MINUTES

Strategic & General Services Committee

Wednesday, 9 March 2011, 6.00 pm

City of Fremantle

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CLOSURE OF MEETING

STRATEGIC AND GENERAL SERVICES COMMITTEE

Minutes of the Strategic and General Services Committee
held in the Council Chambers, Fremantle City Council
on 9 March 2011 at 6.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.02pm.

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 (arrived 7.06pm)
Cr Georgie Adeane	South Ward
Cr John Alberti	Beaconsfield Ward
Cr Doug Thompson	North Ward
Cr Donna Haney	City Ward
Cr Sam Wainwright	Hilton Ward
Cr John Dowson	East Ward
Mr Graeme Mackenzie	Chief Executive Officer
Ms Marisa Spaziani	Director Community Development
Mr Peter Pikor	Director Technical Services
Mr Alan Carmichael	Manager Finance and Administration
Mr Cameron Bartkowski	Manager Community Safety and Parking
Mr Peter Wood	Coordinator Parking Services
Mrs Mia Zaknich	Minute Secretary

There were 5 members of the public and 1 member of the press in attendance.

APOLOGIES

Nil

LEAVE OF ABSENCE

Cr Dave Coggin	East Ward

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Mr Russell Quinn spoke against the Officer's Recommendation for Item SGS1103-3 and tabled a copy of his statement and some aerial photographs which are attachments to these minutes.

Mr Greg Dale spoke against the Officer's Recommendation for Item SGS1103-4. He noted that there isn't sufficient parking at the location, especially considering the future developments and suggested the Foreshore Management Plan be modified to review the parking needs of the users of the area.

Ms Marion Blair spoke against the Officer's Recommendation for Item SGS1103-5 and suggested that the options presented aren't supportive of the previous item to Council on this matter where it was resolved that the Stan Reilly Centre was to be made available to activities that are aimed at seniors in the Community.

DEPUTATIONS / PRESENTATIONS

Cr Donna Haney acknowledged that Tuesday 8 March 2011 was the 100 year anniversary of International Women's Day and in honour of this, recognised the accomplishments of women over the years at all levels of society and women employees of the City and the contribution they make daily.

Cr Sam Wainwright and Mayor, Brad Pettitt last week represented attended a public show of support for Filipino and Pakistani seafarers aboard a live sheep carrier in Fremantle Port that has less than desirable conditions of employment.

DISCLOSURES OF INTEREST BY MEMBERS

Cr Georgie Adeane declared a financial interest in Item SGS1103-13.

LATE ITEMS NOTED

Nil

CONFIRMATION OF MINUTES

Cr John Alberti noted an error in the voting of item SGS1102-1 - minutes noted that Cr John Alberti voted on the item, however, he was absent for the discussion and voting as he had declared a Financial Interest.

MOVED: Cr S Wainwright

That the Minutes of the Strategic and General Services Committee *as amended* dated 9 February 2011 as listed in the Council Agenda dated 23 February 2011 be confirmed.

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

TABLED DOCUMENTS

The following documents were tabled at the meeting and are attached to the Minutes:

1. Statement made at Public Question Time and aerial images from Mr Russell Quinn relating to SGS1103-3.

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

SGS1103-1 CULTURAL DEVELOPMENT STRATEGY

DataWorks Reference: 039/064
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: April 2010
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Marisa Spaziani, Director Community Development
Decision Making Authority: Committee
Agenda Attachments: Draft Cultural Development Strategy

EXECUTIVE SUMMARY

The Cultural Development Working Group as part of the project delegation, has drafted a Cultural Development Strategy that is ready for a community engagement process as at attachment 1.

BACKGROUND

The Council established and appointed a Cultural Development Working Group in April 2010, to deliver a Cultural Development Strategy that identifies actions to develop and maintain Fremantle's vibrant, diverse and innovative character, with a focus on activities and actions that keep Fremantle at the forefront of new and exciting cultural activities and increase participation and sense of inclusion in culture and arts in Fremantle.

The Council appointed a number of community members with relevant expertise and experience to the committee, as well as two elected members.

The Committee met 8 times throughout 2010/11 and a facilitator was contracted to assist the committee in the development of the strategy.

COMMENT

The Cultural Development Working Group is nearing completion of the projects objective. The draft Cultural Development Strategy is ready to go out for public consultation. Once this has occurred, the group will meet again to review the feedback and decide if it wishes to make further changes or recommendations. The Strategy will then come back to Council for final adoption. The strategy document would then be developed into a document that gives a background and summary of the process as well as the action statements ready for publication.

Some of the recommended actions in the document have budgetary implications and would need to be included in 11/12 budget deliberations.

RISK AND OTHER IMPLICATIONS

Financial

The total 2011/12 budget costs of the strategy totals $140,000.

Legal

Nil

Operational

Staff were consulted by the committee about current staff capacity to operationalise the recommendations and believe the strategy is achievable.

Organisational

Staff will organise community access to the strategy on the website, as well as conduct a workshop involving the working group and interested community members.

CONCLUSION

Community consultation on the draft Cultural Development Strategy will provide information to the working group on the proposed actions and whether the group believes it should modify or change any of the recommended actions, once community feedback is received.

STRATEGIC AND POLICY IMPLICATIONS

Character – The City Is A Creative Cultural Centre with Vibrant Festivals and Street Life.

COMMUNITY ENGAGEMENT

A facilitated feedback session will be arranged to harness community feedback on the strategy. This feedback will then be incorporated into a final report to Council on the recommended final Cultural Development Strategy.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That the Strategic and General Services Committee under delegated authority approves the implementation of a community engagement process for the Draft Cultural Development Strategy.

Cr D Haney moved the following alternative recommendation:

That the Draft Cultural Development Strategy be referred back to the Cultural Development Working Group for further development to address some cultural aspects.

LOST: 3/3

For	Against
Cr Georgie Adeane Cr Donna Haney Cr John Dowson	Cr John Alberti Cr Sam Wainwright Cr Doug Thompson

Cr S Wainwright used his casting vote AGAINST the recommendation resulting in it being LOST.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

That the Strategic and General Services Committee under delegated authority approves the implementation of a community engagement process for the Draft Cultural Development Strategy.

CARRIED: 3/3

For	Against
Cr John Alberti Cr Sam Wainwright Cr Doug Thompson	Cr Georgie Adeane Cr Donna Haney Cr John Dowson

Cr S Wainwright used his casting vote FOR the recommendation resulting in it being CARRIED.

NOTE:
As this resolution did not achieve the required number of votes for the Committee to exercise Delegated Authority, the matter is referred to Council for consideration.

SGS1103-2 SOUTHERN METROPOLITAN REGIONAL COUNCIL- CITY OF COCKBURN TRIAL OF REDUCED GREEN WASTE COLLECTIONS

DataWorks Reference: 030/017
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: Nil
Responsible Officer: Graeme Mackenzie, Chief Executive Officer
Actioning Officer: Peter Pikor, Director Technical Services
Decision Making Authority: Committee
Agenda Attachments: Letter from the SMRC

EXECUTIVE SUMMARY

The Southern Metropolitan Regional Council (SMRC) has written to the City advising that at its Regional Council meeting in February 2011, it considered a proposal from the City of Cockburn for that member Council to trial a reduction from three to two green waste verge collections for a one year period commencing in July 2011. All Regional Resource Recovery Centre (RRRC) project participants including the City of Fremantle must give consent to this change as the Project Participants Agreement requires that for each of the participants, green waste is collected from the verge of all residential premises on at least three occasions each year. It is considered that agreement can be given to the proposed trial from the City of Cockburn to reduce the number of green waste verge collections for a year period.

BACKGROUND

The City of Cockburn is a member of the Southern Metropolitan Regional Council (SMRC) and a project participant of the Regional Resource Recovery Centre (RRRC). Under the current RRRC agreement, it is required to undertake three green waste collections a year. The City of Cockburn at its meeting in February 2011 has resolved to amend its bulk verge collection program from three green waste collections and one junk collection per annum to two green waste collections and two junk collections for a one year trial period in the 2011/12 financial year.

The RRRC project participant's agreement requires each project participant to implement the Regional Waste Collection System and this requires undertaking a minimum frequency of bulk green waste collections on at least 3 occasions each year.

As the City of Cockburn's proposed amendment does not comply with the requirements of the project participant's agreement, all of the RRRC Project Participants must agree to the variation.

COMMENT

The SMRC has given consideration to the likely impacts of the City of Cockburn's trial and the main issues relate to the operational and business sustainability.

It has been indicated that from an operational aspect, the proposed City of Cockburn's move to two collections will result in green waste collected over a shorter period of 23 weeks rather that the current 31 weeks. Assuming an equivalent total amount of waste, this will result in an additional 35% loading rate of the City of Cockburn's waste being received at the RRRC due to the shorter collection period. The periods selected by the City of Cockburn are in spring and autumn which tends to coincide with the heaviest overall generation rates for green waste from all sources. This can put additional pressure on the grinding operation at the RRRC and may require additional contractor services during peak periods. It can also accentuate the low periods where minimal amounts of green waste are received resulting in under utilisation of resources. The programming of the collection periods will need to be managed to maintain an efficient operation.

With regard to the business sustainability, the reduced number of collections may result in lower tonnage of green waste collected however the scheduling of the proposed two collections to coincide with the more active periods of the year for green waste generation may counteract this issue.

A reduction of green waste tonnages will impact on the business sustainability of the SMRC's green waste operation.

RISK AND OTHER IMPLICATIONS

Financial

If there are adverse financial impacts from the City of Cockburn's trial this will have an effect on the SMRC's budget considerations.

Legal

The City of Fremantle is required to consent to the proposed amendment to the existing agreement.

Operational

Nil

Organisational

Nil

CONCLUSION

The City of Cockburn is proposing to trial a reduction from three to two collections for its green waste. The SMRC has identified some potential operational and business sustainability impacts but these cannot be quantified at this stage.

As the City of Cockburn's proposal is for a trial of a one year period, it is considered that agreement from this City can be given to their proposed reduction in green waste collections.

If the alteration to the collection system is to be on an ongoing basis, the City of Fremantle would have to give consent to this future amendment.

STRATEGIC AND POLICY IMPLICATIONS

This item deals with the opportunity for the Fremantle Council as a member of the Regional Council and project participant of the RRRC to formally comment on the City of Cockburn's proposed trial.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE DECISION

MOVED: Cr S Wainwright

That the Strategic and General Services Committee under delegated authority advises the Southern Metropolitan Regional Council of its agreement for the City of Cockburn to reduce its number of green waste verge collections from three to two for a one year trial in the 2011/12 financial year.

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

SGS1103-3 REQUEST BY MR R QUINN FOR ALLOCATION OF PARKING BAYS, NTH FREMANTLE

DataWorks Reference: 165/025
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Peter Wood, Coordinator Parking Services
Decision Making Authority: Committee
Agenda Attachments: Attachment 1
Copy of request from Mr Russell Quinn, dated 8 July 2010

Attachment 2
Judgement of the Western Australia Town Planning Appeal Tribunal (WATPAT) in the appeal *Australand Holdings Ltd v City of Fremantle* [2002] WATPAT 20

Attachment 3
Minute of consent orders pursuant to WATPAT judgment

Attachment 4
Copy of offer by Mr Quinn to purchase premises Unit 4, 4-6 Doepel Street, North Fremantle (Lots 42 and 43 on Strata Plan 37365)

Attachment 5
Notice of settlement of purchase of Unit 4, 4-6 Doepel Street, North Fremantle

Attachment 6
Copy of letter dated 27 August 2002 from Australand Holdings Ltd to City of Fremantle

Attachment 7
Copy of letter in reply, dated 2 September 2002, from City of Fremantle to Australand Holdings Ltd

Attachment 8
Copy of facsimile transmission dated 16 August 2002 from Australand Holdings Ltd to Mr Quinn

Attachment 9
Email from Mr Greg Dale

EXECUTIVE SUMMARY

A request has been received from Mr Russell Quinn, owner/resident of unit 4, 4-6 Doepel Street (The Brighton), North Fremantle, for the provision by City of Fremantle of two on-street vehicle parking bays in Doepel Street, North Fremantle, in the vicinity of Mr Quinn's residence, for exclusive use by him and his wife. The request for two parking spaces is based on the fact that Mr Quinn's residence consists of what are two discrete adjoining units, namely Lots 42 and 43 on Strata Plan 37365. These were originally developed as 'commercial' use, and thus were not required to, nor did they in fact have, off-street parking bays allocated within the building complex.

The original development application (DAA45 dated 17 July 1997) for The Brighton was amended (DAB113 dated 22 December 1998) to accommodate additional residential units within the building complex. A consequential shortage in off-street vehicle parking bays resulted within the building complex. As a result of a planning approval condition to offset that shortfall, a written agreement arose between Australand Holdings Ltd and the owner of an adjacent property, Fieldmont Holdings Pty Ltd of what was then known as the Tasker Building at Lot 27 Doepel Street (bounded by Kwong Alley and Pensioner Guard Road). That agreement provided access to 12 off-street vehicle parking bays for The Brighton, but later became ineffective subsequent to Fieldmont Holdings Pty Ltd falling into administration early in the year 2002. That agreement appears to have been the subject of a caveat placed on the title to the subject property in the year 1997, the caveat being removed some few months later.

A 'change of use' development application (DAC126 dated 5 November 2001) to amend the use of the subject units (Lots 42 and 43 on Strata Plan 37365) from 'commercial' to 'residential' was rejected by Council on the basis of insufficient off-street vehicle parking. Australand Holdings Ltd lodged an appeal against that decision with the Western Australian Town Planning Appeal Tribunal (WAPAT). The appeal was heard on 31 May 2002 (two days after Mr Quinn made his offer of purchase for the property). The Tribunal's judgment was delivered 11 July 2002, more than two months prior to settlement of the sale to Mr Quinn on 20 September 2002. The appeal was successful. The Tribunal observed that off-street vehicle parking, if necessary to a prospective resident of the subject property, could be negotiated by that person by way of private treaty. Consent Orders made subsequently, state that the subject property does not have off-street vehicle parking facility.

On 16 August 2002, prior to settlement of the sale of the subject property, a facsimile transmission was sent from Australand Holdings Ltd to Mr Quinn advising that the availability of vehicle parking for the subject property was uncertain.

There is no legal imperative requiring City of Fremantle to provide the vehicle parking facility sought by Mr Quinn. Further, any perceived power in City of Fremantle to require an unrelated third party to provide such a facility by means of conditional development approval would be in the least inappropriate and likely to provide a meritorious ground of appeal to the State Administrative Tribunal.

It should be noted that a request has also been made by another resident of The Brighton for the provision by City of Fremantle of 11 on-street vehicle parking spaces to support the use and maintenance of the jetty upon the Swan River, adjacent The Brighton. That request appears in a separate item.

BACKGROUND

Current Parking Utilisation

The demand for on-street vehicle parking during the hours of construction activity has increased over the last several months due to the utilisation of vehicle parking bays for the private vehicles of construction workers at the building site situated 2 Doepel Street, North Fremantle (Lot 28). It is observed that many of those vehicles occupy vacant land on the western side of Queen Victoria Street, off Swan Street, adjacent Swan Hotel. Mr Quinn has stated that many residents in the area, commonly referred to as Northbank, park their private vehicles on the street, rather than utilising their off-street vehicle parking facilities.

On weekends and public holidays, and particularly so during days of warm weather, strong utilisation of on-street parking spaces arises from persons frequenting the Swan River foreshore. Northbank also includes commercial enterprises, which feeds into the area the vehicles associated with customers, staff, and suppliers. Whilst on-street vehicle parking spaces may be totally utilised at various times on any particular day, it is nevertheless possible to observe vacant on-street parking spaces occurring randomly throughout the Northbank estate.

Knowledge of the Uncertainty of Vehicle Parking

Mr Quinn states that an arrangement should have been made by City of Fremantle for off-street vehicle parking for his needs, within the present development of 2 Doepel Street, as part of the development approval process. No conditions arising from the development approval relate to such a provision. Such a requirement would be inappropriate. The approval for 2 Doepel Street required provision of 133 vehicle parking bays. The site will have 146 parking bays.

The letter from City of Fremantle dated 2 September 2002 to Australand Holdings Ltd stated City of Fremantle would "…*make every endeavour* to secure the provision of an additional 12 parking bays for the Brighton apartments…" (emphasis added) on Lot 27. This reply should be contrasted to the letter which raised that reply, namely that from Australand Holdings Ltd, dated 27 August 2002, which sought an "*assurance*" (emphasis added) from City of Fremantle for the provision of those bays on any development of Lot 27 Doepel Street (formerly the Tasker building, bounded by Kwong Alley and Pensioner Guard Road). That exchange did not alter the position conveyed by Australand Holdings Ltd in its facsimile transmission to Mr Quinn dated 16 August 2002 where it confirmed the uncertainty of the provision of vehicle parking bays and also put any pursuit of vehicle parking bays no higher than as the result of "…every endeavour is being made…'.

Here the judgment of Western Australia Town Planning Appeal Tribunal is relevant, when the Tribunal observed that a need for vehicle parking for the subject property might be effected by private treaty. The judgment did not require any provision be made for vehicle parking by City of Fremantle. Indeed, the consent orders, albeit minuted on 10 October 2002 subsequent to the settlement of sale to Mr Quinn, state that the subject premises does not have any off-street vehicle parking facility. It may be observed that the comments of the Tribunal in its judgment, and the likely nature of the consent orders then still to be made, were within the knowledge of the appellant in the matter, Australand Holdings Ltd, the vendor in the sale to Mr Quinn.

Additional Request for On-Street Vehicle Parking

A request for the provision of 11 on-street vehicle parking spaces in Doepel Street has also been received from another resident of The Brighton, for the purpose of facilitating use and maintenance of the jetty adjacent The Brighton. That request is the subject of a separate item.

COMMENT

It may be observed that the Attachments to this item establish knowledge by all parties as to the uncertainty of the availability of off-street vehicle parking for the subject premises which Mr Quinn ultimately purchased. The Attachments evidence that the level of uncertainty did not become any less during the settlement period of the purchase. That uncertainty was also observed by the Tribunal (WATPAT).

RISK AND OTHER IMPLICATIONS

Financial

Cost of installing signs to implement the on-street parking facility is in the order of some $400, plus on-going maintenance as necessary. There would be an on-going cost of enforcement operations and associated administrative functions to maintain the requested use of the facility.

Legal

There is no legal imperative requiring the granting of the vehicle parking facility requested by Mr Quinn. City of Fremantle is not a party to the deed between Australand Holdings Ltd and Fieldmont Holdings Pty Ltd regarding the provision 12 vehicle parking spaces, and the viability of that deed remains uncertain. There are no lawful means by which City of Fremantle can require an unrelated third party to provide an off-street vehicle parking facility in this matter.

Operational

Such a vehicle parking facility presents a continuing burden upon the City as to the maintenance, vigilance and enforcement operations necessary with a view to maintaining the requested use of the facility.

Organisational

The granting of the vehicle parking facility sought is inconsistent with the position taken by Council since development 'change of use' consent to the present residential use was originally declined in November 2001. Upon appeal in mid 2002 by the developer against that decline, the Western Australia Town Planning Appeals Tribunal (WATPAT), upholding the appeal, found that if parking was required by a prospective or future resident, parking could be satisfied by that person entering into private treaty with another party willing to provide nearby off-street parking, or alternatively, by using ad hoc on-street parking in Doepel Street.

CONCLUSION

It is open for Council to find that the annexed documents evidence that Mr Quinn's request to City of Fremantle to provide two on-street parking bays should not be supported. The 'offer to purchase' agreement made 29 May 2002 between Mr Quinn and the vendor's agent in respect of the subject premises especially adverted to the uncertainty of off-street vehicle parking. On 31 May 2002 WATPAT heard the appeal lodged by the vendor, of the refusal by City of Fremantle to grant 'change of use' from 'commercial' to 'residential' in respect of those subject premises. The Tribunal's judgment was delivered on 11 July 2002. Mr Quinn's offer to purchase was accepted by the vendor on 3 August 2002. The sale of the property settled on 20 September 2002. The Tribunal granted the appeal, allowing the 'change of use'. The judgment confirmed that the absence of off-street vehicle parking was not sufficient reason to refuse the development application for 'change of use' in the instance then under consideration. The Tribunal also held that off-street vehicle parking in respect of the subject premises was a matter for private treaty by the prospective or incumbent occupier. On 16 August 2002, prior to settlement of the sale, a facsimile transmission was sent from Australand Holdings Ltd to Mr Quinn advising that the availability of vehicle parking for the subject property remained uncertain.

Alternatively, Council may, for subjective reasons, grant the request. Support for that position can be gleaned from the matters raised by Mr Quinn, namely he and his family locating convenient vehicle parking spaces on an ad hoc basis during times of high utilisation of available parking spaces.

STRATEGIC AND POLICY IMPLICATIONS

Granting of the vehicle parking facility requested may give rise to similar future applications in relation to other development applications. There is no policy imperative requiring the granting of the vehicle parking facility sought. It should be noted that a request has also been made by another resident of The Brighton for the provision by City of Fremantle of 11 on-street vehicle parking spaces to support the use and maintenance of the jetty upon the Swan River, adjacent The Brighton. That request appears in a separate item.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council resolves to decline the request by Mr Russell Quinn for two on-street vehicle parking bays for private use for Mr and Mrs Quinn.

Cr D Thompson moved the following amendment to add:

2. That Council examine the issues associated with the management and provision of parking at Northbank.

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

COMMITTEE DECISION

MOVED: Cr S Wainwright

1. **Council resolves to decline the request by Mr Russell Quinn for two on-street vehicle parking bays for private use for Mr and Mrs Quinn.**

2. **That Council examine the issues associated with the management and provision of parking at Northbank.**

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

REASON FOR CHANGE TO OFFICER'S RECOMMENDATION

To add a point 2 to the Officer's Recommendation to examine parking issues at Northbank.

SGS1103-4 REQUEST FOR PARKING SPACES DOEPEL STREET NORTH FREMANTLE

DataWorks Reference: 165/025
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Peter Wood, Coordinator Parking Services
Decision Making Authority: Committee
Agenda Attachments: Attachment 1 - Copy of request from Mr Greg Dale of Jetty Northbank Pty Ltd, dated 10 February 2011
Attachment 2 - Excerpt (pages 100, 101 and 102) of Northbank Foreshore Management Plan, July 1997

EXECUTIVE SUMMARY

A request has been received from Mr Greg Dale, a director of Jetty Northbank Pty Ltd, of Unit 106, 4-6 Doepel Street (The Brighton), North Fremantle, for the allocation and exclusive use of 11 vehicle parking bays in Doepel Street, North Fremantle, to facilitate the use and maintenance of the jetty over the Swan River which is adjacent to The Brighton apartments. Jetty Northbank Pty Ltd holds a lease from Department for Planning in relation to an area of the Swan River which includes the jetty. Mr Dale has also advised that presently, six vehicle parking spaces would suffice.

Mr Dale points to page 101 of the Northbank Foreshore Management Plan of July 1997 as authority to require City of Fremantle to grant his request. The Plan was intended to operate as a guide for the development of the area, and the material on that page is in fact informative and descriptive of anticipated parking utilisation.

City of Fremantle manages requests for reserved vehicle parking for essential purposes by the sale of a parking permit, with the additional optional cost for reservation of the parking spaces by means of deployment of traffic cones. Thus the attendance of maintenance contractors can be accommodated within that existing procedure. In this location, such a parking permit is presently $6.50 per day per car parking space/bay, with an additional optional fee of $20 for the deployment by City staff of traffic cones to reserve the intended parking space.

It should be noted that a request has also been made by another resident of The Brighton apartments for the provision by City of Fremantle of two on-street vehicle parking spaces for the exclusive use of that resident and his family. That request appears in a separate item.

BACKGROUND

Parking Utilisation

The demand for on-street vehicle parking during the hours of construction activity has increased over the last several months due to the utilisation of vehicle parking bays for the private vehicles of construction workers at the building site situated 2 Doepel Street, North Fremantle (Lot 28). It is observed that many of those vehicles occupy vacant land on the western side of Queen Victoria Street, off Swan Street, adjacent Swan Hotel.

On weekends and public holidays, and particularly so during days of warm weather, strong utilisation of on-street parking spaces arises from persons frequenting the Swan River foreshore. Northbank also includes commercial enterprises, which feeds into the area the vehicles associated with customers, staff, and suppliers. Whilst on-street vehicle parking spaces may be totally utilised at various times on any particular day, it is nevertheless possible to observe vacant on-street parking spaces occurring randomly throughout the Northbank estate.

Mr Dale advises that the boats moored at the jetty are owned, at least in part-ownership, by Northbank residents. The requested vehicle parking bays are intended to accommodate visitors invited by the boat owners in the use of their boat, and for contractors engaged by Jetty Northbank Pty Ltd in the maintenance of the jetty. Mr Dale advises further that six vehicle parking bays would presently suffice. Mr Dale expressed concern of an anticipated increase in demand for vehicle parking upon completion of the premises presently under construction at 2 Doepel Street (Lot 28), especially since it is to include a restaurant.

COMMENT

There is no objective evidence to support the request. Council has an option to find in accordance with that evidence, or to find in favour of the subjective considerations raised by Mr Dale.

City of Fremantle manages requests for reserved vehicle parking for essential purposes by the sale of a parking permit, with the additional optional cost for reservation of the parking spaces by means of deployment of traffic cones. The attendance of maintenance contractors can be accommodated within that existing procedure. In this location, such a parking permit is presently $6.50 per day per car parking space/bay, with an additional optional fee of $20 for the deployment by City staff of traffic cones to reserve the intended parking space.

RISK AND OTHER IMPLICATIONS

Financial

Cost of installing signs to implement the on-street parking facility is in the order of some $400, plus on-going maintenance as necessary. There would be an on-going cost of enforcement operations and associated administrative functions to maintain the requested use of the facility.

Legal

There is no legal imperative requiring the granting of the vehicle parking facility requested by Mr Dale. There are no lawful means by which City of Fremantle can require an unrelated third party to provide an off-street vehicle parking facility in this matter.

Operational

Such a vehicle parking facility presents a continuing burden upon the City as to the maintenance, vigilance and enforcement operations necessary with a view to maintaining the requested use of the facility.

Organisational

The granting of the request would be inconsistent with the values aspired to by City of Fremantle as to equitable access to vehicle parking spaces. City of Fremantle manages requests for reserved vehicle parking for essential purposes by the sale of a parking permit, with the additional optional cost for reservation of the parking spaces by means of deployment of traffic cones. The attendance of jetty maintenance contractors can be accommodated within that existing procedure.

CONCLUSION

It is open for Council to find that the annexed documents evidence that Mr Dale's request to City of Fremantle to provide from six to 11 on-street parking bays should not be supported. Mr Dale adverts to page 101 of the Northbank Foreshore Management Plan as an authority for the allocation of the bays. The content of that page is merely informative and descriptive of anticipated utilisation of vehicle parking spaces. The document itself is intended to operate as a guide to Northbank development.

In this location, the sale by City of Fremantle of parking permits for essential purposes, namely jetty maintenance in this case, is presently $6.50 per day per standard parking space/bay, with an additional optional fee of $20 for the deployment by City staff of traffic cones to reserve the intended parking space.

Alternatively, Council may, for subjective reasons, grant the request. Support for that position can be gleaned from the matters raised by Mr Dale, namely that Northbank residents who own a boat moored at the jetty, and their visitors, as well as jetty maintenance contractors, are experiencing difficulty in locating convenient vehicle parking spaces on an ad hoc basis during times of high utilisation of available parking spaces.

STRATEGIC AND POLICY IMPLICATIONS

Granting of the vehicle parking facility requested may give rise to similar future applications by others in relation to other purposes. Indeed, in the matter presently under consideration, the passage of time may see a future need to request additional vehicle parking spaces should demand increase. There is no policy imperative requiring the granting of the vehicle parking facility sought. It should be noted that a request has also been made by another resident of The Brighton for the provision by City of Fremantle of two on-street vehicle parking spaces for the exclusive use of that resident and his family. That request appears in a separate item.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE DECISION

MOVED: Cr S Wainwright

Council resolves to decline the request by Mr Greg Dale to allocate on-street vehicle parking for visitor and user parking bays adjacent the jetty at North Bank.

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

REPORTS BY OFFICERS (COUNCIL DECISION)

Cr D Thompson vacated the chamber at 7.01pm.

Cr S Wainwright moved en bloc recommendations numbered SGS1103-8, SGS1103-9 and SGS1103-14.

CARRIED: 5/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson	

Cr D Thompson returned to the meeting at 7.04pm.

Mayor, Brad Pettitt arrived at 7.06pm prior to consideration of the following item.

SGS1103-5 LAND USE PROPOSAL STAN REILLY SITE

DataWorks Reference:	023/004 and 023/026
Disclosure of Interest:	Nil
Meeting Date:	9 March 2011
Previous Item:	SGS0703-11, SGS0804-7, SGS0911-9
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Marisa Spaziani, Director Community Development
Decision Making Authority:	Committee
Agenda Attachments:	Attachment 1 - Proposal information for Stan Reilly Site sent to stakeholders.

EXECUTIVE SUMMARY

To recommend a preferred land use for the future use of the Stan Reilly Site and to implement a community consultation process in relation to the preferred use.

BACKGROUND

In the November round of meetings Council resolved:

1. *That the City of Fremantle surrender its current tenure over the Stan Reilly building and land in South Terrace, Fremantle, in exchange for a Management Order with permitted use of "Office Accommodation and Health Services" over a new Reserve for that same site which will give the City power to enter into short term leases which will need to expire around the 31 December 2012.*

2. *That a report be submitted to Council by February 2010 that identifies all stakeholders in the Stan Reilly Centre and describes the consultation process and timelines.*

3. *That the consultation strategy/process developed at point 2 above must include appropriate representation of interests for the elderly, in recognition of the existing vesting of the site.*

4. *The City agrees in principle that in any redevelopment of the site that a portion of the site be utilized for services and/or facilities for the elderly.*

At the March round of Meetings Council resolved:

1. *To implement the staged consultation process for the Future use of Stan Reilly Site as outlined in this report.*

2. *To budget for an amount not less than $20,000 in the 2010 – 2011 budget for the implementation of this community consultation project.*

3. *Elected Members are requested to provide any additional groups to consider in Stage 1 of the consultation process.*

COMMENT

A request for proposal was sent to 30 organisations and was advertised in the media and website (Attachment 1 - Proposal information for Stan Reilly Site sent to stakeholders.) The proposal required organisations to submit a written proposal on site usage, how the interests of seniors would be represented, the capacity of the organisation to achieve the proposal, cost implications, methodology and tenure.

Key stakeholders specifically targeted included:

- Aged care providers.
- Seniors associations.
- Community Housing associations.
- Sporting associations and clubs.
- Government agencies.
- Local community and non profit community groups and agencies.
- Education sector.
- Health sector.
- Local businesses.

Proposals addressing the criteria were received from:

- St Patricks Community Support Centre
- Burdiya Aboriginal Corporation
- Brightwater Care Group
- Fremantle Football Club
- Access Housing Australia

These proposals were assessed by officers in relation to the criteria (as outlined in the attached request for proposal) and also a strategic match for the City taking into account:

- How the land use proposal would integrate and activate the current site.
- Whether the proposal included needed or additional services to the CBD.
- The economic development outcomes that the proposal could achieve.

A summary of these assessments were presented to Elected Members at an informal elected members meeting in December 2010 and a request for formal presentation was made for the Fremantle Football Club and Access Housing to formally present their proposals to Elected Members. This occurred at the meeting for Elected Members in February 2011.

Once a preferred land use decision is made, a public consultation on the preferred land use option can occur. It is important to remember that the City is not the final decision maker but rather will be making a recommendation to the State Government regarding future land use. It is also important to recognise that this process is not about buildings and detailed plans but rather land use options. Any design or planning discussions and decisions will take place at some point in the future, once land use decisions are made. Discussions with the Department of Lands staff indicate that the City of Fremantle is a key stakeholder and the Department will want a recommendation for future use of the site post 2012.

Following receipt of submissions, it is considered that the land use combination presented by the Fremantle Football Club, provided the best combination of preferred land uses and includes:

1. Space for the Football Club in the form of indoor training facilities that is also used as indoor training facilities for community sport, other professional sports and seniors recreation as well as university use. This accounts for approximately 30% of the site use.

2. Commercial usage in the form of the anchor tenant of Notre Dame for the Health Sciences faculty, commercial tenants, for example, a private gymnasium or similar, café or other health type commercial services.

3. Community usage of 1000sqm of flexible community use space for a range of community purposes that would be determined by the City of Fremantle in partnership with the Fremantle Football Club. Both commercial and community use comprises approximately 60% of the site.

RISK AND OTHER IMPLICATIONS

Financial

The City budgeted an amount of $20,000 to undertake community engagement.

Legal

Nil

Operational

The City will plan and deliver a community engagement process.

Organisational

Nil

CONCLUSION

Taking into account the assessment of the proposals received and the informal feedback from elected members on the proposals, it is recommended that the City have further discussions with the Fremantle Football Club as the preferred land use proposal.

STRATEGIC AND POLICY IMPLICATIONS

Strategic Imperative
Urban Renewal and integration
Project – Complete planning for Stan Reilly site.

COMMUNITY ENGAGEMENT

A community engagement process will be undertaken.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

1. The City considers the land use concepts provided in the Fremantle Football Club's submission for mixed use development comprising commercial and community use space approximately 60% and Football Club including indoor training facilities also available for public use approximately 30% as the preferred land use of the Stan Reilly Site.

2. The City considers the Fremantle Football Club as a partner in the future development of the Stan Reilly Site.

3. A community consultation process is undertaken on the City's preferred land use for the site that being commercial activities, football club usage including indoor recreational and training facilities as well as flexible community use spaces.

4. A report is submitted to Council once community consultation feedback is completed.

Cr S Wainwright moved an amendment to the Officer's Recommendation to include the following wording:

3. A community consultation process is undertaken on the City's preferred land use for the site that being commercial activities, football club usage including indoor recreational and training facilities as well as *at least 1000 square metres of* flexible community use spaces, *with priority access to this space to be for activities for and involving seniors.*

CARRIED: 4/3

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

COMMITTEE RECOMMENDATION

MOVED: Cr S Wainwright

1. **The City considers the land use concepts provided in the Fremantle Football Club's submission for mixed use development comprising commercial and community use space approximately 60% and Football Club including indoor training facilities also available for public use approximately 30% as the preferred land use of the Stan Reilly Site.**

2. **The City considers the Fremantle Football Club as a partner in the future development of the Stan Reilly Site.**

3. **A community consultation process is undertaken on the City's preferred land use for the site that being commercial activities, football club usage including indoor recreational and training facilities as well as at least 1000 square metres of flexible community use spaces, with priority access to this space to be for activities for and involving seniors.**

4. **A report is submitted to Council once community consultation feedback is completed.**

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To modify Part 3 of the Officer's Recommendation to specify priority access to this space to be for activities for and involving seniors.

Cr J Alberti vacated the chamber at 7.32pm during the following item and returned at 7.36pm prior to determination.

SGS1103-6 PROGRAM POOL REFURBISHMENT PROJECT

DataWorks Reference: 135/001
Disclosure of Interest: Nil
Meeting Date: 24 February 2011
Previous Item: Nil
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: John East, Leisure Centre Manager
Decision Making Authority: Council
Agenda Attachments: Tender price summary

EXECUTIVE SUMMARY

Following an evaluation of tenders submitted for Tender FCC 363/10 Fremantle Leisure Centre Program Pool Refurbishment, it is recommended that the tender submitted by Wet Deck Pools be accepted by Council. The complying tender has been assessed in accordance with the tender requirements and it is considered that the contractor will be able to complete the works satisfactorily. In accordance with the preferred Tenderers submitted price additional funds of $150,000 will be required to fully undertake the refurbishment of the program pool at the Leisure Centre.

BACKGROUND

Council approved $200,000 in the 2010/11 budget to refurnish the Program (Hydrotherapy) Pool. This consisted of retiling the swimming pool, removing a garden bed re-strengthening a retaining wall, re-paving the concourse around the pool and up grading the mechanical plant to Health Departments Code of Practice. The budget figure of $200,000 was established by officers receiving quotes/estimates to complete the necessary works.

The program pool was built in 1981 for the purpose of a splashdown pool for a waterslide operated by a private company called “Aqua Thrill Ways.” In 1996 the pool was refurbished and made into the Program Pool (*Hydrotherapy Pool*).

The Program Pool is a warm water pool heated to 32 – 34 degrees, the main user of the pool is the “learn to swim program” for aqua babies and preschool children, having over 200 babies and preschool children per day which equates to 50% of the centre operation time. The pool is also very popular and used by people with arthritic and muscular problems and for rehabilitation. It is estimated that the program pool has over 60,000 users per annum and generates revenue of over $400,000 per annum.

Due to the heavy bather load of people using the pool and the age (as young as 12 weeks old) it is paramount that the water quality is at the highest standard and has an excellent filtration and cycle time to avoid contamination and bacteria establishing.

Over the past several years this pool has been contaminated with a Thermophilic Acanthamoeba (detected by Environmental Health testing) this possibly causing an eye irritation ulceration in persons wearing contact lenses. The Thermophilic Acanthamoeba is known to live in soil and it is considered that the contamination source has been identified in the program pool planter bed, leaching through the limestone wall into the pool. The leisure Centre has four swimming pools and the Thermophilic Acanthamoeba has only ever been detected in the program pool.

Each month the Program Pool is drained to empty out the old water and put in fresh water, the reason for this activity is that the difference of available chlorine in the pool making the pool vulnerable for diseases or health related complaints. This impacts on the pool operation and therefore a loss of revenue as programs do not operate on these days.

The pool shell is old and tired and the tiles are discoloured, chipped/cracked and etched. The tile glaze has separated allowing micro organism to attach onto the pool wall.

With the recent introduction to Swimming Pool Code of Practice standards set by the Health Department of Western Australia the pool is not meeting this requirement in the following areas

- Turnover times
- Balance Tank

Turnover Times – the code stipulates that the maximum permissible turnover time is 1.5hrs, currently the turnover rate is 3.5hrs. This is due to the lack of return inlets (introducing filtered pool back into the pool) and surface skimmer return points (allowing the pool water to return to the filtration and disinfectant system) The Turnover rates are also restricted by the size and type the motor and pumps are and the size of the filter vessel.

Balance Tank – Balance tanks form an integral part of the hydraulic performance of the water treatment. They allow for the following –

- Water displacement based on the maximum instantaneous load rating.
- Volume of water available to backwash all primary filters at one per time.
- A point where additional water can enter the system due to loss of water through backwashing, splash and evaporation.

The current system operating at the Centre is very similar to a residential circulation system with domestic motor/pump and filters with no balance tank.

The new code replaces the previous Health (Swimming Pools) Regulations 1964. The City has been advised that the swimming pool can operate under the old regulations until a major refurbishment is required, at this point of time it would then need to meet the new code standards. As the pool has been experiencing problems with water quality and bather loads are increasing it is a recommendation that a refurbishment of the pool and the circulation / filtration system be upgraded in the immediate future.

One of the contributing factors to the cost escalating for this project is the existing retaining wall supporting approximately 2 metres of earth. This wall has been identified as being a concern structurally and will basically be required to be rebuilt.

COMMENT

Tenders were publicly advertised on December 15, 2010 and closed on January 14, 2011.
The advertised tender produced two conforming tender submissions as follows;

Wet Deck Pools	$319,321.50	exc GST
AVP	$400,050	exc GST

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;

Quote/Tender Evaluation Form

1.0 **Quote/Tender Number:** FCC363/10
Project Name: PROGRAM POOL UPGRADE
Date: 16/02/2011

2.0 Quoter/Tenderer	Document Attached?	Details/Comments	Price Inc Gst
AVP Commercial Pools			$440,055.00
Wetdeck Pools			$351,253.65

Enter Lowest Price	$351,253.65
Enter highest price	$440,055.00

3.0	Methodology	Skills and Experience	Resources	References	Price	Total Score
Quoter/Tenderer (Company Name)	15	15	15	15	40	100
AVP Commercial Pools	*15*	*15*	*15*	*15*	*31.9*	91.9
Wetdeck Pools	*15*	*15*	*15*	*15*	*40.0*	100.0

Wet Deck Pools is the preferred tender and the acceptance of this tender means that the overall approved budget will have a significant shortfall.
In deciding whether to proceed with the project a number of options have been considered.

Options
The option of carrying forward the current budget and requesting additional funding is not preferred, due to the following:

1. Timing of works needs to be done in the warmer months (around April to May) to have minimal impact on programming, therefore the project would not be scheduled for another 12 months.
2. The risk of having the acanthamoeba in the pool water for this period.
3. Continuing to operate in an environment that isn't considered as best practice under the Health Departments Code of Practice.
4. Increase in costs due to inflation.

The option of staging the project by doing part now and the remaining later is not preferred due to the following:

1. Disruption to programming, project would impact two terms with possible loss of revenue $150K - $200K
2. Increase to costs due to inflation (potential increase in labour and material costs)

The option to reduce the scope of works is not considered practical.

The current filtration and circulation is acceptable as constructed, but with any major refurbishment it must meet the Code of Practice. The Centre Manager recommends that the project needs to be done as a whole project from start to finish, causing minimal disruption to programming (loss of revenue) and minimises any health risks.

It has been estimated that to construct a new commercial swimming pool and associated plant to comply with the Code of Practice is estimated to be $600,000. It is to be noted that an upgraded larger purpose built Hydrotherapy pool with ramp access would be in the vicinity of $1 million.

The refurbishment of this Pool will result in a life of approximately 15 years and approximately 5 -7 years for the associated plant / equipment.

RISK AND OTHER IMPLICATIONS

Financial

The funding approved in the current budget is $200,000. As this is a specialist project a consultant was commissioned to undertake the design and documentation prior to calling for tenders. Funds of approximately $11,500 have already been spent for consultancy on preparing the drawings and tender specifications. It is also recommended that a contingency amount of $19,000 would be prudent for this type of project. The expenditure, if required, of these contingency funds of up to $19,000 will be administratively undertaken as part of the project management for this project.

Therefore the total project cost is estimated at $350,000.

This requires that an additional amount of $150,000 be allocated.

The City's Administration has undertaken the mid-year review of the 2010/11 Budget. As part of this mid year budget review process funding sources have been identified that can be allocated for the extra amount required for this project. These funding sources are listed in the mid year review papers which is the subject of a separate report to Council.

Legal

Local Government Act, 1995.

Operational

The following issues need to be considered

- Operating with the risk of someone being affected with Thermophilic Acanthamoeba.
- Pool being affected by faecal, vomit or blood matter and pool users becoming ill due to poor water filtration turn over times. The pool instructors are also in the water for lenghtly periods.
- Completing the works in the warmer months will have less impact on programming as the learn to swim program will relocated into another swimming pool not impacting on enrolments. During the winter months the water and the environment will be less attractive for learning to swim and this can impact on the significant revenue stream.

Organisational

Nil

CONCLUSION

The learn to swim program generates an excellent revenue stream through the aqua baby and pre-school program, to continue to offer such an significant life skill it is important to have a facility that can provide this service.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

That Council;

1. **Accepts the tender from Wet Deck pools for the Fremantle Leisure Centre Program pool refurbishment (tender FCC363/10) for the tendered price of $319,321.50 exclusive of GST.**

2. **Delegates authority to the Chief Executive officer to approve contingency funds of up to $19,000 for the Fremantle Leisure Centre Program Pool refurbishment Project.**

3. **Approves an over expenditure of $150,000 for the Program Pool refurbishment project with the extra funding being allocated as shown in the 2010/11 midyear budget review.**

CARRIED: 6/1

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

SGS1103-7 WORKING GROUP PROJECT REQUESTS - ROUND 2

DataWorks Reference:	039/064, 039/067, 091/012
Disclosure of Interest:	Nil
Meeting Date:	9 March, 2011
Previous Item:	SGS1010 – 4, SGS1012-8
Responsible Officer:	Glen Dougall, Director Corporate Services
Actioning Officer:	Marisa Spaziani, Director Community Development Peter Pikor, Director Technical Services
Decision Making Authority:	Council
Agenda Attachments:	Festival Mural – Statement of Works Stalker Stilt Theatre – Statement of Works Celebrating Women in Fremantle – Statement of Works South Terrace improvements submission South Terrace improvements concept plan number 1 South Terrace improvements concept plan number 2

EXECUTIVE SUMMARY

To consider the approval of a second round of project requests submitted by the Cultural Development Working Group and the South Terrace Working Group to be undertaken and completed by 30 June, 2011.

BACKGROUND

Council adopted its Strategic Plan 2010-2015 in June of this year with seven (7) strategic imperatives. To support council in establishing outcomes working groups were appointed by council in July and August based around these imperatives.

In the 2010/11 Budget Council set aside an allocation of $200,000 for the Working Groups to be able to undertake initiatives this financial year that support achievement of strategic outcomes, rather than waiting for the next round of budgets. This decision was made to support the Working Groups to start making an impact as soon as possible.

In December council allocated $115,000 of this budget towards working group projects, and left the remainder for consideration in a second round of funding. Three projects have been provided from the Cultural Development Working Group and one on ground project from the South Terrace Working Group.

COMMENT

The four projects being requested for consideration are listed below. Attached are the Statement of Works documents for each of the three projects from the Cultural Development Working Group;

Festival Mural

To engage a mural artist of international acclaim to produce a mural to be painted on the two walls that border the old TAB on High Street. The Artist engaged will have a world class reputation and the work will be in harmony with the surrounding built environment. It is envisioned that the art work will be of outstanding calibre sending a clear message of the type of work the City of Fremantle expects on it's inner City walls. The project cost is estimated at $20,000

Stalker Stilt Theatre

The Street Arts Festival has grown from humble beginnings as the Fremantle Buskers Festival to a festival that attracts 100,000 visitors to the City over three days. In the last three years the festival has reached a ceiling.

To take the Festival to the next level making it a festival that stands up on a national stage the Festival needs to diversify from its current format. The Inclusion of an outdoor spectical such as "Elevate," will complement current programming while adding a new, exciting and fresh dimension to the program.

When the festival began in 1999 it was the only one of its kind in the country- 13 years on it is replicated in most major City's in Australia. Engaging Stalker indicates to the performing community that the festival is keen to diversify from a pure busking festival and that it is keen to engage individuals and companies that embrace a much broader view of what street Theatre is and can be.

Estimated cost for this project is $20,000.

Celebrating Women in Fremantle

To develop a concept design and related documentation for a public artwork celebrating women in Fremantle. Funds of $10,000 is being requested for this project.

South Terrace Pedestrian Crossings

It is proposed to install three "zebra" pedestrian crossings along South Terrace. The first two are to be located at the existing raised brick paved platforms near Henderson Street and Collie Street. The third crossing is to be located in the vicinity of Bannister Street. It is also proposed to install plantings around the zebra crossings to highlight the pedestrian points. An estimated amount of $10,000 will enable these treatments to proceed. It is to be noted that the zebra crossings will need Main Roads WA approval.

The Working Group has also proposed that a 30 kilometre speed zone be implemented from the Train Station to Wray Avenue. This speed zoning proposal will also need MRWA approval.

RISK AND OTHER IMPLICATIONS

Financial

The remaining budget allocation for working group requests is $85,000. The total value of requests placed forward is $60,000.

Legal

Funding of these projects were not directly provided for in the budget, therefore under the Local Government Act 1995 Council will need to approve these projects for them to be included into the budget, by re-distributing the $60,000 general allocation into specific projects.

Operational

Through the Statement of Works presented by the Working Groups it would seem that most of the projects submitted can be completed within the financial year, many will be completed within a few months. The main consideration is whether these projects met a strategic outcome.

Organisational

The projects to be undertaken will need to be scheduled with other priority works already provided for in the 2010/11 adopted budget.

CONCLUSION

The request for funding for projects by the Cultural Development Working Group and the South Terrace Working Group be supported. If supported a further $60,000 will be allocated from the allocation leaving $25,000 remaining to be allocated.

STRATEGIC AND POLICY IMPLICATIONS

Working Groups have been appointed to support individual imperatives from the Strategic Plan 2010-2015.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

Council approves the following project submissions from the Working Groups

1. **Festival Mural $20,000 – Cultural Development Working Group**
2. **Stalker Stilt Theatre $20,000 – Cultural Development Working Group**
3. **Celebrating Women in Fremantle $10,000 – Cultural Development Working Group**
4. **Pedestrian Crossing points $10,000 – South Terrace Working Group**

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				
Operating Revenue	0	0	0	
Total Funding	0	0	0	
Expenditure				
Operating Expenditure (Contracted Services)	$85,000	($60,000)	$25,000	11.11800.6823.00.00.00000
Contracted Services	$151,000	$40,000	$191,000	31.33100.6823.00.00.18022
Contracted Services	$25,000	$10,000	$35,000	31.31100.6823.00.00.00000
Capital Works – Upgrade	$418,960	$10,000	$428,960	62.62100.6823.05.93.00000
Total Expenditure	$679,960	$0	$679,960	
Net Variation to Budget – Deficit/(Surplus)		0		

CARRIED: 7/0

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

The following item number SGS1103-8 was moved and carried en bloc earlier in the meeting.

SGS1103-8 YOUTH STRATEGY WORKING GROUP

DataWorks Reference: 039/065
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: April 2010
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Helen Emery, Manager Community Development
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

Alternative recommendations are made for the Youth Strategy Working Group and the development of the Youth Strategic Plan given the lack of nominations and interest in the working group.

BACKGROUND

Council at its April 2010 meeting resolved to seek members for a Youth Working Group. City staff have been seeking young people and agency representatives for the Youth Strategy Working Group both through direct advertising on the website, in local media and through informal and formal networks. Despite significant local area marketing and networking, only three nominations have been received, two from local agencies (Headspace and St Patrick's Community Support Centre) and one from a local young person.

The objective of the Working Group was to develop a Youth Strategy that identifies short, medium and long term actions, with a focus on increasing youth participation and engagement with the City of Fremantle.

COMMENT

Engaging young people in a formal structure such as a Working Group is challenging. Research from the Commissioner of Children and Young People suggests that engagement methods need to be fun and creative, time limited and project based. The formal structure of the Working Group and terms of reference have not attracted interest from young people in the local Fremantle area.

The Project Officer - Youth is a new position and has been developing networks and relationships needed to engage successfully with young people. Recent engagement with young people, in a range of programs and projects such as the Norfolk Lanes Youth Festival, urban art projects and school holiday programs, has assisted to develop links and networks and to gain information about the needs and wants of young people. Feedback from young people and advice from others developing youth plans, indicate that there may be more successful ways to engage over the development of a youth strategy.

Several other local government areas have developed plans or are currently in the process of consulting with young people, to develop their City's Youth Strategic Plan. The Shire of Kalamunda and Town of Vincent are both similar to City of Fremantle in size and staffing arrangement. Both have elected to work with a youth consultant and conduct broad consultation before trying to establish a working group.

A Commonwealth Youth Forum will be running in Fremantle from 24 – 28 October 2011. The forum will be run parallel to the Commonwealth Heads of Government Meeting (CHOGM) and involve 140 delegates from all countries in the Commonwealth. Community Development Directorate staff will meet with representatives from the Department of Education, Employment and Workplace Relations, to discuss opportunities to involve young people from Fremantle in the forum.

RISK AND OTHER IMPLICATIONS

Financial

This project can be achieved with current budgets.

Legal

There are no legal implications

Operational

It is estimated that a youth strategy could be completed by November 2011.

Organisational

There are no organisational implications.

CONCLUSION

Engaging with young people universally is a new direction for the City and as such, networks and relationships need to be established. Research suggests that engaging young people through a formal structure such as a working group, is not the best strategy to successful engagement.

It is recommended that the City of Fremantle completes broad consultation with young people and agencies working with young people. This consultation could include focus groups, one on one interviews, school visits and online surveys. City staff will also continue to implement a range of projects and initiatives across the City of Fremantle during 2011 to engage young people, carry out informal consultation and continue building links and networks with the community.

The consultation process with young people and the implementation of new programs and initiatives could lead to the identification of interested participants for a future working group, however, it is recommended that any working group not be formally appointed by Council but meet initially as a less formal group of interested participants.

STRATEGIC AND POLICY IMPLICATIONS

Greater engagement with youth and more youth activities and facilities is an action listed in the Strategic Plan 2010 – 2015.

COMMUNITY ENGAGEMENT

Over 100 young people attending the Norfolk Lanes Youth Festival were surveyed in November 2010. The key issues respondents identified facing young people in Fremantle, included poor public transport, alcohol, drugs and drunkenness, antisocial behaviour and activities being too expensive to participate in. Urban art projects, safe spots to hang out and free day and night entertainment, events and activities were identified as ways to engage young people. Numerous projects, activities and events have been programmed in the past 6 months in which many young people have participated and provided feedback.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

1. The City of Fremantle does not establish a formal Council appointed Youth Strategy Working Group.

2. As an alternative, broad scale consultation with young people and agencies working with young people is undertaken, to collect information that will assist the City to develop a youth strategic plan. The plan will identify short, medium and long term actions to improve engagement and participation with young people.

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

The following item number SGS1103-9 was moved and carried en bloc earlier in the meeting.

SGS1103-9 COMMUNITY SPORT AND RECREATION FACILITIES FUND (CSRFF) SMALL GRANT APPLICATION - FREMANTLE LAWN TENNIS CLUB AND FREMANTLE BOWLING CLUB

DataWorks Reference:	106/003
Disclosure of Interest:	Nil
Meeting Date:	9 March 2011
Previous Item:	Nil
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Vikki Barlow, Recreation Development Coordinator
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1 - Application for a CSRFF Small Grant – Fremantle Lawn Tennis Club and Fremantle Bowling Club

EXECUTIVE SUMMARY

The Fremantle Lawn Tennis Club and Fremantle Bowling Club have prepared a funding application for the Department of Sport and Recreation's Community Sport and Recreation Facilities Fund (CSRFF) small round of grants in March 2011. The application is for one third of the cost to engage a consultant to conduct a feasibility study, exploring options for a multi-use community facility at Fremantle Park. This is the only application received by the City for this round of funding.

The Department of Sport and Recreation funding guidelines stipulate that all applications must be endorsed and prioritised by the Local Government Authority. The Council has allocated $10,000 towards the feasibility study and the Fremantle Lawn Tennis Club together with the Fremantle Bowling Club are contributing $10,000.

It is recommended that the Council endorse the funding submission.

BACKGROUND

The Fremantle Park Bowling Club, Fremantle Lawn Tennis Club and Fremantle Park Association formed a joint working group to explore a proposal for a multi-use community facility at Fremantle Park. The working group are seeking a new facility to replace the current Tennis and Bowling clubrooms. The existing clubrooms are aged and no longer meeting needs of the clubs and the community user groups.

The clubs approached the City of Fremantle in early 2010, requesting support to explore an amalgamation between the Tennis and Bowling clubs in order to rationalise facilities. The City provided a facilitator to work with both clubs to explore options.

COMMENT

The clubs are seeking one third of total project costs from the Department of Sport and Recreation (DSR) for the completion of the feasibility study. Currently, the two clubs manage separate facilities at Fremantle Park. Both facilities are used by numerous community groups for fitness classes and social events. The study will explore the feasibility of a multi-use facility that would house both tennis and bowls and be available for community use.

Council has already committed $10,000 and the two sports clubs are committing a further $10,000. The total project costs are expected to be approximately $30,000 based on the quotation received by GDH Consulting included in the club's application (Attachment 1 - Application for a CSRFF Small Grant Fremantle Lawn Tennis Club and Fremantle Bowling Club).

The clubs are seeking endorsement from Council to submit the application to DSR in the March 2011 round of small grants funding. If the funding application is successful, the feasibility study project will commence after June 2011.

The Strategic Recreation Needs Assessment is being completed and will be presented to Council in April 2011. The project aims to:

1. Establish facility development priorities;
2. Identify opportunities to improve local parks and open space networks; and
3. Ensure good quality and accessible recreation opportunities are available to the Fremantle community now and in the future.

The Strategic Needs Assessment final report will provide Council with short, medium and long term recommendations.

RISK AND OTHER IMPLICATIONS

Financial

Council has committed $10,000 in its current 2010/11 budget. The feasibility study will cost approximately $30,000. The funding application to Department of Sport and Recreation is for $10,000, being one third of the total project cost.

Legal

Nil

Operational

Nil

Organisational

Nil

CONCLUSION

The joint working group has submitted a Community Sport and Recreation Facilities Fund application to the City (Attachment 1). The application requires endorsement from Council before it is forwarded to the Department of Sport and Recreation in March 2011. The clubs are willing to contribute up to $10,000 towards the study and the Council has committed $10,000. If the funding application is successful, it is likely the study will commence after June 2011.

The direction proposed by the working group at Fremantle Park to plan for a multi-use community recreation facility, is consistent with the Department of Sport and Recreation facility funding objectives.

STRATEGIC AND POLICY IMPLICATIONS

The Strategic Recreation Needs Assessment will be presented to Council in April 2011.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

The application for funding to the Community Sport and Recreation Facility Fund (CSRFF) to conduct a feasibility study for a shared use community recreation facility at Fremantle Park is endorsed.

CARRIED: 6/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

Cr D Haney vacated the chamber at 7.40pm during the following item and returned at 7.41pm prior to determination.
Cr D Haney vacated the chamber at 7.43pm during the following item and returned at 7.44pm prior to determination.

SGS1103-10 AFFORDABLE AND DIVERSE HOUSING POLICY

DataWorks Reference:	023/050
Disclosure of Interest:	Nil
Meeting Date:	9 March 2011
Previous Item:	Nil
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Marisa Spaziani, Director Community Development
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1 - Draft - Affordable and Diverse Housing Policy

EXECUTIVE SUMMARY

A strategic imperative of the City Strategic Plan 2010 -2015, is to provide a great place to live, work and play through growth and renewal. A strategic outcome is for more affordable and diverse (mixed use) housing for a changing and growing population. A key project in achieving this outcome, is the development of a Affordable and Diverse Housing Policy.

BACKGROUND

The City of Fremantle has experienced significant increases in the price of land and housing, however, has not had a significant increase in population growth over the past 10 years. There is an increasing need to identify development gaps and housing affordability issues across the City in addressing the changing demographic profile. More diverse housing stock in terms of size, type, tenure, cost and style will ensure greater housing choice for residents as they move through the different stages of life and housing needs change.

It is understood that the community can no longer afford the environmental, social and economic costs associated with urban sprawl. A housing sector that includes a range of dwelling densities, types and sizes, with access to good public transport and services will be an important and necessary strategy to meet the needs and aspirations of a diverse community into the future.

Commonwealth and State Governments have major roles to play in funding, constructing, managing and regulating social and affordable housing provision, as well as developing and administering legislation. Local Government is responsible for regulation and assessment of development, including planning policy and infrastructure planning, as well as administering council development plans, administering local laws regulating amenity, health, safety, streets parking and waste as well as property rating and levying.

While local government is not equipped to take over the roles traditionally played by state and federal governments, there is considerable scope for councils to direct the activities that are within their domain, to promote better housing outcomes for their communities. Local Governments across Australia vary in the way in which they engage in the issue of affordable housing, from less direct advocacy roles, to direct involvement through planning functions and direct land supply for affordable housing projects.

COMMENT

Housing diversity is important as it contributes to:

- A vibrant and thriving local economy - a diverse range of workers and residents encourages more vibrant local centres by increasing the number and type of shoppers and workers who use and support them.

- Community wellbeing – Diversity in social mix is important to facilitate inclusion and to develop and strengthen a sense of community. Singles, couples, families with children and older people can establish connections within the community. Accessible housing, good access to public transport, employment, social networks, services and facilities are all essential for people to feel connected to their community.

- Sustainable Environment – reduction in urban sprawl reduces pressure on rural land and infrastructure and reduces reliance on transport by cars, which in turn decreases greenhouse gas emissions.

Housing is affordable when households that are renting or purchasing are able to pay their housing costs and still have sufficient income to meet other basic needs such as food, clothing, transport, medical care and education. This is generally considered to be not more than 25-30% of household income.

Where the private market alone does not provide sufficient affordable accommodation, housing that is designated as affordable becomes particularly important - that is, housing specifically intended for people in the low-to-moderate income bracket and funded from private, government and/or not-for-profit sources.

Affordable housing may be for rent or purchase. Those with highest need for affordable housing usually require affordable rental housing as they are unable to purchase a home. Affordable rents may be based on a set proportion of household income or a discounted market rent. Affordable housing can include but is not limited to public housing provided by government.

Diverse Housing can refer to dwelling and lot size, density, dwelling type, design features, tenure, adaptability and affordability. While there has been an increase in one and two bedroom apartments and unit type developments across areas of the City, it has not necessarily resulted in these dwellings meeting the definition of “affordable”.

In terms of public housing, the Department of Housing and Works indicates that there are 6,500 public housing dwellings in the Fremantle region. The Local Government area of Fremantle has a high proportion of public housing compared to other local government areas. Access Housing a Community Housing agency has 110 affordable dwellings across Fremantle.

The City of Fremantle currently engages in the Diverse and Affordable Housing issue through:

- Direct provision of affordable housing stock for people over 60 years of age, namely, Fred Wright Homes in Hilton and Tapper Street Mews Retirement Village in White Gum Valley. These sites are vested in the City for this purpose.

- Considering changes to the planning scheme to allow small secondary dwellings.

- A Planning scheme that has split density code.

- A Fremantle Planning Strategy (2001) containing references to housing affordability and density including specific objectives to provide a greater range of dwelling types and sizes in various locations. Density bonuses are proposed for the provision of at least one affordable housing opportunity and sites suitable for aged and affordable accommodation are identified.

A Diverse and Affordable Housing policy indicates the City's direction and role in providing a strategic approach to planning for housing growth and change across Fremantle.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

If adopted City staff will implement the policy within existing resources.

Organisational

Nil

CONCLUSION

The Diverse and Affordable Housing Policy, identifies the ways in which the City will engage in the Diverse and Affordable Housing issues into the future. The policy is one that that recognises the balance that needs to occur, in matters of planning, in relation to other objectives that are also of strategic importance to council.

STRATEGIC AND POLICY IMPLICATIONS

Strategic Imperative
Urban Renewal and Integration
Outcome: More affordable and diverse (mixed use) housing for a changing and growing population.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

The Draft Affordable and Diverse Housing Policy be adopted.

COMMITTEE RECOMMENDATION

Cr D Thompson moved to defer the item to the Strategic and General Services Committee on 11 May 2011.

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To take time to consider the budget implications of this Policy prior to adoption.

SGS1103-11 WEST END WORKING GROUP - APPOINTMENT OF WORKING GROUP MEMBERS

DataWorks Reference:	039/072
Disclosure of Interest:	Nil
Meeting Date:	Strategic and General Services Committee 9 March 2011
Responsible Officer:	Paul Garbett - Manager Planning Projects
Actioning Officer:	Paul Garbett - Manager Planning Projects
Decision Making Level:	Council
Previous Item Number/s:	SGS1011-11
Attachments:	Instrument of Appointment and Project Delegation for the West End Working Group

EXECUTIVE SUMMARY

This report deals with the appointment of external and elected member representatives to serve on the West End Working Group. It is recommended that a slight amendment be made to the Instrument of Appointment for the Working Group previously approved by Council to enable three rather than two community representatives to be appointed, since three nominations have been received and all three nominees are considered likely to make a valuable contribution to the work of the Working Group.

BACKGROUND

In November 2010 Council approved the Instrument of Appointment and Project Delegation for the West End Working Group, and also resolved to seek nominations for membership of the Working Group in accordance with the Instrument of Appointment (see Attachment and previous item SGS1011-11). Nominations have subsequently been sought from the individual organisations identified in the Instrument of Appointment and also (by public advertisement) from the community.

COMMENT

The Instrument of Appointment specifies that membership of the Working Group should include one representative of each of the following organisations:

- The Fremantle Society
- The Chamber of Commerce
- Fremantle Ports
- Notre Dame University

Each organisation has provided a nomination.

The Instrument of Appointment also specifies that the Working Group should include one representative of a business operating in the West End, and two community representatives with interest, knowledge or experience in place activation and/or heritage of the West End of Fremantle.

One nomination has been received to represent a business operating in the West End. The nominee is the proprietor of a retail business in High Street which has been operating from this location for the past 16 years. This nominee meets the criteria for appointment.

Three nominations have been received from individuals wishing to serve as community representatives on the Working Group. All three nominees meet the criteria for appointment and are considered to offer knowledge, experience or interest that would be of value to the Working Group. One resides in the West End and the other two have particular professional expertise and experience that would be relevant to the Working Group.

The Instrument of Appointment as approved by Council in November last year refers to two community representatives, but as only three nominations have been received for two places and given that all nominees could benefit the work of the Working Group, officers consider it would be appropriate to amend the Instrument of Appointment to enable all three nominees to be appointed. Enabling three community representatives to serve on the Working Group could also assist in ensuring adequate attendance at Working Group meetings on occasions when one or more members may be unable to attend due to other commitments.

RISK AND OTHER IMPLICATIONS

Financial

There are no additional financial consequences from the appointment of the Working Group itself. There may be recommendations from the Working Group in the future which may have financial impacts; these will be assessed as they are raised.

Legal

Working Groups are appointed under the Local Government Act 1995 and have been established under the terms of the approved Instrument of Appointment by the City of Fremantle. The Working Group being appointed under this report has no delegation.

Operational

The West End Working Group will assist the City in formulating recommendations and forwarding information to Council in relation to the matters specified under its Instrument of Appointment and Project Delegation.

Organisational

"In house" arrangements have been made to support the West End Working Group, and the Group will determine the frequency of its meetings under the general provisions of its Instrument of Appointment.

CONCLUSION

Sufficient satisfactory nominations have been received for the appointment of members of the West End Working Group. For the reasons outlined earlier in this report, it is recommended that the Instrument of Appointment be amended slightly to enable three rather than two community representatives to be appointed, thereby accommodating all nominees. It is recommended that Council make the appointments to the West End Working Group in accordance with the Local Government Act 1995.

STRATEGIC AND POLICY IMPLICATIONS

Working Groups have been established in line with the imperatives of the City of Fremantle Strategic Plan 2010-15.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

1. **That Council amends the Instrument of Appointment for the West End Working Group to include three community representatives with interest, knowledge or experience in place activation and/or heritage of the West End of Fremantle instead of two community representatives as specified in the Instrument of Appointment as adopted by Council on 24 November 2010.**

2. **That Council appoints the following members to the West End Working Group until the project brief is concluded or the Ordinary Election held in October 2011 (whichever occurs first):**

   a) **The Mayor, Brad Pettitt and two elected member representatives are Cr _____ and Cr _____**
   b) **The Chief Executive Officer of the City of Fremantle or his nominated representative.**
   c) **The community representatives are Dianne Davidson, Alan Kelsall and Emma Powell.**
   d) **The business community representative is Stephen Cook.**
   e) **The Fremantle Society representative is Professor David Hawks.**
   f) **The Chamber of Commerce representative is Peter Nolin**
   g) **The Fremantle Ports representative is Dean Davidson.**
   h) **The Notre Dame University representative is Professor Mark Tannock.**

CARRIED: 6/1

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

SGS1103-12 MID YEAR BUDGET REVIEW 2010-11

DataWorks Reference: 091/012
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Glen Dougall, Director Corporate Services
Decision Making Authority: Council
Agenda Attachments:

EXECUTIVE SUMMARY

Local Governments are required to undertake a mid-year budget review each year to ensure sound financial management.

A review has been undertaken by Directorate and the results of these have been considered by the Senior Management Group. The review has highlighted a number of changes due to various reasons outlined within the report. The new accounting system introduced from 1 July, 2009 includes asset management systems and project management systems which is ensuring that allocations are more reflective of the requirements for each year rather than the previous method of allocating all funds required in a budget prior to commencement of the project. Due to this year being the first where individual business units have provided their operational budgets, a more comprehensive review has taken place to ensure that this process is working. In some areas operational budgets have been omitted due to error and these are proposed for correction within this review.

The budget was originally adopted with an estimated municipal cash surplus of $100,000. The budget review has determined that a cash surplus will be maintained. The estimated surplus for 30 June, 2011 is $1,520,992 being made up of net Investment Trust cash of $1,450,000 and net municipal cash surplus of $70,992. This surplus has been maintained with only two projects being recommended for deletion with reconsideration in the next budget and one project being recommended for partial reduction.

BACKGROUND

Each year local governments are required to adopt a budget for the activities and services it will perform in the financial year. The Local Government Act 1995 requires that a review of the budget is to occur once a year for the period ending not earlier than 31 December of that financial year.

This report provides the review for the 2010/2011 adopted budget for the period ending 28 February, 2011 and considers how any issues raised may affect the end of year result.

COMMENT

Each year local governments are required to adopt a budget for the activities and services it will perform in the financial year. The Local Government Act 1995 requires that a review of the budget is to occur once a year for the period ending not earlier than 31 December of that financial year.

This report provides the review for the 2010/2011 adopted budget for the period ending 28 February, 2011 and considers how any issues raised may affect the end of year result.

COMMENT

Local Governments are required to undertake a mid-year budget review each year to ensure sound financial management.

The review of the mid-year position of the 2010/11 has seen some variance to revenue and expenditure streams which will require some adjustments to be made to the budget.

This report identifies issues by business unit and services within each unit. Areas considered relevant to the end of year position will be raised for information and/or consideration for budget amendments where considered necessary.

City Management

Chief Executive Officer

Consulting Services: The allocation for consulting services can be adjusted to support the delivery of services and the time line of projects within this area as the timeline for the current projects will continue into next year. The current budget of $104,650 can be reduced to 74,650 providing $30,000 for other needs.

Marketing and Economic Development

Capital Expenditure: The fit out of the new office space for marketing and economic development teams will need to be added to the current budget. It is estimated that the value of the works being undertaken is $60,000 and will be provided for from other savings within this business unit.

Contracted Services: The annual community survey has been provided for this year, however this is undertaken every second year. Therefore the $17,000 expenditure can be returned back to the budget. Also the general allocation can be reduced by $30,000, thus reducing this expenditure from $373,750 to $326, 750.

Events Management

Capital Expenditure Furniture: This allocation was for the purchase of additional Christmas Decorations. $15,000 of these funds remain unexpended and may be used for other projects.

Fees and Charges: The allocation for fee revenue for the Fremantle Town Hall and North Fremantle Town Hall was duplicated in this area and in the Public Halls business unit budget. Therefore the $56,000 in revenue for this line item will need to be deleted from the budget.

Contracted Services: This allocation includes provision for Anzac Day, Council appreciation dinners and sundowners etc. The allocation should also have included part funding for the Cracker Night event, but this seems to have been omitted in error when finalising the budget. A further $35,000 allocation is required to correct this omission.

Civic and Public Halls

Capital Grant: The amount of the grant estimated in the budget contains an error. The City received two allocations during June, 2010, which amounted to $1,564,880 which should have resulted in the budget allocation for this year being reduced by this amount. The budget revenue is for $2,052,800 but should be $487,920.
Fees and Charges: The fees for the Hilton PCYC facility will not be achieved this financial year, as the building will not be completed until the end of the financial year. Therefore the budget revenue of $21,100 will need to be deleted.

Contracted Services: The general allocation of $18,000 will not be fully expended this year, therefore the budget can be reduced from $18,000 to $8,000.

Variations for City Management				
Net (Surplus)/Deficit		**$1,634,980**		

Corporate Services

Information Technology

Capital Expenditure – Furniture: An additional $20,000 was required when upgrading the computer infrastructure for new racks, power board and air-conditioners. The allocation for these items needs to be added to the capital expenditure.

Intangible Capital: The allocation for the website upgrade did not include all requirements to ensure stage 2 was completed. Officers have met with the consultant to establish exact costs and an additional $65,000 is proposed to be added to the current budget of $64,000.

Human Resources

Contracted Services: An allocation of $40,000 was provided to buy back staff parking permits, as part of an initiative to reduce car traffic into Fremantle. The budget was estimated on a figure of 50 staff participating. The actual participation has been much lower and the budget can be reduced to $10,000.

Insurance: There may be possible adjustments to the workers compensation insurance as part of the usual re-assessment based on actual workers compensation payments. Whilst no formal adjustment has been made, officers will need to monitor this issue.

Financial Services

Operating Grant: The annual grants commission allocation within the budget was adjusted for the forward payment provided by the commonwealth as part of the response to the global financial crisis. The adjustments were more than was required and therefore actual revenue will be more than budget. The current revenue of $442,280 will be increased to $669,382.

Interest bank: With increasing interest rates the amount of interest being accrued is up on year to date expectations. An additional $80,000 should be generated by year end.

Administration Building

Insurance Settlement: The insurance claim for the storm damage from March, 2010, to the administration building has been paid. Whilst repair works were undertaken in the previous financial year no allocation was made to recoup the insurance. An additional $43,768 in revenue has been received this year as a result.

Capital Works Upgrade: The customer contact centre will need to be built this year to accommodate the implementation of the Customer Service Request System (CRM). It is proposed that the allocation from corporate services for capital items of $30,000 be moved to the administration upgrade account to allow for this.

Property Services

Fees and Charges: Lease rent revenues for some of the City's commercial properties will not meet the budget expectation as a result of vacancies due to various reasons. Two properties within the Queensgate premises, one at 260m2 and 180m2, have been vacant for some time despite some interest in these tenancies. The City is now looking at using an agent to assist in re-letting them. It is anticipated that the revenue for Queensgate will not realise approximately $120,000 if these tenancies are not re-filled prior to the end of the financial year. The Centre Park shops on the corner of Henderson and William Streets is also proposed for an adjustment of $24,000.

Leases at the Point/Adelaide Street site have not been renewed as part of the sale process currently being undertaken. The previous lessees have not sought to renew or moved as their leases have expired, as a result of the sale process. The City has provided some of this space for the Business Development Corporate to let as incubator opportunities, although these are not being let at full commercial rates. Whilst the revenue budget allocation for Point Street was reduced in this year's budget to account for the sale process, it is proposed this amount be decreased by a further $48,000.

The allocation for the Fremantle Markets needs to be adjusted as the actual budget allocation was incorrectly entered. Current revenue should be $549,500 so a reduction of $40,000 is proposed.

Parking Services

Fees and Charges: Generally, revenue from parking fees is above expectations up until this time of the year. If this trend remains then the parking budget should generate an additional $395,000 in revenue for the year. Different parking areas are under and over and some of the additional revenue will be absorbed by the income sharing leases the City has with third parties (ie Fishing Boat Harbour car park is leased through DPI).

Contracted Services: Some of the operational expenditure budgets for Point Street and Queensgate car parks were omitted in error when the budget was finalised for adoption. These include cleaning and maintenance costs. These omissions amount to approximately $180,000 and is proposed to be adjusted for as part of this review.

Whilst new ticket machines have been provided for within this budget, the current machines have required more maintenance than allowed for within the budget. Whilst not significant a further $10,000 will be required for the balance of the year.

The new ticket machines being implemented allow for credit card facilities, which is of benefit in this day of cards over cash. An allowance was provided to cover the cost of bank fees for credit card use based on an estimate of credit use. The actual use has exceeded this estimate and the budget for bank fees will need to be increased by $30,000.

Capital Upgrade – Lifts: The final payment for the practical completion of the re-furbished lifts within Queensgate car park has occurred in this year, rather than the previous financial year. This is mainly due to the City holding up payment until it was satisfied that certain matters had been resolved. A budget figure will need to be added to the budget for this expenditure, although a corresponding reserve transfer amount will also be added to cover this. The amount to be added is $40,000.

Transfer to Reserve: To support the variations to the budget for parking and other expenditure requirements it is proposed to delete the transfer of $500,000 from parking revenue to reserve for this year. The reserve is to provide for upgrading of infrastructure and to cover any unforseen revenue drops within parking. It is considered there is sufficient funds to cover these aspects if this change is made.

Rangers and Safety

Capital Expenditure: The bulk of the payment for the mobile CCTV camera has not been made until the current financial year, this payment was provided for last year and not carried forward. Again, payment was held to ensure that technical matters were resolved. The amount of $85,000 will need to be added to the budget and will be carried from the adjusted surplus balance from last year.

Contracted Services: The budget allocation for Rangers of $70,000 will not be required and is proposed to be reduced to $20,000.

Investment Reserve

Transfer to Reserve: Several years ago the City repaid all loans for Queensgate out of the Investment Reserve. A policy was set at the time to repay the equivalent in the loan repayment back to the reserve each year until this had been repaid. In order to balance the budget it is recommended that this payment of $635,099 not occur this year.

Variations for Corporate Services				
Net (Surplus)/Deficit		**($1,218,951)**		

Community Development

Community Development Management

Operating Grant: This grant allocation for age friendly cities was incorrectly entered twice and therefore needs to be adjusted from $16,000 to $8,000 revenue. A corresponding adjustment will also occur with the expenditure of this program.

Contracted Services: This budget will be reduced from $28,000 to $20,000 to correspond with the grant revenue adjustment above.

Community Youth Services

Lottery West Emergency Relief Grant: Due to some funds carried forward from the previous year, budgets are proposed to be amended to allow for the implementation of these funds. These changes will not significantly affect the bottom line.

Fremantle Community Legal Centre

Domestic Violence: The grant for the Domestic Violence program has been increased through indexation by $29,979. This increase in revenue will be distributed across the expenditure areas of this program.

Warawee

Capital Works - New: The grant for the upgrade to the playground equipment has not been completed, therefore these works will not be undertaken this financial year. Officers intend to place this grant for consideration in the next financial year. This grant revenue allocation was not provided for in the budget however the expenditure is and therefore represents a saving to the bottom line of $83,968.

Fremantle Arts Centre

Fees and Charges: Due to the success of the Bazaar and summer concerts the actual revenue from fees will be approximately $86,000 more than estimated.

Sponsorship: The $20,000 anticipated revenue for sponsorship of exhibitions was not achieved and is proposed to be deleted from the budget.

Contracted Services: Stock for the summer concerts and Courtyard music are proposed to be increased by $66,000 which will offset some of the increase in fees and charges.

Fremantle Leisure Centre

Capital Works – Upgrade: The tender submissions for the upgrade to the hydro-therapy pool have been received and are above the estimated cost of undertaking the project. An addition of $155,000 is proposed on the original budget of $195,000 to cover this tender. It is suggested that reductions be made to other projects to support the increase to this project. The allocation for the heating and air conditioning upgrade to the administration building is proposed to be reduced by $70,000, along with $50,000 from the building façade works project as this project will not be undertaken this year. The remaining $35,000 is proposed to be taken from the general surplus.

Library and Information Services

State Grant: The estimated grant for the library for stock management has not been received. Therefore the $66,700 revenue is proposed to be deleted.

Library Stock: The corresponding expenditure from the above item is also proposed to be deleted.

Variations for Community Development				
Net (Surplus)/Deficit		**($48,968)**		

Technical Services

Construction Design

Capital Works – Roads: There has been an adjustment to Main Roads funded works for rehabilitation projects and for adjustments to the scope of works for some projects. This will provide a net variation of $36,892 and $25,194 for these projects. Reductions have also been made to the bus shelter project of $27,894 due to a reduction in grant availability, PTA accessible pathways of $12,600, town hall drinking fountain of $9,000 and Phillimore Street works for $25,900.

Capital Works – Drains: Additional funds are proposed to be added to this budget to account for the sump infill in Montreal Street, revised costs for Amherst drain and CBD drain upgrades to the value of $81,460. These costs will be generally offset by increased grant funds of $82,358.

Contracted Services – Roads: The road operations budget is proposed to be amended to allow for the reflection of the CBD tree planting and the use of internal operations staff. This reallocation has a zero effect on the bottom line which reallocates $677,140 within the budget.

Parks and Landscape

Capital Works – Upgrade: The billabong project is proposed for deletion due to the focus on cleaning up the site. The project values are $90,400 and $54,600.

Capital Works – New: The installation of the playground equipment at Boo Park is being progressed but will require a further allocation to the budget of $13,520.

The North Fremantle skate park project has received some funding provided by the community of $19,500. Income and expenditure accounts are proposed to be adjusted to reflect this contribution.

Capital Works – Parks: The completion of the installation of the pumping station at Beach Street has been completed this financial year. The costs were provided in the previous year but due to delays was carried into this year, although the budget allocation was not carried forward. An allocation of $111,963 is required. The lessee of the adjoining café has contributed $40,000 to these costs in prior years and provided and additional $20,000 this year.

Infrastructure Buildings

Operations – Buildings: There were several operational allocations omitted from the budget in error when putting the budget together. The total value of these is $211,550. These costs are being incurred as part of the operation of the facilities and therefore need to be corrected.

Plant

Fleet – Heavy: Fleet operational budgets are well under the actual results being allocated to this area, to the amount of $138,949. It is proposed that as the actual results are operational costs that these budgets be amended.

Property Service

Capital Works – Renew: The Leighton Beach Kiosk project is not in a position to be physically commenced prior to the end of the financial year. As a result the proceeds for this project will be used to fund expenditure needs within this review and this project will need to be re-budgeted in the next budget. Whilst some funds will be used to plan the project, the remaining $240,000 and can be considered for other needs.

Administration

Capital Works – Renew: The refurbishment of the Town Hall Clock will require further design to remedy access issues to the clock so that specifications meet current safety requirements within this space. This will delay the project to occur and as a result is not likely to be undertaken this financial year. As a result the project is proposed to be deleted for re-budget next financial year. This project was being funded through reserve so this proposal has no effect on the bottom line as the reserve transfer will also be adjusted.

Variations for Technical Services				
Net (Surplus)/Deficit		**($39,856)**		

Planning Services

Planning Directorate

Consulting Services: This allocation provides for specific projects for sea level rise, design advisory panel and special projects. This allocation of $100,000 will not be fully expended this year and is proposed to be reduced to $70,000.

Statutory Town Planning

Fees and Charges: Fees from planning applications are approximately 30% under year to date expectations. Generally, the number of applications has remained the same. It is the value of the applications which has impacted on this result. Whilst there may be some improvement over the remaining period the estimated year end position is $80,000 less than budget.

Consulting Services: The consultancy budget of $140,000 for planning is likely to be exceeded by approximately $25,000 by year end. This is mainly due to additional advice being sought for planning applications.

Statutory Compliance

Fees and Charges: The significant fined imposed on a development in Beach Street last year been raised as a debt this year, for the value of $240,750. Currently this fine is being appealed through the courts and may be amended, but represents a significant result for the compliance team.

Legal Expenses: The legal costs being incurred by the compliance team continue to mount. An allocation of $50,000 was provided at budget time, however this is already well exceeded and expected to continue. It is anticipated that an amount of $120,000 will be required.

Building Services

Fees and Charges: Like Planning Services, fees for building licences are also well down on budget expectations. Again, the number of physical building licences has not changed much (down 15%), but the value is well down on the previous year (down 46%). The current budget of $540,000 is proposed to be reduced to $340,000.

Health Services

Fees and Charges: With the new Food Act changes the actual revenue from health licences is above the budget estimates for the financial year. The original budget of $185,340 has already been exceeded for the year and it is proposed to amend this budget to $280,340.

Planning Projects and Policy

Operating Grant: The final grant payment for the sustainability home was received this financial year, but was not allowed for at budget. This revenue of $40,265 accounts for funding expended in the previous year at the Meeting Place.

Consulting Services: A general allocation of $30,000 for unanticipated project needs will not be expended this financial year and is proposed for deletion from the current budget.

Planning Projects – Heritage

Capital Works – Renew: The works on the Arts Centre are nearing completion but require additional funding due to required bracing for the chimney and additional conservation works. The amount of the variation is $109,000. It is recommended that the budget is changed to reflect these additional works, also for these additional works to be funded from the Heritage Places Reserve.

Variations for Planning Services				
Net (Surplus)/Deficit		**($61,015)**		

Net Cash Position – after mid-year budget review and with adjustments to actual figures from 2009/10 audit

Closing Balances

The budget estimate of the closing balance can now be reviewed as the audit process for last financial year has been completed. The estimated budget surplus at 30 June, 2010 was $9,784,597. With the completion of the audit this figure has been revised to $7,499,869 the difference being $2,284,728.

This has resulted in lowering the estimated closing balance from $4,081,910 to $1,797,182. When adding the estimated deficit of $266,190 from this budget review to the closing balance and the adjustment of $10,000 made at a previous meeting for the donation to the Queensland Flood Appeal, the new closing balance becomes a net surplus of $1,520,992.

This closing position represents the Investment Trust net position of $1,450,000 (which is restricted in accordance with the Fremantle Trust Act) and the general municipal cash surplus of $70,992.

RISK AND OTHER IMPLICATIONS

Financial

The adjustments recommended within this budget review will ensure that the City maintains an operating budget that can be achieved. Whilst the estimated cash starting position has been adjusted, the closing position has been maintained with a municipal cash surplus of $70,992 by ensuring that various expenditures and revenues have also been adjusted.

Legal

Section 33A of the Local Government (Financial Management) Regulations 1996 require the following;

"33A. Review of budget

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

(a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

(b) consider the local government's financial position as at the date of the review; and

(c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
**Absolute majority required.*

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department."

Operational

This review has been more comprehensive than in previous years. This is due to the need to recover the $1.5 million error in the grant funding for PCYC and due to the implementation of the new accounting system, whereby projects and budgets are provided by business units. It was necessary to undertake a comprehensive review to ensure the new processes are understood and ensure any faults are rectified.

The net position after this review provides a municipal surplus of $70,992.

Organisational

The review has been completed with recommendation to delete two projects from the adopted budget, these being the kiosk at Leighton Beach and the façade at the administration building. Both of these projects will need to be reconsidered in the 2011/12 budget. A partial adjustment to the heating and air-conditioning project for the administration building is also recommended.

The Town Hall clock refurbishment is also recommended for deletion from this budget, although this project is funded from reserve funds and can be considered in the 2011/12 budget without any impact to the bottom line.

CONCLUSION

The budget review for 2010/11 has been a comprehensive review, as can be seen through the number of budget amendments being proposed.

The net result of these amendments provide for a general surplus of $1,520,992 being Investment Trust net cash of $1,450,000 and municipal surplus of $70,992.

As this is a comprehensive review it would be appreciated for elected members to forward any questions to the Director Corporate Services at least a day prior to the meeting to ensure that officers may provide full answers at the meeting.

STRATEGIC AND POLICY IMPLICATIONS

The budget supports the delivery of strategic outcomes for the City of Fremantle.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

The City of Fremantle budget review for 2010/11, for the period ending 28 February 2011, be received with the following changes being made to the adopted budget of 28 July, 2010;

Schedule of Variations for City Management				
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				
Fees and Charges	**($56,000)**	**$56,000**	**$0**	**13.13410.4541.00.00.00000**
Capital Grant	**($2,052,800)**	**$1,564,880**	**($487,920)**	**62.23110.4212.00.00.11037**
Fee Hire Rent	**($21,100)**	**$21,100**	**$0**	**13.23110.4461.01.92.11030**
Total Funding	**($2,129,900)**	**$1,641,980**	**($487,920)**	
Expenditure				
Consulting Services	**$104,650**	**($30,000)**	**$74,650**	**11.11100.6824.00.00.00000**
Capital – Furniture and equipment	**$0**	**$60,000**	**$60,000**	**13.13120.1566.04.61.00000**
Contracted Services	**$373,750**	**($47,000)**	**$326,750**	**13.13120.6823.00.00.00000**
Capital Furniture and Equipment	**$20,000**	**($15,000)**	**$5,000**	**13.13410.1566.03.61.00000**
Contracted Services	**$145,490**	**$35,000**	**$180,490**	**13.13410.6823.00.00.00000**
Contracted Services	**$18,000**	**($10,000)**	**$8,000**	**13.23110.6823.00.00.00000**
Total Expenditure	**$661,890**	**($7,000)**	**$654,890**	
Net Variation to Budget – Deficit/(Surplus)		**$1,634,980**		

Schedule of Variations for Corporate Services				
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				
Operating Grant	($442,280)	($227,102)	($669,382)	25.25110.4311.00.00.18034
Interest Bank	($1,000,000)	($80,000)	($1,080,000)	25.25110.4172.00.00.00000
Revenue Insurance	$0	($43,750)	($43,750)	62.25410.4186.00.30.11008
Fee Lease – centre Park Shops	($108,150)	$24,000	($84,150)	21.26100.4471.01.40.11011
Fee lease – Fremantle Markets	($599,500)	$50,000	($549,500)	21.26100.4471.01.92.11025
Fee Lease – Port Cinema	($195,000)	$48,000	($147,000)	21.26100.4471.01.30.11038
Fee Lease – Queensgate	($1,528,460)	$120,000	($1,408,460)	21.26100.4471.01.40.11040
Fee Parking – Street	($2,755,000)	($65,000)	($2,820,000)	27.27100.4561.01.93.00000
Fee Parking – CP01	($352,000)	($50,000)	($402,000)	27.27100.4561.01.91.10001
Fee Parking – CP2	($224,000)	($25,000)	($249,000)	27.27100.4561.01.91.10002
Fee Parking – CP11	($486,000)	($80,000)	($566,000)	27.27100.4561.01.91.10007
Fee Parking – CP 12A & B	($98,000)	($25,000)	($123,000)	27.27100.4561.00.89.10008
Fee Parking – CP13	($335,000)	($15,000)	($350,000)	27.27100.4561.01.10.10009
Fee Parking – CP19	($128,000)	($45,000)	($173,000)	27.27100.4561.00.89.10014
Fee Parking – CP29	($97,000)	$20,000	($77,000)	27.27100.4561.00.89.10021
Fee Parking – CP31	($754,000)	($140,000)	($894,000)	27.27100.4561.00.89.10023
Fee Parking – CP41	($60,000)	($20,000)	($80,000)	27.27100.4561.01.91.10024
Fee Parking – CP42	($850,000)	($55,000)	($905,000)	27.27100.4561.00.89.10025
Fee Parking – CP6	($370,000)	$20,000	($350,000)	27.27100.4561.01.40.10030
Fee Parking – Qg	($1,655,000)	$85,000	($1,570,000)	27.27100.4561.01.40.10031
Transfer from Reserve	($2,412,400)	($40,000)	($2,452,400)	25.27100.3111.00.00.00000
Total Funding	($14,449,790)	($543,852)	($14,993,642)	

Expenditure				
Capital Works – Furniture	**$0**	**$20,000**	**$20,000**	**22.22100.1566.04.61.00000**
Intangible Capital Works	**$64,000**	**$65,000**	**$129,000**	**22.22100.1786.05.80.00000**
Contracted Services	**$60,000**	**($30,000)**	**$30,000**	**24.24100.6823.00.00.00000**
Sewerage	**$0**	**$2,000**	**$2,000**	**62.27100.5824.01.40.10030**
Sewerage	**$0**	**$3,000**	**$3,000**	**62.27100.5824.01.40.10031**
Equipment Maintenance	**$34,000**	**$10,000**	**$44,000**	**27.27100.6161.02.61.00000**
Contracted Services	**$130,000**	**$30,000**	**$160,000**	**27.27100.6823.00.00.00000**
Lease – CP31	**$339,300**	**$70,000**	**$409,300**	**62.27100.6871.00.89.10023**
Lease – CP42	**$476,000**	**$30,000**	**$506,000**	**62.27100.6871.00.89.10025**
Contracted Services – CP6	**$0**	**$30,000**	**$30,000**	**27.27100.6823.00.00.10030**
Contracted Services – CP6	**$16,700**	**$12,000**	**$28,700**	**62.27100.6823.01.40.10030**
Contracted Services – Qg	**$0**	**$98,000**	**$98,000**	**62.27100.6823.01.40.10031**
Contracted Services – Qg	**$0**	**$45,000**	**$45,000**	**62.27100.6823.02.40.10031**
Capital Upgrade – Lifts	**$0**	**$40,000**	**$40,000**	**62.27100.6823.05.40.10031**
Capital New – CCTV	**$0**	**$85,000**	**$85,000**	**27.27210.1566.03.62.00000**
Contracted Services	**$70,000**	**($50,000)**	**$20,000**	**27.27210.6823.00.00.00000**
Capital Equipment – Furniture	**$30,000**	**($30,000)**	**$0**	**21.21100.1566.03.61.00000**
Capital Works – Upgrade	**$135,000**	**$30,000**	**$165,000**	**62.25410.6823.04.30.11008**
Transfer to Reserve	**$500,000**	**($500,000)**	**$0**	**90.90000.3121.00.00.20802**
Transfer to Reserve	**$635,099**	**($635,099)**	**$0**	**90.90000.3121.00.00.20701**
Total Expenditure	**$2,490,099**	**($675,099)**	**$1,815,000**	
Net Variation to Budget – Deficit/(Surplus)		**($1,218,951)**		

Schedule of Variations for Community Development				
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				
Operating Grant – State	($16,000)	$8,000	($8,000)	32.32100.4311.00.00.18067
Grant – Other	($6,650)	$6,650	$0	32.32200.4313.00.00.18026
Grant – Other	($13,300)	($6,700)	($20,000)	32.32500.4313.00.00.18026
Grant – Other	($13,300)	($6,700)	($20,000)	32.32600.4313.00.00.18026
Grant – Other	($95,000)	($29,979)	($124,979)	32.32500.4313.00.00.18007
Donations	($20,000)	$20,000	$0	32.34500.4387.00.00.18028
Fees & Charges	($67,000)	($21,000)	($88,000)	34.34700.4431.00.00.18061
Fees & Charges	($320,000)	($45,000)	($365,000)	34.34300.4521.00.00.18028
Fees & Charges	($250,000)	($20,000)	($270,000)	34.34400.4521.00.00.18028
Total Funding	**($801,250)**	**($94,729)**	**($895,979)**	
Expenditure				
Contracted Services	$28,000	($8,000)	$20,000	32.32100.6823.00.00.18067
Sundry Expenses	$5,600	($5,600)	$0	32.32100.6865.00.00.18026
Sundry Expenses	$17,850	($17,850)	$0	32.32200.6865.00.00.18026
Sundry Expenses	$13,300	$15,100	$28,400	32.32500.6865.00.00.18026
Sundry Expenses	$13,300	$15,100	$28,400	32.32600.6865.00.00.18026
Labour Costs	$56,060	$23,290	$79,350	32.32500.7111.00.00.18007
Labour Allowances	$1,650	$685	$2,335	32.32500.7113.00.00.18007
Leave Accrual–A/L	$6,400	$2,660	$9,060	31.32500.7141.00.00.18007
Leave Accrual – LSL	$1,230	$511	$1,741	32.32500.7142.00.00.18007
Superannuation	$5,690	$2,364	$8,054	32.32500.7143.00.00.18007
Workers Comp Insurance	$1,130	$469	$1,599	32.32500.7144.00.00.18007
Capital Works – New	$103,968	($83,968)	$20,000	63.32600.6823.03.97.11054
Trading Stock	$149,000	$10,000	$159,000	34.34300.6856.00.00.18028
Trading Stock	$125,000	$10,000	$135,000	34.34400.6856.00.00.18028
Labour Costs	$175,410	$21,000	$196,410	34.34500.7111.00.00.00000
Hire Equipment	$40,000	$10,000	$50,000	34.34300.6877.00.00.18028
Contracted Services	$14,000	$15,000	$29,000	34.34700.6823.00.00.18056
Capital Works – Upgrade	$195,000	$155,000	$350,000	62.35100.6823.05.92.11024
Capital Works – Renew	$535,000	($120,000)	$415,000	62.25410.6823.04.30.11008
Total Expenditure	**$1,487,588**	**$45,761**	**$1,533,349**	
Net Variation to Budget – Deficit/(Surplus)		**($48,968)**		

Schedule of Variations for Technical Services				
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				
Capital Grant – State	($2,360,263)	($82,358)	($2,442,621)	62.62100.4211.00.00.00000
Capital Grant	($821,748)	$133,200	($688,548)	63.66200.4211.00.00.00000
Capital Grant – Other	$0	($19,500)	($19,500)	63.66200.4214.00.00.00000
Revenue – Sundry	($11,000)	($20,000)	($31,000)	62.62100.4188.00.00.00000
Reserve Transfer	($175,000	$175,000	$0	25.25410.3111.00.00.11008
Total Funding	**($3,368,011)**	**$186,342**	($3,181,699)	
Expenditure				
Capital Works – Roads	$655,590	($36,892)	$618,698	62.62100.6823.04.93.00000
Capital Works – Roads	$404,920	($25,194)	$379,726	62.62100.6865.04.93.00000
Capital Works – Roads	$732,720	($27,894)	$704,826	62.62100.6916.04.93.00000
Capital Works – Roads	$448,960	($12,600)	$436,360	62.62100.6823.05.93.00000
Capital Works – Roads	$258,770	($9,000)	$249,770	62.62100.6865.05.93.00000
Capital Works – Roads	$468,250	($8,400)	$459,850	62.62100.6916.05.93.00000
Capital Works – Roads	$838,524	($11,550)	$826,974	62.62100.6823.03.93.00000
Capital Works – Roads	$517,890	($8,250)	$509,640	62.62100.6865.03.93.00000
Capital Works – Roads	$937,140	($7,700)	$929,440	62.62100.6916.03.93.00000
Capital Works – Upgrade	$105,300	($90,400)	$14,900	63.66200.6823.05.97.12006
Capital Works – Upgrade	$54,600	($54,600)	$0	63.66200.6865.05.97.12006
Capital Works – New	$23,180	$13,520	$36,700	63.66200.6823.03.97.12006
Capital Works – New	$79,000	$19,500	$98,500	63.66200.6823.03.97.12026
Capital Works – Parks	$14,200	($14,200)	$0	62.26100.6823.04.92.11064
Capital Works – Parks	$0	$111,963	$111,963	62.66200.6823.05.92.12004
Operations – Gas	$0	$300	$300	62.66200.5822.01.92.12007
Operations – Water	$0	$1,000	$1,000	62.66200.5823.01.92.12007
Operations – Sewerage	$0	$1,100	$1,100	62.66200.5824.01.92.12007
Water	$0	$1,500	$1,500	62.66200.5823.01.92.12018
Sewerage	$0	$2,100	$2,100	62.66200.5824.01.92.12018
Electricity	$0	$2,500	$2,500	62.66200.5821.01.92.12019
Contracted Services	$0	$300	$300	62.66200.6823.01.92.12019
Water	$0	$400	$400	62.26100.5823.01.92.12021
Gas	$0	$300	$300	62.66200.5822.01.92.12022
Water	$0	$500	$500	62.66200.5823.01.92.12022
Sewerage	$0	$1,500	$1,500	62.66200.5824.01.92.12022
Contracted Services	$0	$1,000	$1,000	62.66200.6823.01.92.12022
Gas	$0	$200	$200	62.66200.5822.01.92.12024
Sewerage	$0	$2,150	$2,150	62.66200.5824.01.92.12024
Water	$0	$1,200	$1,200	62.66200.5823.01.92.12031

Sewerage	**$0**	**$400**	**$400**	**62.66200.5824.01.92.12031**
Electricity	**$0**	**$500**	**$500**	**62.66200.5821.01.92.12034**
Sewerage	**$0**	**$600**	**$600**	**62.66200.5824.01.92.12034**
Electricity	**$0**	**$2,000**	**$2,000**	**62.66200.5821.01.92.12036**
Gas	**$0**	**$400**	**$400**	**62.66200.5822.01.92.12036**
Water	**$0**	**$500**	**$500**	**62.66200.5823.01.92.12036**
Contracted Services	**$0**	**$300**	**$300**	**62.66200.6823.01.92.12036**
Sewerage	**$0**	**$600**	**$600**	**62.66200.5824.01.92.12049**
Electricity	**$0**	**$4,000**	**$4,000**	**62.26100.5821.01.92.12053**

Water	$0	$4,000	$4,000	62.26100.5823.01.92.12053
Sewerage	$0	$800	$800	62.26100.5824.01.92.12053
Contracted Services	$0	$1,200	$1,200	62.26100.6823.01.92.12053
Water	$0	$100	$100	62.66200.5823.01.92.12060
Sewerage	$0	$400	$400	62.66200.5824.01.92.12060
Electricity	$0	$3,500	$3,500	62.66200.5821.01.92.12061
Water	$0	$4,000	$4,000	62.66200.5823.01.92.12061
Contracted Services	$0	$4,000	$4,000	62.66200.6823.01.92.12061
Contracted Services	$0	$7,000	$7,000	62.27100.6823.02.40.10030
Sundry Material Expenses	$0	$1,000	$1,000	62.27100.6865.02.40.10030
Sundry Material Expenses	$0	$7,000	$7,000	62.27100.6865.02.40.10031
Int Recharge Debit LabourOnc	$0	$1,000	$1,000	62.27100.6916.02.40.10031
Contracted Services	$0	$4,000	$4,000	62.66200.6823.02.92.12003
Sundry Material Expenses	$0	$3,000	$3,000	62.66200.6865.02.92.12003
Int Recharge Debit LabourOnc	$0	$3,000	$3,000	62.66200.6916.02.92.12003
Contracted Services	$0	$6,000	$6,000	62.66200.6823.02.92.12004
Contracted Services	$0	$250	$250	62.66200.6823.02.92.12006
Sundry Material Expenses	$0	$400	$400	62.66200.6865.02.92.12006
Contracted Services	$0	$5,000	$5,000	62.66200.6823.02.92.12007
Int Recharge Debit LabourOnc	$0	$200	$200	62.66200.6916.02.92.12007
Contracted Services	$0	$7,000	$7,000	62.66200.6823.02.92.12018
Int Recharge Debit LabourOnc	$0	$1,000	$1,000	62.66200.6916.02.92.12018
Contracted Services	$0	$1,200	$1,200	62.66200.6823.02.92.12019
Contracted Services	$0	$1,000	$1,000	62.26100.6823.02.92.12021
Contracted Services	$0	$2,500	$2,500	62.66200.6823.02.92.12022
Contracted Services	$0	$12,000	$12,000	62.66200.6823.02.92.12024
Int Recharge Debit LabourOnc	$0	$400	$400	62.66200.6916.02.92.12024
Contracted Services	$0	$1,000	$1,000	62.66200.6823.02.92.12029
Int Recharge Debit LabourOnc	$0	$600	$600	62.66200.6916.02.92.12029
Contracted Services	$0	$1,000	$1,000	62.66200.6823.02.92.12030
Int Recharge Debit LabourOnc	$0	$600	$600	62.66200.6916.02.92.12030
Contracted Services	$0	$4,000	$4,000	62.66200.6823.02.92.12031
Sundry Material Expenses	$0	$1,500	$1,500	62.66200.6865.02.92.12031
Int Recharge Debit LabourOnc	$0	$1,000	$1,000	62.66200.6916.02.92.12031
Contracted Services	$0	$2,000	$2,000	62.66200.6823.02.92.12034
Int Recharge Debit LabourOnc	$0	$400	$400	62.66200.6916.02.92.12034
Contracted Services	$0	$2,000	$2,000	62.66200.6823.02.92.12036
Contracted Services	$0	$200	$200	62.66200.6823.02.92.12049
Sundry Material Expenses	$0	$400	$400	62.66200.6865.02.92.12049
Int Recharge Debit LabourOnc	$0	$600	$600	62.66200.6916.02.92.12049

Contracted Services	$0	$27,000	$27,000	62.26100.6823.02.92.12053
Contracted Services	$0	$200	$200	62.66200.6823.02.30.12053
Sundry Material Expenses	$0	$200	$200	62.26100.6865.02.92.12053
Hire Rent Equip Veh External	$0	$6,000	$6,000	62.26100.6877.02.92.12053
Int Recharge Debit LabourOnc	$0	$2,000	$2,000	62.26100.6916.02.92.12053
Contracted Services	$0	$50,000	$50,000	62.66200.6823.02.92.12061
Sundry Material Expenses	$0	$400	$400	62.66200.6865.02.92.12061
Int Recharge Debit LabourOnc	$0	$1,500	$1,500	62.66200.6916.02.92.12061
Contracted Services	$0	$2,650	$2,650	62.66200.6823.02.30.12065
Contracted Services	$467,110	$154,950	$622,060	62.62100.6823.01.93.00000
Int Recharge Debit LabourOnc	$825,380	$522,190	$1,347,570	62.62100.6916.01.93.00000
Int Recharge Debit LabourOnc	$522,190	($522,190)	$0	62.66200.6916.01.93.00000
Int Recharge Debit LabourOnc	$27,490	($27,490)	$0	62.66200.6916.02.93.00000
Int Recharge Debit COF Plant	$121,090	($121,090)	$0	62.66200.6917.01.93.00000
Int Recharge Debit COF Plant	$6,370	($6,370)	$0	62.66200.6917.02.93.00000
Sundry Material Expenses	$143,530	$93,162	$236,692	63.67120.6865.01.52.00000
Recovery Plant Costs	($681,250)	$38,705	($642,545)	63.67120.6915.01.52.00000
Int Recharge Debit LabourOnc	$50,480	$7,082	$57,562	63.67120.6916.02.52.00000
Leighton Beach Kiosk	$250,000	($240,000)	$10,000	62.26100.6823.04.92.12053
Capital Works – Renew	$535,000	($175,000)	$360,000	62.25410.6823.04.30.11008
Total Expenditure	**$7,806,434**	**($226,198)**	**$7,580,236**	
Net Variation to Budget – Deficit/(Surplus)		**($39,856)**		

Schedule of Variations for Planning Services				
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				
Fees and Charges	**($500,000)**	**$80,000**	**($420,000)**	**52.52100.4481.00.00.00000**
Fees and Charges	**($500)**	**($240,750)**	**($241,250)**	**52.52110.4441.00.00.00000**
Fees and Charges	**($540,000)**	**$200,000**	**($340,000)**	**52.52200.4481.00.00.00000**
Fees and Charges	**($185,340)**	**($95,000)**	**($280,340)**	**52.52310.4481.00.00.00000**
Operating Grant	**$0**	**($40,265)**	**($40,265)**	**53.53100.4311.00.00.00000**
Transfer from Reserve	**($63,513)**	**($109,000)**	**($172,513)**	**25.34100.3111.00.00.11021**
Total Funding	**($1,289,353)**	**($205,015)**	**($1,494,368)**	
Expenditure				
Consulting Services	**$100,000**	**($30,000)**	**$70,000**	**51.51100.9824.00.00.00000**
Consulting Services	**$140,000**	**$25,000**	**$165,000**	**52.52100.6824.00.00.00000**
Legal Fees	**$50,000**	**$70,000**	**$120,000**	**52.52110.6816.00.00.00000**
Consulting Services	**$30,000**	**($30,000)**	**$0**	**53.53110.6824.00.00.00000**
Capital Works – Renew	**$1,218,700**	**$109,000**	**$1,327,700**	**62.34100.6823.04.92.11021**
Total Expenditure	**$1,538,700**	**$144,000**	**$1,682,700**	
Net Variation to Budget – Deficit/(Surplus)		**($61,015)**		

Net Variation to Budget Review – Deficit/(Surplus)		**$266,190**		

CARRIED: 7/0

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

At 7.57pm Cr G Adeane declared a financial interest in item number SGS1103-13 and was absent during discussion and voting of this item.

SGS1103-13 NOTICE OF MOTION - FOOD LICENCING FEES FOR GREEN FARMERS MARKET

DataWorks Reference: 097/004
Disclosure of Interest: Nil
Meeting Date: 9 March 2011
Previous Item: Nil
Responsible Officer: Mayor, Brad Pettitt
Actioning Officer: Glen Dougall, Director Corporate Services
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

Notice of Motion raised by Mayor Pettitt to review the charge for the Food Licensing Fee charged by the City of Fremantle.

Mayor Pettitt seeks council to discount this fee for the food vendors at the Green Farmers Market at South Fremantle High School.

BACKGROUND

On June 20 2010 South Fremantle Senior High School (SFSHS) opened the Growers Green Farmers Market. The purpose of the Market was to raise funds for the P&C as well as raising the profile of the school and to make the community aware of the school's great location and programmes such as the Carbon Neutral programme, the music school with its purpose built auditorium, the new Trade Centre - in short to " showcase" the school as part of the community.

The Growers Green Farmers Market runs from 8am to 12pm each Sunday morning, where it provides farm direct, seasonal fruit and vegetables, homemade jams, pickles, cakes /breads, as well as a large variety of hot and cold foods, coffee, chai fresh juices - among other products. The Market also provides entertainment, encouraging local talent and giving the students of the school the opportunity to play in public.

The Market has been an instant success where local community can meet, buy fresh produce and become acquainted with the school community. It attracts around 1500/2000 people each week, mostly young families. Much of the organisational work for the Market is done by the school P&C volunteers.

COMMENT

Over the past few months complaints have been received from Stallholders to the Market Manager regarding the Growers Green Food Licensing Fee. Many of the Stallholders have stalls at other Perth farmers Markets and can easily compare the fees which other Local Councils and Shires charge. The annual licence fee at the City of Fremantle is $235pa. After enquiries at Subiaco Council (Subiaco farmers market), South Perth (Manning Farmers Market), Kalamunda (Kalamunda Farmers Market), Melville (Western Farmers Market), Nedlands (Mt Claremont Farmers Market), and Mandurah (Peel Farmers Market) - it has been established that other Councils charge $50pa, with the exception of Mandurah which charges $75pa.

This fee discrepancy has been causing some difficulty for the P&C and the Market Manager in that the Stallholders are dissatisfied with the fee. Some potential new Stallholders are reluctant to join the Market because of the fee and at least one Stallholder has left the Market because of it.

The purpose of this item is to bring the licence in line with other Local Governments who have farmers markets in their electorates, to ensure the smooth running of this community and P&C initiative which supports some local businesses and SFSHS.

Officer Comment

The Local Government Act does allow a local government to grant a waiver or concession in relation to any amount of money. Council may choose to grant a concession to the Green Food Grower Market stallholders for the food license fees until 30 June, 2011 and allow for officers to review the fees in the upcoming budget.

There are approximately 45 stallholders registered at this location and of these approximately 26 have already paid their license fee. By providing a concession or reducing the fee the City would be forgoing approximately $8,000 in revenue. There are also late payment fees associated with the 19 outstanding payments.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

Nil

Organisational

Nil

CONCLUSION

That the City of Fremantle adjust it's licensing fees from $235 per year to $50 per annum in line with what neighbouring Council charge similar markets in the Perth Metropolitan Area.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

The City of Fremantle grant a $185 concession, until 30 June, 2011, on food license fees for stallholders at the Green Growers Market located on South Fremantle Senior High School in accordance with section 6.12 (1)(b) of the Local Government Act 1995

Mayor, Brad Pettitt moved an amendment to the Recommendation to include the following wording:

The City of Fremantle grant a $185 concession, until 30 June, 2011, on food license fees for stallholders at the Green Growers Market located on South Fremantle Senior High School in accordance with section 6.12 (1)(b) of the Local Government Act 1995 *and waive any late fees incurred by the stallholders for the current financial year*.

CARRIED: 7/0

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

COMMITTEE RECOMMENDATION

MOVED: Mayor, Brad Pettitt

The City of Fremantle grant a $185 concession, until 30 June, 2011, on food license fees for stallholders at the Green Growers Market located on South Fremantle Senior High School in accordance with section 6.12 (1)(b) of the Local Government Act 1995 and waive any late fees incurred by the stallholders for the current financial year.

CARRIED: 7/0

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

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To also waive any late fees incurred by stallholders of the Green Growers Market for the current financial year.

Cr G Adeane returned to the meeting at 8.07pm.
The following item number SGS1103-14 was moved and carried en bloc earlier in the meeting.

SGS1103-14 INFORMATION REPORT FOR MARCH 2011

CULTURAL DEVELOPMENT WORKING GROUP

DataWorks Reference: 039/064
Author: Marisa Spaziani, Director Community Development
Agenda Attachments: Attachment 1 - Minutes 1 February 2011

The minutes of the Cultural Development Working Group for 1 February 201 are attached.

COMMERCIAL PROPERTIES REPORT

DataWorks Reference: 049/008
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Confidential Attachment – Lease Schedule

The Confidential Commercial Property Lease schedule is attached for information. Currently the City is experiencing two vacancies in Queensgate with a 180m2 and 200m2 vacancies on the first floor. These are being reflected in revenue accounts for this premises and an agent has been appointed to assist in re-letting these areas.

The same is being experienced at the Point Street properties where tenants have vacated due to the impending disposal process. The City is currently in the process of re-letting the corner site which would ease some of the lease revenue decrease we are experiencing as a result of the vacancies.

There are a number of tenancies with outstanding payments, which are listed at the rear of the schedule. These tenants are being followed up by officers to ensure that any matters are resolved. Some of the tenants in Queensgate are querying the natural power accounts currently being recovered. Unfortunately Synergy provided a bulk account for a large part of the previous financial year which has meant some large recover accounts being forwarded to the tenants.

FREMANTLE MARKETS WORKING GROUP MINUTES

DataWorks Reference: 049/008 & L074
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 2 - Minutes of the 18 November 2010
Attachment 3 - Annual Report for 2009/10

The minutes of the Fremantle Markets Working Group are attached for your information. In accordance with the Operating Strategy the Annual Report is also provided for information. The Chief Executive Officer has appointed the Manager of Economic Development and Marketing as his representative on the Working Group.

VESTING APPROVAL FOR PRINCESS MAY PARK

DataWorks Reference: 049/008
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 4 - Letter from Minister for Finance, Commerce and Small Business

The Minister for Finance, Commerce and Small Business, Hon Simon O'Brien has acknowledged Council's resolution for vesting of Princess May Park to the City of Fremantle. A request has now been forwarded to the Department of Housing and Lands to formalise this vesting.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

The information report for March 2011 be received.

CARRIED: 7/0

For	Against
Cr Georgie Adeane Cr John Alberti Cr Donna Haney Cr Sam Wainwright Cr John Dowson Cr Doug Thompson	

SGS1103-15 PRECINCT GUIDELINES

DataWorks Reference:	034/005
Disclosure of Interest:	Nil
Meeting Date:	9 March 2011
Previous Item:	Nil
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Helen Emery, Manager Community Development
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1 - Precinct Working Group Report - May 2010 Attachment 2 - Precinct Guidelines February 2011 Attachment 3 - Letter to Precincts

EXECUTIVE SUMMARY

As part of the development of a community engagement framework, a review of the precinct system was undertaken in 2009/10. A working group was convened to examine the findings of the review and develop an action plan to improve the precinct system (Attachment 1 - Precinct Working Group Report - May 2010). The review found that the precinct charter was too detailed, used complex language and the purpose of precincts was unclear.

One of the recommendations of the action plan was for administrative procedures to be reviewed and plain language to be used in all communications. In response, a set of clear and simple guidelines has been developed (Attachment 2 - Precinct Guidelines February 2011).

The precinct charter is considered no longer relevant as a guiding document for the operations of precincts in 2011and should be replaced with a more relevant document.

BACKGROUND

The City of Fremantle precinct system has been in operation since 1997, supporting up to 12 precinct groups across the municipality.

The City of Fremantle is committed to community engagement and the precincts are one of a number of ongoing engagement mechanisms, put in place to foster long-term relationships and consistent connection with various sectors of the community.

A review of the precinct system was undertaken in 2009/10. An online survey was developed to obtain information and feedback from precinct members and six focus groups were held with attendance from precinct members, local community members and elected members.

The review found that while the precinct system has many perceived benefits, there were issues that needed to be addressed in relation to the purpose and role, operations and communications and community representation of the precincts.

A precinct working group was formed in February 2010, that included community members and staff to look at the main themes emerging from the review, and to develop an action plan to improve the precinct system.

The working group considered the Precinct Charter (adopted October 2006) and the feedback received in relation to this document during the review.

Over half (54.5%) of the precinct members that responded to the online survey, had not read the Precinct Charter. The working group felt the Precinct Charter was too detailed, used complex language and identified dual purposes of the system to be both community development and community engagement.

Some of the recommendations of the action plan are:

- That the Precinct Charter is no longer used;
- A purpose statement for precincts be developed;
- Plain language be used in all communications;
- Administrative procedures be reviewed;
- An online collaborative environment for use by precincts (Freospace) be developed.

The working group reconvened in August 2010, to develop a purpose statement and agreed on the following:

> *"The purpose of precincts is to work in partnership with the City of Fremantle to get things done for the good of the community."*

During the later part of 2010, staff worked on implementing the action plan, and in particular, applying the above recommendations to a set of operational guidelines for precincts.

The working group also identified the requirements for "Freospace", which have been used to define the scope of this project.

Staff have recently contracted a consultant to design and implement Freospace, which will include training precinct members in its use. This strategy and the new Customer Request Management system that the City is implementing, will become the main tools of communication between precincts and the City. Freospace will become functional by May 2011 and Customer Request Management is expected to be operational by August 2011.

COMMENT

After 14 years of experience of the precinct system in Fremantle, the Precinct Charter is not relevant to how the precincts operate in 2011.

Operational guidelines that provide the foundation for a new direction for the precincts have been developed with the following aims:

- To guide precinct and community members, staff and elected members in the purpose and operation of the precinct groups in Fremantle.

- To ensure precincts operate within a flexible framework, that allow each precinct to adopt their own meeting style and recording of meetings, according to the preferences and priorities of the group.

- To outline new communication processes including “Freospace”, the Customer Request Management and quarterly face-to-face meetings that facilitate clear two-way communication between the precincts and the City of Fremantle.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

The precinct guidelines will provide a flexible framework to guide the operation of the precinct groups.

Organisational

Nil

CONCLUSION

The findings of the precinct review made clear that the Precinct Charter has limited relevance to precincts in 2011 and does not fulfil the need for a set of clear and simple guidelines to guide the operation of the precincts.

The new operational guidelines will replace the function of the Precinct Charter document.

STRATEGIC AND POLICY IMPLICATIONS

Capability
Community engagement framework implementation.

COMMUNITY ENGAGEMENT

The recommendation of this report is based on community engagement undertaken as part of the precinct review conducted in late 2009/10 and the action plan developed by the precinct working group in 2010.

The working group made up of precinct members and staff worked over a series of meetings to recommend changes and improvements to the Precinct system.

Precincts were updated regularly in writing as to the progress of changes recommended (Attachment 3 - Letter to Precincts). A roll out of information to precincts will occur once the guidelines are implemented.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Wainwright

1. The Precinct Guidelines replace the 2006 Precinct Charter as a set of clear and simple guidelines to assist in clarifying the purpose and operation of the precincts.

2. The Precinct Guidelines be reviewed and updated annually.

CARRIED: 7/0

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

CONFIDENTIAL MATTERS

Nil

CLOSURE OF MEETING

THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 8.16PM.

SUMMARY GUIDE TO CITIZEN PARTICIPATION & 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	13. The City will take initial responsibility, via '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	14. In reporting to decision-makers, City officers will in 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	15. Decision-makers must provide the reasons for their decisions.
Decisions posted on www.freofocus.com/projects/html/default.cfm	16. Decisions of the City need to be transparent and 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 (Ia) 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.

MINUTES ATTACHMENTS

Strategic & General Services Committee

Wednesday, 9 March 2011,6.00 pm

City of Fremantle

ATTACHMENT 1 - TABLED DOCUMENT - STATEMENT AND AERIAL PHOTOGRAPHS FROM MR RUSSELL QUINN, ITEM SGS1103-3 - ATTACHMENTS OMITTED FROM AGENDA ATTACHMENTS

Council meeting 9-3-11

Preamble; I am surprised and disappointed with the officers report. He has spent considerable time outlining reasons why not to resolve the situation & has not outlined any of the discussions we had about possible resolutions to this situation.

I have been trying to work with council for over 12 months – after several phone discussions, I wrote to council in July last year,..It has taken 9 months to get to this very disappointing report.

I have outlined my hopeless situation to the officer – My wife, with our children (8 year old & infant) cannot park near our home anymore,...I feel it is dangerous and unfair to make them walk long distances in winter and sometimes she has even had to park at the Swan hotel.

The report talks extensively about us knowing the problem since we purchased, I agree but the landscape has changed significantly – we purchased under the understanding that we would "in good will"...receive the car bays from various assurances (from both council and adjoining land owners) provided (evidence attached)...since then council have completely changed the area by;

1. Approving all the townhouses to be built on lot 27 (was supposed to be a car park for the approved hotel) & then approving another 55 units + a cafe to be built without adequate on street car bays. Our situation is very bad & what is most concerning is that it will be getting much worse when 55 x new residences + a cafe are occupied in December.

Report;

Page 7;

1. My request was for 2 x on street **or OFF** street car bays – officer & myself had a meeting on site to discuss the various options, NONE of which are highlighted in this report – See images of available areas

2. No Car bays allocated – my understanding is that these two units were part of the overall 12 car bay shortfall over the building – they must have had some parking either on or off street in order to comply with the original development approval?

3. DAB113 – how or why was this approved by council ?- Reasons why they should not have are clearly evident from the current predicament

4. Not sure of councils reason for highlighting these dates- If officer or council are suggesting that I had any personal or financial relationship with Australand holdings Ltd – they are wrong ! – I simply made an offer via their real estate agent

5. 16th August letter from Australand - this fax outlines Australands intent to provide the car bays –.. After receiving this fax I contacted Fremantle council to seek their support as well. – Jeff Broad (planning manager) wrote the letter attached (2nd September) & also gave me his assurance that council would look to secure the car bay shortfalls.

6. **Page 8**; Bold – inappropriate? I would argue that given the circumstances a NON approval would constitute an appeal at SAT (opposite to what he is suggesting)

   The item after me about car bays for the jetty is separate – I would like to outline that my circumstances / claim is a far worse problem

   One of the suggestions i put forward & not outlined in this report was to introduce timed parking in Doepel street & issue permits for myself & perhaps the jetty owners (similar to how Fremantle deal with inner city parking)..80% of the problem is residents parking on the street & NOT in their private car bays...timed parking would fix this problem while allowing 2 or 3 hours street parking for visitors

7. Officers Observation that it is possible to find vacant car bays is unfair and argumentative, I can assure council that I often cannot find any parking near my home – which is why I am before you.
   For the first time – I am now receiving infringements!! (attached)

8. Knowledge of uncertainly of car bays – unfair to say inappropriate given previous approvals in the area – I understand a caveat was also on lot 28 when lot 27 was sold
   I think the balance of the officers comments are very one sided and do nothing to try to resolve this situation

Page 9; resolve parking by private treaty – HOW ??? Most of the car bays in my building are end on end & are 12 bays short! – Council have also continued to support high density developments since 2001 –negating any possibility of resolution through private treaty.

Financial – I would be happy to pay the costs of the sign ($400) –on top of the over $3000 P/annum in rates!!

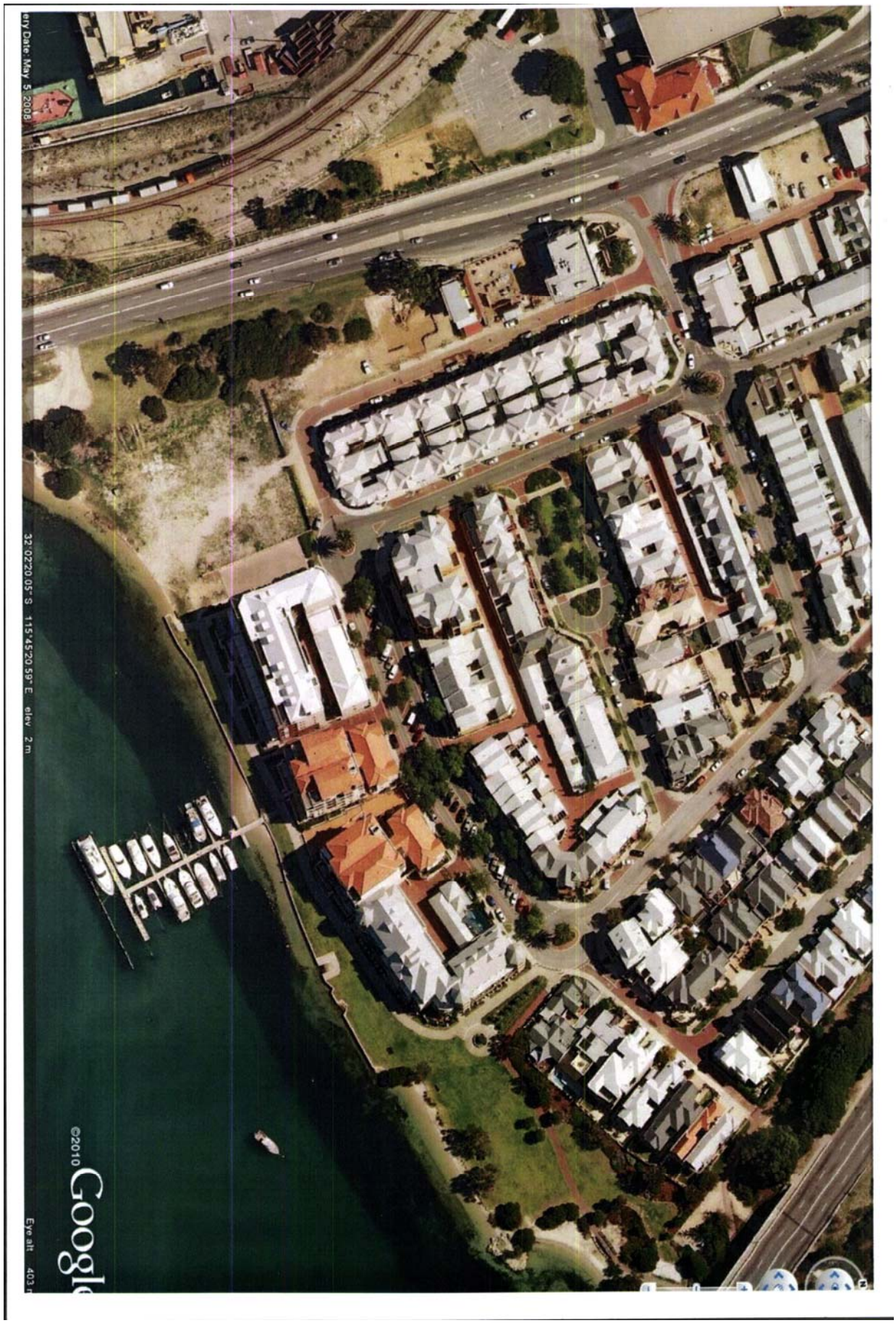
Page 10;

1. Settlement of two properties (only one O&A attached IN AGENDA ATTACHEMENTS)
2. I think the 1x sentence afforded in the positive deserves more attention
3. Policy implications – I believe my circumstances are unique (unless other buildings have a similar history? – I AM THE ONLY RESIDENT IN THE NORTHBANK THAT HAS NO CAR BAYS.

In summary I believe there are 3 x options for council to consider;

1. Assist in locating 2 x off street parking as per site meeting or on- street parking (show locations)
2. Create 2 or 3 hour parking limits on Doepel street (this will stop residents parking) & issue us with a permit – same as inner city policy for residents
3. Reject my application & do nothing and wait for the problem to worsen when cafe + 55 x new residents with approx 100 cars move in

FOR REASONS OUTLINED I AM REQUESTING THAT COUNCIL PLEASE APPROVE MY APPLIACTION OR AT LEAST LOOK FURTHER INTO HELPING TO RESOLVE THIS PRIOR TO DECLINING THE APPLICATION.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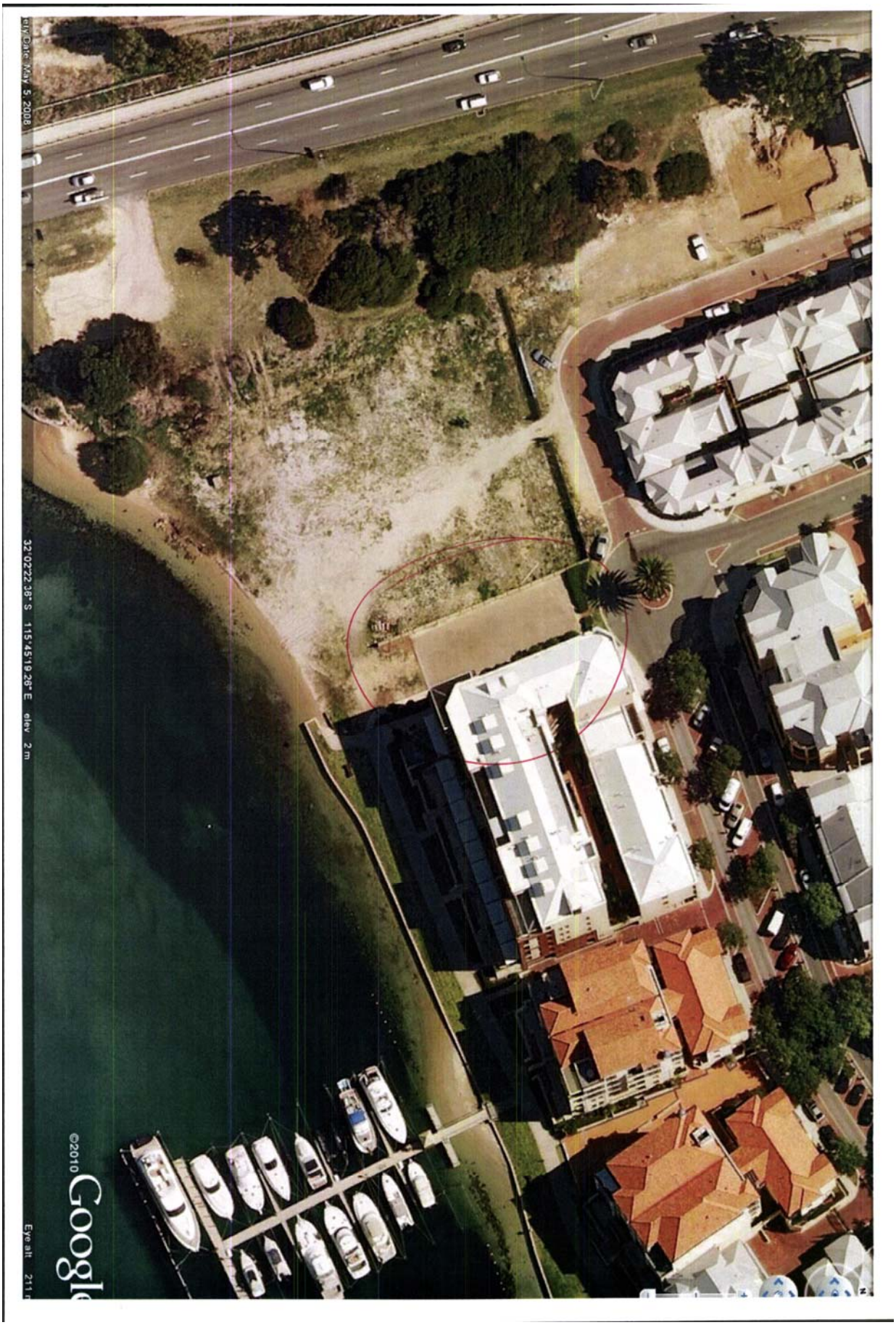
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SGS1103-7 WORKING GROUP PROJECT REQUESTS - ROUND 2

ATTACHMENTS OMITTED FROM AGENDA ATTACHMENTS

ATTACHMENT 1

Fremantle Festival

Project Title:	2011 Fremantle Festival Mural
Working Group:	Cultural Development
Date:	8/2/11
Project Sponsor:	Marisa Spaziani
Version:	1

Statement of Work

Preliminary Scope: **To produce a significant and iconic public artwork for the Fremantle Festival in 2011 to coincide with the 2011 world sailing championships.**

Vision:

To engage a mural artist of international acclaim to produce a mural to be painted on the two walls that border the old TAB on High Street. The Artist engaged will have a world class reputation and the work will be in harmony with the surrounding built environment. It is envisioned that the art work will be of outstanding calibre sending a clear message of the type of work the City of Fremantle expects on it's inner City walls.

Instrument of Appointment
Links:

Urban Integration (Links to the City of Fremantle):

Initial Stakeholders:

- Coordinator Cultural Development
- Curator City Art Collection
- Manager Economic Development & Marketing
- City Heritage Architect
- Heritage Planning Officer
- Planning Committee
- Building Owners

Project Deliverables (ie. (Products, Services,or Results being Created):

- ***An iconic mural Artwork***
- ***Renewed public interest in the West End***
- ***Increased foot traffic down High Street***
- ***Enhanced Fremantle Festival Program***
- ***Increased visitors to Fremantle over Festival period***
- ***Destination marketing Opportunities***
- ***Promotional Opportunities for the City***

Expected Completion Date:
November 2011

Expected Cost: $20,000

Assumptions:

- Owners permission to use walls
- Planning approval received
- Heritage assessment

Notes:

- Initial discussions and site visit with the Heritage Planning Officer indicate that the walls in question have already been concrete rendered therefore the painting of a mural on these sites would have no further adverse affects.

ATTACHMENT 2

ATTACHMENTS OMITTED FROM AGENDA ATTACHMENTS

Project Title:	2011 Street Arts Festival – Stalker Stilt Theatre
Working Group:	Cultural Development
Date:	8/2/11
Project Sponsor:	Marisa Spaziani
Version:	1

Statement of Work

Preliminary Scope:

To engage Sydney based Street Theatre Company Stalker Stilt Theatre to perform "Elevate" at the 2011 Street Arts Festival.

Vision:

The Street Arts Festival has grown from humble beginnings as the Fremantle Buskers Festival to a festival that attracts 100,000 visitors to the City over three days. In the last three years the festival has reached a ceiling.

To take the Festival to the next level making it a festival that stands up on a national stage the Festival needs to diversify from its current format. The Inclusion of an outdoor spectical such as "Elevate," will complement current programming while adding a new, exciting and fresh dimension to the program.

When the festival began in 1999 it was the only one of its kind in the country- 13 years on it is replicated in most major City's in Australia. Engaging Stalker indicates to the performing community that the festival is keen to diversify from a pure busking festival and that it is keen to engage individuals and companies that embrace a much broader view of what street Theatre is and can be.

Instrument of Appointment
Links:

Urban Integration (Links to the City of Fremantle):

Initial Stakeholders:

- Coordinator Cultural Development
- Manager Economic Development & Marketing
- Festival Sponsors

Project Deliverables (ie. (Products, Services,or Results being Created):

- A series of world class performances at the 2011 Street Arts Festival
- Increase the variety of performance at the Festival
- Raise the Profile of the Festival
- Increase visitors to the Festival
- Increase the profile of Fremantle as a cultural centre
- Increase the profile of Fremantle as "Festival City"
- Increase economic development in the City.

Expected Completion Date:

April 2011

Expected Cost: $20,000

Assumptions:

Notes:

- This project is fully costed and includes airflights accommodation and performance fees.
- Company is available and willing to come

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Expected Completion Date:

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Expected Cost: $20,000

Assumptions:

Notes:

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- Company is available and willing to come

ATTACHMENT 3

ATTACHMENTS OMITTED FROM AGENDA ATTACHMENTS

Project Title:	Celebrating Women in Fremantle Public Art Design Project
Working Group:	Cultural Development Working Group
Date:	March 2011
Project Sponsor:	
Version:	1

Statement of Work

Preliminary Scope: **To develop a concept design and and related documentation for a public artwork celebrating women in Fremantle.**

Vision: A public art piece celebrating the role of women in Fremantle

Instrument of Appointment Links:

In March 2010 Council resolved to provide in principle support for the project as well as advice and support through the relevant officer and to consider budget details.

Urban Integration (Links to the City of Fremantle):

Character

Initial Stakeholders:

- Celebrating Women in Fremantle Group

Project Deliverables (ie. (Products, Services,or Results being Created):

Artists Concept Designs inclusive of drawings and models for public feedback.

- Concept Design and related documentation for the Celebrating Women in Fremantle Project.
- Artwork and models of concepts
- Identification of site options
- Cost estimates for the project

Expected Completion Date:

July 2011

Expected Cost: $10,000

Assumptions:

That the City wants to commission an art piece for Fremantle celebrating the role of Women in Fremantle.

Notes: It is unclear from documentation from the group what the budget for the project is and whether it is a figure that can be accommodated by the City.