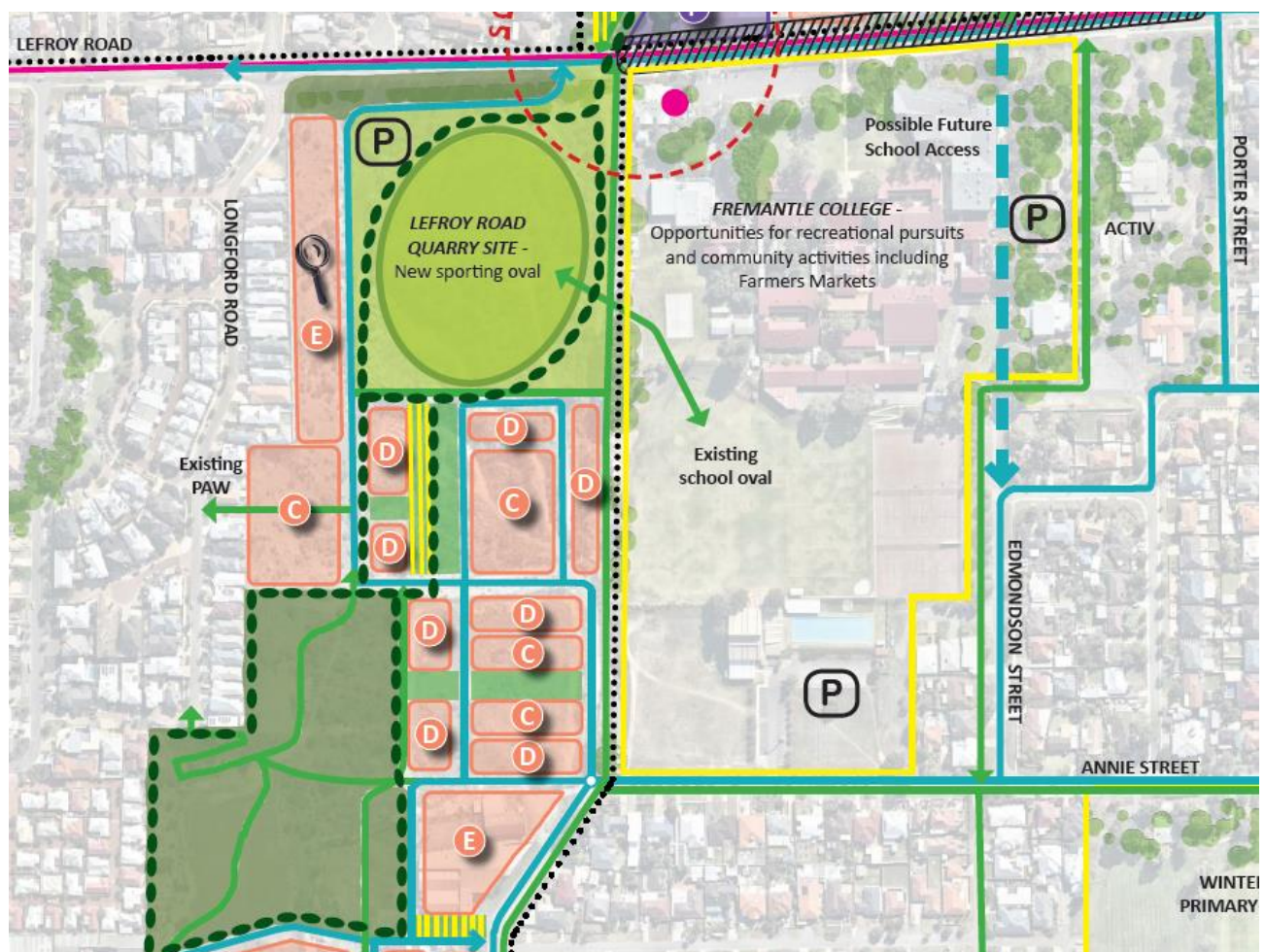
The advertised draft plan provided a relatively high proportion of density. Maintenance of this along the South Street transit corridor remains an important planning principle but is less critical (whilst still have some merit) further away. It is also recognised that market demand for density in this location has not been strong and the commercial feasibility of this remains very uncertain. In response to concerns expressed, some reduction to both building heights and density is proposed, to a more moderate / balanced level, as follows:

- Reclassify cells within the quarry site from 'A' ('8 storeys or above') to 'C' (3-5 stories) or 'D' (2-3 stories). These heights (if pursued) are considered appropriate given the 11-15 metre height of the western escarpment.
- Downgrade cells within the old TAFE site previously shown as 'B' (6-8 storeys) to 'C' typology.
- South Street mixed use zone identified as 'B' housing typology to provide clarity and reflect Davis Park Structure Plan.
- Change the housing typology along the western escarpment of the quarry site from 'D' to 'E' (single family homes), to reflect the classification of this land under the existing Lefroy Road Quarry local structure plan. A note is also proposed to indicate residential development in this location is subject to further site investigations (recognising both the geotechnical and feasibility challenges this area presents).
- Change the description of the 'A' housing typology to specify buildings 'up to 8-12 storeys in height', as opposed to '8+ storeys' to remove ambiguity and provide more certainty with regard to maximum building heights anticipated.

Ownership of dwellings (and proportions of public housing) is not something the plan can control however it is understood that the Department of Communities continue to avoid concentrations of public housing, generally pursuing a maximum ratio of one in nine dwellings. Council's 'Diverse and Affordable Housing' Policy outlines Council's desire for *diverse and affordable housing development that meets the needs of current and future residents* and includes reference to the potential for some community housing in the Lefroy Road Quarry. Council has recently separately resolved to engage with the state government on housing diversity and social housing provision in Fremantle (refer FPOL2103-11).

Capacity for alternative forms of housing has also been built into the 'innovation sub-area' of the Davis Park Precinct structure plan and this element has been reflected on the ideas plans as part of revisions to the draft. To reflect community feedback, the structure plan also includes provision for greater energy efficiency performance of lower density development, and the City will seek to include similar provisions in future precinct structure plans within the masterplan area. A note has been included on the masterplan ideas pages to more explicitly reflect desired building sustainability principles.

These changes respond to the majority of concerns raised to a reasonable degree. It should be noted that the masterplan is non-statutory and therefore further exploration of opportunities (as well as the more detailed aspects) will occur through subsequent statutory planning processes for the major landholdings, as and when landowners wish to pursue development. These processes will be subject to further consultation (a query raised in some submissions).



Revised masterplan concept excerpt showing refinements to housing typologies on quarry site, and pedestrian connection to existing PAW.

Community and Recreation Facilities

Many submissions made some reference to sporting, recreation and community facilities within the masterplan area. There is strong community support for retention of and improvement to existing amenities such as Bruce Lee Oval, as well as development of new facilities to support a growing population and diverse community.

Comments on this element were wide-ranging. Whilst there was some support for the proposed sporting oval on the quarry site, others suggested that recreation needs of the local community could be accommodated in other ways such as yoga studios, rock climbing, amphitheatres, walking trails and swimming pools. Development of an opera house has also been suggested. Broadly speaking, the plan seeks to provide for both active and passive recreation pursuits; this is achieved through provision of the green link as well as retention and expansion of existing areas of open/green space. The social hub within the centre of the plan provides opportunity for some of the suggested land uses into the future. A new tract of natural (i.e. passive) open space is also provided for on the quarry site, and improved connections to this space have been shown on the revised plan attached. A connection between the existing school oval and proposed new sporting oval has also been shown on the revised plan, to better emphasise the intended link between these sites. Provision of facilities to support the new oval is likely however the extent of these has yet to be defined.

Response:

Whilst the masterplan provides the (potential) opportunity for many of the suggested facilities, it is not a document which can commit to the level of detail raised in a number of submissions. Some suggestions (such as the more regional-level facilities suggested for the quarry precinct) are considered unsuitable given the restricted accessibility of this site to the broader (regional) catchment. Some modifications have been proposed to make clearer reference to the *potential* for more diverse facilities (beyond simply the oval), with all recreation-related comments then also referred to the Community Sport and Recreation Facilities Plan 2021-2031 (CSRFP) project to allow their further consideration in a more holistic context.

Some comment was also raised concern about the future and location of the Fremantle Farmers Markets, which currently operate out of Fremantle College on Sundays, because this was not explicitly noted on the Masterplan (though it was referenced on the 'ideas page'). Officers support the operation of community-based events like the markets in the locality, recognising their alignment with community aspirations for a strongly social identity and 'heart' for area. Additional notes have been included on the revised plan to reflect this.

Transport and Connectivity

The idea of improving connections between key sites and areas of open space within the masterplan area was supported in many submissions. Concerns were, however, raised in relation to traffic and parking issues which may arise from densification of the various redevelopment sites within the masterplan.

Response:

Increased traffic is a common consequence of population growth and consolidation which can only really be fully resolved as our urban structure and infrastructure evolves to a more balanced modal split and changing lifestyles. The reduction of density on the plan is likely to reduce traffic impacts and so provides some mitigation to this concern. The following additional changes are also proposed:

- Greater emphasis on east-west pedestrian and vehicle links noted in various locations.
- Retention of traffic signals on South Street with 'possible future traffic signals—subject to the approval of Main Roads WA', reflecting recent decision from WAPC in respect to Davis Park Structure Plan.
- Opportunities for additional parking more clearly identified throughout masterplan including adjacent to both sporting ovals and within the Fremantle College site.
- Inclusion of east-west pedestrian connection from quarry to Longford Road via the existing pedestrian access way in the Salentina Ridge subdivision, reflective of the current approved structure plan.

More detailed assessment of traffic impacts of major proposals will occur during the statutory assessment processes. However, the level of intensification proposed is not considered beyond the capacity of the existing road network which is a primary consideration for the masterplan.

Next Steps

Following adoption of the masterplan, implementation of major developments/land uses illustrated will primarily be the responsibility of the relevant landowners (which, in relation to the Lefroy Road Quarry, includes the City). Timing of both statutory planning processes necessary to facilitate development (e.g. rezoning, preparation of local structure plans) and development itself is likely to be contingent upon several factors including funding arrangements, housing land supply and take-up rates in the Fremantle region generally and other aspects of market conditions.

The cost of the proposed development of the additional oval on the Lefroy Road Quarry has been estimated to be largely offset by the value generated from development illustrated on the balance of the City's quarry landholding and the parking area south of Bruce Lee Oval if these development opportunities are packaged together. This estimate and the cost implications of the plan will be subject to further assessment, requiring discussion between the City and State agencies which currently control some of the relevant land parcels. The process for advancing this assessment will be the subject of a further report to Council following finalisation of the Community, Sport and Recreation Plan (which should confirm future recreational need projections and recommendations).

FINANCIAL IMPLICATIONS

Implementation of developments illustrated will primarily be the responsibility of the relevant landowners (which, in relation to the Lefroy Road Quarry, includes the City).

The cost of the proposed development of the additional oval on the Lefroy Road Quarry has been estimated to be largely offset by the development illustrated on the balance of the City's quarry landholding and parking area south of Bruce Lee Oval.

LEGAL IMPLICATIONS

The masterplan is proposed to be non-binding/statutory, with its use primarily to inform future strategic and statutory proposals within the area.

Any redevelopment and disposal of government land would be subject to various requirements including the provisions of the *Local Government Act 1995*, *Planning and Development Act 2005* and *Land Administration Act 1997*, as well as associated regulations.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority

COMMITTEE RECOMMENDATION ITEM PC2104-9 **(Officer's recommendation)**

Moved: Cr Bryn Jones

Seconded: Cr Geoff Graham

Council:

- 1. Note the comments received during consultation on the draft masterplan in January and February 2021 as detailed in Attachment 1 and thank all submitters for their comments and contributions on the project since 2017.**
- 2. Adopt the revised Heart of Beaconsfield Masterplan Concept as a non-statutory plan, along with the informing Ideas Pages and Context Plans, as detailed in Attachment 2.**
- 3. Inform submitters that comments concerning sporting and recreation matters will be further considered as part of the current Community Sport and Recreation Facilities Plan 2021-2031 engagement.**
- 4. Subject to confirmation of need through the Community, Sport and Recreation Facilities Plan, request that the Chief Executive Officer engages with the state government and prepares a further report regarding the business case and process for disposal of surplus reserve abutting Bruce Lee Oval and land within the Lefroy Road Quarry site to support the (long term) development of the new recreation facility accommodated on the masterplan.**

Carried: 6/0

**Cr Bryn Jones, Cr Geoff Graham, Cr Andrew Sullivan,
Cr Su Groome, Cr Rachel Pemberton, Cr Frank Mofflin**

COMMITTEE RECOMMENDATION ITEM PC2104-9
(Officer's recommendation)

Moved: Cr Geoff Graham

Seconded: Cr Hannah Fitzhardinge

Council:

1. Note the comments received during consultation on the draft masterplan in January and February 2021 as detailed in Attachment 1 and thank all submitters for their comments and contributions on the project since 2017.
2. Adopt the revised Heart of Beaconsfield Masterplan Concept as a non-statutory plan, along with the informing Ideas Pages and Context Plans, as detailed in Attachment 2.
3. Inform submitters that comments concerning sporting and recreation matters will be further considered as part of the current Community Sport and Recreation Facilities Plan 2021-2031 engagement.
4. Subject to confirmation of need through the Community, Sport and Recreation Facilities Plan, request that the Chief Executive Officer engages with the state government and prepares a further report regarding the business case and process for disposal of surplus reserve abutting Bruce Lee Oval and land within the Lefroy Road Quarry site to support the (long term) development of the new recreation facility accommodated on the masterplan.

PROCEDURAL MOTION

At 7.30 the following procedural motion was moved:

Moved: Cr Sam Wainwright

Seconded: Cr Rachel Pemberton

That council defers consideration of the final adoption of the masterplan to allow for discussion with the Housing Authority regarding the provision of social housing.

Lost: 2/8

For

Cr Sam Wainwright, Cr Rachel Pemberton

Against

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan**

COUNCIL DECISION ITEM PC2104-9
(Committee recommendation)

Moved: Cr Geoff Graham

Seconded: Cr Hannah Fitzhardinge

Council:

- 1. Note the comments received during consultation on the draft masterplan in January and February 2021 as detailed in Attachment 1 and thank all submitters for their comments and contributions on the project since 2017.**
- 2. Adopt the revised Heart of Beaconsfield Masterplan Concept as a non-statutory plan, along with the informing Ideas Pages and Context Plans, as detailed in Attachment 2.**
- 3. Inform submitters that comments concerning sporting and recreation matters will be further considered as part of the current Community Sport and Recreation Facilities Plan 2021-2031 engagement.**
- 4. Subject to confirmation of need through the Community, Sport and Recreation Facilities Plan, request that the Chief Executive Officer engages with the state government and prepares a further report regarding the business case and process for disposal of surplus reserve abutting Bruce Lee Oval and land within the Lefroy Road Quarry site to support the (long term) development of the new recreation facility accommodated on the masterplan.**

Carried: 9/1

For

**Cr Rachel Pemberton , Cr Jenny Archibald, Cr Su Groome,
Cr Geoff Graham, Cr Hannah Fitzhardinge, Cr Frank Mofflin,
Cr Doug Thompson, Cr Andrew Sullivan, Cr Marija Vujcic**

Against

Cr Sam Wainwright

11.2 Finance, Policy, Operations and Legislation Committee 14 April 2021

Cr Adin Lang returned to the meeting at 7.51.

ITEMS APPROVED “EN BLOC”

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

COUNCIL DECISION

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

The following items be adopted en bloc as recommended:

FPOL2104-5	Petition for Reinstatement of three gates at Stevens Reserve
FPOL2104-7	Booyeembara Park Landscape Plan
FPOL2104-8	Adoption of model Code of Conduct for Council and model standards for employing Chief Executive Officers
FPOL2104-9	Request Mayoral Vacancy remain unfilled 2021

Carried: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

FPOL2104-5 PETITION FOR REINSTATEMENT OF THREE GATES AT STEVENS RESERVE

Meeting date: 14 April 2021
Responsible officer: Manager Field Services
Decision making authority: Committee
Agenda attachments: Nil
Additional information: Nil

SUMMARY

At the Ordinary Meeting of Council held on 24 March 2021, a petition containing seventy nine (79) signatures was presented to the Council, requesting the Council:

1. Immediately stop the one-month trial period as part of dog management at Stevens Reserve Fremantle and reinstall all gates at Stevens Reserve; and
2. Consult with dog owners who use Stevens Reserve on identified dog management issues identified by the Council, and co-design solutions with dog owners that enable their dogs to be safely off-leash at the Reserve.

This report recommends that Council receive the petition and note that the trial period is due to finish on 16 April 2021 and all gates will be reinstated on this date.

BACKGROUND

In November 2020 the City received a request from the Fremantle Cricket Club (FCC) to increase the dog management at Stevens Reserve due to the ongoing dog related incidents. One of the main requests from the FCC was for the removal of the three gates located along Stevens Street and Swanbourne Street.

City officers were reluctant to remove the gates due to the increased risk of a dog or child exiting the reserve via the ungated pedestrian entry points. Instead the City embarked on a campaign to educate the users of Stevens Reserve. The campaign included;

- Installation of new signage at the reserve to highlight the history of the FCC and reasons why areas within the reserve are dog prohibited areas.
- The use of red flags at the reserve entry points to indicate authorised sporting activity taking place.
- Information brochures handed out by the City's officers while patrolling the reserve.
- Increase in patrols by the City's officers to educate users of the reserve.
- Increase in written warnings and infringements handed out.
- Newsbites advertorial in Herald.
- Social media channels used to educate reserve users.

While the campaign appeared to be doing well during the busy months of December, January and February, by early March 2021 the FCC had requested another meeting with the City officers, during which they once again requested the removal of the three gates at Stevens Reserve.

City officers agreed to remove the gates for a trial period of 1 month beginning on the 17 March and ending on the 16 April. In return the FCC was requested to install a fence or barrier to protect the centre cricket wickets during the week.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

CONSULTATION

Should any future changes be made in relation to dog management at Stevens Reserve, the City will undertake a consultation process with any relevant stakeholders.

OFFICER COMMENT

There has been ongoing dialogue between the City and Club on this issue for a while with various options to help protect the pitches being discussed. While initially reluctant to remove the three gates from Stevens Reserve, the City eventually agreed to a one-month trial after the ongoing requests from the FCC.

The City acknowledges that the popularity of Stevens Reserve has increased over time which in turn has impacted on the number of incidents where the cricket pitches have been damaged.

The only definitive term of measurement to determine if this trial was a success is damage to the pitches during the trial. This can only be ascertained through feedback from the Club.

The City will continue to work with the Club and appropriate stakeholders to consider appropriate options to improve the relationship between the different uses of the oval.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

Cr Hannah Fitzhardinge moved part 1 and 2 of the Officer's Recommendation separately, as follows:

COMMITTEE RECOMMENDATION ITEM FPOL2104-5
(Officer's recommendation)

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 1. Receive the petition requesting the City to immediately stop the one-month trial period as part of dog management at Stevens Reserve, Fremantle and reinstall all the gates at Stevens Reserve.**

Carried: 6/0

**Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright**

COMMITTEE RECOMMENDATION ITEM FPOL2104-5
(Officer's recommendation)

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 2. Note that the trial is due to finish on the 16 April 2021 and all gates will be reinstated on this date.**

Carried: 4/2

For

**Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Adin Lang, Cr Sam Wainwright**

Against

Cr Andrew Sullivan, Cr Doug Thompson

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.

COUNCIL DECISION ITEM FPOL2104-5
(Committee recommendation)

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 1. Receive the petition requesting the City to immediately stop the one-month trial period as part of dog management at Stevens Reserve, Fremantle and reinstall all the gates at Stevens Reserve.**
- 2. Receive the petition requesting the City to immediately stop the one-month trial period as part of dog management at Stevens Reserve, Fremantle and reinstall all the gates at Stevens Reserve.**

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

FPOL2104-7 BOOYEEMBARA PARK LANDSCAPE PLAN

Meeting date:	14 April 2021
Responsible officer:	Manager Parks and Landscape
Decision making authority:	Committee
Attachments:	1. Booyeembara Park Master Plan Implementation – Community Engagement Report 2. Booyeembara Park Landscape Plan
Additional information:	Nil

SUMMARY

This report provides an update on the Booyeembara Park Landscape Plan design process and seeks Council endorsement of the plan and approval to progress to detailed design and construction of Stage 1 works.

BACKGROUND

The Booyeembara Park site has a long and diverse history of aboriginal use, industrial land uses and most recently, public investment in the public open space. The Montreal Street Open Space Master Plan was developed from 1997-99 in close consultation with the community. The implementation of the master plan has been an ongoing process and has been influenced by many factors including the sites history, site contamination issues, community use and availability of budget for construction.

Booyeembara Park has been identified as containing bonded Asbestos Containing Material (ACM) fragments and is managed in accordance with the Booyeembara Park Site Management Plan (SMP). The SMP is *“designed to mitigate risk by providing protection for human health (of general public, park visitors and workers) and the environment during routine park maintenance works and any other remedial or civil works that may lead to the disturbance of soils at the park”* (GHD 2012).

As the park has developed and grown with the community, new projects, uses and pressures have exerted influence on the park. Some of these are in line with the Master Plan and some have developed from the Master Plan’s intent and have grown into new uses with the community.

More recently, there have been many changes in the surrounding area including new residential developments in White Gum Valley/Knitsford, an upgrade to the Fremantle Public Golf Course, Clubhouse and Community Facility as a result of the Main Roads WA High Street upgrade and the development of a Council endorsed Mountain Bike Trail Concept Plan. The City of Fremantle has also received a cash-in-lieu contribution specifically for improvements to Booyeembara Park as a condition of subdivision from nearby land.

To ensure Booyeembara Park functioned as an integrated precinct incorporating these new uses and facilities into the landscape, as well as catering for the changing needs of the community, officers proposed to revise the Booyeembara Park Landscape Plan. At the Finance, Policy, Operations and Legislation Committee meeting on 12 August 2020, Council resolved (part 4 of decision) the following:

4. *Request officers progress with the development of the Booyeembara Park Concept Plan, as identified in attachment 2, noting it will be developed in consultation with the Booyeembara Park Reference Group, prior to further community consultation.*

This report provides an update on the outcomes from community consultation and Booyeembara Park Reference Group engagement and how the landscape plan has been developed inclusive of integrating the Mountain Bike Trail and Fremantle Public Golf Course and Community Building projects.

FINANCIAL IMPLICATIONS

Officers have completed an Opinion of Probable Cost for landscape construction works for each stage of works, of which a summary is provided below. The costs are subject to final detail design and will vary depending on the specification of the materials and final design. The cost estimate is based on a level of finish consistent with the existing in Booyeembara Park. The design has been based on re-using/adapting as many existing elements as possible to minimise the cost of construction and requirements for working in contaminated land.

Stage of Works	Cost Estimate (inc contingency)
Montreal street and community facility car parking	Included in Golf Course Project
Olive grove event space	\$310 000
Family and youth area - District level playground upgrade - Half basketball court - Path link and aboriginal circle	\$500 000 \$30 000 \$90 000
Environment and culture area - Story telling circle - Ephemeral wetland - Stairs and lookout	\$65 000 \$500 000 \$650 000
Amphitheatre	\$290 000
Stage 4 Area - Mountain bike trails - Pump track, amenity area and six seasons garden - On and off street parking and access	\$615 000 \$520 000 \$250 000

At the SPT Committee on 27b March 2019, Council accepted a cash in lieu payment from LandCorp for a value of \$404,075 ex GST for the subdivision of land at Lot 1819 Blinco St Fremantle and supported the expenditure of the payment to work at Booyeembara Park (subject to WAPC/Minister's approval). The officer comment section recommends a scope of works for this capital budget.

There will be increased operational maintenance costs as the landscape plan is implemented. The costs are dependent on the final detailed design, materials and maintenance requirements, as well as the staged implementation of the construction. The increased annual maintenance cost will be finalised with the design and staging and submitted as part of future budget processes.

LEGAL IMPLICATIONS

Nil

CONSULTATION

The Booyeembara Park Landscape Plan has been developed in close consultation with the Booyeembara Park Reference Group through a series of workshops. The Booyeembara Park Reference Group, made up of representatives from Friends of Boo Park, WGV Community Orchard, Elected Members and local community members, were heavily involved in shaping the revised master plan prior to opening for public comment.

The engagement on the landscape plan was open between 12 November to 13 December 2020 and participation methods were:

- Interactive map and online survey on My Say Freo.
- Drop-in session at Booyeembara Park, Thursday 26 November 3.30pm to 6.00pm (near the playground).
- Awareness and promotion of the engagement was undertaken via:
 - Attendance at the White Gum Valley precinct group meeting 3 November 2020.
 - Direct email to previous submitters on various Booyeembara Park projects.
 - Letters sent to 116 owners and occupiers on Stevens Street likely to be interested in or affected by proposed parking.
 - Adverts in local newspaper in City's 'newsbites' column 14 and 28 November 2020.
 - Included in My Say Freo newsletter November 2020.

The My Say Freo page was visited by 385 people. There was a total of 26 submissions, 24 online, one via post and one via email. There were around 35 attendees at the drop-in information session.

Key findings across all methods were:

- The majority of respondents expressed positive sentiment toward the plan and thought it would be of great benefit to the community. Those who did not were primarily concerned with impacts on the natural environment and existing attributes of the reserve.
- Stevens Street parking option A (off-street parking within the park, with additional on-street parking) was the preferred parking method due to improved safety and reduced impact on local residents.
- Most attendees at the drop-in live nearby and had existing concerns about parking and traffic on Stevens Street.

Additionally, significant community engagement on each of the current associated projects (Fremantle Public Golf Course, Clubhouse and Community Facility, Booyeembara Park Mountain Bike Trail and Sullivan Hall landscape plan) and the feedback from these was used to inform the draft landscape plan, prior to consultation.

To develop the Fremantle Public Golf Course, Clubhouse and Community Facility, the City undertook a three-stage community consultation process. The consultation targeted key stakeholders and users as well as the wider community. Feedback was also sought on the integration of the facility with Booyeembara Park including access, functions and features within the park that may support existing uses or new uses complementary to the building.

To develop the mountain bike trail concept plan, the City established the Booyeembara Park Mountain Bike Trail Working Group to work with officers, the consultant and the community to provide information, requirements and feedback. There were three workshops and an open community engagement period from 17 July and 9 August 2020. The purpose of the engagement was to obtain input on the future needs of the area (including consideration of a potential pump track, and parking), and gather feedback on the proposed trail designs.

The City also notes feedback from the 2018 engagement on the former Men's Shed site where respondents raised concerns about parking in the vicinity of the Sullivan Hall area. During this engagement some respondents noted they'd like to see parking along Stevens Street only, and other feedback was received regarding incorporating sports facilities in the area, landscaping, native elements, seating and shade.

OFFICER COMMENT

The focus of the Booyeembara Park Landscape Plan was to review the staged implementation of the master plan and how it serves the community. The objectives of the Booyeembara Park Landscape plan included:

Access and circulation

Connect the existing, new and proposed functional areas by:

- Retaining pedestrian, cycle and maintenance access to the park through the Olive Grove
- Completing the footpath network within the park
- Providing adequate, accessible parking considering the new uses of mountain bike trail and golf clubhouse and community facility.

Functional and social spaces

The opportunity exists to provide complementary spaces in the landscape to support community use, events and functions of the building including:

- Outdoor social spaces for golf users
- Flexible outdoor spaces for community events, functions, markets, etc
- Complementary usable outdoor spaces for groups who may use the building (i.e. play, youth, learning and community groups)
- Completion of 'unfinished' spaces including the ephemeral wetland, story telling circle and amphitheatre
- Outdoor spaces connecting the cafe with Booyeembara Park and the golf course

Landscape Character

One of the unique aspects of the park is its diverse landscape typologies. The landscape treatments should enhance the established character and function of the adjacent landscape and function including:

- Golf course landscape
- Parkland landscape
- Established Montreal Street streetscape character
- Bushland areas
- Retention and enhancement of key views

Flexibility

Retain flexibility within the design for potential future use including:

- Golf operations including lit driving range or mini golf
- Expansion of the community facility
- New or existing community uses within the park (ie. olive harvest festival)

The Booyeembara Park Landscape plan focussed on the functional areas of the park that have not been completed, have changed due to new developments or were not functioning. The following descriptions relate to the precincts within the park and describe the design (please refer to attachment 1 for the detailed Booyeembara Park Landscape Plan).

Olive grove event space

Since construction, the olive grove promenade has taken on a stronger community focus than expected and has become the site of an annual olive harvest and long table dining event. The narrative has developed into 'Munja', a story focused on the harvest, growing and sharing of food, developing from the recycling narrative of the original concept. The landscape plan aims to:

- Build on the 'Munja' narrative by upgrading the olive grove with improved paths, seating and long tables to facilitate the harvest as well as provide year round social spaces.
- Provide a range of functional spaces, which can be used informally or in conjunction with the building, to hold a range of events which may include community activities, concerts and markets.
- Enhance the visual and physical connection between the building and the ephemeral wetland and story telling circle. Proposed materials are complementary to the park.
- Provide an area where the golf course operator could create a mini-golf course, without impact on the park function.

Family and youth area

The family and youth area includes the picnic lawn, skate park, playground and open lawn area. The function of these spaces is currently good, however with the new community facility and mountain bike trail, Booyeembara Park will become a regional destination. The increased demand on family and youth areas is designed in the Landscape plan, which proposes to:

- Create a destination playground, catering for a wider range of play and connected to the new community facility and cafe.
- Extend the youth facilities by the inclusion of a half basketball court near the skate park. This will be accessible from the path between the two spaces and link to the main grassed area.

- Increase picnic areas including shelters over tables.
- Include nature play under the existing climbing tree circle.
- Completion of footpath network.

Environment and culture area

This area includes the story telling circle, unfinished wetland and informal trail up the limestone hill to the look out. The storytelling circle was built in the location of the healing ceremony, a permanent reminder of a temporary event. The landscape plan proposes to:

- Refurbish the storytelling circle creating an event and educational space including accessible paths and seating.
- Plant endemic and bush tucker species
- Complete the ephemeral seasonal wetland which will provide habitat for animals such as frogs, lizards and birds. A boardwalk will allow interaction with the wetland for casual and educational purposes.
- Provide educational and informational signage
- Formalise the trail up the limestone hill with a series of steps and ramps finishing at a look-out on the edge of the Royal Fremantle Golf Course, taking advantage of the spectacular view from the top.

Amphitheatre

The much-loved amphitheatre was the work of a dedicated group of residents. Unfortunately, due to the site conditions and materials, the structure requires redesign to make it safe and accessible again. It is proposed to scale the amphitheatre back by removing the top tiers and wing walls, finishing the layers with low rock walls and creating a path connection from the story telling circle to the bushland tracks and mountain bike trail. The resultant amphitheatre will be intimate, safe and accessible to the community, whilst still maintaining the acoustic qualities that make it a great performance space.

Stage 4 area

The proposed stage 4 area included the community axis from the original master plan. As no works had been undertaken in this area, the community had begun to inhabit the space. This included informal mountain bike trails along the eastern edge of the park. A process began in 2019 to formalise a proposal for the trails and the Booyeembara Park Mountain Bike Trail Concept Plan was adopted by Council in 2020. Additionally, in 2020, the Friends of Booyeembara Park received grant funding to commence construction of the six seasons garden. These existing community uses have been used as the basis for the development of the stage 4 area, which proposes to:

- integrate the mountain bike trail and six seasons garden into the park by providing paths, picnic areas, planting and lookout points for other park users to view the trails.
- Include a pump track to cater for a wider range of users and skill levels.
- Provide new car parking along Stevens Street including off-street car bays and a drop-off area to service the mountain bike trail as well as Sullivan Hall.

Stevens Street and Montreal Street

The new developments within the park and the neighbouring golf course will increase the amount of people travelling to the precinct on foot, bike or by car. Road safety, increased parking and pedestrian access along Stevens and Montreal Streets were considered important to allow people to safely access the precinct. Car parking along Montreal Street has been designed to allow safe access for golf users with clubs and buggies, with a large set down area at the back of the car bay. The landscape treatment is also consistent with the southern portion of Montreal Street. Stevens Street parking includes a combination of on and off street parking as well as a new footpath along the road. Traffic calming is included by way of treatments at intersections, which also allows for safer pedestrian crossing points.

Summary and Next Steps

At the Ordinary Meeting of Council on 24 March 2021, Council approved the use of the cash in lieu payment of \$404,075 ex GST from LandCorp for construction of Booyeembara Park. Officers propose to use the budget for stage 1 works, which will prioritise completing the immediate building surrounds and olive grove event space, followed the story telling circle and half-court basketball. The works will be scoped to budget and detailed cost estimates will be developed through the detail design phase. The Booyeembara Park Reference Group have supported this proposal. The construction of the Stage 1 works will be scheduled for completion in time for the opening of the building.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COMMITTEE RECOMMENDATION ITEM FPOL2104-7 **(Officer's recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 1. Receive the Booyeembara Park Master Plan Implementation – Community Engagement Report, provided in attachment 1.**
- 2. Adopt the Booyeembara Park Landscape Plan, provided in attachment 2.**
- 3. Request officers progress to detailed design, tender and construction for the stage 1 works, noting:**
 - a. The works will use of the cash in lieu payment of \$404,075 ex GST from LandCorp.**
 - b. The works will be scoped to the budget, with a priority placed on the golf clubhouse and community building integration area and olive grove event space followed by the story telling circle and half-court basketball.**

Carried: 6/0

Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright

COUNCIL DECISION ITEM FPOL2104-7
(Committee recommendation)

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 1. Receive the Booyeembara Park Master Plan Implementation – Community Engagement Report, provided in attachment 1.**
- 2. Adopt the Booyeembara Park Landscape Plan, provided in attachment 2.**
- 3. Request officers progress to detailed design, tender and construction for the stage 1 works, noting:**
 - a. The works will use of the cash in lieu payment of \$404,075 ex GST from LandCorp.**
 - b. The works will be scoped to the budget, with a priority placed on the golf clubhouse and community building integration area and olive grove event space followed by the story telling circle and half-court basketball.**

Carried en bloc: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**FPOL2104-8 ADOPTION OF MODEL CODE OF CONDUCT FOR COUNCIL AND
MODEL STANDARDS FOR EMPLOYING CHIEF EXECUTIVE
OFFICERS**

Meeting date:	10 March 2021
Responsible officer:	Manager Governance
Decision making authority:	Council
Attachments:	1. City of Fremantle Council Members, Committee Members and Candidates Code of Conduct 2. City of Fremantle standards – for the recruitment, selection, performance review and early termination of local government Chief Executive Officers
Additional information:	1. Current Elected and Committee Members Code of Conduct 2. Current CEO recruitment and performance management policy

SUMMARY

Legislative changes that require local governments to comply with minimum standards covering the recruitment, selection, performance review and early termination of chief executive officers and the adoption of a mandatory code of conduct for council members, committee members and candidates have come into effect.

A Council resolution is required to repeal the current code and policy and to adopt the mandated code and standards.

BACKGROUND

Model Standards – for the recruitment, selection, performance review and early termination of local government Chief Executive Officers

The Local Government (Administration) Amendment Regulations 2021, outlining CEO Standards Regulations, including the Recruitment, Performance Management and Termination of the CEO were gazetted on 2 February 2021 and took effect on 3 February 2021.

Key features of these regulations include the requirement:

- to establish a selection panel comprised of council members and at least one independent person to conduct the recruitment and selection process for the position of CEO;
- to establish a performance review process by agreement between the local government and the CEO; and
- to conduct a recruitment and selection process where an incumbent CEO has held the position for a period of ten or more consecutive years on expiry of the CEO's contract.

In addition, requirements for advertising vacant CEO positions have been updated to align with amendments to state-wide public notice provisions.

Model code of conduct - for council members, committee members and candidates

The *Local Government (Model Code of Conduct) Regulations 2021* were gazetted on 2 February 2021 and took effect on 3 February 2021. This change immediately introduced a Model Code of Conduct that applies to council members, committee members and candidates.

The Model Code Regulations provide for:

- overarching principles to guide behaviour
- behaviours which are managed by local governments
- rules of conduct breaches which are considered by the Standards Panel.

Previously, each local government was required to develop their own code of conduct and manage behaviour in accordance with that code. These regulations replace these individual codes by introducing a model code that applies to all council members, committee members and candidates. It also provides for a high-level process to deal with complaints to ensure a more consistent approach between local governments and across the sector. The intent of the model code is to address behaviour through education rather than sanctions.

The purpose of the model code is to guide decisions, actions and behaviours, to clearly reflect community expectations of behaviour and ensure consistency between local governments.

The *Local Government (Model Code of Conduct) Regulations 2021* (Model Code) includes general principles and behaviours for council members, committee members and candidates, and repeals and replaces the *Local Government (Rules of Conduct) Regulations 2007*. The Model Code of Conduct is required to be uploaded on the City's website once adopted.

The Model Code Regulations provide for:

- Division 2, General Principals - to guide behaviour;
- Division 3, Behaviours - managed internally by local governments and;
- Division 4, Rules of Conduct - breaches which are considered by the Standards Panel.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local governments are required to prepare and adopt the:

- **Model Standards** - mandatory minimum standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers; and the
- **Model code of conduct** - for council members, committee members and candidates

within three months of the regulations coming into effect (by 3 May 2021).

CONSULTATION

Nil.

OFFICER COMMENT

Model Standards – for the recruitment, selection, performance review and early termination of local government Chief Executive Officers

Following adoption of the model standards the City will develop a working procedure in line with the standards for the recruitment, performance management and termination of the CEO to enable officers to easily implement the requirements outlined in the standards.

Model code of conduct - for council members, committee members and candidates

In adopting the model code, local governments are encouraged to review their existing code and consider incorporating any additional behaviour requirements under **Division 3** that are not represented in the model code.

Any additions must be consistent with the model code of conduct, and section 5.104(3) of the *Local Government Act 1995*.

Local governments may not amend **Division 2** (Principles) or **Division 4** (Rules of Conduct) of the model code.

In preparation for this report, the City's current code of conduct was reviewed, and it was considered that there was one additional behaviour identified, that should be included in the model code of conduct. As a result, it is recommended that the following additional clause 10A shown below be included in the City's model code of conduct.

‘10A. Informal meetings of Council members

(1) In this clause –

informal meeting means a meeting, to which all Council members have been invited, held for the purposes of general discussion and the provision of information where no decision making may occur, such as a briefing or training session or a workshop.

- (2) Unless authorised in writing by the Council or the CEO, a Council member or committee member must not disclose, to any other person, information that the Council member or committee member acquired at an informal meeting.
- (3) Subclause (2) does not prevent a Council member or committee member from disclosing information –
- (a) at a closed meeting of the Council or a committee;
 - (b) to the extent specified by the Council and subject to other conditions as the Council determines;
 - (c) that is already in the public domain;
 - (d) to an officer of the Department;
 - (e) to the Minister;
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or

- (g) if the disclosure is required or permitted by law.'

The intention of including this clause is to support the deliberative or "thinking" processes of council members, to allow them to weigh and consider information and to reflect on the reasons for or against a particular choice without the fear that an incomplete thought or clarifying discussion might be released publicly without context.

If council members are reluctant to contribute to a discussion the quality and depth of that discussion is reduced.

It should be noted that any additional amendments, consistent with the model code of conduct, and section 5.104(3) of the *Local Government Act 1995*, may be made at a future time if considered appropriate.

Following adoption of the code the City will develop a complaint handling process for adoption by Council. If the City receives any 'Division 3' complaints in the meantime the City will acknowledge and accept the lodgement but advise that the complaint cannot be progressed until a policy and procedure are adopted.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

COMMITTEE RECOMMENDATION ITEM FPOL2104-8 **(Officer's recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Andrew Sullivan

Council:

- 1. Adopt;**
 - a. City of Fremantle Code of Conduct for Council Members, Committee Members and Candidates (attachment 1); and**
 - b. City of Fremantle Chief Executive Officer standards – for the recruitment, selection, performance review and early termination of local government (attachment 2).**
- 2. Rescind;**
 - a. Elected and Committee Members Code of Conduct 2018; and**
 - b. CEO recruitment and performance management policy**

Carried en bloc: 6/0

**Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright**

ADDITIONAL OFFICER COMMENT

Following the Finance Policy Operations and Legislation Committee Meeting held on the 14 April 2021 it came to the attention of officers that there was an error included in the previous “attachment 2 - City of Fremantle standards – for the recruitment, selection, performance review and early termination of local government Chief Executive Officers” to the “Adoption of model code of conduct for council and model standards for employing chief executive officers” report.

Officers at the City identified what appeared to be an inconsistency between the guidelines and the legislation, that was later confirmed by the Department of Local Government to be an oversight.

The original attachment 2 to this report has now been updated and the corrected version for consideration by Council is attached to this Agenda.

COUNCIL DECISION ITEM FPOL2104-8 **(Committee recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

- 1. Adopt;**
 - a. City of Fremantle Code of Conduct for Council Members, Committee Members and Candidates (attachment 1); and**
 - b. City of Fremantle Chief Executive Officer standards – for the recruitment, selection, performance review and early termination of local government (attachment 2).**
- 2. Rescind;**
 - a. Elected and Committee Members Code of Conduct 2018; and**
 - b. CEO recruitment and performance management policy**

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

FPOL2104-9 REQUEST MAYORAL VACANCY REMAIN UNFILLED 2021

Meeting date: 14 April 2021
Responsible officer: Manager Governance
Decision making authority: Council
Attachments: Nil
Additional information: Nil

SUMMARY

This report is intended to determine whether Council support a request being made to the Electoral Commissioner to allow the vacant Mayoral position, created by Mayor Brad Pettitt's election to State Government, to remain vacant until the October Ordinary Local Government Election 2021 or if Council would prefer to fill the position as soon as practicable.

BACKGROUND

Mayor Brad Pettitt was elected to State Government at the election held on 13 March 2021 (the result of that election was announced on the 6 April 2021). As such, he will be unavailable to undertake the functions of the office of Mayor for the City of Fremantle.

In order to fill this position Council is required to consider how it wishes to deal with the vacancy of the Mayor. Essentially two options exist.

Firstly, the City could hold an extraordinary election to fill the vacancy.

Secondly, Council may seek the approval of the Electoral Commissioner to allow the position to remain vacant until the Ordinary Local Government Election 2021.

FINANCIAL IMPLICATIONS

The cost of holding an extraordinary election to fill a Mayoral vacancy on Council is estimated at around \$100,000. Council's adopted budget does not include funding for this purpose.

LEGAL IMPLICATIONS

In accordance with section 4.17 of the *Local Government Act 1995* if an elected member's office becomes vacant after the third Saturday in January but before the third Saturday in July, in the election year in which the term of the office would have ended, Council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled until the next ordinary election.

CONSULTATION

Nil

OFFICER COMMENT

Should Council wish to pursue the option of requesting that the position remain vacant and assuming approval is granted by the Electoral Commissioner, this would mean that the City's Ordinary Local Government Election 2021 would include a Mayoral election as already scheduled.

It is recommended that Council seeks the approval of the Electoral Commissioner for the vacancy on Council, created by the Mayors election to State Government, to remain unfilled until the Ordinary Local Government Election 2021.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

COUNCIL DECISION ITEM FPOL2104-9 **(Committee recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council, in accordance with Section 4.17 of the Local Government Act 1995, seek the approval of the Electoral Commissioner to allow the City of Fremantle's Mayoral vacancy to remain unfilled until the Ordinary Local Government Election 2021.

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

FPOL2104-6 FREMANTLE OVAL MASTERPLAN

Meeting date: 14 April 2021
Responsible officer: Manager City Design
Decision making authority: Council
Agenda attachments: Fremantle Oval Masterplan

SUMMARY

One of five key strategic projects in Council's FREQ2029 Transformational Moves is improvements to the Oval Precinct. Due to the complexities of the site, as well as the uncertainty around the nature and timing of neighbouring sites (for example: Hospital, Police HQ) the Council resolved to develop a masterplan that had a clear focus on football facilities and infrastructure. This work is now complete.

The attached masterplan document is the result of intensive and collaborative work between the following key project partners over the past 6 months:

- South Fremantle Football Club
- West Australian Football Commission
- Fremantle Football Club
- City of Fremantle

The work has been guided by the City's Key Principles Diagram adopted by Council in August 2020 that established an urban design framework for future planning and design.

This report recommends that Council adopts the masterplan as a high-level strategic document for the purposes of:

- Enabling all project partners to advocate for the project and pursue funding opportunities.
- Communicating the project vision with the broader Fremantle community and building support for the project.
- Developing and refining certain aspects of the project, in particular, the community facilities and programs that could be incorporated.

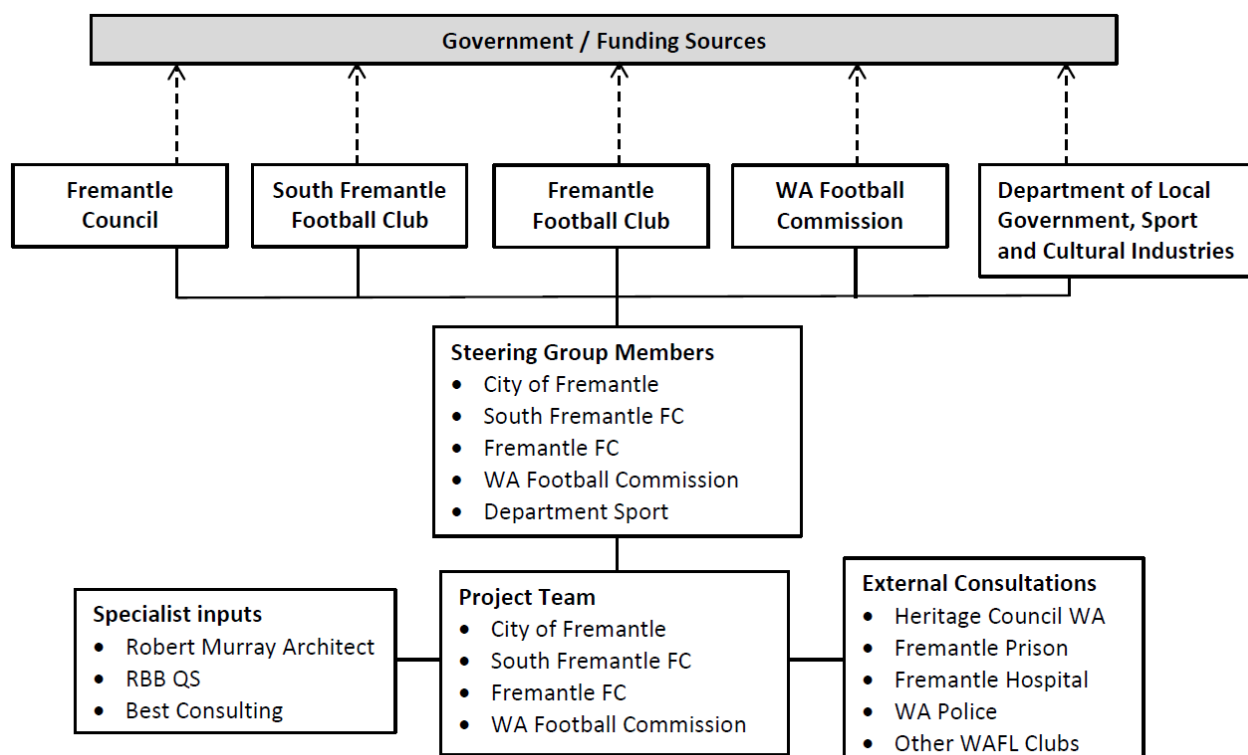
BACKGROUND

At its meeting on 26th August 2020 the Council adopted the Key Principles Diagram to guide planning and design of the precinct and requested that the City finalise a football masterplan as a matter of urgency.

At its meeting on 23rd September 2020 the Council considered the implications of a Police HQ on the Stan Reilly site and agreed, amongst other things, to request that the State Government provides a public access road off South Terrace to secure critical access to the Oval Precinct from the southern end.

At its meeting on 27th January 2021 the Council considered further details around its request to State Government regarding the Stan Reilly site – with a particular emphasis on protecting the future development options for the Oval precinct, e.g., a future public road and internal laneways that may be critical for future planning within the Oval Precinct.

Since August 2020, the masterplan for football facilities and infrastructure has been developed by the City with support from the key project partners and specialist inputs. The following project organisational structure illustrates how the governance of the project was managed:



In January and February 2021, the draft masterplan design was presented informally to elected members as well as governing boards of key project partners and received strong support. The plan has now been refined into a masterplan document that can be shared with the wider Fremantle community, key stakeholders and interested groups.

FINANCIAL IMPLICATIONS

There are no direct financial implications to this Report.

LEGAL IMPLICATIONS

There are no legal implications to this Report.

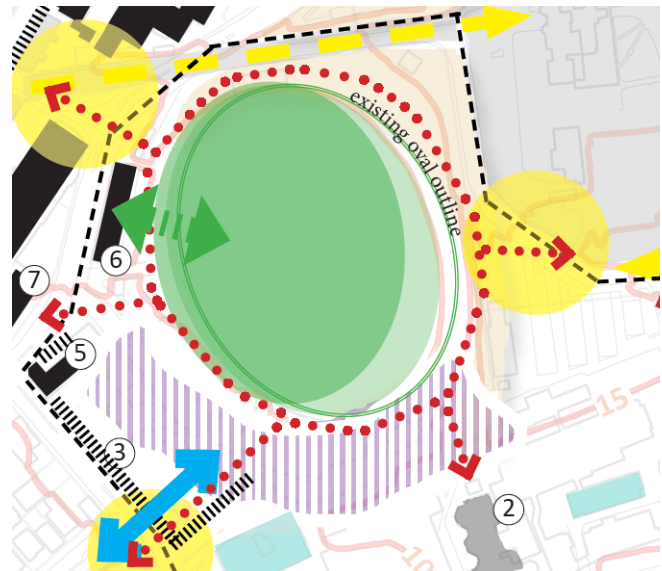
OFFICER COMMENT

The masterplan has been prepared with a clear focus around the need for improvements to facilities and infrastructure for football. It has been developed within a robust strategic framework that has taken into consideration:

- An understanding of the high cultural significance of the place.
- The need to improve the public permeability, access and legibility of the precinct over time.
- Flexibility around the timing and nature of other developments in and around the precinct.
- AFL and WAFL guidelines for facilities to position Fremantle Oval strategically as a premier ground for WAFL, WAFLW, AFLW and WAFL finals.

The masterplan also responds to all the Key Principles adopted by the Council in August 2020:

1. Upgrade the Fremantle Oval for football.
2. Improve pedestrian entry areas / axis points.
3. Improve pedestrian / cycling permeability.
4. Create clear, new major vehicular access points into precinct.
5. Protect and improve the heritage setting of the Fremantle Prison.
6. **Future Potential Development:** To be focused around western and southern sides.
7. **Future Land Use Planning:** With football as the primary focus, other land uses to be encouraged within the precinct include residential, sports administration, community / cultural and public car-parking, which are commensurate with this location on the edge of the city centre, but also help support activity in the core of the city.



It is noted that the masterplan does not attempt to resolve the issues around future development of the former Dockers building, together with a future road that might go all the way through the precinct at the southern end. These matters will need a longer timeframe to resolve and are also likely to be dependent on the form and timing of future redevelopment within the hospital site.

The masterplan remains focussed on what can be done now. It sets a clear vision and objectives that, if implemented, would ensure the cultural importance of sport at Fremantle Oval continues well into the future. A critical component of this is recognising the importance of women's football and community development programs and ensuring that the facilities meet contemporary codes and standards (which they currently do not).

Underpinning the vision is acknowledgement of, and leveraging from, the unique qualities of the place – from its inner-city location and heritage setting, to the public transport and hospitality benefits – to make Fremantle Oval one of the best WAFL facilities in Western Australia.

The plan also recognises that, as part of City life, the oval must contribute to the day to day vibrancy of the Port City and be more than just about football. It is an essential 'green space' in the heart of the city and must remain a critical and integrated part of the public realm for the whole community. All project partners agree that this will be a key component to the ultimate success of the project.

With the high-level of support from the key project partners for this masterplan, the City now has an opportunity to broaden the conversation about the future of Fremantle Oval with the community, other key stakeholders and Government.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required.

COUNCIL DECISION ITEM FPOL2104-6 **(Committee recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Geoff Graham

Council:

- 1. Adopts the Fremantle Oval Masterplan for the purposes of:**
 - a. Enabling all project partners to advocate for the project and pursue funding opportunities.**
 - b. Communicating the vision with the broader Fremantle community.**
 - c. Developing and refining certain aspects of the project, in particular, the community facilities and programs that could be incorporated.**
- 2. Based on the Key Principles Diagram, adopted by Council on 26 August 2020, notes that other elements of the broader planning of Fremantle Oval precinct, such as development options for the former Dockers building and potential shared public road with the hospital site, will be developed at a later stage.**

Carried: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

FPOL2104-10 BUDGET AMENDMENTS - MARCH 2021

Meeting date: 14 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Attachments: Nil
Additional information: Nil

SUMMARY

To adopt various budget amendments to the 2020/2021 budget account numbers as detailed below in accordance with the Budget Management Policy. The budget amendments have nil effect to the overall budget.

This report recommends that Council approves the required budget amendments to the adopted budget for 2020/21 as outlined in the report.

BACKGROUND

In accordance with the Budget Management Policy this report provides details of proposed amendments to the 2020/2021 budget on a monthly basis to Council (via FPOL) to adopt budget amendments to:

1. Consider an additional purpose or grant acceptance or release of quarantined funds.
2. Reflect any expenditure above the budget amount agreed by the CEO in the previous month, and to adjust other accounts to accommodate the value of these.
3. Make amendments to the carried forward budget to reflect the final position at the end of financial year.

FINANCIAL IMPLICATIONS

The financial implications are detailed in this report.

LEGAL IMPLICATIONS

Local Government Act 1995:

Section 6.2 (1)

The Council is required to prepare and adopt, by Absolute Majority, an annual budget for its municipal fund by 31st August each year.

Section 6.8 (1) and (2)

The Council cannot incur expenditure from its municipal fund for a purpose for which no expenditure estimate is included in the annual budget (known as an 'additional purpose') except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
- (b) is authorised in advance by resolution by Absolute Majority; or
- (c) is authorised in advance by the Mayor or president in an emergency.

Where expenditure has been incurred;

- (a) under S 6.8 (1) (a) it is required to be included in the annual budget for that financial year; and
- (b) under S 6.8 (1) (c), it is to be reported to the next ordinary meeting of the council

Local Government (Financial Management) Regulations 1996:

Regulation 33A

A formal review of the annual budget is to be presented and adopted by Council, by Absolute Majority, between 1st January and 31st March each year.

CONSULTATION

There are no community engagement implications as a result of this report.

OFFICER COMMENT

The following amendments to budget account numbers to the adopted budget for 2020/2021 are submitted to Council for approval as outlined below.

1. Budget amendments for proposed expenditure for an additional purpose

The proposed budget amendments below are for expenditure for an additional purpose to be determined by Council as required by S6.8 (1) (b) of the Act. The decision will amend the budget by creating a new budget account number to accommodate that proposed expenditure, and by transferring the required funds from one or more existing accounts to the new account.

Item	Account #	Account Details	2020/21 Adopted Budget	Increase/ (Decrease)	(Increase)/ Decrease	2020/21 Amended Budget
				Revenue	(Expenditure)	
1.1	\$5k Grant recently received from Business Events Perth for production of a video to promote Fremantle as a destination for Meetings, Incentives, Conferences and Events. This grant will provide 50% of the total cost of the video.					
Rev	200xxx.4318	PXXXXX - Promote Fremantle - Video Production	0	5,000		5,000
Exp	200xxx.6823		0		(10,000)	(10,000)
Exp	100557.6823	Manage destination marketing plan implementation	(671,775)		5,000	(666,775)
1.2	Additional \$70k grant received from DLGSC towards delivery of "Revealed 2021". This will be added to the Revealed event for 2021.					
Rev	200789.4315	P-11945 Program-Reveal Aboriginal Artist 2021	250,000	70,000		320,000
Exp	200789.6823		(250,000)		(70,000)	(320,000)

Item	Account #	Account Details	2020/21 Adopted Budget	Increase/ (Decrease)	(Increase)/ Decrease	2020/21 Amended Budget
1.3	Additional Commonwealth Grant funds for COVID recovery projects has now been identified for use in this Western Power trial project. The project is to upgrade streetlighting around the Gibson Park precinct to LED lighting as part of a state govt pilot.					
Rev	200150.4313	P-11980 Western Power Streetlight LED Upgrade - Stage 1	0	120,000		120,000
Exp	200150.6823		0		(120,000)	(120,000)
1.4	Budget of \$100,000 requested to remove existing retaining wall and replace with new engineered wall, funded from the infrastructure recovery pool. The existing retaining wall behind the Men's Shed has failed in some places and is showing signs of impending failure over majority length of the wall. Project identified from corporate risk register.					
Exp	300170.1606	Program- Infrastructure Recovery	(173,609)		100,000	(73,609)
Exp	300xxx.1606	P-11981 Design and Construct – Men's Shed - Wall	0		(100,000)	(100,000)
1.5	Budget of \$70,000 requested to install a replacement sewer connection for Fremantle Arts Centre toilets, funded from the infrastructure recovery pool. The current sewer connection is regularly blocked and overflows in the café courtyard. This causes issues for café patrons and visitors to the Centre. As a risk mitigation measure the City is renting temporary toilets at the cost of approx. \$10,000 for 3 months. Project identified from corporate risk register.					
Exp	300170.1606	Program- Infrastructure Recovery	(73,609)		70,000	(3,609)
Exp	300xxx.1606	P-11982 D&C - Fremantle Arts Centre Sewer Replacement	0		(70,000)	(70,000)

2. Budget amendments for proposed expenditure for a purpose identified within the budget for which there are insufficient funds allocated

CEO has the delegated authority under the Budget Management Policy to incur expenditure for a purpose identified within the budget for which there is insufficient funds allocated, where:

- a) The proposed expenditure is a maximum of 5% or \$50,000 (whichever is the lesser) above the budgeted amount, and
- b) There are sufficient funds equivalent to the value proposed to be sent allocated to other budget line items within the overall budget, and which, in the opinion of the CEO, are not expected to be spent during that financial year.

The budget amendments below are to reflect any expenditure above the budget amount agreed by the CEO during the previous month, and to adjust other accounts to accommodate the value of those.

Item	Account #	Account Details	2020/21 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2020/21 Amended Budget
Nil						

3. Carried forward projects estimate budget amendments

The budget amendments below are to adjust the carried forward project estimates and to amend the carried forward budget to reflect the final position at the end of financial year.

Item	Account #	Account Details	2020/21 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2020/21 Amended Budget
Nil						

End of financial year adjustments for 30 June 2020 are still ongoing therefore further budget amendments for carried forward projects will be presented to Council next month. Once completed the final overall effect on the end of year surplus, unspent grant funds and reserve funds movements for carried forward projects will be reported to Council through the budget amendment report.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

COUNCIL DECISION ITEM FPOL2104-10
(Committee recommendation)

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Frank Mofflin

Council approve the required budget amendments to the adopted budget for 2020/2021 as outlined below:

Item	Account #	Account Details	2020/21 Adopted Budget	Increase/ (Decrease)	(Increase)/ Decrease	2020/21 Amended Budget
				Revenue	(Expenditure)	
1.1	\$5k Grant recently received from Business Events Perth for production of a video to promote Fremantle as a destination for Meetings, Incentives, Conferences and Events. This grant will provide 50% of the total cost of the video.					
Rev	200xxx.4318	PXXXXX - Promote Fremantle - Video Production	0	5,000		5,000
Exp	200xxx.6823		0		(10,000)	(10,000)
Exp	100557.6823	Manage destination marketing plan implementation	(671,775)		5,000	(666,775)
1.2	Additional \$70k grant received from DLGSC towards delivery of "Revealed 2021". This will be added to the Revealed event for 2021.					
Rev	200789.4315	P-11945 Program-Reveal Aboriginal Artist 2021	250,000	70,000		320,000
Exp	200789.6823		(250,000)		(70,000)	(320,000)

Item	Account #	Account Details	2020/21 Adopted Budget	Increase/ (Decrease)	(Increase)/ Decrease	2020/21 Amended Budget
				Revenue	(Expenditure)	
1.3	Additional Commonwealth Grant funds for COVID recovery projects has now been identified for use in this Western Power trial project. The project is to upgrade streetlighting around the Gibson Park precinct to LED lighting as part of a state govt pilot.					
Rev	200150.4313	P-11980 Western Power Streetlight LED Upgrade - Stage	0	120,000		120,000
Exp	200150.6823	1	0		(120,000)	(120,000)
1.4	Budget of \$100,000 requested to remove existing retaining wall and replace with new engineered wall, funded from the infrastructure recovery pool. The existing retaining wall behind the Men's Shed has failed in some places and is showing signs of impending failure over majority length of the wall. Project identified from corporate risk register.					
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1.5	Budget of \$70,000 requested to install a replacement sewer connection for Fremantle Arts Centre toilets, funded from the infrastructure recovery pool. The current sewer connection is regularly blocked and overflows in the café courtyard. This causes issues for café patrons and visitors to the Centre. As a risk mitigation measure the City is renting temporary toilets at the cost of approx. \$10,000 for 3 months. Project identified from corporate risk register.					
Exp	300170.1606	Program- Infrastructure Recovery	(73,609)		70,000	(3,609)
Exp	300xxx.1606	P-11982 D&C - Fremantle Arts Centre Sewer Replacement	0		(70,000)	(70,000)

Carried: 10/1

For

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

Against

Cr Marija Vujcic

FPOL2104-11 ROUND HOUSE CONSERVATION MANAGEMENT PLAN

Meeting date:	14 April 2021
Responsible officer:	Manager Asset Management
Decision making authority:	Council
Attachments:	1. Round House Conservation Management Plan – Recommendations (only) 2. Round House Conservation Management Plan – Prioritisation of works and cost estimates (only)
Additional information:	1. Round House Conservation Management Plan 2. Round House Conservation Management Plan – Engagement Report

SUMMARY

The Round House is one of the most significant heritage buildings in Western Australia. It is the state's oldest public building and one of the biggest tourist attractions in Fremantle.

Due to its exposed location, vandalism and the well-intentioned but damaging repairs carried out during the twentieth century the building is now in need of some urgent conservation works.

The conservation of the Round House is currently guided by the Arthur Head Conservation Plan from 2011. Due to the significance of the Round House and the specific conservation issues impacting the place, a more in-depth investigation and analysis was required and included in the Round House's own Conservation Management Plan.

This report provides an overview of the issues facing the conservation of the building and the recommended response proposed in the new conservation plan. The report recommends that Council adopt the City of Fremantle Round House Conservation Management Plan recommendations and continue to advocate for the State government to fund the conservation works.

BACKGROUND

Character, Culture & Heritage is one of the seven key focus areas of the City's Strategic Community Plan. "*Fremantle celebrates its history and built heritage through active renewal and adaption*" is listed as a specific outcome in the Plan. In an effort towards helping the City to deliver on this outcome, a Conservation Management Plan has been developed for one of the City's and Western Australia's most iconic buildings, the Round House.

The Round House, which is recognised as being Western Australia's oldest public building and is one of this State's most significant heritage buildings, is one of the biggest attractions in Fremantle with an estimated 100,000 persons per year visiting the building annually.

The Round House has exceptional significance not just as the oldest public building in Western Australia but also for its role in the establishment of the colonial system of law and order when it served as a gaol, as the holding point for Aboriginal prisoners being transferred to Rottnest Island, and as a lock up for Ticket of Leave men from the Imperial Convict Establishment. The Round House is included on the State Register of Heritage Places as a part of the larger listing, Round House and Arthur Head.

Arthur Head Reserve, including the Round House was vested in the City of Fremantle in 1982. The management of the site is currently informed by the Arthur Head Reserve Conservation Plan prepared by Griffiths Architects in 2011. The conservation management plan superseded an earlier report by Naomi Lawrance Architecture + Heritage (1998) and more focused conservation plans of the Round House by Jack Kent (1988) and Rob McCampbell (1975). Numerous reports and technical investigations have also been carried out to better understand the place however, often with conflicting advice and recommendations.

Since 1998 the Fremantle Volunteer Heritage Guides Association has been managing the Round House as a heritage tourism site. The building is open every day to the public between except for Christmas Day and Good Friday. There are a number of interpretive displays in the courtyard and ground floor rooms of the Round House but the upper floor is currently inaccessible due to safety concerns about the narrow, steep staircase. The last major conservation works of the Round House were undertaken in 2004. Since then small amounts of maintenance work have been carried out each year under the City's building maintenance budget.

Due to the exposed marine environment, vandalism and the well-intentioned but damaging repairs carried out during the twentieth century the building is now in need of some urgent conservation works. In particular, works are urgently required for the remediation and repair of the limestone walls.

As part of the City's focus on asset management and conservation of its heritage assets, the City engaged a consultant heritage architect to prepare a Conservation Management Plan for the Round House. This document will help record the important history of the building and guide its conservation and its ongoing management.

In response to a motion moved at Annual General Meeting of Electors, at the Ordinary Meeting of Council on 10 June 2020 the council resolved to note:

1. *The process for national heritage registration and the intention to pursue nomination of the Round House in 2021.*
2. *The update of the Round House Conservation Plan currently in train and the framework this provides for formulating and considering budget proposals for maintenance, restoration and interpretation works, which can subsequently be considered as part of the annual budget process.*

At the Ordinary Meeting of Council on 24 June 2020 the council resolved that it:

1. *Recognises the Roundhouse is one of the most significant historic buildings in Western Australia that tells an important story of our State's history and is a popular cultural and tourist destination.*
2. *Commit to fund \$500,000 as a 50% contribution towards urgent works at Arthur Head for works in areas 1, 4, 7 and 8 as provided in the Arthur Head Cliff Stabilisation Report 2019 (as attached to this agenda), so that the unsightly scaffolding and fences can be removed from this historic site.*
3. *Formally request the State Government to contribute the remaining 50% portion from part 2 above, being \$500,000 for the urgent works at Arthur Head for works in priority areas 1, 4, 7 and 8 in the Arthur Head Cliff Stabilisation Report 2019, so that all the scaffolding and fences can be removed, and*
4. *Advises the State Government that the funds generated from the site will be inadequate to fund the remaining essential conservation works and that further funds for works will be required in State Government forward estimates.*

Since the resolutions in June 2020, the State Government, through the Department of Planning, Lands and Heritage, has contributed 50% to a \$1 million Cliff Stabilisation project at Arthur Head with staff verbally acknowledging that further works (informed by an up to date conservation management plan) would be desirable. The purpose of this report is to submit for adoption the Conservation Management Plan prepared for the Round House.

FINANCIAL IMPLICATIONS

The identified conservation works deal with a multitude of building fabric issues, these works are very detailed and have been itemised at an elemental level.

The works cover a range of various aspects of the building including work and repairs to the roof, walls, steps, fixtures and surrounding ancillary items.

The estimated cost of all of the works identified in the Conservation Management Plan is \$652,000, these have been reviewed and are recommended in the following priority order:

Priority 1 – Immediate attention	\$300,060
Priority 2 - Urgent	\$302,260
Priority 3 – Medium term	\$39,900
Priority 4 – Long term	\$9,780
Total	\$652,000

Officers continue to seek funding to expedite the required works.

LEGAL IMPLICATIONS

Nil

CONSULTATION

A programme of public consultation was carried out to assist with the preparation of the Round House Conservation Management Plan. In the first stage the public was asked to contribute stories, memories and photos associated with the place and in the second stage they were asked to comment on the draft version of the report.

The Conservation Management Plan preparation has incorporated community consultation as outlined in the Round House Conservation Management Plan Engagement Report attached to this item in Additional Information attachment 2.

OFFICER COMMENT

The Round House is one of the first buildings in Western Australia to be recognised and protected as a historic site when it was saved from demolition twice in the 1920s. It has now been a historic site longer than it served its original role. During this time it has been stabilised, repaired, preserved and conserved many times becoming a record of our changing attitudes to historic buildings and the evolution of conservation practice. The early conservation work were some of the first major conservation projects in the state, and pioneered heritage practices in Western Australia. Although well intentioned, not all past work is deemed to be appropriate in 2020. A number of these works have been reversed however there are still actions that need to be undertaken to ensure the on-going stability and viability of the place.

The conservation and management of the Round House is currently guided by the Arthur Head Conservation Plan which was prepared by Griffiths Architects in 2011. The current Conservation Plan covers the whole reserve which is 97 Ha in size and contains 11 buildings as well as numerous structures and an archaeological site. The Arthur Head Conservation Plan only briefly describes and has recommendations for the Round House.

Due to the identified cultural heritage significance of the Round House and the conservation issues impacting the place, a more in-depth investigation and analysis was required and included in the Round House's own Conservation Management Plan.

The Round House Conservation Management Plan provided in Additional Information attachment 1, builds on the broader conservation recommendations of the Arthur Head Conservation Plan (2011) and develops recommendations which seek to conserve significance and reduce the occurrence of adverse impacts. The Plan makes 108 recommendations that cover different areas of interest over a broad range of issues and are designed to help inform decision-making and create a transparent decision making process. The Management Plan seeks to:

- Provide guidance regarding the significance of the place;
- Conserve the documented heritage values of Round House;
- To understand and prioritise conservation actions in a practical manner;
- To establish a monitoring and maintenance program to address and retard further conservation issues and deterioration of significant fabric; and
- To preserve the heritage values of Round House in accordance with best heritage practice.

The Round House Conservation Management Plan will inform the City's management practices and future capital works program. The identified works align with issues that officers are aware of through the City's asset management practices and have been prioritised and sequenced to be carried out in stages subject to available funding.

Officers will also strive to progress all the recommended actions (as detailed in Attachment 1) subject to available funding and capacity.

Officers are currently considering opportunities to improve the visitor experience. An initial audit has been conducted to explore opportunities for improvement with further work required throughout 2021.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COMMITTEE RECOMMENDATION ITEM FPOL2104-11 **(Officer's recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Jenny Archibald

Council:

1. **Note the submissions received during the consultation period, shown in the Round House Conservation Management Plan Engagement Report (additional information attachment 2).**
2. **Note the City of Fremantle Round House Conservation Management Plan, shown in additional information attachment 1.**
3. **Approve the recommendations contained within the Round House Conservation Management Plan as provided in attachment 1, subject to budget approval.**
4. **Endorse the prioritisation of works as detailed in attachment 2 and note the estimated cost of \$652,000 will be included in the draft budget process for consideration.**
5. **Continue to advocate for funding from the State government to facilitate progressing the recommended works as detailed in the Round House Conservation Management Plan.**

Carried: 6/0

**Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright**

ADDITIONAL OFFICER COMMENT

At the FPOL Committee meeting, it was requested that officers review part 4 and 5 of the recommendation and seek external funding for the prioritisation of works as detailed in the Round House Conservation Management plan. Officers have prepared the following amended recommendation, for Council consideration.

AMENDED OFFICER'S RECOMMENDATION

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Geoff Graham

Council:

1. Note the submissions received during the consultation period, shown in the Round House Conservation Management Plan Engagement Report (additional information attachment 2).
2. Note the City of Fremantle Round House Conservation Management Plan, shown in additional information attachment 1.
3. Endorse the recommendations contained within the Round House Conservation Management Plan as provided in attachment 1.
4. Endorse the prioritisation of works as detailed in attachment 2. ~~and note the estimated cost of \$652,000 will be included in the draft budget process for consideration.~~
5. ~~Continue to~~ Request officers advocate for an allocation of funds from ~~the State~~ government and other external sources sufficient to complete all of ~~to facilitate progressing~~ the recommended works as detailed in the Round House Conservation Management Plan.

Cr Sam Wainwright left the meeting at 8:08

AMENDMENT

Moved: Cr Rachel Pemberton

Seconded: Cr Hannah Fitzhardinge

Add a new Recommendation 3 (and renumber subsequent recommendations):

3. Note that the Council has now spent over \$4m on the Round House and Arthurs Head precinct over the last decade and request officers also continue to advocate for the necessary funding for the remainder of the works for Arthurs Head and the Cliff Stabilisation works to preserve and protect this important historic state landmark.

Amendment carried: 10/0

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

Cr Sam Wainwright re-entered the meeting at 8:10

COUNCIL DECISION ITEM FPOL2104-11

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Geoff Graham

Council:

1. Note the submissions received during the consultation period, shown in the Round House Conservation Management Plan Engagement Report (additional information attachment 2).
2. Note the City of Fremantle Round House Conservation Management Plan, shown in additional information attachment 1.
3. *Note that the Council has now spent over \$4m on the Round House and Arthurs Head precinct over the last decade and request officers also continue to advocate for the necessary funding for the remainder of the works for Arthurs Head and the Cliff Stabilisation works to preserve and protect this important historic state landmark.*
4. Endorse the recommendations contained within the Round House Conservation Management Plan as provided in attachment 1.
5. Endorse the prioritisation of works as detailed in attachment 2.
6. *Request officers advocate for an allocation of funds from government and other external sources sufficient to complete all of the recommended works as detailed in the Round House Conservation Management Plan.*

Carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

FPOL2104-12 ADVERTISING OF THE PROPOSED DIFFERENTIAL RATE FOR THE 2021/22 FINANCIAL YEAR

Meeting Date: 14 April 2021
Responsible Officer: Director City Business
Decision Making Authority: Council
Agenda Attachments: Objects and Reasons for Differential Rates for the 2021/22 financial year
Additional information: Nil

SUMMARY

The purpose of this report is for Council to consider approval for advertising the proposed differential rate categories, rate in the dollar and minimum payment as detailed in the Objects and Reasons for differential rates (shown in Attachment 1) for the 2021/22 budget, in accordance with the provisions of the *Local Government Act 1995*.

This report recommends that Council endorse the proposed 2021/22 differential rate categories, rate in the dollar and minimum payment and approve advertising of the proposed 2021/22 differential rates. The differential rates provide for a general increase of 3.25% on the current year. there was no increase in rates last year.

BACKGROUND

The power to raise local government property rates is set out under the Local Government Act 1995 (Act). In adopting its annual budget, Council must consider its current Strategic Community, Corporate Business and Long Term Strategic Plans and, subject to the rating provisions under the Act, the Council is at liberty to use its rating powers to raise rate revenue at the level it determines appropriate.

To determine this level requires Council to assess the current and future service needs, aspiration of the community and their capacity and willingness to pay for those services. Long-term financial planning workshops considered the requirements to ensure asset renewal is appropriately funded over the forward 10 year program. The below rate program is being proposed for the draft 2021/22 budget to achieve an appropriate level of funding for operations and asset renewal in line with the current long term financial plan.

As part of the process for the 2021/22 draft budget it is proposed to continue to apply differential rating.

FINANCIAL IMPLICATIONS

Differential rates represent a strategic approach to rating which is a major revenue source of Council.

The financial implications of these measures based on rates data as at April 2021 would see a total rate collection of approximately \$50.2m in 2021/22. The rate yields are compared to the projected rates from the draft long-term financial plan.

Note: The rate yield estimated above is based on current valuations provided by Landgate.

LEGAL IMPLICATIONS

Sections 6.33 and 6.34 of the *Local Government Act 1995* allow local governments to impose differential rates and minimum payment. Section 6.36 requires local governments to give notice of certain rates before imposing.

CONSULTATION

Nil, this recommendation is the City's intention to advertise the proposed differential rates for public comment prior to the adoption of the 2021/22 budget. This advertising will occur for a minimum 21 days and allows ratepayers the ability to consider the proposed rates in the dollar and make any submissions prior to Council adopting the proposed rate as part of the budget adoption process.

OFFICER COMMENT

Rates

Rates are a significant proportion of the City's revenue and are used to achieve the objectives of the Strategic Community Plan and Corporate Business Plan. The purpose of levying rates is to meet the City's budget requirements in order to deliver services and projects each financial year.

It is recommended that the proposed differential rate categories, rate in the dollar and minimum payment as detailed in the attached 2021/22 Objects and Reasons for differential rates and outlined below, be advertised.

Differential Rate Category	Proposed Minimum Payment	Proposed Rate in the Dollar (¢)
Residential Improved	\$1,388	0.084602
Commercial and Industrial General	\$1,388	0.089890
Vacant Commercial and Industrial	\$1,388	0.162689
City Centre Commercial	\$1,388	0.097922
Nightclubs	\$1,388	0.115945
Vacant Residential Land	\$1,344	0.128111
Residential Short Term Accommodation	\$1,388	0.094477

The minimum payments will be re-evaluated in accordance with section 6.35(3) of the *Local Government Act 1995* to ensure the general minimum is imposed on not less than 50% of the number of properties in each category.

Advertising

Before Council can impose differential rates across the City, the proposed differential rates must be advertised for a minimum of 21 days. The advertising period can occur up to two months prior to adoption of the budget. This period of advertising allows ratepayers the ability to consider the proposed rates in the dollar and make any submissions prior to Council adopting the proposed rate as part of the budget adoption process.

It should be noted public advertising of the proposed rate in dollar and minimum payment does not bind Council to these when adopting the 2021/22 budget. The advertising process does not prohibit Council from amending the rate in the dollar and minimum payment at budget adoption.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION ITEM FPOL2104-12 **(Committee recommendation)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Marija Vujcic

Council:

- Endorse the proposed 2021/22 differential rate categories, rate in the dollar and minimum payment as outlined below and detailed in the Objects and Reasons for differential rates, provided in Attachment 1.**

Differential Rate Category	Proposed Minimum Payment	Proposed Rate in the Dollar (¢)
Residential Improved	\$1,388	0.084602
Commercial and Industrial General	\$1,388	0.089890
Vacant Commercial and Industrial	\$1,388	0.162689
City Centre Commercial	\$1,388	0.097922
Nightclubs	\$1,388	0.115945
Vacant Residential Land	\$1,344	0.128111
Residential Short Term Accommodation	\$1,388	0.094477

- Approve the 2021/22 differential rate categories, rate in the dollar and minimum payment as outlined in part 1, to be advertised.**

Carried: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

**FPOL2104-13 ELECTED MEMBER MOTION – REFLECTING ON THE DIVERSITY
OF OUR COMMUNITY THROUGH OUR COUNCILLORS AND
EMPLOYEES – COUNCILLOR FRANK MOFFLIN**

Meeting date: 14 April 2021
Responsible officer: People and Culture Director
Decision making authority: Council
Agenda attachments: Nil

ELECTED MEMBER SUMMARY

Local governments need to reflect, through employees and elected members, the diversity of their communities.

In regard to gender, the City of Fremantle still has opportunities to improve this representation. The executive leadership team has 33% female representation and at Manager level 35%. There has been greater representation in women seeking election to Council, at the last 2 elections (2017 and 2019) 54.5% of candidates have been women (18 of 35 candidates) and the current Council has 38.5% female representation.

It is well known that more diverse organisations outperform those which are less diverse. The Best Practice Guide for Gender Equity in Local Government, published by the Victorian Government (2018) states:

Research shows that councils stand to benefit from implementing gender equity actions. Diverse organisations have been shown to be better at meeting regulatory reporting requirements and minimising legal risks. Equity has also been proven to deliver measurable benefits, such as increased productivity across an organisation, and improved performance in financial operations, innovation and safety. From a human resources perspective, taking a proactive approach to gender equity has been shown to reduce staff turnover, boost staff retention and improve access to new talent. International and local research also shows that gender equality is a precondition for the prevention of family violence and other forms of violence against women and girls.

The representation of women in senior roles does not just happen, it requires a commitment and direction action. There are a number of government examples of target setting to improve representation including:

- The WA Government 'Action Plan to improve WA Public Sector Employment Outcomes 2020–2025' which aims to increase the representation of women in the Senior Executive Service (SES) to 50% and support inclusive work environments.
- The Australian Government has committed to a gender diversity target of women holding 50 per cent of Government board positions overall, and women and men each holding at least 40 per cent of positions at the individual board level.

Without a formal plan it is difficult to achieve equal representation of women in senior roles.

The purpose of this Notice of Motion is to acknowledge a commitment to gender diversity and request the CEO to report back on ways in which the City can improve the representation of women in senior management.

OFFICER COMMENT

The issue of gender diversity in senior positions is an issue for local government sector in general and as such the statement committing to the improvement in gender diversity in management positions and on Council is reasonable and supported.

Some of the issues requested to be addressed in the report are more complex than others but are all worthy of consideration and on this basis the second part of the motion is also supported.

It is expected the report might be available for Council consideration by July / August this year.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE RECOMMENDATION ITEM FPOL2104-13 **(Elected member motion)**

Moved: Cr Hannah Fitzhardinge

Seconded: Cr Andrew Sullivan

Council:

- 1. Acknowledge a commitment to improve gender diversity through the management and Council.**
- 2. Propose that the CEO prepare a report for future consideration by the Council outlining the measures which may improve greater gender diversity in the leadership of the City, including, but not limited to;**
 - a. The appropriateness of targets and any potential targets.**
 - b. Training and coaching of current and aspiring women leaders within the organisation.**
 - c. Research and understanding of the barriers that may exist within to women attaining leadership roles within the City, and development of actions and / or strategies to remove these.**
 - d. Understanding of the extent to which the organisational culture may or may not be supportive of women in leadership roles.**
 - e. Development of specific training for women in roles within local government where women are particularly underrepresented.**
 - f. Encouragement of women candidates for election to Council.**

Carried: 6/0

**Cr Andrew Sullivan, Cr Hannah Fitzhardinge, Cr Jenny Archibald,
Cr Doug Thompson, Cr Adin Lang, Cr Sam Wainwright**

PROCEDURAL MOTION

At 8.15 the following procedural motion was moved:

COUNCIL DECISION ITEM FPOL2104-13

Moved: Cr Frank Mofflin

Seconded: Cr Jenny Archibald

To defer the item to the next appropriate Finance Policy Operations and Legislation Committee.

Carried: 9/2

For

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Frank Mofflin, Cr Doug Thompson, Cr Marija Vujcic,
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Hannah Fitzhardinge, Cr Sam Wainwright

11.3 Audit and Risk Management Committee 21 April 2021

ITEMS APPROVED “EN BLOC”

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

COUNCIL DECISION

Moved: Cr Adin Lang

Seconded: Cr Doug Thompson

The following items be adopted en bloc as recommended:

ARMC2104-2	Adoption of the Debtor Management Policy
ARMC2104-3	Purchasing Policy Exemptions February 2021 to March 2021
ARMC2104-4	Overdue Debtors Report as at 31 March 2021
ARMC2104-5	Tenders awarded under delegation February 2021 to March 2021
ARMC2104-6	Information Report – April 2021

Carried: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome; Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

ARMC2104-2 ADOPTION OF THE DEBTOR MANAGEMENT POLICY

Meeting date: 21 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Attachments: 1. Debtor Management Policy
Additional information: Nil

SUMMARY

The purpose of Council's Debtor Management Policy is to establish a framework for efficient and effective management and collection of outstanding debtor amounts owed to the City of Fremantle. It will ensure and guide a fair, consistent and accountable approach to debtor management and debt recovery undertaken by both City officers and its contracted agents.

The Policy provides guiding principles for the management of credit control and clarifies the circumstances for the writing-off of unrecoverable or bad debts owed to Council by debtors. The Policy applies to those circumstances where the City provides goods, services or statutory approvals on credit and for the collection of outstanding rates, charges and infringements or commercial transaction/agreements. Adoption of the Policy will ensure that the City is achieving best practice with regards to debtor management.

This report recommends that Council adopt the Debtor Management Policy, as provided in attachment 1.

BACKGROUND

Debtor management is an essential element of the City's overall budget monitoring and control strategy. Rates, fees and charges account for a considerable percentage of the total operating income of Council. Ineffective collection of this revenue has the potential to negatively impact on Council's cash flow.

Currently to assist Council to oversee debtor management the Audit and Risk Management Committee receive a quarterly report on overdue debtors which includes performance reporting, details of significant outstanding debtors and use of delegated authority to waive or write off debts.

The introduction and adoption of a Debtor Management Policy will contribute further to Council's oversight of debtor management by providing direction to ensure that an appropriate collection procedure is in place so that debtor management is undertaken in an efficient and community conscious manner.

FINANCIAL IMPLICATIONS

The proposed policy will provide guidance on how the organisation complies with statutory requirements, improve the quality of governance arrangements across the City and adhere to the *Local Government Act 1995* and associated Regulations.

This policy may result in a financial cost by way of write-off to the City, offset by the community benefit of the goods or services provided by the individual or organisation. Officers will identify the actual cost involved and all individual amounts in excess of \$1,000 will be reported to the Audit and Risk Committee of Council.

LEGAL IMPLICATIONS

Regulation 5 of the *Local Government (Financial Management) Regulations 1996* outlines the CEO's duties as to financial management of the local government which includes: -

- (1) Efficient systems and procedures are to be established by the CEO of a local government —
- (a) for the proper collection of all money owing to the local government;

CONSULTATION

No community consultation was undertaken as a result of this report.

OFFICER COMMENT

The management of debtors and collection of debt within Council encompasses rate and other debtors.

- Rate debtors – except where a ratepayer is entitled to defer the payment of their rates, Council will actively pursue the recovery of rates arrears as specified in the *Local Government Act 1995*.
- Other debtors – cover a variety of services areas across Council such as Commercial Property, Waste, Parking, Infringements etc.

The City's informal debtor management procedures have been formalised with the attached Policy which has been developed to provide general principles for the ethical and effective management of City debtors. It also provides clarity with regard to how the City of Fremantle will carry out debt recovery in a fair and equitable manner.

The Policy will ensure:

- A fair, consistent and accountable approach to Council's debtor management and collection decisions and practices.
- Support timely collection of all monies owing to the City for the purpose of optimising cash flow and reducing bad debt write offs.
- Reasonable efforts are made to recover aged debts, some of which, for practical purposes, will have to be written off.

- Potential bad debts are identified early, with an appropriate provision for doubtful debts are accounted for on the balance sheet.
- Consistent processes of the recovery of outstanding debt are simple to administer, cost effective and compliant with all regulatory requirements under the *Local Government Act 1995* and in accord with the ACCC-ASIC Debt Collection Guideline for Collectors and Creditors.
- Officers understand their responsibilities in dealing with City debtors in accordance with Council's expectation.

The Policy supports the City of Fremantle Strategic Community Plan 2015–25 Theme:

Capability “An innovative, responsive, influential local government which leads the way in delivering services and projects through good governance, effective communication, responsible management and excellence in delivery.

- Strengthen the City's financial resilience
- Implement appropriate reporting measures for financial resilience

Effective control of credit and identifying prospective credit risk significantly reduces risk associated with financial loss, reputational damage and other negative repercussions.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COUNCIL DECISION ITEM ARMC2104-2 **(Committee recommendation)**

Moved: Cr Adin Lang

Seconded: Cr Doug Thompson

Council adopt the Debtor Management Policy, as provided in attachment 1.

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

ARMC2104-3 PURCHASING POLICY EXEMPTIONS FEBRUARY 2021 TO MARCH 2021

Meeting date: 21 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Attachments: 1. Purchasing Policy Exemption Details November 2020 to January 2021 (*confidential attachment under separate cover*)
Additional information: Nil

SUMMARY

The purpose of this report is to inform Council of purchases made by the City that were exempt to the requirements of the Purchasing policy, during the period February 2021 to March 2021.

This report recommends that Council receive the Purchasing Policy Exemptions report for February 2021 to March 2021.

BACKGROUND

At the Ordinary Council Meeting of 25 November 2020, Council adopted a new purchasing policy. The policy contains a list of tender exemptions (exempt under Regulation 11(2) of the *Local Government (Functions and General) Regulations 1996*) and policy exemptions. Under this policy all exemptions used by the City are to be reported to the Audit and Risk Management Committee.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

CONSULTATION

Nil

OFFICER COMMENT

February 2021

The total value of spending exempt from the City of Fremantle Purchasing Policy was \$34,000.00 for the month of February 2021.

The value of exemptions by category is:

Exemption Category	Value
Specialist Consultancy Exemptions	\$20,000.00
Artist Exemptions	\$14,000.00
Total	\$34,000.00

The process for requesting Artist exemptions was amended to require exemptions before contracts or Purchase orders are awarded. This has resulted in artistic fees required for the Deadly Funny Indigenous Stand-Up Show and Wardanji, being agreed and paid for in advance. All costs were budgeted and approved at the 8 July 2020 special Council meeting.

Details regarding individual exemptions can be found in the confidential attachment.

March 2021

The total value of spending exempt from the City of Fremantle Purchasing Policy was \$130,816.00 for the month of March 2021.

The value of exemptions by category is:

Exemption Category	Value
Artist Exemptions	\$83,945.00
Specialist Consultancy Exemptions	\$46,871.00
Total	\$130,816.00

The process for requesting Artist exemptions was amended to require exemptions before contracts or Purchase orders are awarded. This has resulted in artistic fees required for the Revealed Art Workshops, being agreed and paid for in advance. Note: Fees for Revealed are paid for by Department of Local Government, Sport and Cultural Industries by grant. Any additional funds were budgeted and approved at the 8 July 2020 special Council meeting.

Details regarding individual exemptions can be found in the confidential attachment.

VOTING AND OTHER SPECIAL REQUIREMENTS

Information only no decision required

COUNCIL DECISION ITEM ARMC2104-3
(Committee recommendation)

Moved: Cr Adin Lang

Seconded: Cr Doug Thompson

Council receive the information report for purchasing policy exemptions for the period February 2021 to March 2021 inclusive.

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

ARMC2104-4 OVERDUE DEBTORS REPORT AS AT 31 MARCH 2021

Meeting date:	21 April 2021
Responsible officer:	Manager Finance
Decision making authority:	Council
Agenda attachments:	1. Summary of Overdue Debts above Threshold (<i>confidential attachment under separate cover</i>)
Additional information:	Nil

SUMMARY

This debtors report with a confidential attachment is provided to the Audit and Risk Management Committee together with details of overdue debts that exceed a threshold value of \$10,000.

This report recommends that Council receive the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value exceeding \$10,000 as at 31 March 2021.

BACKGROUND

The report provides details to the Audit and Risk Management Committee on overdue debtors. The following information is provided on a quarterly basis:

- The amount of total debt outstanding for the period aged from current to over 90 days overdue with a comparison to the same period for the previous year.
- The value of debt that is in excess of ninety (90) days overdue and the combined value of those debt(s) which exceed \$10,000.
- All records of the uses of delegated authority, to waive or write off debts valued at \$1,000 or above per debtor, must be reported to the audit and risk management committee.
- A confidential report containing the individual debtor information in relation to the outstanding debtors exceeding 90 days with a combined value exceeding \$10,000 with comments, background and a comparison to the previous quarters report.
- Debtor day ratio - the average number of days required for the City to receive payment from its customers for invoices issued to them.

FINANCIAL IMPLICATIONS

It is a requirement that annual financial statements include an allowance for impairment of receivables owed to the local government to be recognised as a cost to the budget in the year in which the impairment is made.

As at year ending 30 June 2020 an amount of \$584,675 was held as an allowance for impairment of receivables. As at the 31 March 2021 the current allowance held as impairment is \$27,610 with \$557,065 being written off to date.

During this financial year the following reportable write-offs and waivers have been processed against this account:

Total Write-offs	\$92 GST Exempt
Total Waivers	<u>\$556,973</u> + GST
	\$ 557,065

Since the last report, 9 occurrences of delegated authority to waive or write off debts valued at \$1,000 or above per debtor by officers has occurred. Currently \$156,029 has been identified for potential write-off/waiver.

Summary of Sundry Debtor's Debts Written-off

Debtor No.	Name	Amount	Business Unit	Delegated Officer or Council
	TOTAL	NIL		

Summary of Rates Debtors Debts Written-off

PID No.	Name	Amount	Business Unit	Delegated Officer or Council
	TOTAL	NIL		

Summary of Sundry Debtor's Debts Waived

Debtor No.	Name	Amount	Business Unit	Delegated Officer or Council
2092471	Bird Books Pty Ltd	10,550	Commercial Property 2019/20 & 2020/21	Director - City Business
2093091	Jina Lee	3,039	Commercial Property 2019/20 & 2020/21	
2090107	Fremantle Arts Centre Café	8,514	Commercial Property 2019/20 & 2020/21	
2090138	Moore & Moore Food & Drink	11,745	Commercial Property 2019/20 & 2020/21	
2090834	David Giles Art Gallery	5,893	Commercial Property 2019/20 & 2020/21	
2090700	Mr Glen Martin Cowans	5,018	Commercial Property 2019/20 & 2020/21	
2019979	The Italian Club Fremantle	4,549	Commercial Property 2019/20	
2090779	Van Thang Doan	8,370	Commercial Property 2019/20	
2092434	Coolchest Pty Ltd	11,470	Commercial Property 2019/20	

Debtor No.	Name	Amount	Business Unit	Delegated Officer or Council
2090054	Royal Fremantle Golf Course Pty Ltd	10,546	Commercial Property 2019/20	
2090062	Fremantle Markets Pty Ltd	76,435	Commercial Property 2019/20	Chief Executive Officer
2092551	Beach Partnerships T/A COAST Port Beach	62,145	Commercial Property 2019/20	Chief Executive Officer
2090010	Clancy's Fish Pub	20,608	Commercial Property 2019/20	
2090484	Gino's Café Pty Ltd	51,750	Commercial Property 2019/20	
2093041	Sierra Orenda Pty Ltd	24,893	Commercial Property 2019/20	
2090061	Dome Fremantle	65,969	Commercial Property 2019/20	
2091161	Australian Touristic Attractions Pty Ltd	20,735	Commercial Property 2019/20	
2092866	George Ricca Enterprises Pty Ltd	3,781	Commercial Property 2019/20	Manager Economic Development and Marketing
2093116	Rose Megirian	2,493	Commercial Property 2019/20	
2092140	Rebecca Michelle Baumann	1,535	Commercial Property 2019/20	
2092471	Bird Books Pty Ltd	2,083	Commercial Property 2019/20	
2090107	Fremantle Arts Centre Café	1,681	Commercial Property 2019/20	
2090138	Moore & Moore Food & Drink	2,319	Commercial Property 2019/20	
2090834	David Giles Art Gallery	1,164	Commercial Property 2019/20	
2090024	Port Jarrah Furniture Fremantle Gallery	20,765	Commercial Property 2019/20 & 2020/21	Chief Executive Officer
2090028	Tom Edward Fay	6,247	Commercial Property 2019/20 & 2020/21	
2090042	Bakpak Freo Pty Ltd	56,542	Commercial Property 2019/20 & 2020/21	
2090061	Dome Fremantle	14,992	Commercial Property 2020/21	
2090138	Moore & Moore Food & Drink	6,226	Commercial Property 2019/20 & 2020/21	
2092095	Art on the Move	7,621	Commercial Property 2020/21	
2092551	Beach Partnerships T/A COAST Port Beach	23,057	Commercial Property 2019/20 & 2020/21	Manager Economic Development and Marketing
2092836	Tanya Schultz	2,102	Commercial Property 2019/20 & 2020/21	
Various	Less than reporting threshold	2,135	Various	Various under Delegation
	TOTAL	556,973		

LEGAL IMPLICATIONS

Section 6.12 (1) (c) of the *Local Government Act 1995* provides authority for the Council to write off outstanding monies.

In accordance with section 5.42 and 5.44 of the *Local Government Act 1995* the following delegated authority applies:

- The Chief Executive Officer has delegated authority to write off debts (not including rates or infringement) considered unrecoverable up to 100,000 per account where in the opinion of the Chief Executive Officer all other reasonable avenues of recovery have been exhausted.
- Directors and Managers have various sub-delegated authority to write off debts (not including rates or infringement) considered unrecoverable up to 20,000 per account where in the opinion of the Director or Manager all other reasonable avenues of recovery have been exhausted.

All records of the uses of this delegated authority, to waive or write off debts valued at 1,000 or above per debtor, must be reported to the Audit and Risk Management Committee.

Any amount in excess of 100,000 is to be written off by Council resolution. A council resolution authorising the write-off of any bad debt does not prevent Council from reinstating the debt if the future circumstances change and the debt becomes collectable.

CONSULTATION

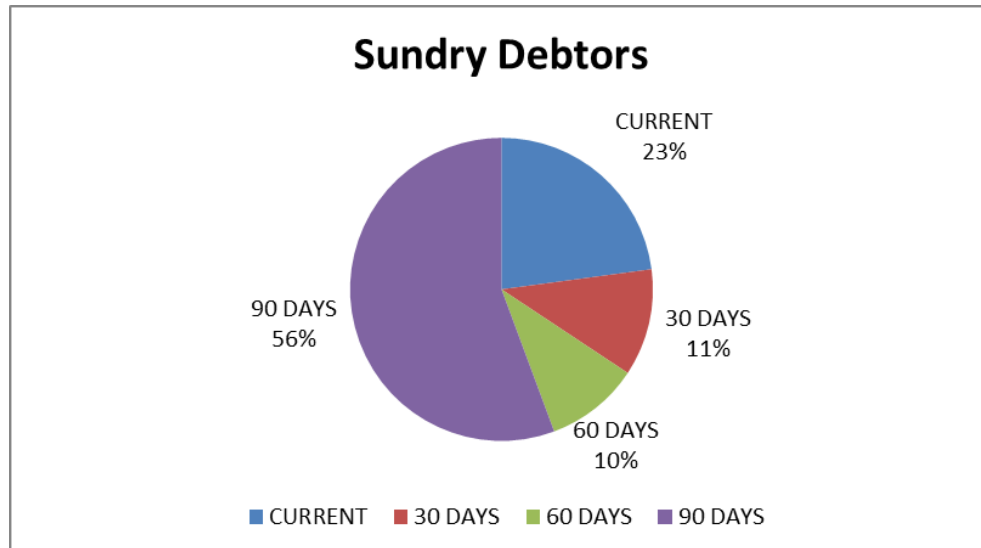
Nil

OFFICER COMMENT

The total of debtors outstanding as at 31 March 2021 is \$1,057,628. A breakdown of aged debt for the current period compared to prior year for the same period is tabled below.

Period Ending June	Current	30 Days	60 Days	90+ Days	Total
July 20 – March 21	23%	11%	10%	56%	100%
	241,935	120,932	106,088	588,673	1,057,628
July 20 – March 21 Excl. Commercial Properties	25%	13%	13%	49%	100%
	133,706	70,099	66,157	255,142	525,104
July 19 – March 20	551,399	292,590	27,409	115,325	986,723

Of the total debt balance, the amount outstanding for 90+ days is 588,673 or 56%. Below is a graph of the aged debt balances as at 31 March 2021.



Compared to the report of overdue debtors as at 31 December 2020, presented to Audit and Risk Management Committee at the 17 February 2021 meeting, the total value of outstanding debtors has decreased by 431k.

Outstanding debt over 90 days has decreased from 720k at the end of the previous quarter to 589k. The number of overdue debtors above reporting threshold is 15 with a total value of 520,793.

In accordance with delegated authority, any debts over 100,000 will be submitted to Audit and Risk Management Committee for approval and all recorded use of delegated authority by Chief Executive Officer, Directors and Managers will be reported to Audit and Risk Management Committee.

The confidential attachment contains debtor information in relation to the 520,793 of outstanding debtors exceeding 90 days with a combined value exceeding 10,000 with comments and background.

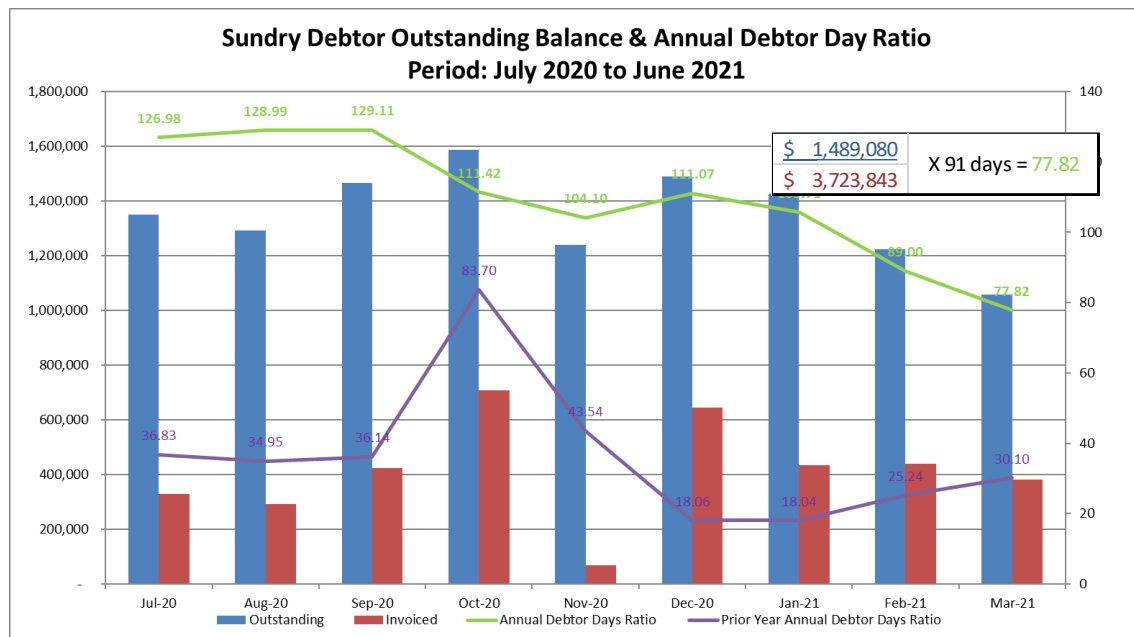
Debtors Outstanding

The debtor day ratio measures how quickly cash is being collected from debtors. The longer it takes for an organisation to collect, the greater the number of debtor days.

The calculation of the ratio considers the total amount outstanding at the end of the period over the total amount invoiced to that period for the financial year by the total number of days from 1 July to the end of the period. See calculation in graph below.

Prior financial year information is presented together with the current financial year as a comparative to demonstrate the City's ability to collect funds owed to the City when due.

At July 2020, 1,067,654 of invoices raised in 2019/20 were outstanding resulting in outstanding debt exceeding the amount invoiced during July 2020. Identified write-offs/waivers amounted to 557k and have resulted primarily from the City's commercially leased properties.



At reporting date, the debtor day ratio was 77.82 a decrease from the prior reporting period. Of outstanding debt, 23% related to current invoices that were not yet due.

Key Performance Indicators

The Audit Risk Management Committee recommended a performance measure be included to provide a reporting date 'snapshot' of performance against agreed indicators.

Internal debt management procedures have been reviewed resulting in Officers engaging with debtors earlier where an amount is considered to have an increased risk of default. Upon review of debt levels over prior financial years, Officers consider reasonable and recommend the following targets against which to report.

Key Performance Targets				
Current	30 Days	60 Days	90 Days	Total
80%+	<= 10%	<=5%	<=5%	100%

Qtr 3 - July 2020 to March 2021				
Aged Debt Category	Current	30 Days	60 Days	90 Days
Target	80%	10%	5%	5%
Value	241,935	120,932	106,088	588,673
Percentage	25.46%	13.35%	12.60%	48.59%
Performance				
Target achieved Target exceeded				

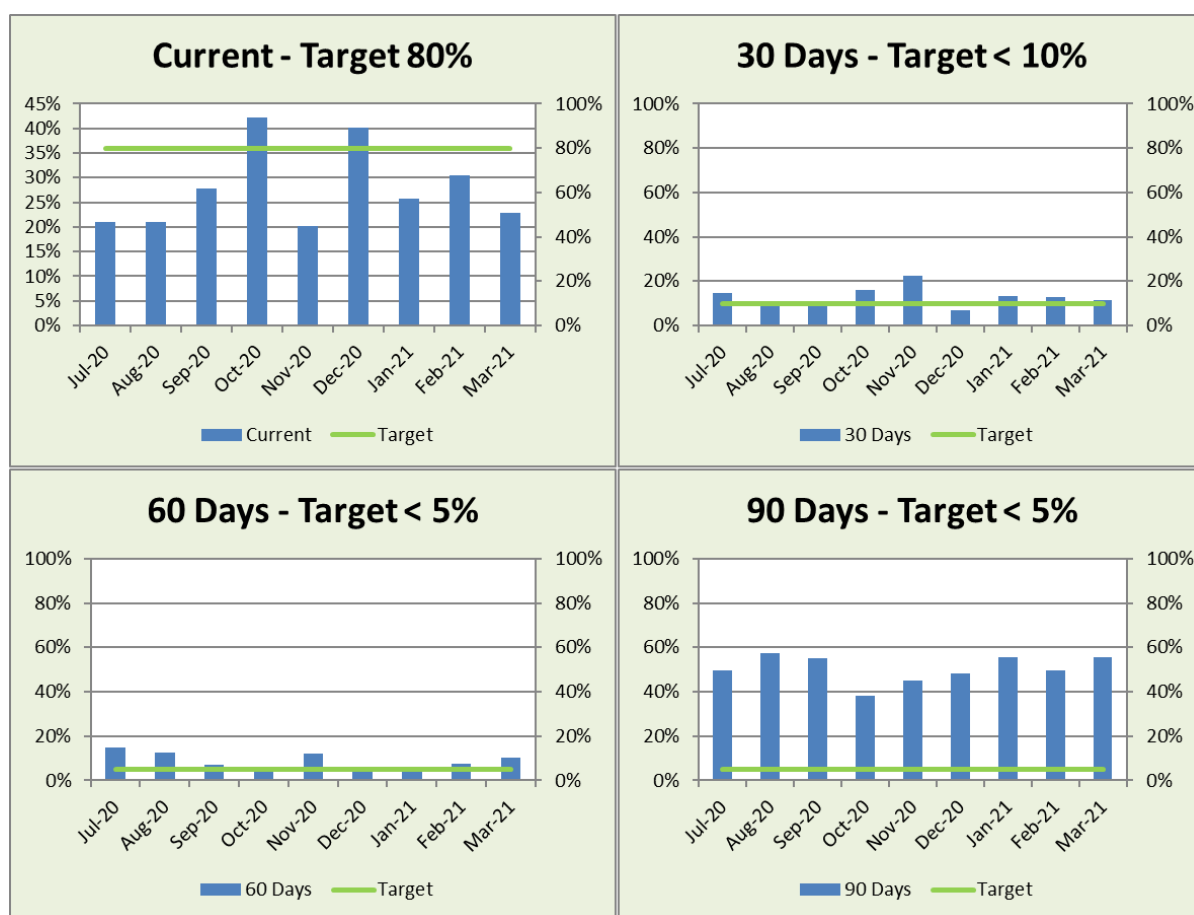
Qtr 3 - July 2020 to March 2021

Category	Current	30 Days	60 Days	90 Days
Commercial Properties	20%	13%	13%	63%
Others	25%	10%	7%	49%

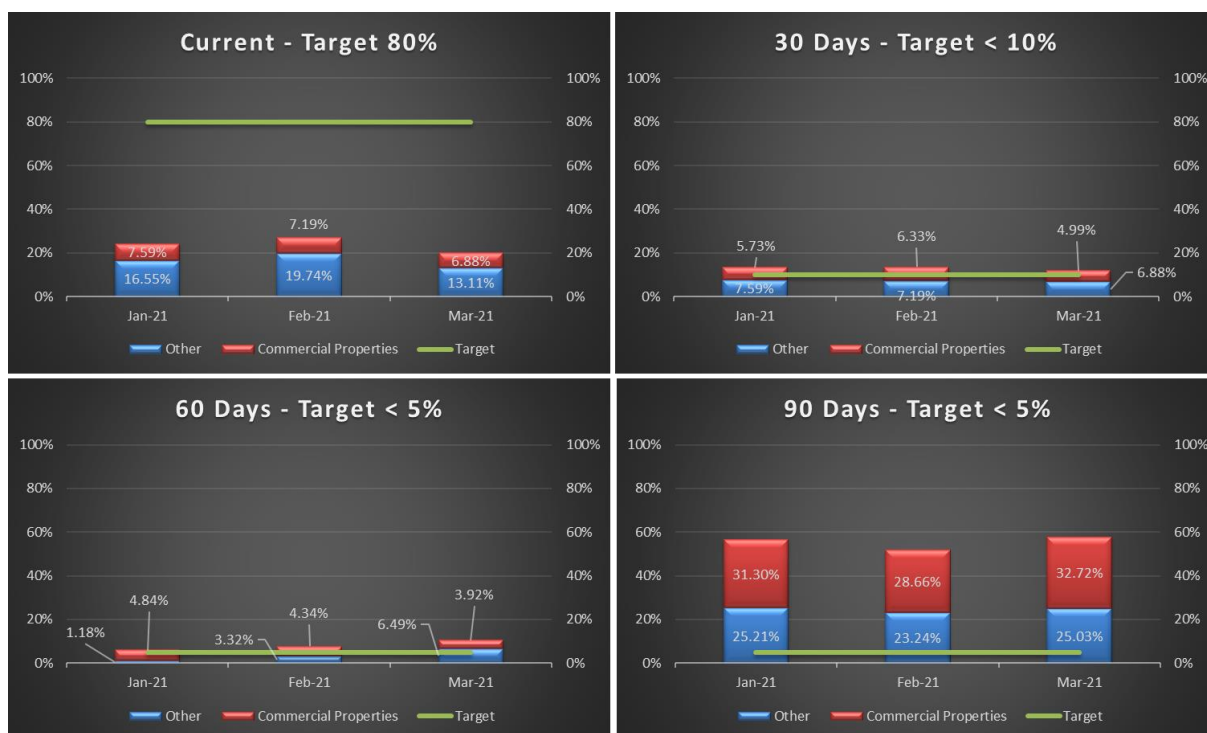
Of total overdue debt, Commercial Properties account for 57% (334k). Six Commercial Property debtors account for 245k of invoices overdue for more than 90 days. Payment arrangements had been agreed however due to COVID-19 and the adoption of the Commercial Tenancies (COVID-19) Response Act 2020, City officers are liaising with all tenants to provide assistance as appropriate.

The following charts demonstrate performance against the recommended target for each aged debt category by period to reporting date for this financial year. As discussed above, much of the longer-term debt relates to the commercial tenants during the COVID shutdown period. Further write-offs for commercial debt are to be expected and the City's Economic Development team is monitoring the COVID environment and scenario planning any impact that may result in Western Australia.

Summary by total debtors by days



Summary by debtor type by days



VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COUNCIL DECISION ITEM ARMC2104-4
(Committee recommendation)

Moved: Cr Adin Lang

Seconded: Cr Doug Thompson

Council receive the overdue debtors report and acknowledge the overdue debts exceeding ninety (90) days with the combined value exceeding 10,000 as at 31 March 2021.

Carried en bloc: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

ARMC2104-5 TENDERS AWARDED UNDER DELEGATION FEBRUARY 2021 TO MARCH 2021

Meeting date: 21 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Attachments: Nil
Additional information: Nil

SUMMARY

The purpose of this report is to summarise tenders awarded under delegation by various delegated officers and committees, during the period February 2021 to March 2021.

This report recommends that Council receive the report on tenders awarded under delegation between February 2021 and March 2021.

BACKGROUND

Tenders awarded by the City are awarded under the following delegations, approved at Council on 8 July 2020:

Delegated Authority	Amount of Delegation
Finance, Policy Operations and Legislation Committee (FPOL)	\$500,000+ (if within budget)
CEO	Up to \$500,000
Directors	Up to \$500,000

Items identified under 'Officer Comment' of this report detail tenders awarded under delegation.

FINANCIAL IMPLICATIONS

All tenders were awarded within budget approved at Council on 8 July 2020.

LEGAL IMPLICATIONS

All tenders awarded met the requirements of Regulations 11A – 24AJ of the *Local Government (Functions and General) Regulations 1996* and S3.57 of the *Local Government Act 1995*.

Under delegation 2.11 Expressions of interest and tenders or the City's Delegated Authority Register, the Chief Executive Officer is required to report the use of this delegation to the Audit and Risk Management Committee.

CONSULTATION

Nil

OFFICER COMMENT

Below is a list of Tenders awarded under delegation between February 2021 and March 2021.

February 2021

Tender Description	Awarded By	Contractor(s)	Contract Value
N/A	N/A	N/A	N/A

March 2021

Tender Description	Awarded By	Contractor(s)	Contract Value
FCC565/20 Arthur Head Remedial Works	FPOL (10 March 2021)	Colgan Industries Pty Ltd	\$799,911.75 (ex GST)

VOTING AND OTHER SPECIAL REQUIREMENTS

Information only, no decision required.

COUNCIL DECISION ITEM ARMC2104-5 **(Committee recommendation)**

Moved: Cr Adin Lang

Seconded: Cr Doug Thompson

Council receive the report on Tenders Awarded under delegation for February 2021 to March 2021.

Carried en bloc: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

ARMC2104-6 INFORMATION REPORT – APRIL 2021

STATUS REPORT OF COUNCIL MOTIONS – 1 JANUARY 2021 TO 28 FEBRUARY 2021

Responsible officer:	Manager Governance
Attachments:	1. Status Report of Council motions – 1 January 2021 to 28 February 2021
Additional information:	Nil

Best practice principles support the recording and reporting of actions taken on Council decisions to ensure they are implemented, and that the actions are completed in a timely manner.

Where possible, Council decisions are actioned as soon as practicable after a Council meeting; however, there are projects or circumstances that mean some decisions take longer to implement than others. The City keeps a register of all final decisions made at Council and Committee meetings.

The City's motions register does not capture ongoing progress of projects and related activities, only how the initial decision has been, or will be, actioned. For instance, the register will record the adoption of a plan and the actions needed to disseminate and publish that plan, however the register will not include how the actions included in the plan are implemented, only that the plan was adopted appropriately.

The attached register excerpt provides the status of the actions taken by responsible officers in response to all final decisions of council. It has been organised into separate parts for ease of understanding and reference, as attached:

Part 1. Motions incomplete and ongoing in reporting period

The motions included in this section are those decisions that have not yet been fully actioned. Progress comments or explanations are provided.

Part 2. Development Application motions completed in reporting period

The motions included in this section are those decisions about Development Applications (DA's) that have been completed. They have been grouped for ease of reference only.

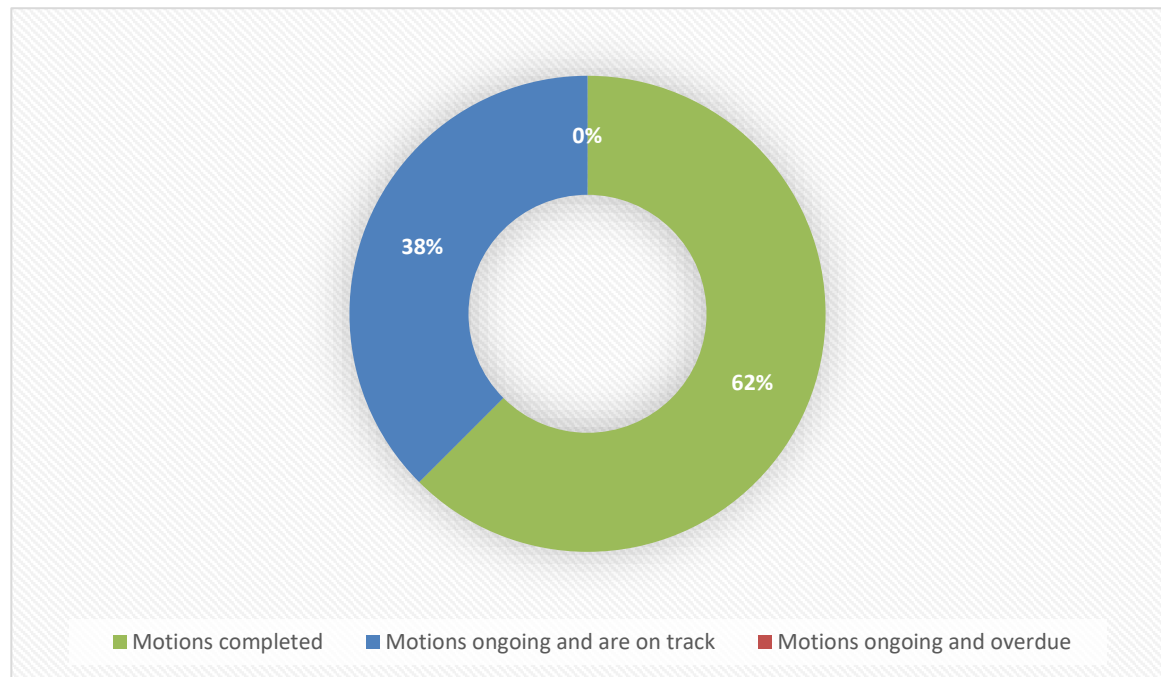
Part 3. Motions other than DA's completed in reporting period

The motions included in this section are all other decisions made by Council (except DA's that have been completed, captured above at part 2).

Part 4. Motions where no action was required in reporting period

The motions included in this section are from those reports that were provided to Council for information only.

Motion activity since last report



Motions	Number
Number of motions from previous report	32
Number of motions added to the register since the last report	56
Motions that have been completed in the reporting period	55
Motions that are ongoing, and are on track	33
Motions that are ongoing, and have exceeded estimated completion date	0
Motions with estimated completion dates amended since last report	2
Motions where no update has been received since last report	0
Total motions in this report	88

STATUS REPORT OF AUDIT ACTIONS TO 31 MARCH 2021

Responsible officer: Manager Governance
Attachments: 1. Audit actions progress report to 31 March 2021
Additional information: Nil

This report presents the City's central register that captures the progress of all recommended actions agreed to be undertaken by the City as suggested or recommended in an audit or review report.

Information from an audit or review report is inputted into the Audit Actions Register (the register) including recommendations/suggested actions, the responsible officer and the initial comment provided by the responsible Manager/Director to the auditor/reviewer.

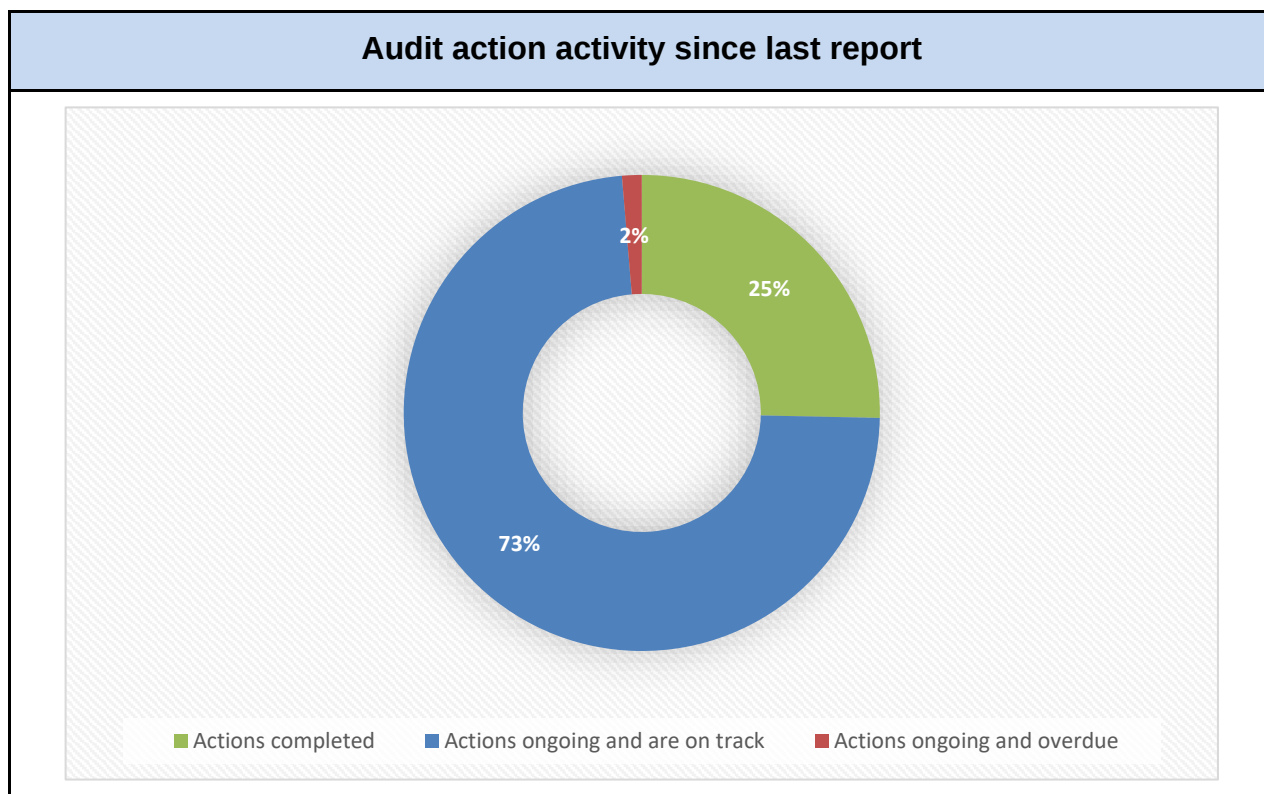
When an item is given a rating (as agreed by the City) of "high" or "extreme", the item will be added to the Corporate Risk Register.

The attached report provides a summary of the progress the City has made in response to the recommendations/suggested actions in an audit or review findings report.

Where an action has been completed, a summary of the action and the completion date are recorded.

The audits or reviews in this progress report are:

Systems and Procedures Review –	Financial Management Review
• Internal Control	Interim Audit – Finance
• Risk Management	Interim Audit – Information Systems
Regulation of Consumer Food Safety	



Actions	Number
Number of actions from previous report	74
Number of agreed actions added	1
Actions that have been completed in the reporting period	19
Actions that are ongoing, and are on track	55
Actions that are ongoing, and have exceeded estimated completion date	1
Actions with estimated completion dates amended since last report	9
Actions where no update has been provided since last report	6
Total actions in this report	75

It appears like an additional recommended action has been included in the Regulation of Consumer Food Safety Audit. This is because we have split an action into two parts as it was originally combined with another action in the register.

One ongoing action has exceeded its estimated completion:

Audit type	Auditors recommended actions	Progress comments	Estimated completion date
Systems and Procedures Review – Risk Management	Set a calendar reminder to trigger an annual review of the Business Continuity Plan, the Business Incident Management Plan and the Business Impact Analysis. Ensure all personnel mentioned in the documents are up to date during the annual review. Identify in the Business Continuity Plan who is responsible for the document. Ensure the City completes formal handovers of key documents during team restructures. Include the adoption/approval and review dates in the Disaster Recovery Plan (Appendix to the Record Keeping Plan).	Not provided.	31/01/2021

COUNCIL DECISION ITEM ARMC2104-6
(Committee recommendation)

Moved: Cr Adin Lang

Seconded: Cr Doug Thompson

Council:

- 1. Receive the following information reports for February 2021:**
 - a. Status report of council motions – 1 January 2021 to 28 February 2021.**
 - b. Status report of audit actions to 31 March 2021.**
- 2. Approve that the following update reports be presented to Council 3 times a year (every other Audit and Risk Management Committee under the current schedule):**
 - a. Status report of council motions**
 - b. Status report of audit actions**

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

ARMC2104-1 ANNUAL FINANCIAL STATEMENTS 30 JUNE 2020

Meeting date:	21 April 2021
Responsible officer:	Manager Finance
Decision making authority:	Council
Attachments:	1. Independent auditor's report for the year ending 30 June 2020 2. Audited financial report with full set of financial statements for year ending 30 June 2020 3. Final Management Report – Office of the Auditor General for period 1 July to 30 June 2020 (<i>confidential attachment under separate cover</i>)
Additional information:	1. Annual Financial Audit Exit Brief year ended 30 June 2020 (<i>confidential attachment under separate cover</i>)

SUMMARY

The audit of the City of Fremantle annual financial statements for the year ending 30 June 2020 has been completed by the Office of the Auditor General (OAG) with Council being provided with an independent auditor's report.

The City has received an unqualified audit report. In the opinion of the Auditor General the financial report of the City of Fremantle fairly represents the results of the operation of the City and its financial position for the year ending 30 June 2020.

This report recommends that the independent auditor's report be received and the audited financial report with full set of financial statements for the financial year ending 30 June 2020 be adopted.

BACKGROUND

The OAG audited the annual financial statements for the year ending 30 June 2020 and have provided an independent report as required under the relevant provisions of the *Local Government Act 1995* (the Act). The audit work was performed directly by the OAG.

The OAG provided the City with its Audit Planning Summary which outlines the audit strategy for the 2020 financial audit of the City of Fremantle on 31 March 2020.

The audit exit meeting took place on 18 March 2021 attended by Efthalia Samaras and Katie MacLachlan from the Office of the Auditor General, City of Fremantle Chair of the Audit and Risk Management Committee, Chief Executive Officer and Director City Business. At this meeting the Annual Financial Audit Exit Brief was discussed. This report is attached for the Committee's review as a confidential attachment. The key outcomes are:

- Audit team to recommend to the Auditor General to issue an unqualified audit opinion on the audit of the City's financial statements
- Noted a significant adverse trend in the Debt Service Cover Ratio and the Operating Surplus Ratio which are below the Department Local Government, Sport and Cultural Industries (DLGSCI) standard for the past 3 years
- Identified two matters indicating non-compliance with legislation as the financial controls require enhancement were noted during the audit
- Summary of the key issues identified during the interim and final audit. The detailed audit findings and recommendations arising from the interim audit were reported to the Audit and Risk Management Committee on 10 November 2020. Audit findings arising from the final audit are contained in this report.

In accordance with section 7.12A(2) of the Act and the *Local Government (Audit) Regulations 1997*, Council is required to meet with the external auditor at least once per year. Council has delegated to the Audit and Risk Management Committee the power to meet with the external auditor in accordance with the provisions of the Act. This matter was also discussed during the exit meeting and the next meeting will be finalised as part of the interim audit process around May, 2021.

FINANCIAL IMPLICATIONS

For year ending 30 June, 2020, the closing balance as per the rate setting statement (cash position) was a surplus of \$3,562,677. Below is a reconciliation of the allocation of the end of year surplus.

Details	Amount	Total	Balance Available
Surplus at end of year 30 June 2020			\$3,562,677
<i>Less: Carried Forward Projects</i>			
Unspent loan funds at 30 June	(\$591,826)		
Unspent municipal funds carried forward at 30 June	(\$1,393,183)	(\$1,985,009)	\$1,577,668
<i>Less: Allocated Projects during 2020-21</i>			
OCM 23 September 2020 WAFL Grand Final at Fremantle Oval on the 4 th October	(\$27,583)		
OCM 27 January 2021 - P-11970 - Design and Construct – Northbank Foreshore Stabilisation Project (Stage 2)	(\$14,202)		
OCM 24 March 2021 - Mid-year Budget Review	(\$1,535,883)	(\$1,577,668)	Nil

The following table provides a high-level summary of Council's financial performance for year ending 30 June 2020.

Description	Adopted Budget 2019-20	Amended Budget 2019-20	Actual at 30 June 2020	Variance (Amended Budget to Actual)
	\$M	\$M	\$M	\$M
Opening Surplus	1.94	3.76	3.76	0.00
OPERATING BUDGET				
Rate Revenue	46.81	46.88	46.80	(0.08)
Revenue	29.70	23.58	26.33	2.75
Expenses	(86.08)	(79.67)	(86.00)	(6.33)
Non-Cash Adj (written back)	14.11	12.43	18.87	6.44
	4.54	3.22	6.00	2.78
CAPITAL PROJECTS				
Revenue	11.61	19.04	6.83	(12.21)
Expenses	(56.63)	(63.61)	(30.73)	32.88
Financing	18.31	18.31	17.59	(0.72)
Reserve Transfers	20.23	19.28	0.11	(19.17)
	(6.48)	(6.98)	(6.20)	0.78
Closing Surplus	0.00	0.00	3.56	3.56

During the 2019-20 financial year due to the financial consequences of COVID-19 a forecast position as at 30 June 2020 was presented to Council on 29 April 2020. Given that approximately 35 per cent of the City's operating revenue is derived from non-rate or grant sources, it was estimated the City could potentially lose up to \$6.2 million of revenue between April and June 2020. The estimated loss of revenue led to a review of service levels to reduce operating costs and postpone non-essential works with the intent of balancing the 2019-20 budget. The end of year cash surplus position resulted mainly due to partial operating revenue returning earlier than expected as COVID restrictions lifted, whilst maintaining a hold on operating costs.

LEGAL IMPLICATIONS

Section 7.12AD of the *Local Government Act 1995* states that,

- (1) the auditor must prepare and sign a report on a financial audit.
- (2) The auditor must give the report to -
 - a) the mayor, president or chairperson of the local government; and
 - b) the CEO of the local government; and
 - c) The Minister.

CONSULTATION

Nil

OFFICER COMMENT

Council has completed its annual financial statements for the year ended 30 June 2020 and received an unqualified audit report. The Auditor General has issued an independent auditors report.

In the opinion of the Auditor General the annual financial report of the City:

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

Contained within the audit report the independent auditor reported on the following other legal and regulatory requirements:

- i. The Debt Service Cover Ratio and the Operating Surplus Ratio as reported in Note 36 of the annual financial report have been below the Department of Local Government, Sport and Cultural Industries (DLGSCI) standard the last three financial years which in their opinion indicates a significant adverse trend.
- ii. Matters indicating non-compliance with legislation as the financial controls require enhancement which were noted during the audit:
 - a. Accounting journal entries were prepared and posted by one employee.
 - b. Supplier master file controls require enhancement.

The DLGSCI operational guideline 18 on financial ratios defines the debt service cover ratio as a measure of a local government's ability to service its debt, that is to produce enough cash to cover its debt payments. The guideline sets the basic standard as met with a ratio result between 2 and 5. An advanced standard is met with a ratio result above 5. The ratio results for the last 3 years have been:

Audit Results	2020 Actual	2019 Actual	2018 Actual
Debt Service Ratio	(2.46)	0.99	0.57

The DLGSCI operational guideline 18 on financial ratios defines the operating surplus ratio as a measure of a local government's ability to cover its operational costs and have revenues available for capital funding or other purposes. The guideline sets the basic standard as met with a ratio result between 0.01 and 0.15. An advanced standard is met with a ratio result above 0.15. The ratio results for the last 3 years have been:

Audit Results	2020 Actual	2019 Actual	2018 Actual
Operating Surplus Ratio	(0.19)	(0.08)	(0.02)

The reported ratios present as an adverse trend however included in these calculations are significant non-cash book entries which are accounted for as an operating expense for Australia Accounting Standard (AAS) purposes. These non-cash items do not have an impact on the cash surplus at end of financial year, however they do have an impact on the ratios calculations as required by the Accounting Standards.

For year ending 30 June 2020 an additional \$13.2m and for year ending 30 June 2019 an additional \$4m in one-off non-cash operating expenditure were included which reduced the overall net results.

At 30 June 2020 the \$13.2m consisted of:

- Loss on sale of assets \$6.8m
- Fair value adjustments in investment property \$6.4m

ASSET DESC	LOSS
Assets written off as not belonging to CoF	
Surf Life Saving Club 20 Leighton Beach Blvd North Fremantle	4,518,000
Elder Pl Public Toilets	352,000
	<u>4,870,000</u>
Assets demolished	
Children Services Centre 9-15 Quarry St Fremantle	846,786
	<u>846,786</u>
FERN 26 Montreal Street Fremantle	163,099
	<u>163,099</u>
Bowling Club Green Keeper Shed Ellen St Fremantle	452,497
Old Mens Shed	109,279
Hilton Child Health Centre 3/34 Paget St Hilton	391,224
Scoreboard & Storeroom Stevens Reserve Swanbourne St Fremantle	8,992
	<u>961,992</u>
TOTAL	<u>6,841,877</u>

At 30 June 2019 the \$4m consisted of:

- Loss on sale of assets \$2.43m - Sale of Tapper St Mews
- Fair value adjustments to assets held for resale \$1.57m – 12 Holdsworth St and 12 Josephson St

A recalculation of the ratios excluding the above one-off non-cash items resulted in both ratios falling within DLGSCI standards for 30 June 2020 and the debt service ratio within standards for 30 June 2019. Further the trend for each ratio shows an improvement rather than an adverse trend. The recalculated debt service ratio and operating surplus ratio are:

Results after one-off adjustments	2020 Actual	2019 Actual
Debt Service Ratio	3.32	2.89
<i>DLGSCI standard between 2 - 5</i>	✓	✓
Operating Surplus Ratio	0.005	(0.02)
<i>DLGSCI standard between 0.01 – 0.15</i>	✓	✗

The two non-compliance matters that were reported during the interim audit as significant findings and presented to the Audit and Risk Management Committee on 10 November 2020 were related to the following financial controls:

- i. Accounting journal entries were prepared and posted by one employee.
- ii. Supplier master file controls require enhancement.

These actions have since been reviewed and amended meet required controls as recommended by OAG.

The final management letter documented 5 findings in relation to the final audit for the year ending 30 June 2020 which are summarised below:

Index of findings	Rating		
	Significant	Moderate	Minor
1. Purchase card transactions		✓	
2. Asset impairment and review of useful life		✓	
3. Procedures for identifying leases		✓	
4. Capital works in progress		✓	
5. Review of creditor reconciliation			✓

Key to ratings

The Ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. Consideration to these potential adverse outcomes is in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

Significant Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly.

Moderate Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.

Minor Those findings that are not of primary concern but still warrant action being taken.

Full details of the above findings, implications, recommendation and management comment are provided with the OAG findings and can be reviewed in the attached Final Management Letter.

The attached financial statements and auditors report will be provided within the annual report and presented to council in the May round of meetings.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

OFFICER'S RECOMMENDATION

Moved: Mr Phillip Draber

Seconded: Cr Jenny Archibald

Council:

1. **Note the Independent Auditor's Report as provided in attachment 1, issued by the Auditor General for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for 30 June, 2020.**
2. **Note the Audited Financial Report with full set of financial statements as provided in attachment 2, for the City of Fremantle for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for June 30, 2020.**
3. **Receive the Final Management Report from Office of Auditor General for year ending 30 June 2020.**

AMENDMENT

Moved: Cr Doug Thompson

Seconded: Cr Adin Lang

Add a part 4 to read as follows:

Council:

1. **Note the Independent Auditor's Report as provided in attachment 1, issued by the Auditor General for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for 30 June, 2020.**
2. **Note the Audited Financial Report with full set of financial statements as provided in attachment 2, for the City of Fremantle for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for June 30, 2020.**
3. **Receive the Final Management Report from Office of Auditor General for year ending 30 June 2020.**
4. **Request a report be brought to the next Audit and Risk Management Committee addressing the questions raised at the meeting.**

Amendment carried: 7/0

Cr Adin Lang, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Jenny Archibald, Cr Su Groome, Mr Phillip Draber

COMMITTEE RECOMMENDATION ITEM ARMC2104-1
(Amended Officer's recommendation)

Moved: Cr Doug Thompson

Seconded: Cr Adin Lang

Council:

- 1. Note the Independent Auditor's Report as provided in attachment 1, issued by the Auditor General for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for 30 June, 2020.**
- 2. Note the Audited Financial Report with full set of financial statements as provided in attachment 2, for the City of Fremantle for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for June 30, 2020.**
- 3. Receive the Final Management Report from Office of Auditor General for year ending 30 June 2020.**
- 4. *Request a report be brought to the next Audit and Risk Management Committee addressing the questions raised at the meeting.***

Carried: 7/0

Cr Adin Lang, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Jenny Archibald, Cr Su Groome, Mr Phillip Draber

ADDITIONAL OFFICER COMMENT

During consideration of this item at Committee, a query was raised as to the calculation contained within note 14 of the Audited Financial Statements – Investment Property for the net (loss) from fair value adjustments.

As the statements are stamped by the OAG these cannot be modified, so below is the list of property making up these changes provided by our independent valuers (Griffin Valuers).

Description	Opening Asset Cost	Adjustments	Revaluations	Disposal/Write-Off	Closing Asset Cost
13 South Terrace Fre	3,621,480.87	24,914.02	1,848,594.89-	0.00	1,797,800.00
41-47 High St Freman	2,835,515.19	0.00	801,484.81	0.00	3,637,000.00
38-40 Henry Street F	5,276,086.65	68,256.55	4,074,543.20-	0.00	1,269,800.00
Car Park # 43 - Esse	420,000.00	0.00	94,000.00-	0.00	326,000.00
47 High Street FREMA	2,405,000.00	0.00	435,000.00	0.00	2,840,000.00
Car Park 04 Holdswor	2,023,000.00	0.00	2,023,000.00-	0.00	0.00
Car Park 14 - 19 Jam	742,000.00	0.00	347,000.00-	0.00	395,000.00
Car Park 14 - 19 Jam	1,928,000.00	0.00	1,003,000.00-	0.00	925,000.00
Car Park 14 - 19 Jam	701,000.00	0.00	293,000.00-	0.00	408,000.00
Car Park 14 - 19 Jam	637,000.00	0.00	26,000.00	0.00	663,000.00
Car Park 14 - 19 Ja	3,231,000.00	0.00	3,231,000.00-	0.00	0.00
Car Park 14 - 19 Jam	831,000.00	0.00	353,000.00-	0.00	478,000.00
Car Park 14 - 19 Jam	98,000.00	0.00	93,900.00-	0.00	4,100.00
Car Park 14 - 19 Jam	1,928,000.00	0.00	8,000.00-	0.00	1,920,000.00
Car Park 15 - 12 Jos	1,301,850.00	0.00	0.00	1,301,850.00	0.00
Evan Davies Building	2,275,000.00	0.00	75,000.00-	0.00	2,200,000.00
38-40 Henry St Frema	0.00	0.00	1,350,000.00	0.00	1,350,000.00
38-40 Henry St Frema	0.00	0.00	1,360,000.00	0.00	1,360,000.00
17-19 James St Frema	0.00	0.00	2,100,000.00	0.00	2,100,000.00
19 James St Fremantl	0.00	0.00	5,300.00	0.00	5,300.00
19 James St Fremantl	0.00	0.00	822,000.00	0.00	822,000.00
Parry St Fremantle L	0.00	0.00	145,000.00	0.00	145,000.00
Parry St Fremantle L	0.00	0.00	8,000.00	0.00	8,000.00
Totals	30,253,932.71	93,170.57	6,391,253.28-	1,301,850.00	22,654,000.00

COMMITTEE RECOMMENDATION ITEM ARMC2104-1 **(Amended Officer's recommendation)**

Moved: Cr Adin Lang

Seconded: Cr Su Groome

Council:

1. Note the Independent Auditor's Report as provided in attachment 1, issued by the Auditor General for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for 30 June, 2020.
2. Note the Audited Financial Report with full set of financial statements as provided in attachment 2, for the City of Fremantle for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for June 30, 2020.
3. Receive the Final Management Report from Office of Auditor General for year ending 30 June 2020.
4. *Request a report be brought to the next Audit and Risk Management Committee addressing the questions raised at the meeting.*

AMENDMENT

Moved: Cr Andrew Sullivan

Seconded: Cr Jenny Archibald

Amendment to Part 4 of the Committee Recommendation;

4. *Request a report be brought to the next Audit and Risk Management Committee addressing the questions raised at the meeting, being;*

- Further detail on note 14 on page 38 of the financial statements for the line of "Net gain/(loss) from fair value adjustment – (6,391,253)".*

Amendment carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

COUNCIL DECISION ITEM ARMC2104-1

Moved: Cr Adin Lang

Seconded: Cr Su Groome

Council:

- Note the Independent Auditor's Report as provided in attachment 1, issued by the Auditor General for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for 30 June, 2020.
- Note the Audited Financial Report with full set of financial statements as provided in attachment 2, for the City of Fremantle for the financial year ending 30 June 2020 which will be provided in the City of Fremantle Annual Report for June 30, 2020.
- Receive the Final Management Report from Office of Auditor General for year ending 30 June 2020.
- Request a report be brought to the next Audit and Risk Management Committee addressing the question raised at the meeting, being;*
 - Further detail on note 14 on page 38 of the financial statements for the line of "Net gain/(loss) from fair value adjustment – (6,391,253)".*

Carried: 10/1

For

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

Against

Cr Marija Vujcic

12. Reports and recommendations from officers

ITEMS APPROVED “EN BLOC”

The following items were adopted unopposed and without discussion “En Bloc” as recommended.

COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Adin Lang

The following items be adopted en bloc as recommended:

C2104-1	Monthly Financial Report – March 2021
C2104-2	Statement of Investments – March 2021
C2104-3	Schedule of Payments March 2021

Carried: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

C2104-1 MONTHLY FINANCIAL REPORT - MARCH 2021

Meeting date: 28 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Attachments: 1. Monthly Financial Report – 31 March 2021
Additional information: Nil

SUMMARY

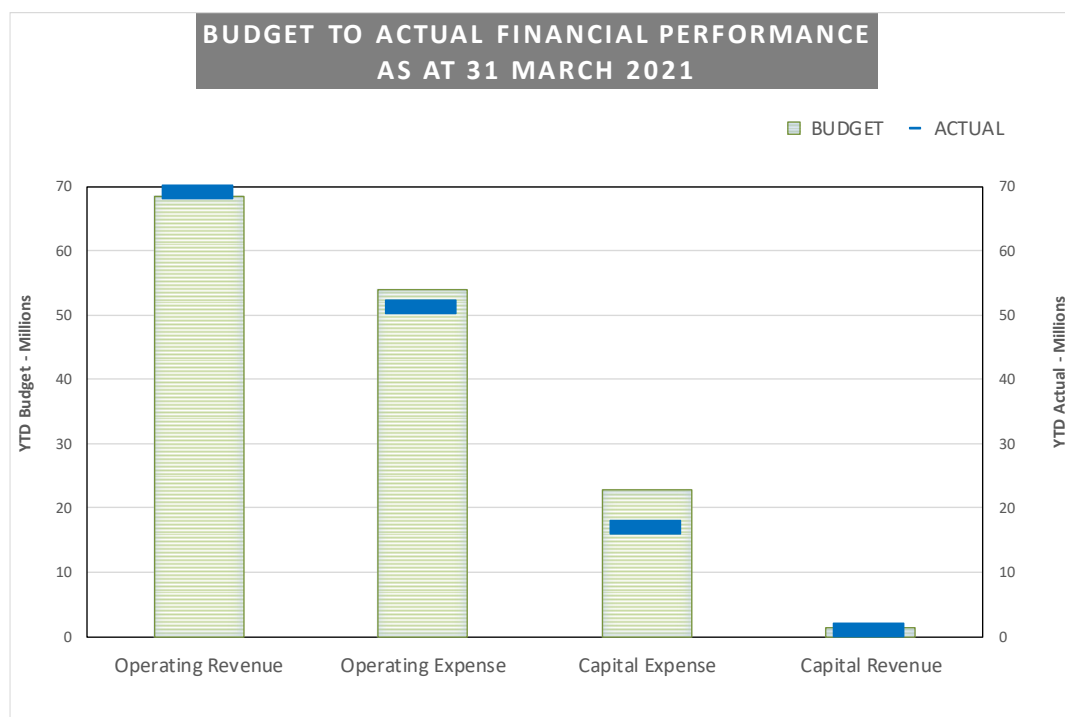
The monthly financial report for the period ending 31 March 2021 has been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

This report provides an analysis of financial performance for March 2021 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

BACKGROUND

The following graph and table provide a high-level summary of Council's year to date financial performance as at 31 March 2021.



Description	YTD Budget \$M	YTD Actual \$M	Variance \$M	Variance % %	+/-
Opening Surplus	3.56	3.56	0.00	0.00%	
OPERATING					
Rate Revenue	48.09	48.33	0.24	0.52%	
Revenue	20.41	20.82	0.41	2.03%	
Expenses	(54.07)	(51.28)	2.79	5.17%	
Non-Cash Adj.	5.49	5.77	0.28		
	19.92	23.64	3.72	18.67%	
CAPITAL					
Revenue	1.39	0.99	(0.40)	(28.43%)	
Expenses	(22.76)	(17.01)	5.75	25.23%	
Financing	(1.52)	(1.87)	(0.35)	22.59%	
Reserve Transfers	18.48	13.98	(4.50)	(24.37%)	
	(4.41)	(3.91)	0.50	(11.34%)	
Closing Surplus	19.07	23.29	4.22	22.18%	

As detailed in the Statement of Comprehensive Income by Nature and Type operating income and expenses have mainly varied to the anticipated budget in the following categories:

Income	Variance	
Fees and Charges	898,304	
Operating Grants, Subsidies & Contributions	(580,519)	
Rates (including Annual Levy)	259,931	
Reimbursement Income	(225,880)	
Other Revenue	287,442	
Other Operating Income Items	22,844	
Total Operating Income	662,122	
Expenses	Variance	
Employee Costs	1,646,192	
Materials and Contracts	1,039,547	
Depreciation Expenditure	(246,968)	
Other Expenditure	177,446	
Other Operating Expense Items	178,814	
Total Operating Expenses	2,795,031	

Further explanation of material variances, except rates income and employee variance, is included under officers' comments.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

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

CONSULTATION

Nil

OFFICER COMMENT

The overall performance for the City of Fremantle for the period ended 31 March 2021 resulted in an additional \$4,229,441 surplus being identified in the year to date position over anticipated, which is mainly as a result of: -

Reduction in anticipated year to date position

- Reduction of net transfer to/from reserve of (\$4,503,769)
- Reduction of capital revenue of (\$394,953)

Increase in anticipated year to date position

- Increased general rates income of \$248,171
- Increased operating revenue (excluding general rates) of \$413,951
- Underspending of operating expenditure to date of \$2,795,031
- Underspending of capital expenditure to date of \$5,742,025

It should be noted that the annual financial statements for 2019/20 FY have been signed by the auditor on 1st April 2021. The 2019/20 financial year end surplus of \$3,562,677 has been carried forward to 2020/21 FY and allocated to projects/activities during the mid-year budget review.

Explanation of Material Variances

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 2020/21 for reporting material variances as 10% or \$100,000, whichever is greater (Item SC2007-2 refers Council meeting on 8 July 2020).

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

Description	Variance Amount	Comment
Operating Grants, Subsidies and Contributions	(580,519)	 20%
Major Variances:		
Conduct South lawn events	(40,000)	Unspent contribution of \$40,000 carried forward from 2019/20FY for the deposit of South Lawn events refunded to the customer due to changes relating to the events.
Conduct Street arts festival	(44,806)	Budget Phasing Sponsorship income to be received later this financial year.
Conduct arts centre marketing activities	(53,878)	Budget Phasing 2nd instalment of grant yet to be received.
Operate Fremantle arts centre	(107,879)	Budget Phasing 2nd instalment of grant yet to be received.
P-11729 Program-Reveal Aboriginal Artist 2020	(157,989)	Budget Phasing Unspent grants carried forward from 2019/20FY to be recognised as revenue once performance obligation is fulfilled.
Coordinate arts centre exhibitions	(197,555)	Budget Phasing 2nd instalment of grant yet to be received
Reimbursement Income	(225,880)	 (29%)
Major Variances:		
Containers for Change	(173,957)	Internal reallocation required to recognise income as Other Revenue and is offset below.
Other Revenue	287,442	 310%
Major Variances:		
Containers for Change	186,405	Internal reallocation from Reimbursement income required and is offset above.
Monitor financial accounting processes	57,052	Increased income due miscellaneous refunds received this year that were not budgeted.
Other Expenditure	177,446	 12%
Major Variances:		
Allocate community development funding	85,099	Ad hoc expenditure less than expected to date on initial round of community grants and neighbourhood quick response grants.
Coordinate external event enquiries and bookings	75,101	Minimum expenditure on community events to date due to COVID restrictions on events.
Support the mayor and councillors	35,523	Budget Phasing Sponsorship expenditure opportunities yet to present for this financial year.
Capital Grants and Subsidies/Contributions for the development of Assets	(394,953)	 (28%)
Major Variances:		
P-11854 Resurface MRRG-South Tce	(26,975)	Budget phasing Grant claim lodged awaiting payment.
P-11904 - Design and Construct – Gilbert Fraser - Lighting	(173,333)	Budget phasing Project in procurement phase. Budget to be utilised this financial year.
P-10260 Program - Arthur Head - Wall stabilisation	(200,000)	Budget phasing Receipt of grant delayed due to overall delays relating to the project.

Description	Variance Amount	Comment
Purchase Community Land and Buildings	5,482,542	 26%
Major Variances:		
P-10297 Construct-Walyalup Civic Centre and Library (KS)	3,806,614	Budget phasing Project delays resulting in delayed practical completion of the project.
P-11882 -Design and construct - Fremantle Golf Course	1,577,535	Budget phasing The construction of the golf course commenced one month later than phased. Full budget to be utilised.
P-11682 Fitout - Council Admin Offices (KS)	227,514	Budget phasing Estimated installation to coincide with Walyalup Civic Centre construction project.
P-11843 Design and construct-Markets Building Services	44,360	Budget phasing Design pending approval from tenant.
Purchase Infrastructure - Other	154,716	 50%
Major Variances:		
P-11878 -Design and construct- Kings Square - Windows to the Past	137,949	Budget phasing Project commenced in March 2021. External additional funding being sought, and procurement approach being undertaken. This project is expected to be carried forward to next financial year.
Transfer from Reserves (Restricted) - Capital	(4,503,213)	 (24%)
P-11878 -Design and construct- Kings Square - Windows to the	(137,949)	Budget phasing Reserve transfer delayed due to overall delays on the Kings Square project.
P-11682 Fitout - Council Admin Offices (KS)	(227,514)	
P-10297 Construct-Walyalup Civic Centre and Library (KS)	(4,398,440)	

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COUNCIL DECISION ITEM C20104-1

Moved: Cr Andrew Sullivan

Seconded: Cr Adin Lang

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 31 March 2021.

Carried en bloc: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge, Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson, Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

C2104-2 STATEMENT OF INVESTMENTS – MARCH 2021

Meeting date: 28 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Attachments: 1. Investment Report – 31 March 2021
Additional information: Nil

SUMMARY

This report outlines the investment of surplus funds for the month ending 31 March 2021 and provides information on these investments for Council consideration.

This report recommends that Council receive the Investment Report for the month ended 31 March 2021, as provided in Attachment 1.

The investment report provides a snapshot of the City's investment portfolio and includes:

- **Portfolio details as at March 2021;**
- **Portfolio counterparty credit framework;**
- **Portfolio liquidity with term to maturity;**
- **Portfolio fossil fuel summary;**
- **Interest income earned for the month;**
- **Investing activities for the month;**

BACKGROUND

In accordance with the Investment Policy adopted by Council, the City of Fremantle (the City) 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 in appropriately rated and liquid investments, until such time as the City requires the money for expenditure.

The City has committed to carbon neutrality, and to this end seeks to ensure its financial investments consider the reduction of fossil fuels and our One Planet Fremantle Strategy.

To this end the City will review and manage its investment portfolio to identify financial institutions which support either direct or indirect support of fossil fuel companies and has limited these investments in these institutions to the minimum whilst maintaining compliance with the investment policy.

FINANCIAL IMPLICATIONS

To date actual investment interest earned is \$318,987 against a year to date budget of \$325,618 which represents an unfavourable variance of \$6,631.

Investment rates and returns on term deposits are lower after the announcement of the cash rate cut in November 2020. An interest revenue reduction of \$100,000 for this financial year has been approved by Council at the mid-year budget review.

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 0.50% for the month of 31 March 2021. The City's actual portfolio return in the last 12 months is 0.77%, which compares favourably to the benchmark Bloomberg AusBond Bill Index reference rate of 0.11% (refer 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 oversight by the Australian Prudential Regulation Authority (APRA).

CONSULTATION

Nil

OFFICER COMMENT

A comprehensive Investment Report for the month ending 31 March 2021 can be viewed in Attachment 1 of this agenda item. A summary of the investment report is provided below.

1. Portfolio details as at 31 March 2021

At period end, the City's investment portfolio totalled \$50.59m. The market value was \$50.66m, which takes into account accrued interest.

The investment portfolio is made up:

Cash Investments (<= 3 months)	\$17.09m
Term Deposits (> 3 months)	\$33.50m
TOTAL	\$50.59m

Of which:

Unrestricted cash	\$34.02m
Restricted cash (Reserve Funds)	\$15.24m
Restricted cash (Trust Funds)	\$ 1.33m
TOTAL	\$50.59m

The current amount of \$34.02m held as unrestricted cash represents 47.75% of the total adopted budget for operating revenue (\$71.24m)

2. Portfolio counterparty credit framework (as at 31 March 2021)

The City's Investment policy determines the maximum amount to be invested in any one financial institution or bank 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. The recently adopted counterparty credit framework is as below.

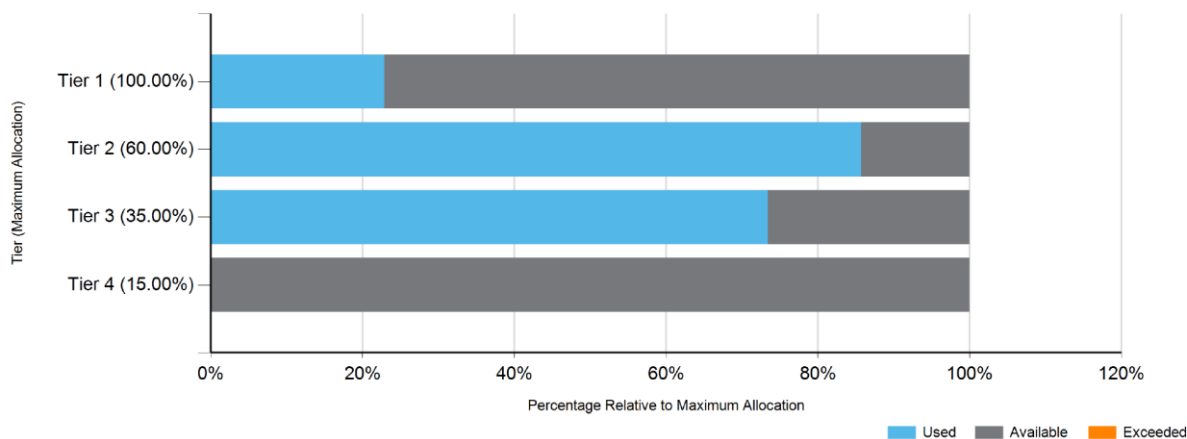
Counterparty credit framework

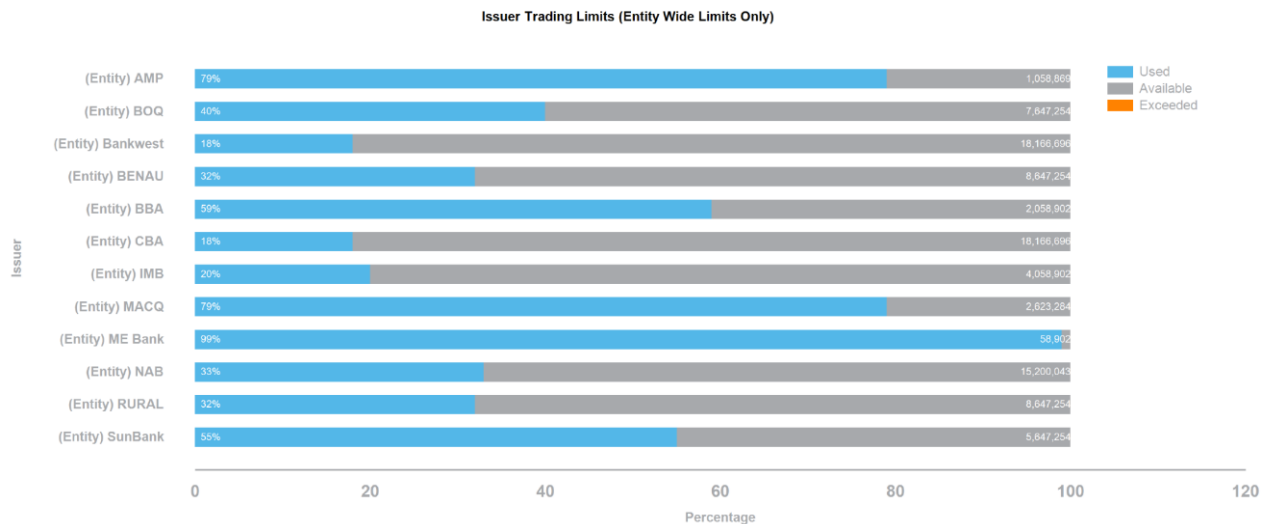
Investments are not to exceed the following percentages of average annual funds invested with any one financial institution and consideration should be given to the relationship between credit rating and interest rate.

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 following graphs provide details of the funds invested at the end of this month as per the City's investment portfolio relative to the threshold allowed by the investment policy as below:

Portfolio Credit Framework Amounts Relative to Maximum Allocations





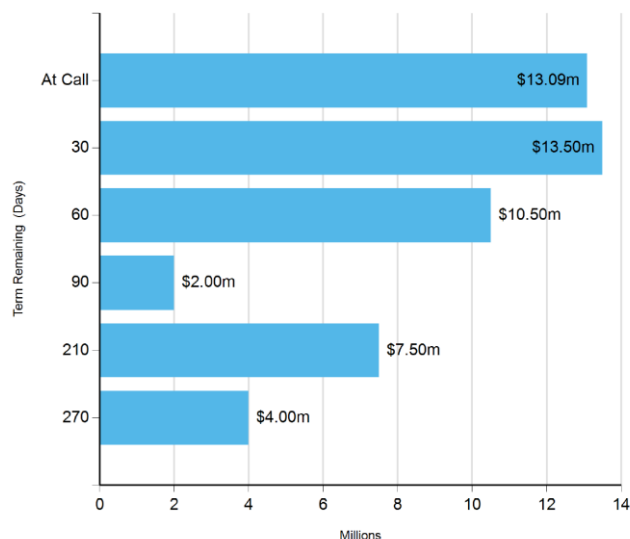
As reported in the above graph as of 31 March 2021, all investments of the portfolio were compliant.

3. Portfolio Liquidity Indicator (as at 31 March 2021)

The below graph provides details on the maturity timing of the City's investment portfolio. Currently all investments will mature in one year or less.

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.

Face Value by Term Remaining

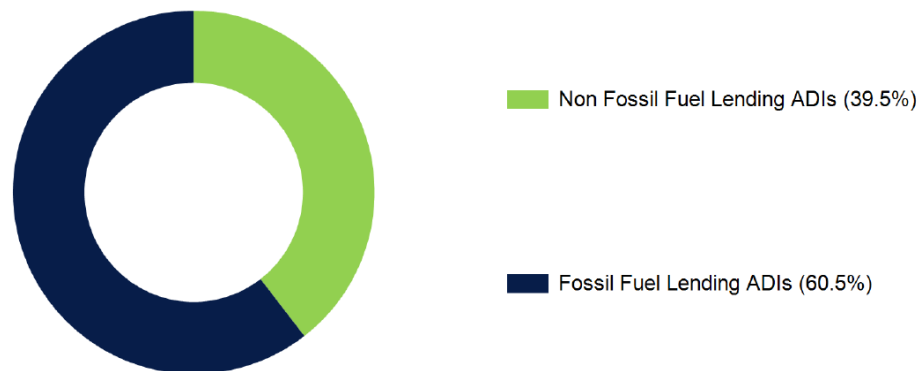


4. Portfolio Summary by Fossil Fuels Lending ADIs (As at 31 March 2021)

At the end of this month, \$20m (40%) of the portfolio was invested in “Green Investments”; authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels (Non-Fossil Fuel lending ADI’s).

In order to address 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 to allow some greater flexibility. Since December 2020 investments have been made in accordance with the revised policy to increase in the percentage invested in “Green Investments”. However, it has been challenging for the City to invest in banks deemed “green” as these banks are full on liquidity and therefore are not issuing new term deposits.

**Fossil Fuel vs
Non Fossil Fuel
Lending ADI**



5. Interest Income for Matured Investments (For 1 March 2021 to 31 March 2021)

During the month of March \$41,875 interest income was earned from matured investments (refer Attachment 1 point 9).

6. Investing Activities (For 1 March 2021 to 31 March 2021)

During this month, 5 term deposits were acquired with a total value of \$10m invested.

Full details of the investment institution, interest rate, number of days and maturity date are provided in the attached report.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority required

COUNCIL DECISION ITEM C20104-2

Moved: Cr Andrew Sullivan

Seconded: Cr Adin Lang

Council receive the Investment Report for the month ending 31 March 2021, as provided in Attachment 1.

Carried en bloc: 11/0

**Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

C2104-3 SCHEDULE OF PAYMENTS MARCH 2021

Meeting date: 28 April 2021
Responsible officer: Manager Finance
Decision making authority: Council
Agenda attachments: Schedule of payments and listing
 Purchase Card Transactions
Attachments viewed electronically
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 March 2021, as required by the *Local Government (Financial Management) Regulations 1996*.

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 March 2021, is provided within Attachment 1 and 2.

FINANCIAL IMPLICATIONS

A total of \$11,085,475.44 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; and*
 - (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 March 2021 by payment type, with full details of the accounts paid contained within Attachment 1.

Payment Type	Amount (\$)
Cheque / EFT / Direct Debit	\$8,411,988.80
Purchase card transactions	\$36,161.38
Salary / Wages / Superannuation	\$2,635,325.26
Other payments (as outlined in Attachment 1)	\$2,000.00
Total	\$11,085,475.44

Contained within Attachment 2 is a detailed listing of the purchase card transactions for the month ending March 2021.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION ITEM C20104-3

Moved: Cr Andrew Sullivan

Seconded: Cr Adin Lang

Council:

1. Accept the list of payments made under delegated authority, totalling \$11,085,475.44 for the month ending March 2021, as contained within Attachment 1.
2. Accept the detailed transaction listing of credit card expenditure, for the month ending March 2021, as contained within Attachment 2.

Carried en bloc: 11/0

Cr Jenny Archibald, Cr Geoff Graham, Cr Hannah Fitzhardinge,
Cr Su Groome, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

C2104-4 CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS

Meeting date: 28 April 2021
Responsible officer: Director People and Culture
Decision making authority: Council
Attachments: Nil.
Additional information: Nil.

SUMMARY

This report recommends that Council appoint a Chief Executive Officer Recruitment and Selection Panel in accordance with the model standards prescribed in the *Local Government (Administration) Regulations 1996*.

The Chief Executive Officer Performance Review Committee is recommending a timeline for the recruitment and selection process for a Chief Executive Officer.

BACKGROUND

On 9 April 2021 the City of Fremantle Chief Executive Officer, Mr Philip St John, resigned his position with the City.

On 14 April 2021 the Chief Executive Officer Performance Review Committee met to consider a timeline for the recruitment and selection process for a new Chief Executive Officer.

FINANCIAL IMPLICATIONS

The indicative cost for a recruitment consultant has been included in the July 21/22 budget.

LEGAL IMPLICATIONS

The Chief Executive Officer recruitment and selection process will be undertaken in accordance with Schedule 2 (Model standards for Chief Executive Officer recruitment, performance and termination) of the *Local Government (Administration) Regulations 1996*.

CONSULTATION

Nil

OFFICER COMMENT

The Chief Executive Officer Performance Review Committee met to consider the process and timeline for the recruitment and selection of a new Chief Executive Officer.

Clause 8(3) of Division 2 of Division 2 of Schedule 2 of the Regulations prescribes that the Chief Executive Officer recruitment and selection panel comprise of at least one 'independent person'.

This may be any person or people, who is/are not a current employee or elected member of the local government, or a human resources consultant engaged by the local government.

The model standard guidelines outline the following specifications relating to the appointment of an independent person or people to the panel:

“Selection panel and independent person

Local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process. The selection panel should be made up of elected members (the number of which is determined by the council) and must include at least one independent person. The independent person cannot be a current elected member, human resources consultant, or staff member of the local government. Examples of who the independent person could be include:

- *former elected members or staff members of the local government;*
- *former elected members (such as a Mayor or Shire President) or staff members of another local government;*
- *a prominent or highly regarded member of the community; or*
- *a person with experience in the recruitment of CEOs and senior executives.*

The panel are responsible for assessing applicants and making a recommendation to council regarding the most suitable applicant or applicants. The essence of the role of an independent panel member is to bring an impartial perspective to the process and reduce any perception of bias or nepotism.

It is essential that prior to a person’s appointment to a selection panel they are informed of the duties and responsibilities of their role and that of the panel.”

It is recommended that Council seek to appoint a person or people experienced in private or public sector management and governance who do/does not have a specific relationship or connection with the City of Fremantle or any current elected members to be the independent person or people on the recruitment and selection panel.

Regarding the membership of the Chief Executive Officer recruitment and selection panel, other than the independent member, Council may appoint any number of elected members.

Should the officer’s recommendation be adopted, a report will be presented to the next Ordinary Council Meeting, to be held in May, to consider formally appointing the recommended person or people as independent member/s to the panel.

It should be noted that as this year is an election year all appointments to Committees and corresponding panels will expire on the day of the Election to be held in October. The consideration for the appointment of new members to council committees will then take place, in the normal course of business, at a Council Meeting following the Election.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

COUNCIL DECISION ITEM C2104-4

Moved: Cr Andrew Sullivan

Seconded: Cr Su Groome

Council:

1. **Appoint the following elected members to the Chief Executive Officer Recruitment and Selection Panel:**
 - a. Mayor as ex-officio member
 - b. Cr J Archibald
 - c. Cr G Graham
 - d. Cr H Fitzhardinge
 - e. Cr F Mofflin
2. **Agree that the independent person or people appointed to the Chief Executive Officer Recruitment and Selection Panel, will be experienced in private or public sector management and governance, who do/does not have a specific relationship or connection with the City of Fremantle or any current elected members.**
3. **Note that a report will be presented to the May Ordinary Meeting of Council, recommending candidates, who meet the criteria outlined in part 2 above, for consideration of appointment as independent panel member/s.**
4. **Adopt the following recruitment and selection timeline for 2021:**

April	Appoint Council Members to the Chief Executive Officer Recruitment and Selection Panel, until the Ordinary Council Election in October 2021.
May	Appointment of an independent panel member, until the Ordinary Council Election in October 2021.
June/July	Appoint a recruitment consultant.
June/July /August	The Chief Executive Officer Recruitment and Selection Panel to draft selection criteria, job description and employment contract.
October/ November	New Council to appoint a new Chief Executive Officer recruitment and selection panel, including independent member/s.
	New panel to recommend criteria, JDF and contract for Council endorsement.
	New Council to consider and endorse criteria.
	Advertise CEO position.

Carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

13. Motions of which previous notice has been given

Nil

14. Urgent business

Nil

15. Late items

Nil

16. Confidential business

Cr Su Groome left the meeting at 8.37 and returned at 8.38.

PROCEDURAL MOTION

The following procedural motion was moved:

COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

That the meeting be moved behind closed doors to consider the confidential item/s on the agenda.

Carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

ARMC2104-7 RISK REPORT – APRIL 2021

Meeting date: 21 April 2021
Responsible officer: Director City Business
Decision making authority: Council
Attachments: Nil
Additional information: Nil

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting

COUNCIL DECISION ITEM ARMC2104-7

Moved: Cr Adin Lang

Seconded: Cr Frank Mofflin

Council notes the risk update report for April 2021, and the verbal confirmation for keeping it confidential, being that the issues generally relate to third parties and these may affect the City's legal position with them so is confidential in accordance with section 5.23 (a) to (g) and the update may not include all information associated with each matter.

Carried: 11/0

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

C2104-6 RESIGNATION OF THE CHIEF EXECUTIVE OFFICER

Meeting date: 28 April 2021
Responsible officer: Director People and Culture
Decision making authority: Council
Attachments: Nil
Additional information: Nil

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- (a) a matter affecting an employee or employees

COUNCIL DECISION ITEM C2104-6

Moved: Cr Andrew Sullivan

Seconded: Cr Jenny Archibald

Council:

- 1. Agree that the effective resignation date of the Chief Executive Officer, Mr Philip St John, will be Friday 2 July 2021.**
- 2. Agree that the Chief Executive Officer will cease duties as of Friday 4 June 2021.**
- 3. Approve the resigning Chief Executive Officer be granted 2 weeks unpaid leave from Monday 7 June until Friday 18 June 2021 and be granted 2 weeks annual leave from Monday 21 June to 2 July 2021.**

Carried: 11/0

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

C2104-5 NOMINATION OF AN INTERIM CHIEF EXECUTIVE OFFICER

Meeting date: 28 April 2021
Responsible officer: Chief Executive Officer
Decision making authority: Council
Attachments: 1. Nil.
Additional information: 1. Nil.

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- a matter affecting an employee

COUNCIL DECISION ITEM C2104-5

Moved: Cr Andrew Sullivan Seconded: Cr Hannah Fitzhardinge

Council

- 1. nominate Glen Dougall to fulfil the role of Chief Executive Officer of the City of Fremantle following the resignation of Mr Philip St John (CEO).**
- 2. confirm that the Council believes that Glen Dougall is suitably qualified to fill the position of Chief Executive Officer *for a period of up to 12 months*.**
- 3. request a further report be presented to council for consideration of final contractual arrangement relating to the appointment.**

Carried: 11/0

**Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang**

PROCEDURAL MOTION

The following procedural motion was moved:

COUNCIL DECISION

Moved: Cr Andrew Sullivan

Seconded: Cr Geoff Graham

That the meeting come out from behind closed doors.

Carried: 11/0

Cr Jenny Archibald, Cr Su Groome, Cr Geoff Graham,
Cr Hannah Fitzhardinge, Cr Sam Wainwright, Cr Frank Mofflin, Cr Doug Thompson,
Cr Marija Vujcic, Cr Andrew Sullivan, Cr Rachel Pemberton, Cr Adin Lang

17. Closure

The Presiding Member declared the meeting closed at 9.05