

City of Fremantle

AGENDA

Strategic and General Services Committee

Wednesday, 14 April 2010
6.00 pm

COMMITTEE MEMBERS

Mayor Brad Pettitt
Cr John Alberti
Cr Georgie Adeane
Cr Donna Haney
Cr Dave Coggin
Cr Sam Wainwright
Cr Doug Thompson

Beaconsfield Ward
South Ward
City Ward
East Ward
Hilton Ward
North Ward

CITY OF FREMANTLE
NOTICE OF A STRATEGIC AND GENERAL SERVICES
COMMITTEE MEETING

Elected Members

A Strategic and General Services Committee Meeting of the City of Fremantle will be held on Wednesday, 14 April 2010 in the Council Chamber, Town Hall Centre, 8 William Street, Fremantle (access via stairs, opposite Myer) commencing at 6.00 pm.

Glen Dougall
DIRECTOR CORPORATE SERVICES

9 April 2010

STRATEGIC AND GENERAL SERVICES COMMITTEE

AGENDA

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

NYOONGAR ACKNOWLEDGEMENT STATEMENT

"We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar people as the custodians of the greater Fremantle/Walyalup area and that their cultural and heritage beliefs are still important to the living Nyoongar people today."

ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

ELECTION OF COMMITTEE CHAIRPERSON

Due to Cr Doug Thompson resigning as Chairperson of the Strategic and General Services Committee, there will be a call for nominations for the position of Chairperson.

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

PUBLIC QUESTION TIME

DEPUTATIONS / PRESENTATIONS

DISCLOSURES OF INTEREST BY MEMBERS

LATE ITEMS NOTED

CONFIRMATION OF MINUTES

That the Minutes of the Strategic and General Services Committee dated 10 March 2010 be confirmed as a true and accurate record.

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CLOSURE OF MEETING

REPORTS BY OFFICERS (COMMITTEE DELEGATION)

The following items are subject to clause 1.1 and 2.1 of the City of Fremantle Delegated Authority Register

SGS1004-1 ACCEPTANCE OF TENDER FOR THE SUPPLY AND LAYING OF ASPHALT - TENDER NUMBER FCC340-10

DataWorks Reference:	135/001
Disclosure of Interest:	Nil
Previous Item	Nil
Responsible Officer:	Peter Pikor, Director Technical Services
Actioning Officer:	Lionel Nicholson, Manager City Works
Decision Making Authority:	Committee
Agenda Attachments:	Tender Evaluation

PURPOSE

To accept a tender for the supply and laying of asphalt for the two year period to 31 March 2012.

EXECUTIVE SUMMARY

After evaluation of tenders received for the supply and laying of asphalt, it is recommended that the tender submitted by Asphalt Surfaces for a period of two years be accepted.

BACKGROUND

The contract for this service requires renewal and forms an essential part for the successful completion of the City's annual construction program. Asphalt Services is the current contractor and have delivered good service to the City during the current contract period. Tenders were invited in the West Australian Newspaper on Wednesday 10 February 2010 and closed on Friday 26 February 2010.

Tender documents were received from five (5) tenderers;

- Asphalt Surfaces
- Boral Asphalt
- Asphaltech
- DownerEDi Works
- Roads 2000

COMMENT

Evaluation of the tenders was required to be based on compliance on criteria - 60% qualitative criteria and 40% quantitative criteria. Boral Asphalt's alternative tender submission and Roads 2000 were rejected for not conforming to the City's requirements.

The quantitative criteria were;

- Methodology.
- Skills and experience of key personnel.
- Resources.
- References

The qualitative criteria were;

- Tender price.

Following evaluation of the tenderers by the evaluation panel, the submission from Asphalt Surfaces was determined to offer the best value services for the City.

CONCLUSION

Asphalt Surfaces were ranked highest in the overall assessment and their tender indicates the ability to provide the services required by the City of Fremantle.

STRATEGIC AND POLICY IMPLICATIONS

This item has a general connection to the Strategic Plan in that most construction works and some maintenance works involving infrastructure assets on road reserves require asphalt.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

The use of asphalt is an economical choice in life-cycle cost for infrastructure renewal, upgrades and maintenance.

Environmental

Asphalt has sustainable environmental advantages of recycling, porous pavements for improving road safety under wet conditions and traffic noise reduction.

Social

The ongoing implementation of the City's proactive road maintenance and improvement programs ensures a high standard of safety for its users.

BUDGET IMPLICATIONS

There is no specific budget implication from the award of the tender with budgets for maintenance and construction works to be managed within the program using tendered rates.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Local Government Act.

Completion of formal agreements is a requirement of the contract documents.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required.

OFFICER'S RECOMMENDATION

That tender number FCC340-10 for Supply and Laying of Asphalt be accepted from Asphalt Services in accordance with their offer for a period of two years to 31 March 2012.

**SGS1004-2 ACCEPTANCE OF TENDER FOR THE SUPPLY OF EXTRUDED
CONCRETE KERBING - TENDER NUMBER FCC341-10**

DataWorks Reference: 135/001
Disclosure of Interest: Nil
Previous Item Nil
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Lionel Nicholson, Manager City Works
Decision Making Authority: Committee
Agenda Attachments: Tender Evaluation

PURPOSE

To accept a tender for the supply of extruded concrete kerbing for the two year period to 31 March 2012.

EXECUTIVE SUMMARY

After evaluation of tenders received for the supply and laying of asphalt, it is recommended that the tender submitted by Riverlea Corporation for a period of two years be accepted.

BACKGROUND

The contract for this service requires renewal and forms an essential part for the successful completion of the City's annual construction program. The current contractor is WA Kerbing and they have provided good services during the current contract period. Tenders were invited in the West Australian Newspaper on Wednesday 10 February 2010 and closed on Friday 26 February 2010.

Tender documents were received from four (4) tenderers;

- WA Kerbing
- Excel Kerbing
- Riverlea Corporation
- DownerEDi Works

COMMENT

Evaluation of the tenders was required to be based on compliance criteria - 60% qualitative criteria and 40% on quantitative criteria. All of the tenderers submissions were conforming to the City's requirements.

The qualitative criteria were;

- Methodology.
- Skills and experience of key personnel.
- Resources.
- References

The quantitative criteria were;

- Tender price.

Following evaluation of the tenderers by the evaluation panel, the submission from Riverlea Corporation was determined to offer the best value services for the City. Reference checks with the City of Stirling confirmed that Riverlea Corporation has a demonstrated track record of the required service delivery standards.

CONCLUSION

Riverlea Corporation were ranked highest in the overall assessment and their tender indicates the ability to provide the services required by the City of Fremantle.

STRATEGIC AND POLICY IMPLICATIONS

This item has a general connection to the Strategic Plan in that most road construction works and some maintenance works required extruded concrete kerbing.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Extruded concrete kerbing offers a cost effective durable stormwater control barrier by comparison to the installation of precast kerbing.

Environmental

Extruded concrete kerbing has sustainable environmental advantages of recycling and, controlling stormwater run-off.

Social

The ongoing implementation of the City's proactive road maintenance and improvement programs ensures a high standard of safety for its users.

BUDGET IMPLICATIONS

There is no specific budget implication from the award of the tender with budgets for maintenance and construction works to be managed within the program using tendered rates.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Local Government Act.

Completion of formal agreements is a requirement of the contract documents.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required.

OFFICER'S RECOMMENDATION

That Tender Number FCC341-10 for Supply of Extruded Concrete Kerbing be accepted from Riverlea Corporation in accordance with their submitted tender offer for a period of two years to 31 March 2012.

REPORTS BY OFFICERS (COUNCIL DECISION)

SGS1004-3 RESTAURANT - 44 PORT BEACH ROAD, NORTH FREMANTLE - APPLICATION FOR CHANGE OF LIQUOR LICENCE FROM RESTAURANT TO RESTRICTED TAVERN LICENCE

DataWorks Reference: 1252870 & LO35
Disclosure of Interest: Nil
Previous Item: Nil
Responsible Officer: Glen Dougall, Director of Corporate Services
Actioning Officer: John Amor, Property Coordinator
Decision Making Authority: Council
Agenda Attachments: Application for Tavern Licence - Salt on the Beach

PURPOSE

To consider an application from Red Rock Consolidated Pty Ltd for the City of Fremantle's approval for Red Rock to apply for a Restricted Tavern licence to be granted for the Salt Restaurant premises at 44 Port Beach Road, North Fremantle. This approval is under the terms of the Lease Agreement and a separate application is required under planning conditions.

EXECUTIVE SUMMARY

Red Rock Consolidated Pty Ltd has been, since 2007, the approved sub tenant (operator) of these premises.

Red Rock Sub leased the venue from Seascapes Pty Ltd (Receivers and Managers Appointed).

Red Rock currently holds a restaurant license with an Extended Trading Permit (ETP) permitting customers to consume liquor without a meal.

Red Rock has submitted that the Liquor Act as amended in 2007 imposes service restrictions on the range of permitted activities at the Salt premises.

Red Rock has cited the following examples:

- **Patrons and tourists are not permitted to just sample the range of beers produced by the nano-brewery onsite.**
- **As the venue is limited to twelve (12) ETP's per year, this limitation restricts Red Rocks offerings to the function market which is an important part of Red Rock's Business.**
- **Whilst the Liquor Act allows public events under a restaurant licence there are limiting restrictions which again impose on Red Rock's business opportunities.**

Red Rock believes that if it was granted a Restricted Tavern licence that would remove each of the above impediments to its business operation.

Therefore, Red Rock wants to apply to the Department of Gaming, Racing and Liquor for a Restricted Tavern licence.

However, the Planning Approval of the Western Australian Planning Commission is required for a change in land use for the site, in addition to any other approvals required for the site. This will necessitate the submission of an application for Approval to Commence Development, signed by the owner of the land.

However, in keeping with existing lease terms and conditions, Council as the Lessor, must provide its prior written consent to the applicant for the submission of any application for a change to the existing approved restaurant licence, which would also include a change in land use.

BACKGROUND

The background to this matter is that the Salt Restaurant is located on Reserve 43311 which was originally vested in the Fremantle Port Authority (the Authority). In 1990 the Authority leased two portions of the Reserve (known as lots N2 and N3) under separate leases to Seascope Holdings Pty Ltd ("the Head Lessee"). Under the leases the Head Lessee was obligated to build a restaurant and kiosk on the Land. There were originally some differences between the two leases, in particular with regard to the length of their terms, but in 1993 the two leases were effectively "merged" into one lease.

In 1995 the Authority agreed to vest the Land in the City, and a deed was prepared between the Authority, the Head Lessee, the Sublessee and the City to transfer the Authority's rights and obligations under the lease and sublease to the City, and the rights and obligations of the Head Lessee and the Sublessee to the Authority, to the City. The Sublease has been assigned three times since then and is now held by Seascapes Holdings Pty Ltd.

The relevant terms of the lease are:

- The land is leased by the City of Fremantle to Seascope Holdings Pty Ltd for 21 years, expiring on the 30th November 2010.
- Seascope Holdings Pty Ltd was obligated to develop a restaurant and kiosk on that land in accordance with plans and specifications agreed at the time of entry into the lease.
- Seascope Holdings Pty Ltd cannot undertake any other development on the Land without the Lessor's permission.
- The City's prior written consent is required for any kind of licence under the Liquor Act or to change or vary an approved restaurant licence.

Seascope Pty Ltd has gone into receivership with McGrathNicol the appointed receivers and managers. Given that the current lease for these premises is due to expire in October 2010, negotiations are under way with McGrathNicol for a new lease. It is the City's understanding that following conclusion of those lease negotiations, McGrathNicol will step aside in favour of Red Rock who will become the City's direct tenant.

The request for approval to submit an application from Red Rock for a restricted tavern licence (which was received on the 11th November 2009) deals in detail with its current operation; future objectives; identified market; operational philosophy; development plans for the premises, as well as the public interest elements which are an integral part of the proposed licence change.

COMMENT

The City has received a detailed written request (Section 40 request) from Red Rock for a change in the liquor licence for the "Salt on the Beach" restaurant. Red Rock are anticipated to be the tenants of the site once the receiver and managers step aside. The proposed change in liquor licence is from a "Restaurant" to a "Hotel Licence – Restricted Taverns Licence". As per the drawing attached to DW1252870 Red Rock is not seeking to extend the existing licence area. The existing kiosk area is to remain outside the licensed area and remain as a family friendly area and accessible by beach goers.

Change in Land Use Under the Metropolitan Region Scheme

The site is located within a Regional Park and Recreation Reserve under the Metropolitan Region Scheme (MRS). Primarily, this land is set aside for use by the public for passive or active recreation, depending upon its vesting. Any application for Planning Approval for this site will be determined by the Western Australian Planning Commission (the Commission). From a land use planning perspective, the proposal to change the use of the site from "Kiosk and Restaurant" land use on a Regional Park and Recreation Reserve to a "Tavern" land use constitutes development and as such, will need to be determined by the Commission.

The planning application is required to be submitted to the City first, before it is referred to the Commission. Council is then required to forward its recommendation to the Commission for consideration.

When considering an application for Planning Approval, the Commission will be required to have regard to various matters, including the purpose of the reserve and the orderly and proper planning.

One of the matters that the Commission will need to determine is whether a Tavern land use, which is a land use that is normally associated with zoned (private) land, is appropriate on reserved (public) land.

However the two restrictive conditions as proposed by Red Rock itself will ensure the ability of the public to continue to use these facilities.

Change in Liquor Licence from Restaurant to Hotel Licence – Tavern

Under the Liquor Licensing Act 1988 (LL Act), approval can be sought for different types of Hotel Licences. A Hotel Licence can include a Tavern Licence.

Under Section 40 of the Liquor Licensing Act, the applicant is required to obtain from the body responsible for town planning matters in the District, a Section 40 certificate as follows:

“...the applicant shall produce a certificate of the authority responsible for town planning matters in the district in which the premises to which the application relates are situated or are to be situated certifying that the proposed use of the premises;

- (a) will comply with the requirements of the written laws relating to planning specified;*
- (b) would comply with the requirements specified if consent were to be given by a specified authority, if it is known whether that authority will give the consent, and what specified conditions or restrictions should be, or are likely to be, imposed; or*
- (c) will not comply with the requirements specified for the reasons specified.*

As stated above, the Commission is the authority responsible for town planning matters on this land. As such, it will be the Commission that is required to issue the Section 40 as shown above. As such, Council will be required to inform the Commission on its position in relation to the proposed change in liquor licence for the site.

The signed Section 40 certificate is then required to be forwarded to the Office of Racing Gaming and Liquor for consideration when it considers the proposed change in liquor license.

Lease Matters

Before any application can be submitted to change the land use or liquor licence for the site, the lease requires the sub-lessee to obtain the consent of Council to make such an application(s). The written submission by Red Rock is considered to be such a request under the terms of the lease.

CONCLUSION

The last page of Red Rock's submission (Attachment 1 - "Application – Restrictive Tavern Licence – Salt on the Beach" 10/11/2009) depicts the existing licensed area at Salt Restaurant. The Kiosk area is unlicensed and the applicant does appear to be seeking to extend the existing licensed area.

On page 14 of the submission, the applicant has proposed two restrictive conditions that the City would request the Department of Racing, Gaming and Liquor (DRGL) impose on a new Tavern licence. These conditions are as follows:

"1. Liquor may only be consumed by patrons while seated at a table with exception to the "Brewery Tourism Allowance", private functions or approved public events.

2. The kitchen situated on the licensed premises, together with kitchen and food service staff, must be open and operating with the restaurant's regular full menu being available at all times liquor is sold and supplied to patrons."

The applicant will be applying for a "Tavern Licence". DRGL do not have a licence titled "Restricted Tavern Licence". The Director of Liquor Licensing can limit or control a licensee's ability to trade under a liquor licence by imposing conditions on the liquor licence. For example, the City could request the Director of Liquor Licensing limit the licensee's ability to trade by imposing the two conditions suggested by Red Rock above.

STRATEGIC AND POLICY IMPLICATIONS

The leasing and licensing of this complex has relevance to the City's current Strategic Plan at the following points

- 2.1 A vibrant and diverse economy.
- 2.3 Attracting and welcoming tourists and visitors.
- 3.4 A beautiful and accessible place.
- 3.4.1 Ensure appropriate infrastructure and facilities for foreshore recreation.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Should the application succeed it can reasonably be expected to provide more amenities at the venue which would add to the business; entertainment and economic fabric of the City.

Environmental

As all normal services are already available to the premises there should not be any adverse environmental impact

Social

The granting of the City's approval could be a step towards enhancing the City's social assets.

BUDGET IMPLICATIONS

The proposal will not have any impact upon the City's budget.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Any proposed changes to the land use will require Planning Approval to be issued by the Western Australian Planning Commission under the Metropolitan Region Scheme.

Approval will be required under the Liquor Licensing Act 1988 for a change in liquor licence.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That Council consents to Red Rock Pty Ltd making an application to the Director of Racing, Gaming and Liquor for a Tavern licence subject to the following conditions being included as part of the new licence;

- 1. Liquor may only be consumed by patrons while seated at a table with exception to the "Brewery Tourism Allowance", private functions or approved public events.**
- 2. The kitchen situated on the licensed premises, together with kitchen and food service staff, must be open and operating with the restaurant's regular full menu being available at all times liquor is sold and supplied to patrons and;**
- 3. The licensed area not to be changed or modified from the current licensed area.**

SGS1004-4 ACCEPTANCE OF GRANT FOR MAIN ROADS ANTI-HOON SPEED HUMPS PROGRAM (AHSHP)

DataWorks Reference: 106/013
Disclosure of Interest: Nil
Previous Item: Nil
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Philip Gale - Manager Infrastructure Services
Decision Making Authority: Council
Agenda Attachments: Main Roads WA AHSHP approval letter
Speed Cushion Design Drawing

PURPOSE

To seek Council approval for the acceptance of a grant in relation to the Anti-Hoon Speed Humps Program (AHSHP) scheme with amendments to budgets to allow for related expenditure.

EXECUTIVE SUMMARY

As part of the State Government Department of Crime Prevention programs, funding for the AHSHP was first committed in early 2009. The program is scheduled to continue for four years consecutively with an allocation of \$500,000 per year. Main Roads WA have been selected as the program manager and have subsequently sought nominations from Councils.

All projects allocated in the 2008/2009 financial year were 100% funded due to the very short time for delivery. Projects delivered in the 2009/2010 - 2011/12 will be funded by 2/3 contribution from the anti-hoon speed humps Program and 1/3 contribution by the nominating Council.

The program caters for up to 1 project per Council each financial year with a \$75,000 (ex GST) upper project limit and lower limit of \$15,000 (ex GST) per project.

BACKGROUND

To assist in the reduction of vehicular speed as a result of hoon activity where this has been identified as a problem, Main Roads has been selected by the State Government Department of Crime Prevention to administer the AHSHP funding; with \$2,000,000 being allocated over four years to cover State operations. A limit of one project per council for each year is intended to be funded through the program. The speed cushions are seen to be mobile, able to be modified, with limited impact for buses and providing a reduced noise characteristic as they are a rubber product.

The City's Technical Services Department has nominated 3 locations to be assessed by Main Roads which include;

1. Jeffrey Street – Carrington Street to York Street
2. Swanbourne Street – High Street to Wray Avenue
3. York Street – South Street to Clontarf Road

Of the three submissions Swanbourne Street was successful in obtaining project funding for the construction of speed cushions, all other roads have been precluded from funding under the current guidelines.

In order to proceed with implementation the project must be accepted by Council and the construction works must be completed by 30 June 2010.

COMMENT

Quotes have been obtained for the installation of two speed cushions and Western Power Lighting Upgrades in the section of Swanbourne Street between Stevens Street and Fothergill Street. Based on the requirement for installation of the speed cushions and signage, including any traffic management works; together with changes required to street lighting to be completed by Western Power, the cost of the project will be \$12,351 (excluding GST) with 2/3 of the total cost paid by the AHSHP.

The contractor has indicated that they will complete the installation works for the speed cushions immediately after approval has been obtained for the works to proceed. Costs for lighting improvements can also be accounted for within the current financial year.

It is therefore proposed to accept the grant and apply the funds to the project works. The results of future reductions to speeds will be monitored by council staff, and movements of the speed cushions to alternate locations may be considered at a later stage if appropriate reductions in speed are not being achieved.

Although a lower limit of \$15,000 is required by the program, a variation from the original submission has been sent and approved by the Program Co-ordinator at Main Roads Western Australia.

The previous year's installation in Stevens Street has been effective in reducing average speeds by 13km/h (56km/h-43km/h) as well as decreased traffic along Stevens Street compared to pre-treatment surveys.

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Strategy 3 (A Beautiful and Accessible Place), Key Result Area 6 (Facilities and Infrastructure)

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

It is hoped that the reduction of speeds that may be produced through the use of speed cushions will have some potential economic benefits by reducing road trauma.

Environmental

Nil

Social

The reduction in speeds should provide social benefits for the community.

BUDGET IMPLICATIONS

Budget expenditure on traffic calming measures will need to be increased by \$12,351, 2/3 funded through the Main Roads AHSHP grant. It is expected that the municipal contribution can be funded out of existing traffic management consulting funds.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Local community consultation has taken place on this issue, with all received comments being supportive of the installation of speed cushions.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. Council accept the grant from Main Roads AHSHP for \$8,234 as outlined in the item.
2. Council contribute \$4,117 to the proposed works.
3. Budget funds of \$12,351 be allocated to the anti hoon speed hump project for Swanbourne St as outlined in the item.
4. That the 2009/2010 Budget be amended as summarised below:-

Budget Category/Sub Category	Existing Budget Expenditure /(Revenue)	Variation to Budget Expenditure /(Revenue)	Revised Budget Expenditure /(Revenue)	Account String (Budget amount refers to this account)
Revenue				
Grants & Contributions for Capital Acquisition. Operating Revenue Transfer from Reserve or Other (please specify)	(1,188,448)	(8,234)	(1,196,682)	62.62100.4211.0 0.00.00000
Total Funding	(1,188,448)	(8,234)	(1,196,682)	

Expenditure				
Infrastructure Roads Renewal Upgrade	190,046	12,351	202,397	62.62100.6823.0 5.93.0000
New Infrastructure Footpaths Renewal Upgrade				
New Infrastructure Drainage Renewal Upgrade				
New Infrastructure Parks & Reserves Renewal Upgrade				
New Freehold Land and Buildings Renewal Upgrade				

Investment land and Buildings				
Renewal				
Upgrade				
New				
Plant Purchases (i.e., heavy and light vehicles and buses)				
Equipment Purchases				
Intangible Assets				
Operating Expenditure	86,650	(4,117)	82,533	62.62100.6824.0 0.00.00000
Transfer to Reserve or Other (please specify)				
Total Expenditure	276,696	8,234	284,930	
Net Variation to Budget Deficit/(Surplus)	(911,752)	0	(911,752)	

SGS1004-5 REQUEST TO APPROVE INSTALLATION OF A COMMUNITY FUNDED MEMORIAL BENCH AT PORT BEACH

DataWorks Reference: 019/003
Disclosure of Interest: Nil
Previous Item: Nil
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Lionel Nicholson, Manager City Works
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To consider approval for the installation of a community funded Memorial Bench at Port Beach on behalf of the recently deceased Ms V Quinn.

EXECUTIVE SUMMARY

An application has been made to Council seeking approval to install a community funded memorial bench in memory of a member of the Port Beach Polar Bears Community. It is recommended that Council approve the installation of a memorial bench at Port Beach by the friends of the recently deceased Ms V Quinn. Funds have been raised by the Port Beach Polar Bears Community.

BACKGROUND

In December 2009, a member of the Port Beach Polar Bears Community was tragically killed in an accident that occurred in the Port Beach Car Park. Friends and members of the Port Beach Community have raised funds of \$2,000 with the intention of seeking Council approval to install a memorial bench near the carpark.

COMMENT

Currently, the City of Fremantle has no policy that covers the installation of memorial benches, plaques or other types of 'memorials' by community members in Fremantle's Public Open Space. In this instance, members of the Port Beach Community have met with the Mayor in February 2010 seeking support for the installation of this community funded memorial.

CONCLUSION

This Memorial Bench would help promote a sense of goodwill between the City and the Port Beach Polar Bears Community. Further, it is unlikely to have any adverse affect to the quality of the Open Space in the immediate area.

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

This proposal is likely to enhance the Port Beach Polar Bear Community's interaction with this immediate area of Public Open Space.

BUDGET IMPLICATIONS

There are no immediate budget implications for the purchase and installation of the memorial bench as these funds have been provided by the community. The 'whole of life' budgets implication to cover the ongoing maintenance will be minor and can be covered as part of the Business Units' recurrent maintenance budgets.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That Council approve the installation of a community funded memorial bench at Port Beach in memory of the recently deceased Ms V Quinn.

SGS1004-6 HILTON RESERVE NORTHERN HUB FEASIBILITY STUDY - FINAL REPORT

DataWorks Reference:	115/098 and Culture & Recreation Services
Disclosure of Interest:	Nil
Previous Item:	SGS0904-5
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Helen Emery, Manager Community Development
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1 - Hilton Reserve Northern Hub Feasibility Study - Final Report by Simply Great Leisure Group (SGL) Attachment 2 - Appendix B: Woodhead Ground Plans of Stage 1 and Stage 2 and Site Plans of Stage 1 & 2 Attachment 3 - Appendix C: Rider Levett Bucknall Quantity Surveyors Report

PURPOSE

To present the recommendations of the feasibility study for Hilton Reserve Northern Hub and provide an overview of facility development options and cost implications.

EXECUTIVE SUMMARY

The Hilton Reserve Master Plan was endorsed by Council in April 2009. Council resolved to undertake a feasibility assessment to investigate possible facility development options for the northern end of the reserve. Simply Great Leisure Group (SGL) were commissioned in December to complete the feasibility which includes the Hilton Park Bowling Club facility and the Dick Lawrence junior football and cricket facility.

The report recommends a staged approach to the development of a combined facility that includes the Hilton Park Bowling Club, Hilton Park Don Quixote Petanque Club, Fremantle Hawks Junior Football Club and the Hilton Park Cricket Club. It is proposed that a split level facility is located to the north of the current bowling facility and that the junior clubrooms are built in the first stage (ground level) to address the immediate needs of junior sport and that the future stage (top level) is constructed in the following 3 to 4 years subject to funding.

BACKGROUND

In 2008 the City of Fremantle developed a master plan for the Hilton Reserve, a key regional sporting reserve in Beaconsfield. Hilton Reserve is used by a range of sporting associations and has single use sporting facilities some of which are aged and need significant maintenance and capital works.

The master planning process included significant community consultation with tenants, sporting associations and users. It identified the development of multi sport community recreation hubs to be located at the northern and southern nodes and connected by a central spine. The Hilton Reserve Master Plan was endorsed by Council in April 2009 subject to external funding applications and budget allocations.

In addition to endorsing the Master Plan and its key proposals, Council requested that, *'a feasibility report is submitted to Council outlining implementation timelines and costing.'* This feasibility report related to the development of a multi sport facility in the northern hub that would service Dick Lawrence oval and the bowling club.

SGL was engaged in December 2009 to undertake the feasibility study. The main purpose of the study was to investigate and report on the most cost effective facility development options. Further, the brief required that the preferred facility model be evaluated and a concept design with cost estimate produced, to assist in determining budget allocation over a staged development timeline.

COMMENT

The feasibility study was completed over four months and included a review of relevant literature, assessment of participation trends and local needs, demographic analysis and stakeholder consultations. Three options have been proposed with designs and technical evaluation completed on the preferred option.

Key stakeholder consultations were undertaken with the four tenants, Fremantle Hawks Football Club, Hilton Park Junior Cricket Club, Hilton Park Bowling Club and Don Quixote Petanque Club, as well as state and district level sporting associations and the Department of Sport and Recreation.

The report has identified that participation in the junior sports clubs currently using the Dick Lawrence change rooms (Hawks Junior Football and Hilton Junior Cricket) is increasing significantly. The primary catchment area for both clubs includes Hilton, White Gum Valley, Beaconsfield, Kardinya, Willagee, Bicton and Palmyra. These suburbs have a high proportion of young families suggesting that this demand will continue.

The condition of the Dick Lawrence change rooms is a real issue facing the two junior clubs and could limit future growth. The change rooms have deteriorated significantly and require major renovation to maintain building compliance. The Fremantle Hawks Football Club submitted a petition to Council in August 2009 in regard to the poor condition of the Dick Lawrence change rooms.

The current design and condition of the bowling club presents significant challenges with regard to universal access standards. The bowling club is a key social venue for the surrounding suburbs and the facility is nearing the end of its useful life. The management committee supports the development of new facilities however they have limited capacity to contribute financially.

Three possible approaches to facility development have been proposed. These are:

1. Redevelop existing standalone infrastructure at both sites.
2. Design and build a stand alone facility to be shared by the junior sports clubs. This would include removing the change rooms currently used by both clubs, once the new building is completed. The bowling club will remain in its current location with possible redevelopment at a later date.
3. Staged approach to develop a combined facility that includes the bowling club, Petanque and the junior sports clubs.

The preferred facility development model is option 3, which includes the development of new junior clubrooms adjacent to the northern bowling greens. This option is supported by the principles of the Hilton Master Plan and could attract funding from key state government funding bodies due to it being a multi purpose facility. It allows the City of Fremantle to rationalise stand alone facilities and save maintenance costs through co-location and shared management.

The topography of the site lends itself to a multi level development. It is proposed that an upper level facility is developed above the junior clubrooms that would house the bowling club and Petanque. The lower level would house the junior sports clubs and the upper level would encompass a large multi function hall to be used for community activities. The lower level would be completed first. Preliminary concept drawings of the proposed facility model can be viewed at Appendix B of the attached final report (Attachment 2).

Option 1 or 2 could be explored further, however neither meet the principles of the Hilton Master Plan nor the strategic direction of the Department of Sport and Recreation (DSR). A detailed analysis of the advantages and disadvantages of each option is provided by SGL and can be viewed at Page 20 of the attached report (Attachment 1).

FUNDING MODEL

Based on the preferred facility model, SGL developed a design brief which was used as the basis of a quantity surveyors estimate. It is anticipated that the junior clubrooms would cost approximately \$2,073 915. SGL propose that the City proceed with the implementation of stage 1 in the 2011/12 financial year with one third of funding sourced through the Community Sport and Recreation Facility Fund (CSRFF). Further funding may be sourced through Lottery West or other federal government nation building initiatives.

The second stage of the project would cost \$4,636,000 and would include the development of the bowling club with four greens of which two would be synthetic. SGL recommends that the implementation is delayed for two financial years to allow the bowling club to demonstrate its ability to achieve consistent increase in its membership and to service a substantial loan as a contribution towards the capital development (amount to be negotiated). Further funding submissions would be made under the CSRFF program for up to one third of total project costs. Significant financial contribution would be required from the City to fund the majority of facility costs for both Stage 1 and Stage 2.

Further details on the project costs can be viewed at Appendix C: Rider Levett Bucknall Quantity Surveyors Report (Attachment 3).

MANAGEMENT MODEL

One of the key challenges associated with the preferred facility development option is the cooperative management arrangement that must be developed between the four sporting groups. The feasibility report recommends that the bowling club take on the head-lease with the other three clubs taking on a sub-lease. It is further recommended that a joint management committee be established as soon as possible (including representatives of the four groups and the City of Fremantle) to consider facility management issues, programming of services and to work on improving communication across the four groups and with the City throughout the implementation of the project.

Details of the proposed management arrangements can be viewed at page 36 of the report (Attachment 1).

CONCLUSION

Hilton Reserve is a regional sporting reserve that requires significant investment into its facilities. The Hilton Master Plan proposed the development of the southern and northern facility hubs to service the two ends of the playing fields. The Northern hub has been prioritised due to the current stage of the Dick Lawrence change rooms that are used by two junior sports clubs.

The cost of developing new facilities is high. All clubs provide a considerable service to the community through the development of sporting and social opportunities. The two junior clubs in particular are experiencing high growth and demand due to significant urban infill occurring in their catchments.

STRATEGIC AND POLICY IMPLICATIONS

The proposed facility development is supported by the City of Fremantle Strategic Plan 2006-2010 through the following action:

Provide / facilitate accessible community, cultural, recreation, leisure and sports facilities and services that support the health and well-being of the community.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Stage one presents potential to attract funding of up to one third of total project costs. Stage two exposes Council to greater financial risks due to the higher cost of development.

Environmental

While the proposal suggests the removal of trees the City's Parks and Landscape Coordinator was consulted and confirmed that the trees near the proposed development are nearing the end of their life. It is proposed that additional trees are planted on the reserve.

Overall the facility development presents opportunities for the facility's carbon footprint to be reduced along with water savings and improved water quality management with the reduction of real turf bowling greens and use of chemical fertilisers.

Social

Significant improvement to the quality of facilities will impact positively on participation allowing the continued expansion of junior sport activities in the northern hub. It is important that the City maintains a strong presence in the ongoing management of the facilities to ensure the activities, programs and services provided, remain accessible and inclusive to the Fremantle community.

BUDGET IMPLICATIONS

It is proposed that if Council adopts the feasibility report recommendations, that a budget allocation is made of two thirds of the total project costs of stage 1 (\$1,382,610) in the 2011/12 financial year on the proposal that a funding application is submitted under the CSRFF program 2011/12 which closes October 2010.

The budget would need to be considered as part of the Council's decision making in terms of strategic priorities for the City.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Hilton and Beaconsfield Precinct were both informed of the project.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

- 1. That Council endorse the Hilton Reserve Northern Hub Feasibility Study - Final Report and recommendations.**
- 2. That the City submits a funding application for one third of total project costs for stage 1 under the Department of Sport and Recreation Community Sport and Recreation Facilities Fund (CSRFF) 2011/12 in October 2010.**
- 3. That Council consider allocating two thirds of the total project costs of \$1,382,610 for the implementation of stage 1 in the 2011/12 financial year if the CSRFF application is successful and if it is considered to be in line with the strategic infrastructure priorities of Council.**
- 4. That if Council does not consider this stage 1 project to be in line with strategic infrastructure priorities, then costing for the redevelopment of the Hawks Junior Football and Junior Cricket Clubrooms, in accordance with proposal two of this report, is considered for the 2010/2011 round of CSRFF funding.**

SGS1004-7 FREO STAR RE-BUDGET - SUSTAINABLE TRANSPORT INITIATIVES

DataWorks Reference: 165/031,106/005
Disclosure of Interest: Nil
Previous Item: SGS0912-2
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Philip Gale, Manager Infrastructure Services
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

The purpose of this report is to relay information about the progress to date of the investigation into Transit Free Zones within the City of Fremantle.

EXECUTIVE SUMMARY

The Freo Star Bus service was terminated in July of 2009. At the time of deliberating about the worthiness of this service a notice of motion was adopted which reads;

“A report to be brought back to the July Strategic and General Services Committee meeting analysing the best ways to improve sustainable transport initiatives in Fremantle using the budget intended for Freo Star, including;

- a) joint projects with Transperth
- b) employment of a Travelsmart officer
- c) Further Subsidizing of Fremantle residents travel”

This report updates the position to date regarding discussions with Transperth and the option to subsidise travel within Fremantle.

BACKGROUND

Following the request for in depth investigation into travel options for City of Fremantle residents, more clarity was sought as to the requirements of this request at an informal meeting of Elected Members on the 15th March 2010-04-06

This information has now been relayed to the Public Transport Authority (PTA) for consideration.

COMMENT

The request for a Transit Free zone or similar travel options has now been clarified and a number of points have arisen to be investigated.

These are:

- Restrictions on travel to be only for Fremantle residents
- Travel was only to be within Fremantle
- It was to apply for seven days a week
- Could possibly apply at off peak times only
- Could school buses be available for use as an extra resource
- Could an option be to improve CAT service and patronage
- Would Transperth contribute to any schemes
- Includes the possibility of options such as full service every day through to a weekend only option

The overriding outcome being sought was to achieving higher patronage on public transport.

CONCLUSION

At this stage there is no conclusion as deliberation of the options is being considered. Further negotiation and meetings with PTA will occur in the coming weeks when they have had time to evaluate and deliberate upon the goals the council is seeking and the cost implications of undertaking such a program should they requested options be achievable.

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Strategy 3 (A beautiful and Accessible Place), key result area 3 (Sustainable Transport)

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil, update report only

Environmental

Nil, update report only

Social

Nil, update report only

BUDGET IMPLICATIONS

Nil Update report only

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil update report only

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That the update report on the reallocation of the Freo Star funding to improve sustainable transport initiatives in Fremantle be noted.

SGS1004-8 INFORMATION REPORT FOR APRIL 2010

AUDIT COMMITTEE MEETING MINUTES

DataWorks Reference: 039/033
Author: Alan Carmichael, Manager Finance & Administration
Agenda Attachments: Minutes of Audit Committee 15 March 2010

The meeting was held on Monday 15 March 2010. The item on the appointment of the external auditor was referred to Council on 24 March 2010 with the additional information requested and Council appointed Michael Hillgrove of the firm Grant Thornton as its external auditor.

OFFICER'S RECOMMENDATION

The information report for April 2010 be received.

SGS1004-9 CONSIDERATION ON POTENTIAL RELOCATION OF THE HIGH VOLTAGE TRANSITION POLE LOCATED IN WILSON PARK

DataWorks Reference: 160/004, Roadway South Terrace
Disclosure of Interest: Nil
Previous Item: SGS0701-5 of 31 January 2007
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Philip Gale, Manager Infrastructure Services
Decision Making Authority: Council
Agenda Attachments: Minute Item SGS0701-5 of 31 January 2007

PURPOSE

To consider and follow up previous Council's resolutions on the potential relocation of the existing high voltage transition pole located on the southern boundary of Wilson Park; with a view to determine a current position on the issue.

EXECUTIVE SUMMARY

The existing high voltage transition pole located on the southern boundary of Wilson Park was installed as part of the development works for the South Beach Village Project. It provides the transition point between the overhead power lines and below ground power infrastructure.

Item SGS0701-5 of 31 January 2007 considered the potential relocation options presented to the March 2006 Council meeting and those subsequently explored between City of Fremantle staff and Western Power Officers.

Whilst decisions were made on the way forward at this meeting including consideration for a future budget initiative, since that time no budget funding has been allocated for this work. It is now considered appropriate to reconsider the relocation of the high voltage pole given the significant funding gaps that remain on this issue.

It is recommended that the high voltage pole remain in its current location and no further action be taken with regard to the matter. The technical and consultative difficulties on any relocation of the pole, combined with the current and foreseeable future lack of available funding are such that any relocation of the pole is of low priority.

BACKGROUND

With the installation of the transition pole (resulting from the South Beach Village Project) and subsequent resident concerns, item C0603-7 of 22 March 2006 considered the options available for relocation. The subsequent item SGS0701-5 of 31 January 2007 considered the options available in some depth, and presented six possibilities for consideration. Out of the six potential movement options, four were discounted due to a combination of technical or financial reasons.

The remaining two options involved:

1. A relocation of the pole to the North East corner of Wilson Park (option 2); however, it was noted that this depended on overcoming technical difficulties and consultation requirements. The reality of completing this movement is that it gives rise to the same concerns that exist at the other end of the park area.
2. A relocation of the pole to the South Terrace/ South St intersection (option 5). However, this was noted as being estimated to cost around \$3 million, based on very preliminary estimates.

After consideration of the issues involved, Council resolved to:

1. ***endorse a 2007/08 budget initiative for consideration to set aside a yearly budget of \$200,000 to assist or meet costs of relocating the Wilson Park high voltage transmission pole or undergrounding high voltage lines generally within the municipality.***
2. ***commit to a relocation of the transmission pole from its current location in Wilson Park subject to contribution from the Sealanes Development or within 5 years.***

Further to these resolutions, consideration was made to set aside funding to assist in meeting future undergrounding costs for high voltage lines in the 2007/08 and subsequent budgets; however, due other priorities and funding shortfalls no specific funds have been set aside since that time.

The City's Officers have now also followed up with Western Power to obtain a current indication of the likely cost involved with the relocation of the pole to the South Terrace/South St intersection. This has now been assessed by Western Power at around \$8.3 million, subject to final desk top and design review (the acceptance of which would involve a considerable non refundable deposit).

COMMENT

Given:

- the significant funding requirements involved with the option for relocation of the high voltage power pole to South Terrace/South Street and;
- the other technical and financial difficulties faced by any other option, as canvassed in the previous Council report, it is not realistically feasible to commit to the relocation of the pole from its current location. At the same time, given the latest indication of costs involved with under grounding high voltage lines, the adoption of a funding reserve of \$200,000 per annum is manifestly inadequate to accrue towards project costs associated with under grounding high voltage transmission lines. The current State Underground power program (UGPP) specifically excludes under grounding of high voltage equipment due to the prohibitive costs. Also the removal of the single pole and section of high voltage line in Wilson Park does not qualify for funding as part of the State's UGPP Local Enhancement Projects.

It is also to be noted that the nearby Sealanes development approval has lapsed and therefore there is currently no opportunity to obtain a contribution for the relocation of the high voltage power pole in Wilson Park.

It is therefore recommended that the proposed relocation of the High Voltage transition pole in Wilson Park not be pursued due to the significant financial constraints.

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Strategy 3 (A Beautiful and Accessible Place), Key Result Area 6 (Facilities and Infrastructure)

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

There can be an increase in property values through the under grounding of the existing high voltage powerlines.

Environmental

It is noted that the location of transition poles may have a perceived impact on residential amenity. However, it is also noted that as a result of the development, the low voltage domestic power lines have been removed along the portion of South Terrace between Douro and Ocean Roads

Social

The relocation of the installed transition pole and future undergrounding of the high voltage power lines in Wilson Park will improve the visual appeal of the locality.

BUDGET IMPLICATIONS

The current estimated costs to relocate the high voltage power line in Wilson Park will have significant budget implications for the City.

LEGISLATIVE AND LEGAL CONSIDERATIONS

The City has no statutory legal powers to enforce the relocation of the existing high voltage transition pole installed by Western Power as part of the subdivision requirements for the South Beach Village development.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority required

OFFICER'S RECOMMENDATION

That Council takes no further action on the proposed relocation of the High Voltage transition pole in Wilson Park due to the significant financial costs of this work.

CONFIDENTIAL MATTERS

Nil

SUMMARY GUIDE TO CITIZEN PARTICIPATION AND CONSULTATION

The Council adopted a Participation Policy in August 2001 to give effect to its commitment to involving citizens in its decision-making processes.

The City values citizen participation and recognises the benefits that can flow to the quality of decision-making and the level of community satisfaction.

Effective participation requires total clarity so that Elected Members, Council officers and citizens fully understand their respective rights and responsibilities as well as the limits of their involvement in relation to any decision to be made by the City.

How consultative processes work at the City of Fremantle	
The City's decision makers	1 The Council, comprised of Elected Members, makes policy, budgetary and key strategic decisions while the CEO, sometimes via on-delegation to other City officers, makes operational decisions.
Various participation opportunities	2 The City provides opportunities for participation in the decision-making process by citizens via its Advisory Committees and Task Forces, its Community Precinct System, and targeted consultation processes in relation to specific issues or decisions.
Objective processes also used	3 The City also seeks to understand the needs and views of the community via scientific and objective processes such as its annual Community Survey.
All decisions are made by Council or the CEO	4 These opportunities afforded to citizens to participate in the decision-making process do not include the capacity to make the decision. Decisions are ultimately always made by Council or the CEO (or his/her delegated nominee).
Precinct focus is primarily local, but also city-wide	5 The Community Precinct System establishes units of geographic community of interest, but provides for input in relation to individual geographic areas as well as on city-wide issues.
All input is of equal value	6 No source of advice or input is more valuable or given more weight by the decision-makers than any other. The relevance and rationality of the advice counts in influencing the views of decision-makers.
Decisions will not necessarily reflect the majority view received	7 Local Government in WA is a representative democracy. Elected Members and the CEO are charged under the Local Government Act with the responsibility to make decisions based on fact and the merits of the issue without fear or favour and are accountable for their actions and decisions under law. Elected Members are accountable to the people via periodic elections. As it is a representative democracy, decisions may not be made in favour of the majority view expressed via consultative processes. Decisions must also be made in accordance with any statute that applies or within the parameters of budgetary considerations. All consultations will

How consultative processes work at the City of Fremantle	
	clearly outline from the outset any constraints or limitations associated with the issue.
Decisions made for the overall good of Fremantle	8 The Local Government Act requires decision-makers to make decisions in the interests of “the good Government of the district”. This means that decision-makers must exercise their judgment about the best interests of Fremantle as a whole as well as about the interests of the immediately affected neighbourhood. This responsibility from time to time puts decision-makers at odds with the expressed views of citizens from the local neighbourhood who may understandably take a narrower view of considerations at hand.
Diversity of view on most issues	9 The City is wary of claiming to speak for the ‘community’ and wary of those who claim to do so. The City recognises how difficult it is to understand what such a diverse community with such a variety of stakeholders thinks about an issue. The City recognises that, on most significant issues, diverse views exist that need to be respected and taken into account by the decision-makers.
City officers must be impartial	10 City officers are charged with the responsibility of being objective, non-political and unbiased. It is the responsibility of the management of the City to ensure that this is the case. It is also recognised that City Officers can find themselves unfairly accused of bias or incompetence by protagonists on certain issues and in these cases it is the responsibility of the City’s management to defend those City officers.
City officers must follow procedures	11 The City’s consultative processes must be clear, transparent, efficient and timely. City officers must ensure that policies and procedures are fully complied with so that citizens are not deprived of their rights to be heard.
Consultation processes have cut-off dates that will be adhered to.	12 As City officers have the responsibility to provide objective, professional advice to decision-makers, they are entitled to an appropriate period of time and resource base to undertake the analysis required and to prepare reports. As a consequence, consultative processes need to have defined and rigorously observed cut-off dates, after which date officers will not include ‘late’ input in their analysis. In such circumstances, the existence of ‘late’ input will be made known to decision-makers. In most cases where citizen input is involved, the Council is the decision-maker and this affords citizens the opportunity to make input after the cut-off date via

How consultative processes work at the City of Fremantle	
	personal representations to individual Elected Members and via presentations to Committee and Council Meetings.
Citizens need to check for any changes to decision making arrangements made	1 The City will take initial responsibility, via 3 'Consultation Process notifications', for making citizens aware of expected time-frames and . decision making processes, including dates of Standing Committee and Council Meetings if relevant. However, as these details can change, it is the citizens responsibility to check for any changes by visiting www.freofocus.com/projects/html/default.cfm , checking the Port City Column in the Fremantle Herald or inquiring at the Service and Information Desk by phone or in-person.
Citizens are entitled to know how their input has been assessed	1 In reporting to decision-makers, City officers will in 4 all cases produce a Schedule of Input received . that summarises comment and recommends whether it should be taken on board, with reasons.
Reasons for decisions must be transparent	1 Decision-makers must provide the reasons for 5 their decisions. .
Decisions posted on www.freofocus.com/projects/html/default.cfm	1 Decisions of the City need to be transparent and 6 easily accessed. For reasons of cost, citizens . making input on an issue will not be individually notified of the outcome, but can access the decision at www.freofocus.com/projects/html/default.cfm or at the City Library or Service and Information counter.

Issues that Council May Treat as Confidential

Section 5.23 of the new Local Government Act 1995, Meetings generally open to the public, states:

1. Subject to subsection (2), the following are to be open to members of the public -
 - a) all council meetings; and
 - b) all meetings of any committee to which a local government power or duty has been delegated.
2. If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:
 - a) a matter affecting an employee or employees;
 - b) the personal affairs of any person;
 - c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - 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;
 - e) a matter that if disclosed, would reveal –
 - i) a trade secret;
 - ii) information that has a commercial value to a person; or
 - iii) information about the business, professional, commercial or financial affairs of a person.Where the trade secret or information is held by, or is about, a person other than the local government.
 - f) a matter that if disclosed, could be reasonably expected to -
 - i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - ii) endanger the security of the local government's property; or
 - iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.
 - g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
 - h) such other matters as may be prescribed.
3. A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.