



MINUTES

Strategic & General Services Committee

Wednesday, 10 November 2010, 6.00pm

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STRATEGIC AND GENERAL SERVICES COMMITTEE

Minutes of the Strategic and General Services Committee
held in the Council Chambers, Fremantle City Council
on 10 November 2010 at 6.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.11PM

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."

IN ATTENDANCE

Brad Pettitt	Mayor
Cr Georgie Adeane	South Ward (arrived 6.12pm)
Cr John Alberti	Beaconsfield Ward
Cr Doug Thompson	North Ward (arrived 6.12pm)
Cr Donna Haney	City Ward
Cr Dave Coggin	East Ward
Cr Sam Wainwright	Hilton Ward
Cr Andrew Sullivan	Observing Only
Mr Graeme Mackenzie	Chief Executive Officer
Mr Glen Dougall	Director Corporate Services
Ms Marisa Spaziani	Director Community Development
Mr Peter Pikor	Director Technical Services
Mr Alan Carmichael	Manager Finance and Administration
Mrs Mia Zaknich	Minute Secretary

There were no members of the public and 1 member of the press in attendance.

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Nil

DEPUTATIONS / PRESENTATIONS

Nil

DISCLOSURES OF INTEREST BY MEMBERS

Nil

LATE ITEMS NOTED

Nil

CONFIRMATION OF MINUTES

MOVED: Cr D Coggin

That the Minutes of the Strategic and General Services Committee dated 13 October 2010 as listed in the Council Agenda dated 27 October 2010 be confirmed.

CARRIED: 7/0

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

TABLED DOCUMENTS

Replacement Item SGS1011-1 Dick Lawrence and Hilton Reserve Sports Lighting Project - Tender Number FCC356/10. The original recommended tenderer withdrew their bid on Tuesday 9 November 2010.

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

Nil

REPORTS BY OFFICERS (COUNCIL DECISION)

THIS REPORT WAS REPLACED FROM THE ORIGINAL AGENDA DUE TO A TENDER BEING WITHDRAWN BY THE TENDERER

SGS1011-1 DICK LAWRENCE AND HILTON RESERVE SPORTS LIGHTING PROJECT - TENDER NUMBER FCC356/10

DataWorks Reference:	135/001
Disclosure of Interest:	Nil
Meeting Date:	10 November 2010
Previous Item:	Nil
Responsible Officer:	Peter Pikor, Director Technical Services
Actioning Officer:	Phil Gale, Manager Infrastructure Services
Decision Making Authority:	Council
Agenda Attachments:	Nil

EXECUTIVE SUMMARY

Following an evaluation of tender submissions and further clarification of a tender offer submitted by one of the tenderers, it is recommended that the tender submitted by GDK Electrical Services for the Dick Lawrence and Hilton Sports Lighting Project be accepted.

BACKGROUND

The installation of sports lighting at Dick Lawrence Oval and upgrading of existing lighting at Hilton Upper Fields to Australian standards was approved in principle in item C0910-2 of 14 October 2009, and subsequently funding was approved in the 2010-11 financial year budget.

Tenders for the supply and installation of lighting were invited in the West Australian Newspaper on Wednesday 15th September 2010 and closed on Friday 8th October 2010.

Tender Documents were received from seven (7) tenderers.

- Citylighting Holdings Pty Ltd
- Lightbase Pty Ltd
- CPD Group Pty Ltd
- High Speed Electrics
- Densford Civil Pty Ltd
- GDK Electrical Services
- Stiles Electrical Services

COMMENT

Evaluation of the tenders was required to be based on 60% qualitative criteria and 40% weighting cost criteria.

The qualitative criteria

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

The weighting criteria

- Tender Price

Assessment of the tenders submitted is included below:

Quoter/Tenderer	Document Attached?	Details/Comments	Price Inc Gst
Citylighting Holdings Pty Ltd			\$553,900.00
Lightbase Pty Ltd			\$763,582.00
CPD Group Pty Ltd			\$617,386.00
High Speed Electrics			\$491,783.00
Densford Civil Pty Ltd			\$661,059.95
GDK Electrical Services			469,066.40
Stiles Electrical Services	TENDER WITHDRAWN		

Enter Lowest Price	\$491,783.00
Enter highest price	\$763,582.00

Quoter/Tenderer (Company Name)	Methodology	Experience	Resources	References	Price	Total Score
	15	15	15	15	40	100
Citylight Holdings Pty Ltd	0	0	0	0	27.8	27.8
Lightbase Pty Ltd	5	10	5	7	20.2	47.2
CPD Group Pty Ltd	7	0	5	5	25.0	42.0
High Speed Electrics	0	12	15	15	31.3	73.3
Densford Civil Pty Ltd	15	10	5	10	23.3	63.3
GDK Electrical Services	0	12	15	15	32.8	74.8
Stiles Electrical Services	TENDER WITHDRAWN					

The original recommended tenderer, Stiles Electrical Services, subsequently advised the City of Fremantle that the bid which was submitted was deficient in the pricing for the lighting level required at the Hilton Park field. The size of the significant error meant that the tenderer has now withdrawn its offer for the tender, and this has been accepted.

City of Fremantle staff reviewed the other bids submitted and have reconfirmed the bid submitted by the next preferred tenderer, GDK Electrical Services.

GDK Electrical has completed a number of projects for the City of Fremantle, primarily for street lighting works, and is considered to be experienced enough to complete the lighting works for this particular project.. The contract works are expected to be completed by March/April 2011.

The acceptance of the next preferred tenderer does mean that the overall approved budget for the project now has a shortfall. However, the shortfall can be effectively catered for by the confirmation that cash in lieu funds have been approved through the Western Australian Planning Commission (WAPC) that were not included in the original approved budget. Details of the overall costs and budget associated with the project are detailed in the financial implications below.

RISK AND OTHER IMPLICATIONS

Financial

The acceptance of a higher price for the works does mean that the expected costs for consulting and contingencies are now outside the overall budget approved for the project. Future year maintenance costs will also need to be factored into subsequent budgets.

Current actual and committed costs for consulting, initial Western Power costs and this proposed contract award (at the higher rate) for the installation of the lighting now total \$461,400; leaving only around \$4,000 for power connection (transformer) costs and contractual contingencies against the approved budget of \$465,333. Based on indicative costs for power connection of around an extra \$60,000 the expected cost for the project is now \$521,400, leaving a shortfall of \$56,000 against the budget.

However, it is noted that the original budget which was approved did not incorporate a cash in lieu contribution of \$70,000 which has been approved through the WAPC. Once these funds are taken into account the project budget will be increased to \$535,333, leaving a minimal contingency of \$14,000 for potential contract variations and any other contingencies. The expenditure, if required, of contingency funds of up to \$14,000 that will become available in the approved revised project budget will be administratively undertaken as part of the project management for this project.

Legal

Nil

Operational

Nil

Organisational

Nil

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

That Council;

1. Accepts the tender from GDK Electrical Services for Dick Lawrence and Hilton Reserve Sports Lighting Project (tender FCC356/10) for the tendered price of \$469,066.40 (inclusive of GST).
2. Authorises the expenditure if required of contingency funds of up to \$14,000 for the Dick Lawrence and Hilton Reserve Sports Lighting Project
3. Approves a budget increase of \$70,000 for the project, to be sourced from cash in lieu funds approved through the WAPC.
4. Approves the 2010/11 budget to be amended as follows:

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.	(\$821,748)	(\$70,000)	(\$891,748)	63.66200.4211.0 0.00.00000
Operating Revenue				
Transfer from Reserve or Other (please specify)				
Total Funding	(\$821,748)	(\$70,000)	(\$891,748)	
Expenditure				
Infrastructure Roads				
Renewal				
Upgrade				
New				
Infrastructure Footpaths				
Renewal				
Upgrade				
New				
Infrastructure Drainage				
Renewal				
Upgrade				
New				

Infrastructure Parks & Reserves				
Renewal				
Upgrade	\$143,280	\$70,000	\$213,280	63.66200.6823.0 5.97.12031
New				
Freehold Land and Buildings				
Renewal				
Upgrade				
New				
Investment land and Buildings				
Renewal				
Upgrade				
New				
Plant Purchases (i.e., heavy and light vehicles and buses)				
Equipment Purchases				
Intangible Assets				
Operating Expenditure				
Transfer to Reserve or Other (please specify)				
Total Expenditure	\$143,280	\$70,000	\$213,280	
Net Variation to Budget – Deficit/(Surplus)	(\$678,468)	\$0	(\$678,468)	

Cr D Thompson moved an amendment to the Officer's Recommendation to include the following wording:

That Council;

1. Accepts the tender from GDK Electrical Services for Dick Lawrence and Hilton Reserve Sports Lighting Project (tender FCC356/10) for the tendered price of \$469,066.40 (inclusive of GST).
2. **Delegates authority to the Chief Executive Officer to approve** contingency funds of up to \$14,000 for the Dick Lawrence and Hilton Reserve Sports Lighting Project
3. Approves a budget increase of \$70,000 for the project, to be sourced from cash in lieu funds approved through the WAPC.
4. Approves the 2010/11 budget to be amended as follows:

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)
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Operating Revenue				
Transfer from Reserve or Other (please specify)				
Total Funding	(\$821,748)	(\$70,000)	(\$891,748)	
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Investment land and Buildings				
Renewal				
Upgrade				
New				
Plant Purchases (i.e., heavy and light vehicles and buses)				
Equipment Purchases				
Intangible Assets				
Operating Expenditure				
Transfer to Reserve or Other (please specify)				
Total Expenditure	\$143,280	\$70,000	\$213,280	
Net Variation to Budget – Deficit/(Surplus)	(\$678,468)	\$0	(\$678,468)	

COMMITTEE RECOMMENDATION

MOVED: Cr D Coggin

That Council;

1. Accepts the tender from GDK Electrical Services for Dick Lawrence and Hilton Reserve Sports Lighting Project (tender FCC356/10) for the tendered price of \$469,066.40 (inclusive of GST).
2. Delegates authority to the Chief Executive Officer to approve contingency funds of up to \$14,000 for the Dick Lawrence and Hilton Reserve Sports Lighting Project
3. Approves a budget increase of \$70,000 for the project, to be sourced from cash in lieu funds approved through the WAPC.
4. Approves the 2010/11 budget to be amended as follows:

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Expenditure				
Infrastructure Roads				
Renewal				
Upgrade				
New				
Infrastructure Footpaths				
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New				

Infrastructure Parks & Reserves				
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Upgrade	\$143,280	\$70,000	\$213,280	63.66200.6823.0 5.97.12031
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Upgrade				
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Plant Purchases (i.e., heavy and light vehicles and buses)				
Equipment Purchases				
Intangible Assets				
Operating Expenditure				
Transfer to Reserve or Other (please specify)				
Total Expenditure	\$143,280	\$70,000	\$213,280	
Net Variation to Budget – Deficit/(Surplus)	(\$678,468)	\$0	(\$678,468)	

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To specify that the Chief Executive Officer be given the Delegated Authority to approve contingency funds of up to \$14,000 as per Part 2 of the Officers Recommendation

SGS1011-2 EAST FREMANTLE TRAVEL SMART REVIEW

DataWorks Reference:	243/002
Disclosure of Interest:	Nil
Meeting Date:	SGS1011
Previous Item:	SGS0904-11
Responsible Officer:	Manager Planning Projects and Policy
Actioning Officer:	Sustainability Officer
Decision Making Authority:	Council
Agenda Attachments:	Final TravelSmart Report

EXECUTIVE SUMMARY

A Travel Smart initiative was trialled at East Fremantle Primary School. One initiative to slow traffic and link speeding with children's safety was successful. A second initiative, to start a walking school bus, did not gain enough parent or teacher support to get started. The results of this survey indicate that, under certain situations, behaviour change techniques can effectively influence how people behave. They can also do this at a lower cost than infrastructure or standard marketing techniques and should be considered for use in other situations, especially where the City is trying to encourage shifts to sustainable transport options.

BACKGROUND

On Apr 22, 2009 Council resolved:

1. ***That Council support the proposed expenditure of up to \$15,000 from the 2008-09 Sustainability Initiatives budget to implement a Travel Smart project at Samson Primary School or other appropriate primary school within the City of Fremantle.***
2. ***That a further report be presented to Council within 2 months of the completion of this first initiative detailing:***
 - a) ***the costs and outcomes of the project***
 - b) ***appropriate and costed options for further Travel Smart initiatives***
3. ***That Council consider the provision of funding to support further Travel Smart initiatives as part of its consideration of the 2009-10 budget.***

To this end, the City engaged a consultant to implement a Travel Smart school project.

An initial approach to Samson seemed promising, but the school did not complete a student survey and the consultant then approached East Fremantle Primary School.

East Fremantle Primary School was expected to have a variety of travel issues to address – due to it being on both a cul-de-sac and a main distributor road. The principal was also keen to participate and support the project. A further delay resulted from a change in principal, but the new principal was also very supportive.

Based on results of a parent survey, the main perceived issues that the school faces are congestion and parking. Two initiatives were proposed to address each of these issues.

“Silhouette children” involves placing life sized, student made “silhouette’s” of the actual students along the road, with signs requesting drivers to “GO SLOW FOR US”. This was followed up with student controlled speed camera testing. The effect of this initiative was a marked reduction of vehicle speed during the intervention, a higher profile of speeding as a safety issue, a set of signs that can be used as reminders, some media exposure and some further interest from parents.

The next intended initiative was a Walking School Bus (WSB). These are pedestrian ‘buses’, that walk along footpaths via agreed routes at agreed times. This allows children to ‘catch’ the WSB each morning, giving their parents a morning off. For this to achieve longevity, it requires several parents to volunteer to act as WSB ‘drivers’. Unfortunately, despite a presence in the newsletter, phone calls to specific parents and an expressed desire to start a WSB, there was only one parent who was interested in volunteering. As such, it was decided to not attempt to start a WSB at East Fremantle primary school.

In order to prevent the project continuing indefinitely without resolution, a decision was made to try and engage the parents until the end of term 3. At this stage there was still just one volunteer, so the project was wound up and the City received the final consultant’s report on October 4, 2010.

The total cost of this project has been less than \$5000.

COMMENT

There are several lessons that can be taken from this test case.

Firstly, there are techniques available to influence driver behaviour without resorting to expensive traffic design or more active enforcement. Well designed, resourced and executed behaviour change programs are a very cost effective way to achieve these sorts of benefits.

Secondly, it should be noted that this type of intervention takes a long time. Waiting for a response from Samson, a new principal at East Fremantle and waiting for parents to self-nominate consumed the majority of the project’s duration. Breaks for school holidays and the associated loss of momentum, caused further delays in progress. Having acknowledged this, a higher level of awareness could be gained from a more structured project management approach, which should form part of any initiative.

Thirdly, a successful school project needs to be backed up by an active parent and/or teacher group. Requiring adults to volunteer their time is a large commitment. The project was also initiated by the City – not the school. The project may have been more successful if it had of waited for a request from a specific school before starting.

Despite these lessons, this test project suggests that behaviour change methods can influence behaviour at a lower cost than traditional infrastructure or marketing approaches.

RISK AND OTHER IMPLICATIONS

Financial

Despite the extended duration of the project, it did not incur a large expense. The art materials for the silhouettes were provided by the school and the speed camera and safety vests were supplied by the contractor. Although final invoices have not been received, the cost of the program will be less than \$5000.

Legal

Nil

Operational

The only operational impact was in coordinating the contractor. A larger travel smart initiative could have greater staff resource implications.

Organisational

Nil

CONCLUSION

Although this project enjoyed mixed success, it does demonstrate that effective outcomes can, in at least some instances, be achieved using low cost behaviour change techniques.

This suggests that some of the capital projects that the City currently has, focussing on sustainable transport infrastructure, could be complemented with a behaviour change component. Specific examples include the CAT bus, the expanded bike path fund and the end of trip cycling facilities.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

1. That Council note the outcome of the Travel Smart initiative at East Fremantle Primary School.
2. That the City should not proactively approach other schools to try and implement TravelSmart projects, but that behaviour change techniques, including those developed by TravelSmart, be used in the first instance if any schools report traffic, parking, or other transport related complaints to the City and request assistance in addressing these issues.
3. That consideration be given to identifying a certain fraction of any future budgets for sustainable transport projects to be allocated to complementary behaviour change initiatives.

Cr D Thompson moved the following alternative recommendation:

1. That Council note the outcome of the Travel Smart initiative at East Fremantle Primary School.
2. That the City should not proactively approach other schools to try and implement TravelSmart projects, but that behaviour change techniques, including those developed by TravelSmart, be used in the first instance if any schools report traffic, parking, or other transport related complaints to the City and request assistance in addressing these issues.
3. *Future budgets for sustainable transport projects include consideration to complementary behaviour change initiatives.*

COMMITTEE RECOMMENDATION

MOVED: Cr D Coggin

1. That Council note the outcome of the Travel Smart initiative at East Fremantle Primary School.
2. That the City should not proactively approach other schools to try and implement TravelSmart projects, but that behaviour change techniques, including those developed by TravelSmart, be used in the first instance if any schools report traffic, parking, or other transport related complaints to the City and request assistance in addressing these issues.
3. Future budgets for sustainable transport projects include consideration to complementary behaviour change initiatives.

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To reword Part 3 of the Officers Recommendation.

SGS1011-3 INFORMATION REPORT FOR NOVEMBER 2010**CULTURAL DEVELOPMENT WORKING GROUP**

DataWorks Reference: 039/064
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 1 - Minutes of meeting 5 October 2010 -
Cultural Development Working Group

The Cultural Development Working Group has commenced regular meetings. The minutes of this Working Group is provided through an information report each month. If consideration of an action is required by Council, a specific item will be forwarded to council for consideration.

COMMUNITY SAFETY WORKING GROUP

DataWorks Reference: 039/063
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 2 - Community Safety Working Group
Minutes - 14 September 2010
Attachment 3 - Community Safety Working Group
Minutes - 12 October 2010

The Community Safety Working Group has commenced regular meetings and the minutes of these meetings are provided through an information report each month. If consideration of an action is required by Council, a specific item will be forwarded to council for consideration.

FREMANTLE MARKETS WORKING GROUP

DataWorks Reference: 039/060
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 4 - Fremantle Markets Working Group
Minutes - 24 August 2010

The Fremantle Markets Working Group meet on a monthly basis and attached are the minutes for the August meeting.

In accordance with the Operating Strategy the Fremantle Markets Pty Ltd are required to complete an annual report by the 31st October 2010. The City has received this annual report and will meet with the Fremantle Markets management to review and discuss it further. A report will be presented to Council in the December round of meetings.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

The information report for November 2010 be received.

CARRIED: 7/0

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

Mayor, Brad Pettitt requested the item be referred to the Ordinary Meeting of Council. Seconded by Cr S Wainwright.

SGS1011-4 ELECTED MEMBER POLICY - EMPLOYMENT VALUES FOR THE CITY OF FREMANTLE

DataWorks Reference: 097/004
Disclosure of Interest: Nil
Meeting Date: SGS 10 November, 2010
Previous Item: N1010-1
Responsible Officer: N/A
Actioning Officer: Glen Dougall, Director Corporate Services
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

This proposed policy is a deferred policy by way of Notice of Motion from Cr Wainwright. Council deferred this Notice to the November round of meetings to allow for feedback from officers as to the implications of such a policy.

BACKGROUND

The following Notice of Motion was presented by Cr Wainwright at the 27 October 2010 Ordinary Meeting of Council.

Fremantle City Council's employees are its most important asset. The organisation is in a much stronger position to serve the community and achieve its objectives if its employees make a long term commitment to the Fremantle area, the organisation and the community in which they live. For this to happen its employees need and deserve safe and secure employment. Council is an extension of the community and its values; as such its general employment policy should reflect this.

1. The City respects both the need and the right of its employees to independent organisation and representation.

Australian law already guarantees certain minimum rights in this regard, such as forbidding discrimination against someone because of union membership. However I think it's useful for us to declare that we don't just see independent representation/organisation as something to be tolerated or permitted; but rather it's necessary and healthy.

2. The City understands the need for employees to have security of employment and a guaranteed career path from probation to permanency (subject to satisfactory performance). As such the use of fixed term contracts of employment will be limited to short term needs such as specific projects and covering long service/parental leave, and not be used a general instrument of employment.

As you'd be aware both federal and state law specifically allows for senior managers to be employed via fixed term contracts that are subject to renewal every three years (or whatever the term). This is normal practice for people with highly paying marketable skills and I have no objection to it. However I don't want us to be an organisation that rolls this out for the majority of the workforce (or leaves the door open to that possibility). I know there are organisations that have, such as some universities. However I just think it's flat out wrong to subject large numbers of working people to the stress and uncertainty of not knowing whether they will have a job at the end of their contract, with the boss not having to give any other explanation than, "sorry you didn't fit in". This renders union rights a dead letter, means people are afraid to even raise constructive criticisms and undermines organisational morale.

3. The City is committed to the principle of equal pay and conditions for equal work performed. Employees will not be subject to inferior pay and conditions due to their start date or any other arbitrary and discriminatory measures.

Another "arbitrary and discriminatory measure" would be seeking to put employees outside the main operations building (eg Arts Centre, Warrawee, Leisure Centre) on inferior pay and conditions. We're one operation, we don't want first and second class citizens. Someone doing work of equal worth at the Arts Centre should be treated the same as someone doing the equivalent at the admin building. I know there was an aborted attempt to do this at Warrawee. Why would we even want to consider doing this?

4. The City will seek to be leader in the provision of parental leave and other family friendly work arrangements.

This is a general statement of intent that leaves it up to the workforce and management to determine what would suit them. However I think it would be great if our city was a pace-setter in things like paternity as well as maternity leave. I read recently that a local government in Victoria has become the first employer in Australia to have a specific leave clause for victims of domestic violence. Yes this costs money, but it sets a positive example to the rest of the community.

5. The City, within its means, seeks to be an industry leader in its employee pay and conditions; and will seek to be within the top third of WA local governments in terms of employee remuneration.

More a general statement of intent, couched in the words "seeks to be" because you wouldn't want the silly situation of the city being accused of breaching its policy part way through the term of an EA because of salary movements in the sector as a whole.

COMMENT

The resolution from Council at the ordinary meeting in October was to defer resolution of this Notice for more information on the broad implications of this policy.

Officers are currently putting together a report on the implications but are unable to complete this report prior to the setting of this agenda. Rather than leave it to the following round of meetings the item is listed on this agenda and officers will finalise the report to provide to committee and council as soon as possible.

CONCLUSION

The most compelling consideration for the City and Council to make when reviewing a policy on employee values is the respect for employees to be involved in determining their own employment conditions. In the context of understanding that the City is a service provider to the community the employees and the City are best to work together to determine how to achieve the goals of both.

A report on the implications will be provided prior to Strategic and General Services committee meeting.

Notice of Motion Recommendation;

Council adopt the following Policy position;

- 1. The City respects both the need and the right of its employees to independent organisation and representation.*
- 2. The City understands the need for employees to have security of employment and a guaranteed career path from probation to permanency (subject to satisfactory performance). As such the use of fixed term contracts of employment will be limited to short term needs such as specific projects and covering long service/parental leave, and not be used a general instrument of employment.*
- 3. The City is committed to the principle of equal pay and conditions for equal work performed. Employees will not be subject to inferior pay and conditions due to their start date or any other arbitrary and discriminatory measure.*
- 4. The City will seek to be leader in the provision of parental leave and other family friendly work arrangements.*
- 5. The City, within its means, seeks to be an industry leader in its employee pay and conditions; and will seek to be within the top third of WA local governments in terms of employee remuneration.*

STRATEGIC AND POLICY IMPLICATIONS

Nil for Strategic Plan, New policy being proposed.

COMMUNITY ENGAGEMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Report to come.

COMMITTEE RECOMMENDATION

MOVED: Cr D Coggin

Cr D Coggin moved to defer the item to the Ordinary Meeting of Council on 24 November 2010.

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To allow time to prepare further information to be presented at the Ordinary Meeting of Council on 24 November 2010.

The following item number SGS1011-5 was moved and carried en bloc earlier in the meeting.

**SGS1011-5 ELECTED MEMBER COMMUNICATION AND TRAVEL
REIMBURSEMENT POLICY**

DataWorks Reference: 097/001
Disclosure of Interest: Nil
Meeting Date: 10 November 2010
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Glen Dougall, Director Corporate Services
Decision Making Authority: Council
Agenda Attachments: Elected Member Policy

EXECUTIVE SUMMARY

With the advent of various new technology the City has reviewed the way in which elected members are supported in operating in their role. In the past the City has provided items such as mobile phones, laptops, printers and fax machines, however with the increasing range of products available and the fact that many members already possess these items prior to joining council a new more flexible arrangement has been provided for in the 2010/11 Budget.

The recently adopted budget includes an allocation to reimburse elected members for communication expenses and travel expenses. An amount of \$3000 per member has been included for communication reimbursements and \$2000 per member for council related out of pocket expenses. This is anticipated to be an annual allocation.

To ensure these reimbursements are provided in a consistent manner and in accordance with the Local Government Act 1995, the attached policy is provided for consideration by Council. This policy allows for these reimbursements to be claimed by elected members to operate their own mobile phone, internet access, hardware requirements so they can continue to operate with systems of personal choice, rather than having to operate two systems or try to combine the council system into their own.

BACKGROUND

In previous years elected members were provided with communication and computer equipment which suited the operating systems of the City. This was convenient for the City as the technology was not readily provided by members and allowed members to operate in their role without needing to understand the system setup. Over time personal communication has become readily available and cheaper and now many members have their own setup before they become elected members. This can sometimes cause duplication to occur or require members to operate their own system plus the council system or operate two mobile phones etc.

COMMENT

Most elected members operate their own mobile phone and already have contracts and agreements with their own carrier for mobile telephony and internet access usage. These allow for the elected member to choose a plan that suits their own requirements and lifestyle and also the type of equipment they want to use. When the City provides a mobile phone it is the equipment chosen by the City and is also the number chosen by the City. Elected Members then need to decide whether they cancel their own arrangements and use only the City's equipment or juggle the two, which seems unnecessary and wasteful.

So to eliminate the need to duplicate equipment and systems the City has developed a policy which allows for flexibility in how Elected Members use technology for communication purposes. The Elected Member can still have a council telephone number for their ward mobile phone, but all calls can be arranged to forward to their personal phone to allow for ease of use. Some mobile technology can even allow for separation of identification so the member will know whether it is a personal call or a call coming from the council number. If elected members are on a monthly package with a telephone carrier they can simply claim this package back each month up to the limit of \$3000 per year. If they have other equipment such as laptops and internet access they can also claim this on the \$3,000 per year allocation, but only up to \$3,000 each year.

An allocation has also been allowed for up to \$2,000 per year per elected Member to claim for council related expenses that are not necessarily associated with the as of right reimbursed expenses under the Local Government Act. There is a common allowance for conference expenses and training for elected members but the additional allocation allows Elected members to claim for items beyond this allocation, up to the \$2,000 limit.

RISK AND OTHER IMPLICATIONS

Financial

The adopted 2010/11 Budget has included provision for the allowance for communication of up to \$3,000 per elected member and \$2,000 for out of pocket expense reimbursement.

Legal

The Local Government Act provides for the reimbursement of expenses for elected members and for the setting of an allowance for communication and IT costs.

Operational

It is anticipated that the reimbursement of expenses and payment of allowance fees can be integrated into the system used to pay meeting fee allowances on a quarterly basis.

Organisational

The Elected Member Policy outlines the different allowances and arrangements in place for elected members at Fremantle into one document. This policy will ensure that Elected Members are able to access a single document when establishing communication costs and enable them to maintain their current phones and computers when undertaking council business.

CONCLUSION

The Elected Member Policy outlines the different allowances and arrangements in place for elected members at Fremantle into one document. This policy will ensure that Elected Members are able to access a single document when establishing communication costs and enable them to maintain their current phones and computers when undertaking council business.

STRATEGIC AND POLICY IMPLICATIONS

New Policy for consideration

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

The proposed City of Fremantle Elected Member Policy (as attached to the Strategic and General Services Committee Agenda of 10 November, 2010) be adopted.

CARRIED: 7/0

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

The following item number **SGS1011-6** was moved and carried en bloc earlier in the meeting.

SGS1011-6 CONSIDERATION OF FULL POSTAL ELECTIONS FOR 2011

DataWorks Reference: 099/010
Disclosure of Interest: Nil
Meeting Date: 10 November 2010
Previous Item: SGS0901-3 of 28 January 2009
Responsible Officer: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

The Western Australian Electoral Commissioner has agreed to undertake the 2009 elections as full postal elections; therefore it now requires Council to resolve for the elections to be held as postal elections.

BACKGROUND

The Local Government Act 1995 only permits the Western Australian Electoral Commissioner to conduct full postal elections for local government. At its ordinary meeting of 15 December 2003, Council resolved that future elections be conducted as full postal subject to:-

- Confirmation by Council prior to the election
- Confirmation of costs.

COMMENT

The Electoral Commissioner has confirmed in writing that he his willing to undertake the elections as full postal.

The estimated cost to conduct the 2011 ordinary elections provided by the Electoral Commission is \$65,000 excluding non statutory advertising and the provision of a local government staff member on Election Day. That estimate has been based on 18,900 electors, a response rate of approximately 45%, 6 vacancies and the count to be conducted at the premises of the City. The estimated costs are up slightly on the 2009 elections (2009 estimated at \$60,000). The Commission is required by the Local Government Act 1995 to conduct local government elections on a full cost recovery and recent experience has demonstrated that the Commission final costs are within their estimate.

The next ordinary elections are due in October 2011. The recommendation provides for the Electoral Commissioner to be responsible for the ordinary and any other elections in 2011, which means if any extraordinary vacancies should arise, the approvals are in place to proceed with those elections as full postal.

Council has now conducted full postal elections since 2003 with very good levels of voter participation compared to other local authorities.

RISK AND OTHER IMPLICATIONS

Financial

Only risk seen is for legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns.

Legal

Only the Western Australian Electoral Commissioner can conduct full postal local government elections.

Operational

Whilst the appointment is for the Western Australian Electoral Commissioner to conduct the elections, the city is still responsible for the preparation of the owners and occupiers roll used in the elections plus providing administrative support for the election process.

Organisational

Induction of any newly elected councillors is the major organisational issue that arises from the conduct of the elections.

CONCLUSION

That Council should conduct the 2011 elections as full postal elections and appoint the Western Australian Electoral Commissioner to conduct the elections.

STRATEGIC AND POLICY IMPLICATIONS

How the ordinary council elections are conducted is a strategic decision, but this item does not recommend any change in the policy that has operated since 2003.

COMMUNITY ENGAGEMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

1. That in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 2011 ordinary elections together with any other elections which may be required; and
2. That in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the elections will be as postal elections.

CARRIED: 7/0

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

SGS1011-7 REVIEW OF POLICY SG10 - ELECTION SIGNS

DataWorks Reference:	099/011
Disclosure of Interest:	Nil
Meeting Date:	10 November 2010
Previous Item:	SGS0811-17 of 26 November 2008
Responsible Officer:	Alan Carmichael, Manager Finance & Administration
Actioning Officer:	Alan Carmichael, Manager Finance & Administration
Decision Making Authority:	Council
Agenda Attachments:	SG10 Election Signs

EXECUTIVE SUMMARY

The policy is reviewed biannually at the same time that decisions are being made on the conduct of the next ordinary elections. No changes are proposed to the policy on election signs.

BACKGROUND

Policies are required to be reviewed on a periodic basis.

COMMENT

No changes have been proposed in relation to election signs policy other than setting a new policy review date. A copy of the exiting of the existing policy is attached for information.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

Signage is managed under the relevant City of Fremantle Local laws.

Organisational

Nil

CONCLUSION

The policy of election signs continues the long standing arrangement and is recommended for approval.

STRATEGIC AND POLICY IMPLICATIONS

Nil.

COMMUNITY ENGAGEMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That Policy SG10 as detailed below be adopted:-

SG10 - ELECTION SIGNS

Objective

To provide guidelines relating to the usage of election signs by candidates.

Legislative Framework

Local Government Act 1995 - Sections 4
City of Fremantle Local Laws

Decision Maker

Not applicable.

Delegation of Decision-Making

Not applicable

Policy

The erection of substantial fixed or freestanding election signs is not permitted within the City of Fremantle. Cardboard or paper posters promoting electoral candidates may be affixed to private property, providing the property owner consents, but will not be permitted in public places.

National Competition Policy Implications

The requirements of the National Competition Policy do not relate to this policy.

Policy Implementation Steps

Not applicable

Reporting Arrangements on Decision-Making under this Policy

Not applicable.

Policy Review Date

October 2012

Cr D Coggin moved an amendment to the Officer's Recommendation to include the following wording:

That Policy SG10 as detailed below be adopted:-

SG10 - ELECTION SIGNS

Objective

To provide guidelines relating to the usage of election signs *during Local, State and Federal Elections and Referenda.*

Legislative Framework

Local Government Act 1995 - Sections 4
City of Fremantle Local Laws

Decision Maker

Not applicable.

Delegation of Decision-Making

Not applicable

Policy

The erection of substantial fixed or freestanding election signs is not permitted within the City of Fremantle. *Posters* promoting electoral candidates may be affixed to private property, providing the property owner consents, but will not be permitted in public places.

National Competition Policy Implications

The requirements of the National Competition Policy do not relate to this policy.

Policy Implementation Steps

Not applicable

Reporting Arrangements on Decision-Making under this Policy

Not applicable.

Policy Review Date

October 2012

COMMITTEE RECOMMENDATION

MOVED: Cr D Coggin

That Policy SG10 as detailed below be adopted:-

SG10 - ELECTION SIGNS

Objective

To provide guidelines relating to the usage of election signs during Local, State and Federal Elections and Referenda.

Legislative Framework

Local Government Act 1995 - Sections 4
City of Fremantle Local Laws

Decision Maker

Not applicable.

Delegation of Decision-Making

Not applicable

Policy

The erection of substantial fixed or freestanding election signs is not permitted within the City of Fremantle. Posters promoting electoral candidates may be affixed to private property, providing the property owner consents, but will not be permitted in public places.

National Competition Policy Implications

The requirements of the National Competition Policy do not relate to this policy.

Policy Implementation Steps

Not applicable

Reporting Arrangements on Decision-Making under this Policy

Not applicable.

Policy Review Date

October 2012

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

1. To add the words 'during Local, State and Federal Elections and Referenda' under the 'Objective' heading and remove the words 'by candidates'.
2. To remove the words 'Cardboard or paper' under the 'Policy' heading.

The following item number **SGS1011-8** was moved and carried en bloc earlier in the meeting.

SGS1011-8 SMRC DRAFT STRATEGIC PLAN

DataWorks Reference: 030/017
Disclosure of Interest: Nil
Meeting Date: 10 November 2010
Previous Item: Nil
Responsible Officer: Glen Dougall, Acting Chief Executive Officer
Actioning Officer: Peter Pikor, Director Technical Services
Decision Making Authority: Council
Agenda Attachments: SMRC Draft Strategic Plan

EXECUTIVE SUMMARY

The Southern Metropolitan Regional Council has undertaken a review of its Strategic Plan for the next five years and is seeking Member Councils' comments prior to its formal adoption. The Regional Council held a number of planning sessions with its key stakeholders including senior officers of the City of Fremantle to review its strategic plan.

The strategic plan has been developed to focus on five key areas where the Regional Council believes it needs to provide the greatest focus for the next 5 year period. The plan includes the development of key performance indicators which are high level strategic measures to enable the Regional Council to determine whether it is fulfilling its purpose and accomplishing its goals.

The draft strategic plan is attached to this report and recommended to be supported.

BACKGROUND

The Southern Metropolitan Regional Council's Strategic Plan 2010 -2015 has been prepared following consultation with its key stakeholders.

Through this process a number of critical issues facing the SMRC were identified including building and maintaining relations with its six member Councils. Also key priorities for the Regional Council were identified including the rebuilding of the materials recovery facility (MRF) and the monitoring and continuing improvement of the odour management systems at the Regional Resource Recovery Centre in Canning Vale.

At its meeting in October 2010 the Regional Council released the draft plan for Member Councils' comments.

COMMENT

The Key focus areas for the Regional Council were identified as;

- Resource Recovery
- Climate Change
- Business Sustainability
- Stakeholder Engagement
- Research and Innovation.

Key performance indicators with targets have been developed in the plan and these include Resource Recovery, Business Sustainability and Customer Growth.

The adopted Strategic Plan with its high level strategic measures will enable the Regional Council to determine whether the organisation is fulfilling its purpose and accomplishing its goals.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Local Governments are required to develop and maintain a Strategic Plan

Operational

Once adopted the strategic plan will drive the direction of the Regional Council.

Organisational

Nil

CONCLUSION

The draft strategic plan sets clear direction for the Regional Council and guides the development of actions, initiatives and projects to support the outcomes sought.

The draft Strategic Plan for the Regional Council is recommended to be supported.

STRATEGIC AND POLICY IMPLICATIONS

This item deals with the opportunity for the Fremantle Council as a member of the Regional Council to formally comment on the draft strategic plan.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

That Council

- 1. Receives the Southern Metropolitan Regional Council draft Strategic Plan 2010 - 2015 as attached**
- 2. Notes the key focus areas listed in the draft Strategic Plan**
- 3. Notes the key performance indicators listed in the draft Strategic Plan**
- 4. Advises the Southern Metropolitan Regional Council of its support for the draft Strategic Plan 2010-2015**

CARRIED: 7/0

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

SGS1011-9 POLICY - SISTER CITIES FUNDING

DataWorks Reference:	070/002
Disclosure of Interest:	Nil
Meeting Date:	10 November 2010
Previous Item:	SGS1010-3 - 13 October 2010
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Marisa Spaziani, Director Community Development
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1 - Policy - Sister Cities Funding

EXECUTIVE SUMMARY

Information is provided to further assist Council in its consideration of the Sister Cities Policy. The policy has been updated to incorporate this information.

BACKGROUND

After recent mayoral and Councillor visits to Sister Cities in Italy and Croatia there has been a request for officers to develop a Sister Cities policy that promotes and financially supports activities that strengthen Sister City and Friendship City relationships.

A Sister Cities Policy was developed in response to this request from Councillors and was discussed at the SGSC meeting of 13 October 2010. The following resolution was recommended by the SGS Committee:

That further information be provided to Council clarifying the following in relation to Sister Cities Funding Policy:

- Equity across all Sister Cities/Friendship groups.
- What applicable costs are included (airfares, accommodation ect)?
- Is this for Sister Cities groups visiting Fremantle or Fremantle Groups visiting Sister Cities?
- The need for a funding round before March 2011.

The item was deferred at the Council meeting of 27 October 2010 so this information could be provided by officers.

COMMENT

The following comment is made in relation to each of the queries of the SGS Committee:

Equity across all Sister City/Friendship groups.

The funding is available to any eligible community organisation that meets the guidelines and makes application. The equity is in relation to being equally able to apply for funding and being assessed on the merit of the application rather than the amount of funding going equally to each sister or friendship city.

What applicable costs are included?

The funding should be provided to the community group for assistance with costs for the Sister City activity they are applying for rather than to individuals. The amount of funding per group can be capped. The financial assistance is intended then to be put towards the specific activity costs with the exception of capital items.

Is this for Sister Cities groups visiting Fremantle or Fremantle groups visiting Sister Cities?

It is recommended that this funding be for Fremantle groups visiting sister Cities.

The need for a funding round before March 2011.

Summer is the best time for visiting and it does take time for applications to be advertised and assessed, so this would allow applications to be assessed in time for the summer period.

It is also recommended that this policy be reviewed in October 2012 to see whether it has had the desired affect in relation to building and encouraging community connectedness with Sister/Friendship Cities.

RISK AND OTHER IMPLICATIONS

Financial

The current Sister Cities budget is \$11,000. It is recommended that a budget of \$8,000 is set aside for a funding in 2011/12 with \$4,000 of the current funding being set aside for applications in the 2010/11 programme.

Operational

The funding round would coincide with the other City of Fremantle Community Development Funding programme.

Organisational

Nil

CONCLUSION

A policy has been developed to enable the introduction of a Sister Cities funding programme as requested by elected members. The policy will be administered by Community Development staff. The budget will be set annually, reviewed in 2012 and advertised via media and website.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

That Council adopt the Sister Cities Funding Policy.

CARRIED: 7/0

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

The following item number **SGS1011-11** was moved and carried en bloc earlier in the meeting.

SGS1011-11 WEST END WORKING GROUP APPROVAL OF PROJECT DELEGATION AND INSTRUMENT OF APPOINTMENT

DataWorks Reference: 039/035 and 214/013
Disclosure of Interest: Nil
Meeting Date: Council 24 November, 2010
Previous Item: SGS1007-6
Responsible Officer: Glen Dougall, Acting Chief Executive Officer
Actioning Officer: Paul Garbett, Manager Planning Projects
Decision Making Authority: Council
Agenda Attachments: Instrument of Appointment and Project Delegation

EXECUTIVE SUMMARY

Council agreed in March 2010 to the development of an Instrument of Appointment and Project Delegation for a working group to develop a strategy for the activation of the west end and, at the same time, progress a state heritage listing for the same area. This report presents that Instrument for consideration and adoption by council.

At the Ordinary meeting in July council refined this to progressing the process for the state heritage listing and removed the activation component for the Economic Development Working Group.

BACKGROUND

This is one of the remaining working groups that is yet to be established following the recommendations of council in March this year. A more comprehensive background is provided in the attached Instrument of Appointment and Project Delegation.

COMMENT

This Working Group is established to consider and development a plan for the state heritage listing of the West End.

RISK AND OTHER IMPLICATIONS

Financial

Nil.

Legal

There is no legal requirement for the establishment of a committee/working group. Having agreed to establish a working group though, council must follow the processes outlined in the Local Government Act for the establishment of committees.

Operational

There is limited operational impact, although some additional time is required for officers to service the working group.

Organisational

Nil.

CONCLUSION

This Working Group will establish the process for seeking state heritage listing of the West End. The function of the Group is to establish the process and implications for both landowners and the way in which the City will assess development applications if heritage listing is achieved. This will also include a process for consultation with the landowners prior to seeking the listing.

STRATEGIC AND POLICY IMPLICATIONS

This item will have a strong connection to the strategic objectives of the city in strengthening the economic activity and preserving and enhancing the built and social character of the city.

COMMUNITY ENGAGEMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

That Council;

- 1. Adopts the Instrument of Appointment and Project Delegation for the West End Working Group as attached; and**
- 2. Seeks nominations for membership in accordance with the Instrument of Appointment and Project Delegation.**

CARRIED: 7/0

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

The following item number **SGS1011-12** was moved and carried en bloc earlier in the meeting.

SGS1011-12 MEMORANDUM OF UNDERSTANDING (CRUISE SHIPS) BETWEEN CITY OF FREMANTLE AND FREMANTLE PORT AUTHORITY

DataWorks Reference: 030/019
Disclosure of Interest: Nil
Meeting Date: SGS 10 November, 2010
Previous Item: Nil
Responsible Officer: Andrew Eastick, Manager Economic Development and Marketing
Actioning Officer: Donna Burgess, Marketing Officer
Decision Making Authority: Council
Agenda Attachments: Memorandum of Understanding between Fremantle Port Authority and City of Fremantle

EXECUTIVE SUMMARY

The Memorandum of Understanding between the Fremantle Port Authority and the City of Fremantle sets out the arrangements for servicing visitors to Fremantle arriving on cruise ships to achieve the maximum possible advantage to the Fremantle economy, by efficiently transferring passengers from the passenger terminal building into Fremantle's retail and tourism precinct. The Memorandum of Understanding is recommended for approval.

BACKGROUND

In early 2010, following the withdrawal of a key organiser, a long standing arrangement for servicing cruise ship passengers to Fremantle ceased. This arrangement included retail stalls in the passenger terminal building on cruise ships days selling goods similar to those available in shops in the Fremantle CBD and included a passenger transfer system into the Fremantle CBD by the Fremantle Trams, paid for by the City, which included dropping passengers off at the Fremantle railway station.

Following preliminary discussion with the Fremantle Port Authority the City was invited to put forward a proposal to the Authority for future visitor servicing arrangements.

COMMENT

The Memorandum of Understanding that has been negotiated with the Authority eliminates the sale of goods at the passenger terminal building that are available for purchase in the Fremantle CBD and provides a more effective and efficient system of transferring cruise ship passengers into Fremantle's retail and tourist precinct.

RISK AND OTHER IMPLICATIONS

Financial

The cost of implementing the Memorandum of Understanding is the same cost that the City has incurred under the past arrangement, ie the cost of engaging Fremantle Trams, and is accommodated in the Economic Development and Marketing budget.

Legal

The Memorandum of Understanding is for a period of three years.

Operational

The Memorandum of Understanding will enable past efforts by City resources in servicing cruise ship passengers to be used more effectively and efficiently in the future, whilst also maximising the economic benefit to Fremantle's retail and tourist sectors.

Organisational

Nil

CONCLUSION

The Memorandum of Understanding will ensure the City's resources are used to maximum benefit and the Fremantle economy achieves maximum benefit from cruise ship passengers visiting Fremantle.

STRATEGIC AND POLICY IMPLICATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr D Coggin

The Memorandum of Understanding between the City of Fremantle and the Fremantle Port Authority to establish a partnership between the parties for the delivery of the highest standard of visitor servicing for cruise ship passengers (as attached with the Strategic and General Services Agenda) be adopted.

CARRIED: 7/0

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

CONFIDENTIAL MATTERS

Nil.

CLOSURE OF MEETING

THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 6.43 PM.

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

How consultative processes work at the City of Fremantle	
	of budgetary considerations. All consultations will 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	<p>1 The City will take initial responsibility, via</p> <p>3 'Consultation Process notifications', for making</p> <p>. 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.</p>
Citizens are entitled to know how their input has been assessed	<p>1 In reporting to decision-makers, City officers will in</p> <p>4 all cases produce a Schedule of Input received</p> <p>. that summarises comment and recommends whether it should be taken on board, with reasons.</p>
Reasons for decisions must be transparent	<p>1 Decision-makers must provide the reasons for</p> <p>5 their decisions.</p> <p>.</p>
Decisions posted on www.freofocus.com/projects/html/default.cfm	<p>1 Decisions of the City need to be transparent and</p> <p>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.</p> <p>.</p>

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.