



MINUTES

Strategic & General Services Committee

Wednesday, 14 December 2011, 6.00 pm



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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 14 December 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
Cr Jon Strachan	South Ward (Presiding Member)
Cr Dave Hume	Beaconsfield Ward
Cr Doug Thompson	North Ward (arrived 6.20pm)
Cr Tim Grey-Smith	City Ward
Cr Dave Coggin	East Ward
Cr Sam Wainwright	Hilton Ward
Mr Graeme Mackenzie	Chief Executive Officer
Mr Glen Dougall	Director Corporate Services
Ms Marisa Spaziani	Director Community Development
Mr Peter Pikor	Director Technical Services
Mrs Helen Emery	Manager Community Development
Mr Lionel Nicholson	Manager City Works
Mrs Mia Zatkich	Minute Secretary

There were 3 members of the public and 1 member/s of the press in attendance.

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Dr Dorothy Wardale, Board Member of the Deckchair Theatre spoke on behalf of the Deckchair Theatre's Chief Executive Officer in support of the Officer's Recommendation in Item SGS1112-1, Proposed Lease of Victoria Hall - Deckchair Theatre Inc and clarified details of an email to Elected Members regarding the bar facilities.

DEPUTATIONS / PRESENTATIONS

Nil

DISCLOSURES OF INTEREST BY MEMBERS

Cr J Strachan declared an impartiality interest in item number SGS1112-1, Proposed Lease of Victoria Hall - Deckchair Theatre Inc. Cr Strachan's partner, Cathy Hall is on the board of the Deckchair Theatre, and as such, there may be a perception that this could influence the decision making process. Cr Strachan declared that he would consider the item with impartiality, coming to a decision once he has considered the officer's report and listened to the debate.

LATE ITEMS NOTED

SGS1112-13 Acceptance of Grant from the Department of Local Government

CONFIRMATION OF MINUTES

MOVED: Cr Jon Strachan

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

CARRIED: 6/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin	

TABLED DOCUMENTS

Nil

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

Cr D Thompson arrived at 6.16pm prior to consideration of the following item.

SGS1112-1 PROPOSED LEASE OF VICTORIA HALL - DECKCHAIR THEATRE INC

DataWorks Reference:	L072 – Lease – Deckchair Theatre Inc Leases 049/008
Disclosure of Interest:	Nil
Meeting Date:	Nil
Previous Item:	SGS 1009-4
Responsible Officer:	John Amor, Property Co-ordinator
Actioning Officer:	Glen Dougall, Director Corporate Services Committee
Decision Making Authority:	a) Chief Executive Officer's Delegated Authority Notice dated December 2011 b) Copy of Proposed Lease
Agenda Attachments:	

EXECUTIVE SUMMARY

To consider an application from Deckchair Theatre Inc. for a new lease of the Victoria Hall premises at 179 High Street, Fremantle. This lease was proposed under the Chief Executive Officer Delegation but was requested to be brought to committee by two elected members.

The lease between the City of Fremantle and Deckchair Theatre Inc. did expire on 31 December 2010, without any options available for extension beyond that date. Protracted and complex negotiations since that time have reached the stage where the proposed basic terms and conditions as set down in Attachment "B" require consideration by Council. The main provisions for the lease are;

- Five year term,
- Reduced market rental at start but moving towards market rental over term of the lease,
- Deckchair to provide for a small bar operation for minimum number of hours each week,
- City to be able to use the venue for bookings when Deckchair do not have it in use,
- Provision to consider new lease at end of the proposed term,
- Deckchair will be seeking grant funds to improve the venue,
- The City is proposing to improve the facility in the current budget.

BACKGROUND

Since at least 2001 Deckchair Theatre, a nationally recognised arts organisation, has been the Tenant at Victoria Hall which it has used as a performing arts venue as well as its administration hub. Deckchair is reliant on funding from both State and Federal bodies to help it achieve its dual aims of presenting high quality Australian theatre and supporting young W.A. artists and independent theatre companies.

Over the last 3-4 years this heritage listed building has been extensively renovated, upgraded, restored – and modified with the addition of a fully equipped bar. (Refer attachment C) The operation and management of this bar and how the theatre was to be made available for general community use when not required by Deckchair are the two most perplexing issues that have prolonged negotiations. The conditions set down in attachment “B” are the results of those negotiations.

However, given the expressed level of lack of support that the issue of the Delegated Authority Notice has elicited especially for the mooted method of how the bar was to be operated and managed by Deckchair the Chief Executive Officer’s Delegated Authority Notice has been withdrawn in favour of having the whole lease issue considered via internal Committee and the public Council meeting processes.

Although Deckchair is now under a new management team, it is relevant to note that the past tenancy history of Deckchair at Victoria Hall has been crossed by the City agreeing to past requests from Deckchair for rental abatement and waiver of built up arrears.

COMMENT

The City first presented a lease to Deckchair in February 2011. Deckchair were comfortable with the original lease and signed the document. Upon review of the document by the City and Deckchair further negotiations took place to consider activation of a small bar from the venue. These discussions took several months and included discussion with a third party. At the time it was considered that two separate leases may be possible to separate the small bar and main hall. In July the third party withdrew from the discussion citing difficulty in joint arrangements making it impractical to operate a separate lease. After this point the City negotiated with the Deckchair to arrange a better activated small bar.

For ease of reference reproduced here is Schedule item 9.1 “Use of Bar”;

Use of Bar

"The Lessee's use of that portion of the Premises depicted as the Bar on the plan annexed hereto, shall be subject to the following conditions:

- (a) The Lessee first obtaining a liquor licence in accordance with clause 9.1 (i) of this Lease and the provisions of the Liquor Control Act 1988 prior to commencing the sale or supply of liquor from the bar;
- (b) The Lessee shall operate the Bar a minimum of three (3) nights per week, subject to the requirements of the liquor licence and subject to review by both parties;
- (c) The Lessee shall otherwise comply with any objections to which its liquor licence is made subject."

Lease clause 9.1 (i) reads as follows:

"Sale of Alcohol

The Lessee will not sell or supply liquor from the Premises or allow liquor to be sold or supplied from the Premises without the prior written consent of the Lessor and then only in accordance with the provisions of the Liquor Control Act 1988, Health (Food Hygiene) Regulations 1993, Liquor Licensing Regulations 1989 and any other relevant laws that may be in force from time to time."

Discussions about the Bar issue have examined different management options including:

- Deckchair sub-leasing the bar to a third party;
- Excision of the bar area out of the Deckchair lease so that the City retains control and in turn leases it out directly to a third party;
- Leaving the Bar in the leased Premises and allowing Deckchair to manage and operate – but subject always to review by both parties.

The first bullet point broke down over financial issues for Deckchair wanted to be allowed to sub-let with no additional fees payable by either the Lessee or sub-lessee to the Lessor, but still retain the subsidised rental regime that Deckchair is to enjoy.

The excision of the Bar area run into objections from Deckchair on the grounds that:

- This would jeopardise their security over the rest of the premises;
- Possible distraction coming from the Bar patrons on Theatre nights ;
- Management Issues over apportionment of routine operation cost such as power; water; public liability; etc
- Dilution of Deckchairs right to "Quiet Enjoyment" of the rest of the premises;
- Loss of a potential income stream for Deckchair.

With respect to the third bullet point the “subject to review” was at the insistence of Deckchair which did not want to be burdened with a possible uneconomic distraction from its core business of theatre production and promotion of the arts. Deckchair has proposed that initially, when not in performance, it will trial extended opening hours of Friday (4pm – 11pm); Saturday (4pm – 11pm) and Sunday (3pm- 9pm).

RISK AND OTHER IMPLICATIONS

Financial

The proposed consideration of \$25,000 for the lease is less than market value, which is approximately \$40,000. The lease includes provision to gradually move the proposed lessee to market rental over the term of the lease. The City has provided in its current budget to upgrade Victoria Hall with air-conditioning and curtains to improve sound in the hall. Deckchair are seeking government grants to improve seating and lighting equipment and require the lease to progress these grant requests.

Legal

Any final Lease will need to comply with Local Government Regulations relating to disposal of property.

Operational

Deckchair is an important part of the cultural fabric of Fremantle.

Furthermore Victoria Hall, despite its theatre deficiencies as identified in attachment A, is Fremantle’s premier facility for contemporary performing arts.

Organisational

The lease will be monitored by the City’s Commercial Property section and Community Development.

CONCLUSION

It is recommended that Council adopt the proposed lease as presented. Considerable discussion has taken place in relation to the lease to ensure adequate activation of the site is achieved. This includes the provision for Deckchair to operate a small bar for minimum hours each week to allow for times when Deckchair is not in production to still be a venue that is frequented. The City has also negotiated that the main hall be available for general public hire when Deckchair does not require it. The general use can be obtained through either Deckchair itself or through the City events office.

STRATEGIC AND POLICY IMPLICATIONS

The continued presence of Deckchair in Fremantle and the ongoing use of Victoria Hall as a performing arts centre links in with the City’s Strategic Plan to sustain and grow arts and culture and the preservation of the City’s heritage and history.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Acting under delegation the committee approve the proposed five (5) year lease with Deckchair Theatre Inc for Victoria Hall as attached with the Strategic and General Services Agenda for 14 December, 2011.

Cr T Grey-Smith moved an amendment to the Officer's Recommendation to include the following wording in the lease document:

Amend clause 9.1 of the lease to the following (underlined text to be deleted);

9.1 Use of Bar

The Lessee's use of that portion of the Premises depicted as the Bar on the plan annexed hereto, shall be subject to the following conditions:

- (a) The Lessee or nominee within 9 (nine) months of the commencement date of this lease first obtaining a permanent liquor licence for that portion of the Premises depicted as the Bar on the plan annexed hereto in accordance with clause 9.1 (i) of this Lease and the provisions of the Liquor Control Act 1988 prior to commencing the sale or supply of liquor from the Bar;
- (b) The Lessee or nominee shall operate the Bar a minimum of three (3) nights per week, subject to the requirements of the liquor licence and subject to review by both parties;
- (c) The Lessee or nominee shall otherwise comply with any conditions to which its liquor licence is made subject.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Tim Grey-Smith Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

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

9.3 Acknowledgement

The Lessor acknowledges that the Lessee may apply for a rental subsidy *on an annual basis on the date of signing of the lease against the performance criteria set out in SG 45 Rental Subsidy Policy as updated and approved by Council from time to time* to reduce the amount of the rent payable under this lease. If the application of the Lessee is approved by the Lessor the rent payable under the Lease by the Lessee will be reduced in accordance with the Lessor's Rental Subsidy Policy.

COMMITTEE DECISION

1. Acting under delegation the committee approve the proposed five (5) year lease (as amended) with Deckchair Theatre Inc for Victoria Hall as attached with the Strategic and General Services Agenda for 14 December, 2011.
2. Amend clause 9.1 of the lease to the following (underlined text to be deleted);

9.1 Use of Bar

The Lessee's use of that portion of the Premises depicted as the Bar on the plan annexed hereto, shall be subject to the following conditions:

- (a) The Lessee or nominee within 9 (nine) months of the commencement date of this lease first obtaining a permanent liquor licence for that portion of the Premises depicted as the Bar on the plan annexed hereto in accordance with clause 9.1 (i) of this Lease and the provisions of the Liquor Control Act 1988 prior to commencing the sale or supply of liquor from the Bar;
- (b) The Lessee or nominee shall operate the Bar a minimum of three (3) nights per week, subject to the requirements of the liquor licence and subject to review by both parties;
- (c) The Lessee or nominee shall otherwise comply with any conditions to which its liquor licence is made subject.

3. 9.3 Acknowledgement

The Lessor acknowledges that the Lessee may apply for a rental subsidy *on an annual basis on the date of signing of the lease against the performance criteria set out in SG 45 Rental Subsidy Policy as updated and approved by Council from time to time* to reduce the amount of the rent payable under this lease. If the application of the Lessee is approved by the Lessor the rent payable under the Lease by the Lessee will be reduced in accordance with the Lessor's Rental Subsidy Policy.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Tim Grey-Smith Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

REPORTS BY OFFICERS (COUNCIL DECISION)

Cr J Strachan moved en bloc recommendations numbered SGS1112-5, SGS1112-9 and SGS1112-10.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Tim Grey-Smith Cr Sam Wainwright Cr Dave Coggins Cr Doug Thompson	

SGS1112-2 YOUTH PLAN 2012-2015: A YOUTH FRIENDLY FREMANTLE

DataWorks Reference:	023/032
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	SGS1103-8
Responsible Officer:	Marisa Spaziani, Director Community Development
Actioning Officer:	Helen Emery, Manager Community Development
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1: Draft Youth Plan 2012 – 2015: A Youth Friendly Fremantle Attachment 2: Youth Community Engagement Report Attachment 3: Youth Demographic Profile Attachment 4: Youth Research Report Attachment 5: Youth Final Report

EXECUTIVE SUMMARY

The City of Fremantle has developed a three year Youth Plan: A Youth Friendly Fremantle. This seeks to achieve the strategic imperative of 'Greater engagement with youth and more youth activities and facilities'. Significant research and community engagement was completed to develop an understanding of the needs, issues and aspirations of local young people.

Four strategies have been identified in the Youth Plan that responds to the priorities identified in the community engagement process. These strategies if implemented will have a positive impact on the local youth community, improving opportunities for engagement and participation.

BACKGROUND

Young people between the ages of 12 and 25 years account for approximately 15% (3,884) of the Fremantle population. There is also a significant student population of over 10,000 young people attending the five secondary schools and two tertiary institutions within the area. 4,090 young people between 15 and 24 years work in Fremantle predominantly in retail and hospitality.

The City of Fremantle's Strategic Plan identifies 'Greater engagement with youth and more youth activities and facilities' as an action under the strategy of 'Character'. In early 2010, expressions of interest were sought for a Youth Strategy Working Group to oversee the development of a three year plan. Two attempts to establish this group yielded little interest. In March 2011, Council resolved that broad consultation with young people and agencies that work with young people be completed to collect information to assist in the development of a three year plan.

A community engagement process was undertaken between July and August 2011 to identify the issues, needs and aspirations of young people who lived, worked or studied in the City of Fremantle. It included an online survey, one on one interviews with agencies that work with local young people, focus groups with community members and schools, as well as an agency forum. Over 190 people participated in the process. The Youth Community Engagement Report (Attachment 2) summarises the methodology and findings.

Research into youth planning and policy directions of government and non government agencies was also completed. The research included:

- Demographic profile of young people (Attachment 3).
- Service map of youth agencies and services in Fremantle (Attachment 4).
- Analysis of current services and programs in the wider region (Fremantle, Melville and Cockburn) and the identification of any gaps.
- Analysis of local, state and federal government planning and policy directions for young people.

COMMENT

The final report (Attachment 5) identifies a range of opportunities for the City of Fremantle and four priority areas. These priority areas have been used as a basis for the four strategies in the Youth Plan 2012 – 2015: A Youth Friendly Fremantle (Attachment 1). The strategies and actions are practical and within the City of Fremantle's role as a local government authority.

The four strategies are:

1. **Facilitate active youth citizenship:** Create opportunities for young people to actively contribute to the City.
2. **Develop and maintain youth friendly spaces:** Provide spaces in the City of Fremantle that are welcoming and friendly for young people.
3. **Provide youth friendly events and activities:** Provide a range of programs and events that encourage greater participation of young people in community life.
4. **Support youth services:** Explore opportunities to develop partnerships and build on existing networks in the Fremantle area.

RISK AND OTHER IMPLICATIONS

Financial

The implementation of the plan will require additional allocation of budget in the 2012/2013 financial year to complete the following actions:

Action Plan Ref.	Action	Estimate	Timeline
2.2	Develop youth friendly spaces throughout the Fremantle Library.	\$5,000	Dec 2012
2.3	Identify opportunities and develop a plan to improve the Beach Street skate park and develop it into a space for young people.	\$5,000 for planning. Any outcomes would need to be costed for new initiative.	Jun 2014
2.6	Investigate opportunities to develop youth friendly play spaces.	\$10,000 for planning. Any outcomes would need to be costed for new initiative.	Dec 2012
2.8	Explore opportunities to improve the Esplanade as a youth friendly space.	\$5,000 for planning. Any outcomes would need to be costed for new initiative.	Jun 2014
2.11	Develop an outreach library for young people at the Hilton Community Centre.	\$1,500 to establish and \$600 recurrent budget.	Dec 2012
	Total	\$26,500	

This is additional to the recurrent budget of \$100,000 for youth projects.

Legal

Nil

Operational

The plan identifies strategies and actions required for implementation by staff.

Organisational

The Youth Strategy 2012 - 2015 is a whole of City plan. The actions have organisational wide implications and will require business units to implement them over the three year period.

CONCLUSION

The Youth Plan 2012 – 2015: A Youth Friendly Fremantle, was developed in response to the strategic imperative, 'Greater engagement with young people and more youth activities and facilities. Significant research and community engagement was undertaken to gain a better understanding of the issues, needs and aspirations of young people who live, work or study in Fremantle.

The plan identifies four strategies which will increase opportunities for young people to participate in their local community. Its implementation over three years will have positive outcomes for the City of Fremantle through increased engagement with young people that live, work and study in the City.

STRATEGIC AND POLICY IMPLICATIONS

Character: Greater engagement with youth and more youth activities and facilities. Increase number of events that link with local artists (particularly emerging young artists) and activities (arts, music, fashion, food).

COMMUNITY ENGAGEMENT

Significant community engagement was undertaken during the needs assessment and included:

- Online survey of 106 young people.
- 190 young people attending classroom consultations held with all high schools and tertiary learning centres in the City as well as known youth groups.
- 7 one on one agency visits held with key agencies in the City.
- An agency forum with 20 participants from 16 different youth agencies.
- 24 members of the public attended two community conversations.

The Draft Youth Plan was made available for public comment for two weeks. Three comments were received. South Fremantle High School and City of Melville complimented the City on the planning initiative. One young person suggested more outreach facilities in suburbs such as Hilton would improve participation in the arts.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

The Youth Plan 2012 – 2015: A Youth Friendly Fremantle as amended is adopted for implementation commencing in 2012.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

**SGS1112-3 ADDITION TO FEES AND CHARGES SCHEDULE HILTON
COMMUNITY CENTRE**

DataWorks Reference: 068/003; Project Management 14.3
Disclosure of Interest: Nil
Meeting Date: 14 December 2011
Previous Item: September 2011
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Alan Carmichael, Manager Finance
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

The fees recently approved by Council have been updated to take account of two omissions – hire costs for the tennis courts and the ability to waive fees on a case by case basis.

BACKGROUND

Hilton Community Centre is operational and the schedule of fees have been approved by Council at its September 2011 meeting. The fees schedule requires updating to take account of omissions to the fee schedule.

COMMENT

The fees for the Hilton Progress Hall as adopted in September 2011 are as follows:

HILTON COMMUNITY CENTRE		Monday to Sunday per hour	
		Not for profit/Community Group Rate	Commercial Rate
Hall (max 300 people)		\$18.00 p/hr	\$33.00 p/hr
All Day (7 hrs)		\$72	\$124
Meeting Room		\$8.00 p/hr	\$16.00 p/hr
Kitchen		\$12.00	\$17.00
Flexible use Arts Space		\$14.00	\$28.00
Foyer area (max 60 people)		\$16.00	\$24.00
Bonds			
Foyer		\$150 - \$1000	
Hall		\$150 - \$1200	
Meeting Room, Kitchen and activity space		\$35 - \$185	
Key card deposit		\$37.00	

It has come to the attention of staff that from time to time, it may be necessary to waive these fees for certain community members or groups, where it can be determined that the capacity to pay is limited. It is recommended that it be recognised in the fee structure the ability for fees to be waived on a case by case basis as determined by the CEO.

The tennis courts are usable and a fee for the use of the tennis courts are also included.

RISK AND OTHER IMPLICATIONS

Financial

The budget for the Hilton Community Centre includes income received from hire fees. The waiver of fees will need to be to the satisfaction of the CEO on a case by case basis and it is not expected that the waivers granted will effect the budget in a major way.

Legal

Nil

Operational

The Centre Coordinator will be responsible for the assessment of fee waiver requests.

Organisational

Nil

CONCLUSION

The fees schedule is updated to reflect operational requirements.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

The additions to the updated fees and charges for 2011/12 for the Hilton Community Centre are adopted.

HILTON COMMUNITY CENTRE		Monday to Sunday per hour	
		Not for profit/Community Group Rate	Commercial Rate
Hall (max 300 people)		\$18.00 p/hr	\$33.00 p/hr
All Day (7 hrs)		\$72	\$124
Meeting Room		\$8.00 p/hr	\$16.00 p/hr
Kitchen		\$12.00	\$17.00
Flexible use Arts Space		\$14.00	\$28.00
Foyer area (max 60 people)		\$16.00	\$24.00
Tennis Courts		\$10.00	\$15.00
Bonds			
Foyer		\$150 - \$1000	
Hall		\$150 - \$1200	
Meeting Room, Kitchen and activity space		\$35 - \$185	
Key card deposit		\$37.00	
Fee waivers		Determined on a case by case basis delegated to CEO for approval.	

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

SGS1112-4 REQUEST FOR FUNDING AGREEMENT - VOLUNTEERING DEVELOPMENT SERVICES

DataWorks Reference: 023/022; Fremantle Volunteer Service
Disclosure of Interest: N/A
Meeting Date: 14 December 2011
Previous Item: N/A
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Helen Emery, Manager Community Development
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

The City of Fremantle provides the Fremantle Volunteer Service with grant funding from the Department for Communities. The funding agreement expires in March 2012. The City has been identified as the preferred service provider and has been invited to apply to continue to operate the service which the Department has renamed Volunteering Development Services.

The new funding agreement will be for five years, three months expiring June 2017. It will allow for a flexible service model that better meets the needs of the local community. The City can negotiate a lesser time frame for the agreement.

BACKGROUND

The current Fremantle Volunteer Service provides information on volunteering and local volunteer opportunities to local community members. It also supports local community organisations who use volunteers through the provision of information and resources on volunteer management. It is funded by the Department of Communities and operates from the Meeting Place in South Fremantle.

The current funding agreement for the service expires on 31 March 2012. The City of Fremantle has been identified as the preferred service provider and invited to apply to continue running the service. The new funding agreement will allow a more flexible service model that is responsive to local community needs.

COMMENT

The Volunteer Service operates 15 hours per week on Tuesday, Wednesday and Thursday, 9.30am – 2.30pm. The City of Fremantle has delivered the service for eight years. A part-time Volunteer Services Officer is employed to coordinate the service. Administrative and management support is provided through the Community Development Directorate. Three Referral Officers (volunteers) assist by interviewing interested volunteers, responding to enquiries and assisting with data entry.

The table below shows the number of individuals who have sought information on volunteering through the service over the past three years. This support is provided through a one on one meeting with a Referral Officer, who discusses individual skills and interests and researches volunteer opportunities that may suit.

Year	Individuals seeking volunteer positions
2011	411
2010	295
2009	428

The service also provides support to local community based organisations through the provision of information on volunteer management and recruitment. The table below shows the number of agencies that are currently registered with the service, the number of times direct support has been provided and the number of listed volunteer positions.

Year	Agencies	Direct support	Listed positions
2011	52	140	78
2010	132	139	213
2009	128	148	192

In the past, agencies registered and listed positions with a number of different volunteer services in order to increase their pool of potential volunteers. In 2011, a statewide online database was introduced. Agencies now only need to register and list positions with one service. Consequently, the number of agencies actively managed by the Fremantle Volunteer Service and the number of listed positions has decreased significantly.

The table below shows the total cost to operate the service over the past three financial years and the budget for financial year 2011-12. The current budget predicts a deficit of \$22,919.

Year	Total cost	Department for Communities	City of Fremantle
2011 – 12 (budget)	\$51,003	\$28,084	\$22,919
2010-11	\$31,118	\$28,315	\$2,803
2009-10	\$48,360	\$27,229	\$21,131
2008-09	\$60,393	\$26,088	\$34,305

The City of Fremantle's contribution in financial year 2010 -11 was significantly lower than this year's predicted budget. The Volunteer Service Officer position was vacant and the service closed for two months during 2010-11 resulting in significant cost savings.

The Department has made significant changes to the type of service that can be provided under the new funding agreement. The focus is on volunteer development services that encourage volunteering in local communities. If the City applies for the funding, then the focus of the new service will be supporting Fremantle based organisations with volunteer management, recruitment and training.

RISK AND OTHER IMPLICATIONS

Financial

The funds paid by the Department for Communities does not cover the operating costs of the service. The City has been subsidising the provision of this service. This service is affected by the 15% state government increases not made available to local government.

If the City responds to the request, there is opportunity to price the service on a cost recovery basis.

Legal

If the City's application is successful, a five year, three month agreement with the Department for Communities will be entered into expiring June 2017 or alternatively, the City can negotiate a shorter funding period.

Operational

The funding amount available influences the type of service that can be supplied.

Organisational

Current staff employment contracts terminate in March 2012, in line with the current service agreement funding dates.

CONCLUSION

The funding agreement with the Department for Communities expires 31 March, 2012. The City is the preferred service provider and has been asked to apply to operate a volunteer service that meets the outcomes identified by the Department.

The Department has made significant changes to how the funding operates. This means the City will be able to develop a service model that responds to local needs. A new agreement will be for 5 years and 3 months expiring June 2017, unless a lesser time period is negotiated by the City.

It is assumed that if the City did not apply to continue to provide this service, then the Department would find an alternate provider.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority

COMMITTEE RECOMMENDATION

MOVED: Cr J Strachan

- 1. The City respond to the Department of Communities request for the provision of volunteer development services.**
- 2. In completing the request, the City provide a cost recovery price for the service.**

CARRIED: 6/1

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin	Cr Doug Thompson

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Committee's recommendation was to respond to the Department of Communities request for the provision of volunteer development services.

The following item number SGS1112-5 was moved and carried en bloc earlier in the meeting.

SGS1112-5 PROPOSAL TO AMEND DISTRICT BOUNDARY - ROUS HEAD RECLAMATION

DataWorks Reference:	098/004
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	Nil
Responsible Officer:	Glen Dougall , Director Corporate Services
Actioning Officer:	Glen Dougall , Director Corporate Services
Decision Making Authority:	Council
Agenda Attachments:	Letter from Fremantle Port Authority Map of proposed boundary amendment

EXECUTIVE SUMMARY

Fremantle Ports has reclaimed land at Rous Head as part of the dredging works undertaken in the later part of 2010. The Port intends to use this land for “port-related purposes” and is anticipated to be disposed through commercial lease arrangements.

As this reclaimed land is not within the current City of Fremantle district boundary the City will not have legislative power to impose rates on any of these commercial arrangements. This report proposes that the City of Fremantle commence the process to seek to include this land within its boundary under Schedule 2.1 of the Local Government Act, 1995.

BACKGROUND

An area of approximately 27 hectares of land has been reclaimed at Rous Head by Fremantle Ports in late 2010 as part of the deepening of the Inner Harbour Entrance Channel and Deepwater Channel.

The Fremantle Ports describes this land on its website (as at 2 August 2011) as;

“This new land, which is equivalent to about 20 per cent of the area of the existing North Quay/Rous Head precinct, represents a significant opportunity to improve trade efficiency and for future port growth.

Starting with a call for Expressions of Interest, which closed on 15 September 2010, Fremantle Ports is working towards the leasing and development of this new site. Development of key infrastructure, including roads and service corridors on the reclaimed land is expected to be completed in 2012.”

This land sits outside the current boundary definitions for the City of Fremantle. The City will need to formally seek this land to be incorporated into the boundary by making a submission to the Local Government Advisory Board (LGAB) to enable the City to consider property within this land under section 6.26 (1) of the Local Government Act 1995 as rateable land.

This land has been subject to inclusion under the Metropolitan Region Scheme (MRS) with the area endorsed by the Minister and approved by the Governor for inclusion within the MRS as a reserve for the purpose of "Port Installation".

COMMENT

Fremantle Port undertook a process of deepening the inner harbour in 2010. As part of this process the spoil from the dredging was used to reclaim land on Rous Head which the Port will now use to improve landside access for Port operations.

In late 2010 the Port sought expressions of interests for leasing and development of the site and is looking to conclude these arrangements in 2012.

This reclaimed land sits outside the current City of Fremantle defined district boundary. The City will need to propose a change to the boundary to include this land via a submission to the LGAB if it wishes to include this land for the purposes of rating once the Port arrangements are concluded.

The Local Government Act provides for boundary creating, changing and abolishing and has established a Board for such purposes. Changes can only occur by making a submission to the Board through a formal process. This process can take a number of months to conclude and results in the LGAB reporting to the Minister for Local Government. The LGAB may or may not include a public consultation process, depending on whether the proposition is considered major or minor in nature.

Officers do consider this proposal to be minor in nature but this can only be decided by the LGAB. It is recommended that a proposal be forwarded to the LGAB outlining the effect of the change and any stakeholders affected by the proposal to allow the LGAB to consider whether a more extensive process is required. The City has sought the opinion of the Fremantle Port Authority and they advised their support for the change.

RISK AND OTHER IMPLICATIONS

Financial

There is minimal financial implication for putting forward a proposal to the LGAB. Officers would draft up the proposal and forward it to the LGAB.

Legal

Schedule 2.1 of the Local Government Act 1995 provide for changing boundaries of districts.

A proposal may be made to the LGAB by an affected local government. This proposal is to;

- Set out the nature of the proposal, the reason for making the proposal and the effects of the proposal on local governments,
- Be accompanied by a plan illustrating any proposed changes to the boundaries of the district,
- Comply with any regulations about proposals.

If the LGAB determine that a proposal is minor in nature and not one about which public submissions need to be invited, then in a written submission may recommend that the Minister reject the proposal or that an order be made in accordance with the proposal.

Operational

If this proposal is successful then the boundary of the district will be amended to include the reclaimed land at Rous Head. This will allow the City to impose rates on any lease agreements between the Port and third parties in the future.

Organisational

Nil

CONCLUSION

It is anticipated that the LGAB would consider this proposal to be minor in nature. It only affects the City of Fremantle and the Fremantle Port and if supported by council, then both parties would agree to the change.

It is sought that Council support the Chief Executive Officer forwarding a proposal to amend the district boundary to the LGAB in accordance with clauses 2(1)(b) and 2 (2) of the Local Government Act 1995.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

That Council authorise the Chief Executive Officer to submit a proposal to the Local Government Advisory Board on behalf of City of Fremantle seeking an amendment to the district boundary for the City of Fremantle to include the recently reclaimed area of approximately 27 hectares of land adjacent North Mole Drive and Rudderham Drive at Rous Head.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

SGS1112-6 INFORMATION REPORT - DECEMBER 2011**FREMANTLE MARKETS WORKING GROUP MINUTES – 14 NOVEMBER, 2011**

DataWorks Reference: 049/008 & L074
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Minutes of Meeting of 24 November, 2011.
Fremantle Markets Annual Report 2010/11
Fremantle Markets KPI's for 2010/11

The Working Group meeting minutes are attached for information. Included with the minutes is the 2010/11 Fremantle Markets Annual Report and key performance indicator statistics as required under the terms of the lease and operating strategy.

The WG has been developing ideas for continued rejuvenation of the markets. These include talks on the next step for the conservation works. The WG is of the opinion that treating the ground water run-off is of priority for the next stage.

Visitor numbers at the market continue to improve on last year. The traders have agreed to open the markets up from Wednesday to Sunday during the ISAF event. The market will also open on the Thursday before Christmas. The extra trading days will be used by the general traders in the main hall, with the fruit and vegetable traders in the yard choosing to remain open only on normal days.

Statistics for the kpi's were generally taken from in-house data collection. Whilst the results indicate all kpi's were achieved, FMPL will use an external party to collect the data next year and compare the results to the statistics collected this year.

FMPL will be arranging a time in the new year to invite elected members to a presentation of the Annual Report to provide first hand information on the management of the markets over the past twelve months and into the next twelve months.

UPDATE – PARENTING SERVICE APPLICATION (BUSTER FUN BUS)

DataWorks Reference: 106/011
Author: Marisa Spaziani, Director Community Development
Agenda Attachments: Nil

As per Council resolution staff prepared and submitted a submission by the due date for a new 5 year contract to operate the Mobile Parenting Service Buster the Fun Bus with the Department for Communities.

The Department had indicated that the outcome would be notified prior to 31 December 2011. On Friday December 2nd the Department communicated to the City that they would not be ready to notify the City of the outcome and has instead offered a 3 month contract variation effective 31 December 2011 - 31st March 2012.

The coordinator of Buster has indicated that she will not be continuing with the City post 31 December 2011. Without a longer contract it is very difficult for the City to recruit an appropriately qualified/experienced person to fill this role. We have experienced this issue in the past when trying to recruit for staff for such short periods of time. This is the 6th short contract variation that has been offered to the City since 2008. Combined with the time of the year it makes staffing difficult if not impossible.

We intend to inform the department that we are not in a position to accept the contract variation as it would take at least 4 to 6 weeks to recruit and to try to find a replacement for a 2 month period is highly unlikely. To be able to recruit successfully we need to be able to offer a 5 year contract and be confident that we will be successful in this submission. The City will not be in a position to operate the service until we have an appropriate response from the department. The Director Community Development will be discussing options with the Department's contract officers.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

The information report for December 2011 be received.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

SGS1112-7 PROPOSED NEW WORKING GROUP AND CEO ACTION GROUPS

DataWorks Reference:	039/035
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	C1110-3
Responsible Officer:	Glen Dougall, Director Corporate Services
Actioning Officer:	Glen Dougall, Director Corporate Services
Decision Making Authority:	Council
Agenda Attachments:	Instrument of Appointment and Delegation for Nightclub Differential Rate Working Group Scope of Works for Parking Action Group Scope of Works for Indigenous Action Group

EXECUTIVE SUMMARY

To consider the recommendation to appoint one new Working Group and two new CEO Action Groups.

It is proposed that a new working group be established to develop possible improvements through the funds raised by the Nightclub Differential Rate. External membership of this group is recommended to be Mr David Heaton and Mr Rudy Fazio.

It is also advised that two CEO groups be established on an informal basis to progress a review of the parking operational aspects and the dialogue with the elders and traditional owners of Fremantle.

The parking group can then progress several operational parking reviews which have been raised over some months now. It is anticipated these issues could be considered in a relatively short space of time and that any external input can be sort on an informal basis.

The second group is a progression of the informal conversations which were recently commenced with the elders of the community. Rather than formalise this into a working group it is considered that the informal dialogue process seems to be fostering good conversations and that this should be recognised by council, but kept informal.

BACKGROUND

With the election of the new council a review of the working group requirements has been considered informally by officers and council. In November council re-established Working Groups that were considered required to continue while considerations for any new groups were being undertaken.

COMMENT

As a consequence of these discussions it is now proposed that one new working group is established. It is proposed to establish a working group to consider possible actions to improve anti-social activity associated with late night venues in Fremantle. The City has raised a differential rate for Nightclubs and after discussion with the operators of the three nightclubs it is recommended that they be invited to work with council to assist in considering possible solutions. The Instrument of Appointment and Delegation for the Working Group is attached with this agenda and proposes to bring recommendations to council over the first quarter of next calendar year.

The CEO has also established two Action Groups to assist in dealing with two operational type matters. The first is to review operational parking matters. There has been some discussion both internally and externally in relation to operational parking matters in the CBD of Fremantle over some time. This group is being established to look at these matters and also some neighbourhood parking issues as well. Attached is the Scope of Works for this Group and the CEO will be seeking elected member nominations for it shortly.

The second CEO group being established is an Indigenous Action Group. This Group will provide for frequent conversation to continue between the City and indigenous elders and traditional owners on an informal basis. The establishment of this informal group will allow matters to be brought back to council where necessary.

RISK AND OTHER IMPLICATIONS

Financial

No direct financial requirement for the appointment of the Working Group.

Legal

The Local Government Act 1995 provides the authority for council to establish committees and in this case working groups.

Operational

These groups will be managed by officers and meet as required. Instruments of appointment and scope of works have been developed for each group along with any delegations on how they are to operate. All working groups need to report back to council.

Organisational

It is provided that the groups act within council policies and strategic goals.

CONCLUSION

It is proposed that the Instrument of Appointment and Delegation and appointment of members to the Nightclub Differential Rate Working Group be adopted.

It is proposed the Parking and Indigenous CEO Action Groups be noted.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S/COMMITTEE RECOMMENDATION

- 1. The Instrument of Appointment for the Nightclub Differential Rate Working Group is adopted and the following appointments of membership are approved;**
 - a) Mayor and Councillors _____ and _____, and
 - b) Mr Rudy Fazio representing East End Bar and Clink Nightclub, and
 - c) Mr David Heaton representing Metropolis Nightclub.
- 2. Council note the Scope of Works and appointment of the Parking and Indigenous CEO Action Groups.**

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

As Councillors that may wish to nominate for the Nightclub Differential Rate Working Group that are not on the Strategic and General Services Committee, the committee left the appointment of members for consideration at the Council meeting on 22 December 2011.

SGS1112-8 ANNUAL REPORT 2010-2011

DataWorks Reference: 031/002, 087/004 & 083/003
Disclosure of Interest: Nil
Meeting Date: 14 December 2011
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Glen Dougall, Director Corporate Services
Decision Making Authority: Council
Agenda Attachments: Annual Report 30 June, 2011
Annual Financial Statements 30 June, 2011 (separate attachment)
Audit Report 30 June, 2011 (draft)

EXECUTIVE SUMMARY

Council is required to produce and accept an Annual Report each year and set a date to present this report to an annual meeting of electors. It is sought that Council approve the Annual Report for 2010/11 as presented and set the Annual Electors meeting for Monday 6th February 2012.

BACKGROUND

The Local Government Act 1995 requires local governments to prepare an annual report for each financial year and stipulates the format of the report. The report should be adopted no later than the 31st of December after that year. The report is to include the audit certificate presented for the financial statement of the year being reported and therefore can only occur once the audit has been completed and signed by the auditor.

COMMENT

The audit was conducted during November by Council auditors, Grant Thornton. The report contains the information to be published, but the final published version may vary slightly with additional formatting and graphics to improve presentation. As has been the case since the 2001/2002 Annual Report, the Report will only be printed with abridged financial statements. The full financial statements will be available on the Council web site.

The abridged financial statements will contain the following documents and statements: -

- Independent Audit Report
- Statement by Chief Executive Officer
- Operating Statement for the year ended 30 June 2011
- Statement of Financial Position for the year ended 30 June 2011
- Statement of Changes in Equity for the year ended 30 June 2011
- Statement of Cash Flows for the year ended 30 June 2011

The 2010/2011 Annual Report (wording) with the full financial statements and auditor report is attached.

It is proposed to hold the general meeting of electors in the Council Chamber to facilitate preparation of the minutes, as the meeting can be recorded. Further, in accordance with Council resolution SGS0505-22 of 22 June 2005, in addition to the statutory advertising, a further notice advertising the meeting will be placed in the Port City column on the weekend before the actual meeting.

No significant issues or breaches have been raised within the audit.

In accordance with legislative requirements a meeting will be convened between Council's audit committee and the auditor to discuss the audit process and any issues that may be raised by the auditor in relation to management processes that do not require specific comment within the audit report. Any issues of this nature that may be raised by the auditor will be provided by way of a "management letter" at a later date. The timing of this meeting is expected to occur before the Annual Electors meeting in February.

The Annual Report will once again be professionally printed for release to the community and will also be available electronically. The report provides a synopsis of the activities and events that took place in 2010/11.

RISK AND OTHER IMPLICATIONS

Financial

Besides the printing costs and the cost to have the financial audit undertaken there are no direct financial costs in adopting the annual report.

Legal

Section 5.53 of the Local Government Act 1995 requires local governments to prepare an annual report for each financial year and stipulates the format of the report. The report is to contain;

1. A report from the Mayor,
2. A report from the Chief Executive Officer,
3. An overview of the plan for the future of the district,
4. The financial report for the financial year,
5. Such information as prescribed in relation to payments to employees,
6. The auditor report for the financial year,
7. A matter on which a report must be made under section 29(2) of the Disability Services Act 1993, and
8. Details of entries made under section 5.121 of the Local Government Act 1995 during the financial year in the register of complaints.

Section 5.54 requires that the Annual Report be accepted by an Absolute Majority of Council no later than 31 December each year unless the auditor report is not available.

Section 5.55 of the Act requires that “*the CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.*”

Section 5.27 requires a general meeting of electors to be held once every financial year. A general meeting is to be held on a day decided by the local government but not more than 56 days after it has accepted the annual report. The general meeting agenda is to include the contents of the annual report and any other general business. The proposed date of 6th February, 2012 is within this required time period.

Section 6.4 of the Local Government Act 1995 requires local governments to prepare an annual financial report for the preceding financial year.

Section 7.2 of the Act requires that “*the accounts and financial statements of a local government for each financial year are to be audited by an auditor appointed by the local government.*”

Section 7.9 (1) of the Act provides “*An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31st December next following the financial year to which the accounts relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of the report to –*

- a) *The Mayor,*
- b) *The Chief Executive Officer of the local government , and*
- c) *The Minister.*

Operational

The Annual Report refers to activities and information based on the preceding financial year. The only operational requirement after adoption is to hold the Annual electors meeting within 56 days after council has accepted the report. The recommended meeting date of 6th February, 2012, is 40 days.

Organisational

Nil.

CONCLUSION

That the report is accepted and the date and location of the annual electors meeting is set for Monday 6th February 2012.

STRATEGIC AND POLICY IMPLICATIONS

Capability

Deliver on the achievement of our strategic imperatives through good governance, strong leadership, effective communication and excellence in delivery.

The Annual Report demonstrates the efficient and effective local government in compliance with statutory requirements.

COMMUNITY ENGAGEMENT

No consultation required prior to holding the Annual meeting of Electors. In accordance with the Act the CEO will make the annual report available prior to the annual electors meeting.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

- 1. The City of Fremantle 2010/2011 Annual Report (as attached to the Strategic and General Services agenda) including the audited financial statements be accepted.**
- 2. The General Meeting of Electors is to be held on Monday, 6th February 2012 at 6.00 pm in the Council Chamber at 8 William Street Fremantle.**

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

The following item number SGS1112-9 was moved and carried en bloc earlier in the meeting.

SGS1112-9 RATE CONCESSION FOR 14-16 SOUTH TERRACE AND 189 HIGH STREET, FREMANTLE

DataWorks Reference:	152/001, Property 1610252201 and Property 1610080157
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	C1109-2
Responsible Officer:	Glen Dougall, Director Corporate Services
Actioning Officer:	David Nicholson, Rates Coordinator
Decision Making Authority:	Council
Agenda Attachments:	Nil

EXECUTIVE SUMMARY

The City has held discussions with the Night Club property owners in relation to the new differential rate applied to these properties in the 2011/12 Budget.

Two of these properties have multiple leases and the Valuer General declined the request from the City to provide separate values for each of the lease portions.

The City has made an offer to these properties to provide a rate concession based on their apportionment of outgoings to the individual leases for each property. The purpose of the concession is to allow the Night Club differential to be applied to the Night Club portion and allow the City Centre rate to be applied to the non Night Club portions of each property.

The City has previously agreed to a concession for the owners of 52 South Terrace (Metropolis) at the September round of meetings.

At this time the City and the owner of 14-16 South Terrace (Clink Nightclub) and 189 High Street (East End Bar) have also now agreed to this solution. It is recommended that a concession of 36.4% be applied to the rate for the Clink and a concession of 8% be applied to the East End Bar to allow the owner to apportion the City Centre rate for the non Night Club leases.

BACKGROUND

Council adopted a new differential rate when adopting its 2011/12 Budget on 14 July, 2011. The rate was premised on seeking additional funds from Night Club venues so the City could manage costs associated with late night venues.

During consultation on this issue it was raised that these properties did include non Night Club leases. The City then requested whether the Valuer General could provide separate

valuations for the separate portions of these properties. The response from the Valuer General was that it is not policy to do so.

COMMENT

In ensuring the City was applying the rate in its intended form the City sought discussions with the affected property owners and made the offer of a rate concession from council which would effectively ensure that the total rates applied would equal the City Centre rates being applied to the non Night Club portions of the properties.

Discussions with the owner of 14-16 South Terrace and 189 High Street, Fremantle, have established the application of outgoings as the best basis for calculating this offer. Upon these discussions it was concluded that the City would offer a 36.4% concession for the Clink and 8% concession for East End Bar on the rates applied to these properties. The owner would then apportion the rates in a way which would see Clink pay their portion at the Night Club differential rate amount.

The East Bar is the sole lease operating on High Street, however in the interests of goodwill the City has agreed to concession the non- nightclub portion of this property.

This outcome is more complicated than receiving separate valuations from the Valuer General but ensures the intended outcome. The City will continue to work with the Valuer General's office over the next twelve months to see if separate valuations can be provided in future years.

At the September 2011 council meeting (C1109-2) Council has already agreed to provide a concession based on apportionment of outgoings to 52 South Terrace (Metropolis).

RISK AND OTHER IMPLICATIONS

Financial

There will be an adjustment of approximately \$54,055 from the calculated rates for these properties. In total from all three concession there will be an adjustment of approximately \$59,855.

Legal

Section 6.47 of the Local Government Act 1995 states;

"Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge."*

The owner of the two abovementioned properties has appealed the valuations established by the Valuer General's Office for these properties. If this appeal is upheld then there may be further adjustments to the rates calculated for these properties.

Operational

The City will issue a new rates notice for the property which the owner will then use to apportion the rates to the separate lease holdings within the property.

Organisational

Nil

CONCLUSION

This offer allows the City to ensure the outcome which was intended in striking the Night Club differential rate.

STRATEGIC AND POLICY IMPLICATIONS

Supports the draft Community Safety Plan 2011-2015.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

- 1. Council apply a 34.6% concession to the 2011/12 differential rate for 14-16 South Terrace Fremantle effective for the 2011/12 rate year.**
- 2. Council apply an 8% concession to the 2011/12 differential rate for 189 High Street Fremantle effective for the 2011/12 rate year.**

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

The following item number SGS1112-10 was moved and carried en bloc earlier in the meeting.

SGS1112-10 REVISED POLICY - VEHICLE CROSSINGS OP25

DataWorks Reference:	035/005, 030/018
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	Nil
Responsible Officer:	Peter Pikor, Director Technical Services
Actioning Officer:	Philip Gale, Manager Infrastructure Services
Decision Making Authority:	Council
Agenda Attachments:	Draft Policy OP25 - Vehicle Crossing

EXECUTIVE SUMMARY

This item is put forward to Council to consider and adopt the revised vehicle crossings policy OP25.

BACKGROUND

The vehicle crossing policy was last reviewed and adopted in March 2004. The review date set was 2011 and a revised policy is now before Council for consideration and adoption.

COMMENT

The existing policy generally operates well and therefore only minor changes have been necessary to make the document reflect current delegations and include a process on removal of trees.

These changes reflect the change in management of the policy, now delegated to the Manager Infrastructure, previously the Manager City Works.

An important addition has been included, that is to refer to the retention of street trees and the course of action should a tree need to be removed. This is important as vehicle crossings can significantly adversely impact on streetscapes through the natural process of urban renewal and development.

The revised policy is shown at Attachment 1.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

Nil

Organisational

Nil

CONCLUSION

The policy works well in the administration of vehicle crossing requests and the revised policy is therefore recommended for adoption.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

That Council adopts the revised Policy OP 25 - Vehicle Crossings, as shown on Attachment 1.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

SGS1112-11 ROCKY BAY ROCKSLIP COMMUNITY CONSULTATION

DataWorks Reference: 146/011
Disclosure of Interest: Nil
Meeting Date: 9 November 2011
Previous Item: SGS1101-3
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Lionel Nicholson, Manager City Works
Decision Making Authority: Council
Agenda Attachments: Rocky Bay rock slip community engagement report
Diagram - Rocky Bay access areas

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council on 25 January 2011 (SGS1101-3) it was resolved that informal public consultation be conducted with the North Fremantle community on the proposed management treatments to mitigate risks at the Rocky Bay cliff face. The measures included restricting public access down the cliff face by installing signage and fencing as well as carrying out further research on the stability of the cliff face.

The community engagement process found there was minimal support overall for the proposed mitigation measures by the City and that the proposed fence is not supported. The community would like public access to the river from the Rule Street Reserve to be made safe for continued recreational use. This would include installing signage which is regarded as sufficient to convey the danger associated at the cliff.

BACKGROUND

A rock slip event occurred on 14 July 2010 in the area surrounding the Waagyl Cave and Rule Street stormwater outfall. The rock slip damaged a small timber foot bridge, remnant industrial brick-concrete foundation and vegetation in its path before coming to rest at the high water mark.

There is no evidence that a specific policy addressing rock slips has been adopted by Council although the City has existing policies associated with the North Fremantle Foreshore including the North Fremantle Foreshore Plan DGN7 and Foreshores within the City of Fremantle DGF9. Currently, the City has commissioned the preparation of an updated management plan for the North Fremantle Foreshore. This plan will address access, views and other issues associated with the foreshore.

As a result of the recent rock slip, concerns were raised regarding the City's position on allowing and managing physical public access to the cliff face and the long term management of issues related to rock slips, therefore a report was presented to Council, which provided the following recommendations;

- 1.The remaining unfenced portions of the cliff face are restricted from public access; this may include additional signage and fencing as necessary along the remaining unfenced portions of the cliff top.
- 2.Incorporate appropriate budgetary requirements for implementing research, signage and infrastructure
- 3.Carry out further research on the stability of the cliff face and the associated mitigation for risks to the City.
- 4.Initiate an informal public consultation process with the community on proposed management treatments to mitigate risks at the Rocky Bay cliff face.

The geological report commissioned by City Officers indicated that the rock slip originated from the rim of the cliff and the site area has been under geological surveillance for the last 25 years. Further, the report recommends eight remedial actions be undertaken so that safe access can resume along the existing path;

1. "Tell tales" are to be installed at the overhang 25m south of the rock fall
2. The fallen slab and surrounding area to be cleared
3. The opening 10m south of the drainage tunnel should be monitored with steel pins
4. The toppling rock 25, north of steps should be underpinned with limestone
5. The area in front of the Waagyl Cave must be renewed
6. The bank of rubble and cracks near the steps at the beach should be fixed
7. Restrict public access until loose material is removed from the platform
8. Place a warning sign in front of the major overhang that is 25m south of the rock fall.

COMMENT

It is clear the results of the community engagement found the majority of respondents expect the City to make access to the river from the Rule Street Reserve safe so the community can continue to use the area.

Any remedial works would need to consider the cultural significance of the area to the local Nyoongar people. Rocky Bay Reserve contains two registered Aboriginal Sites the Swan River (Site ID 3536) and the Waagyl Cave (Site ID 3596).

In order to provide access the required remedial works recommended in the Geological Report 2010 needs to be undertaken. While the maintenance works are underway, access will be restricted using signage.

The City will continue to monitor the site by undertaking geological assessment annually on the limestone cliffs and Waagyl Cave.

RISK AND OTHER IMPLICATIONS

Financial

The remedial works will entail minor costs to be offset against savings in the appropriate operating budget.

Legal

The Aboriginal Heritage Act (1972) and the Swan and Canning Rivers Management Regulations (2007).

Ensuring the public have safe access will mitigate the City's exposure to potential public liability issues.

Operational

Part of the remedial works not covered by the City's core operations will be carried out using specialist contractors.

Organisational

Nil.

CONCLUSION

The management of physical public access and risks associated with the landscape of Rocky bay Reserve 7077 is considered the City's responsibility under both State Legislation and the Reserves Vesting. Consequently the identified remedial actions are proposed to be carried out by the City and therefore reinstating access to the river foreshore.

STRATEGIC AND POLICY IMPLICATIONS

- Create a community where people feel safe in both private and public spaces
- Lead in the provision of environmentally sustainable solutions for the benefit of future generations.
- Providing a great vibrant City in which to live work and play, through growth and renewal.

COMMUNITY ENGAGEMENT

A formal community engagement process was carried during May to June 2011. A hard copy package was mailed and a comment form distributed via the local newspaper and the City's website in order to receive comment. A total of 37 people completed the comment form.

It is noted that outside of this formal community consultative process, a petition with 15 signatures has been presented to the City. The petition was from members of the North Fremantle community rejecting the consultative exercise. The response to this petition will be undertaken following the City's formal process for managing petitions.

Also, discussions with Nyoongar Traditional Owners to obtain a Section 18 (Aboriginal Heritage Act, 1972) approval for future and maintenance works at various sites across the City to determine their preference was that the Waagyl Cave be completely restricted from public access.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That Council authorises the following works at the Rocky bay Foreshore;

1. Restores access only along the existing steps to the beach.
2. Restricts access along either side of the beach area.
3. Undertakes, as a matter of priority, the geologists recommended maintenance remedial works in accordance with the Department of Indigenous Affairs and Swan River Trust requirements
4. Installs appropriate signage advising of the inherent risk of access along the natural cliff face and remove the temporary fencing once the remedial works are completed.

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

5. In order to protect areas of significance to the Nyoongar community, Council approve works necessary for the erection of barriers to control ad-hoc access and damage to the Rocky bay Waagyl cave.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Tim Grey-Smith Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

COMMITTEE RECOMMENDATION

MOVED: Cr J Strachan

- 1. Restores access only along the existing steps to the beach.**
- 2. Restricts access along either side of the beach area.**
- 3. Undertakes, as a matter of priority, the geologists recommended maintenance remedial works in accordance with the Department of Indigenous Affairs and Swan River Trust requirements**
- 4. Installs appropriate signage advising of the inherent risk of access along the natural cliff face and remove the temporary fencing once the remedial works are completed.**
- 5. In order to protect areas of significance to the Nyoongar community, Council approve works necessary for the erection of barriers to control ad-hoc access and damage to the Rocky Bay Waagyl cave.**

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

To include part 5 to the Officer's Recommendation to protect areas of significance to the Nyoongar Community.

SGS1112-12 HOWARD STREET TRIALTRAFFIC TREATMENT SURVEY

DataWorks Reference:	165/022
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	Nil
Responsible Officer:	Peter Pikor, Director Technical Services
Actioning Officer:	Philip Gale, Manager Infrastructure Services
Decision Making Authority:	Council
Agenda Attachments:	Attachment 1 - Consultation summary (under separate cover) Attachment 2 - Consultation summary map Attachment 3 - Howard Street traffic volume comparison Attachment 4 - Howard Street Left out treatment drawing (under separate cover)

EXECUTIVE SUMMARY

As part of Council's approval for the construction of the roundabout at the intersection of South Terrace, Wray Avenue and Howard Street it was resolved that the intersection of Marine Terrace and Howard Street be trialled as a "left out only".

Following the installation of the roundabout and the left out only traffic restriction the monitoring of traffic on this local street has been carried out. The traffic survey results of this trial indicate that there has been a reduction on average of 32% of traffic at the midblock location of Howard Street. Community consultation on the trial closure indicates a good level of street residents' support for this treatment to remain. It is recommended that the left out treatment at the Marine Terrace and Howard Street intersection be made a permanent treatment.

BACKGROUND

At the meeting on 19 January 2011 Council resolved to approve the installation of a roundabout at the intersection of South Terrace, Wray Avenue and Howard Street. It was also resolved as part of this traffic treatment installation that the intersection of Marine Terrace and Howard Street be trialled as a "left out only".

Council also requested that following the installation of the treatments the traffic volumes in Howard Street be monitored for three months and a report be presented reviewing the functionality of the roundabout and the local road network operations.

The roundabout and the trial traffic treatment of the Howard Street and Marine Terrace intersection was completed in June 2011.

Roundabout Treatment

The pre traffic modelling for the roundabout predicted a decrease in delay times on average on all legs with an increased queue length on the southern leg of South Terrace for the AM peak only. All other aspects were predicted to improve. Observed conditions on a weekday are as follows;

AM Peak (8:30-9:30):

Mostly free flowing conditions with average delay less than 3.5 secs (6.3 secs modelling prediction) on most legs. The predicted southern leg of South Terrace 95% queue length (predicted worst case scenario) of 68m was not observed with a maximum of 25-30m (23m mean predicted in modelling) queue occurring very rarely within the observed timeframe. There was a scenario where a leading bus would have trailing traffic and would need to slow at the speed cushion on South Terrace. This would produce a delay and queue but again, with the average delay around 3.5 secs, this still did not produce the predicted queue length of 68m.

The northern leg had a similar condition with the leading bus at the speed cushion and queue lengths of around 25-30m but again where mostly free flowing conditions.

The eastern leg, Wray Avenue, had similar queues and delay times without the extra delay induced by the speed cushion.

PM Peak (16:30-17:30)

20-25m queues were observed on the east & southern legs (Wray Ave & South Tce) with a 160m queue on the northern leg (through roundabout at Fremantle Hospital). Despite this, the amount of delay was minimal as the traffic was still able to move albeit slowly.

Further assessment of the effectiveness in terms of safety of the roundabout cannot be confidently commented on as there is no Main Roads reported crash data available at this time. This data will be available mid 2012 with subsequent years establishing a trend for reliable conclusions to be drawn in regards to the safety benefits of the new roundabout. At present the indications are that the roundabout is operating satisfactorily.

Howard Street Trial Treatment

The results of the before and after traffic survey in Howard Street reveal a reduction in total traffic volume using Howard Street of 32% per day on average (Traffic Data Comparison of Mid Block Traffic). The greatest variation was seen in the west bound traffic volumes entering Howard Street from South Terrace with a reduction in excess of 50% which would indicate a reduction in westbound through traffic. This is most likely to be attributed to the treatment at the intersection of Howard St and Marine Terrace which limits exiting vehicles to left turns only. The traffic survey results is shown on attachment 3.

Community consultation on the trial treatment was undertaken via a postal survey to all Howard Street residents and the results of the survey are summarised in Attachment 1. Of the surveys posted, there have been 29 responses with 24 in favour to retain the trial traffic treatment, 4 not in favour and 1 abstaining.

COMMENT

Prior to the installation of the roundabout there were community concerns that this treatment may increase and or redistribute through traffic along local streets between South Terrace and Marine Terrace and with an immediate impact on Howard Street. The recent traffic survey results show that there has been a reduction in the traffic along Howard Street which can mainly be attributed to the trial traffic treatment.

With regard to other streets including Wray Avenue which has not been traffic treated it is usual for traffic flow patterns to take time to be established. Council has resolved that a future report be presented following monitoring of the traffic on other local streets. It is proposed that an area wide traffic investigation report will be presented to Council in the middle of 2012.

RISK AND OTHER IMPLICATIONS

Financial

To make the trial treatment permanent minor concrete infill works will be required at an estimated cost of \$1500. These works if the treatment is to be retained can be funded from the road maintenance account.

Legal

The Local Government Act 1995 (section 3.50) allows through giving local public notice for a thoroughfare to be partially or fully closed to the passage of vehicles.

Currently, the traffic restriction of Howard Street physically and legally restricts a right turn movement onto Marine Terrace. All other movements are unaffected.

Operational

Nil

Organisational

Nil

CONCLUSION

The modification at the intersection of Howard Street and Marine Terrace has decreased the overall number of vehicles using Howard Street by 32% on an average weekday and is therefore considered an effective traffic calming treatment. There is a good level of support from the street residents' for the traffic restriction to be retained.

It is therefore recommended that the left out only traffic restriction as shown on attachment 4 be retained.

STRATEGIC AND POLICY IMPLICATIONS

Urban Renewal and Integration

Strategic Imperative: Providing a great place to live ,work and play through growth and renewal.

COMMUNITY ENGAGEMENT

The street residents' of Howard Street have been canvassed on the effectiveness of the trial of the traffic restriction on this street.

The residents' will be advised of Council's decision on the future of the traffic restriction.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

That Council retains the 'left out only" traffic restriction as a permanent treatment at the intersection of Howard Street and Marine Terrace as shown on attachment 4.

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

SGS1112-13 ACCEPTANCE OF GRANT FROM THE DEPARTMENT OF LOCAL GOVERNMENT

DataWorks Reference:	106/041; 106/062; 102/010
Disclosure of Interest:	Nil
Meeting Date:	14 December 2011
Previous Item:	Nil
Responsible Officer:	Glen Dougall, Director Corporate Services
Actioning Officer:	Matthew Piggott, Manager Governance Projects
Decision Making Authority:	Council
Agenda Attachments:	Nil

EXECUTIVE SUMMARY

The Department of Local Government has approved a grant of \$40,000 (plus GST) to the City of Fremantle for the purpose of strategic planning capacity building.

BACKGROUND

The State Government's local government reform agenda aims to achieve greater capacity for local governments to plan, manage and deliver services that will enhance the social, environmental and economic sustainability of their communities. Strategic planning has been identified as an essential tool for all local governments to use if they are to deliver more efficient and effective services.

Section 5.56(1) and (2) of the Local Government Act requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations. The *Local Government (Administration) Regulations 1996* has been amended to require each local government to adopt a Strategic Community Plan (10+ years) and a Corporate Business Plan.

The new regulations specify what a 'plan for the future' should involve. In particular, local governments will be formally required to develop and adopt two new planning instruments:

- A Strategic Community Plan, and
- A Corporate Business Plan.

A Strategic Community Plan is a long term strategic plan (10+ years) that clearly links the community's aspirations with the Council's vision and long term priorities.

A Corporate Business Plan is a local government's internal business planning tool that translates Council priorities into operations within the resources available. In its entirety, it details the services, operations and projects a local government will deliver over a defined period, the processes for delivering these and the associated cost.

Compliance with the new regulations will not be required nor enforced until 30 June 2013.

COMMENT

The City of Fremantle intends to develop and implement a Strategic Community Plan that articulates community and Council vision, values, aspirations and priorities for greater than ten (10) years. This long term future planning document will give reference to the current City of Fremantle Strategic Plan 2010-15 that articulates Council's vision, seven strategic imperatives and strategic priorities for the next 4 years.

Aligning +10 year community and Council vision, values, aspirations, priorities with resources, budget commitments and service delivery will allow additional social, economic, environmental and sustainability outcomes to be achieved beyond those already identified in the City of Fremantle Strategic Plan 2010-15: Economic development; Urban renewal and integration; Climate change & environmental protection; Sustainable transport; Character; Community & safety; and Capability.

The WA Local Government Association Systemic Sustainability Study of 2008 and the Local Government Reform Steering Committee Report of 2010 both found there was limited local government capacity in long term planning. In a self assessment process conducted by local governments in 2009, two thirds reported a lack of adequate capacity to provide for long term integrated planning strategies. The City of Fremantle is more advanced than many WA local governments in this regard.

RISK AND OTHER IMPLICATIONS

Financial

In accordance with the conditions stipulated by the Department of Local Government, the City will engage the services of professional strategic planning consultants to facilitate the development of a long term strategic plan (10+ years).

Legal

Grant funds are to be expended by the project completion date, 31 December 2012. Project acquittal is due within 40 days of the project completion date.

Operational

The Governance project team will coordinate the strategic planning process.

Organisational

Nil

CONCLUSION

The City accepts a grant of \$40,000 (plus GST) from the Department of Local Government for the purpose of strategic planning capacity building.

STRATEGIC AND POLICY IMPLICATIONS

The grant will assist the City develop a long term strategic plan (10+ years).

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr J Strachan

1. The City accepts a grant of \$40,000 (plus GST) from the Department of Local Government for strategic planning capacity building.
2. The 2011 - 2012 revenue and associated expenditure budgets be amended as summarised below.

Budget Category/Sub Category	Existing Budget Expenditure /(Revenue)	Variation to Budget Expenditure /(Revenue)	Revised Budget Expenditure /(Revenue)	Account String (Budget amount refers to this account))
Revenue				
Department of Local Government Strategic Planning Capacity Building	0	(40,000)	(40,000)	11.11100.4311.00.00.00000 State Operating Grants
Total Funding	0	(40,000)	(40,000)	
Expenditure				
Consulting Services Contracted Services	100,000	35,000	135,000	11.11100.6824.00.00.00000
	0	5,000	5,000	11.11100.6823.00.00.00000
Total Expenditure	100,000	40,000	140,000	
Net Variation to Budget – Deficit/(Surplus)		Nil	Nil	

CARRIED: 7/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Tim Grey-Smith Cr David Hume Cr Sam Wainwright Cr Dave Coggin Cr Doug Thompson	

CONFIDENTIAL MATTERS

Nil

CLOSURE OF MEETING

THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 7.13PM.

SUMMARY GUIDE TO CITIZEN PARTICIPATION AND CONSULTATION

The Council adopted a Community Engagement Policy in December 2010 to give effect to its commitment to involving citizens in its decision-making processes.

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

Effective community engagement 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 council appointed working groups, its community precinct system, and targeted community engagement 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 bi-ennial 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	1 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 policy and procedures	1 The City's community engagement policy identifies nine principles that apply to all community engagement processes, including a commitment to be clear, transparent, responsive , inclusive, accountable and timely. City officers are responsible for ensuring that the policy and any other relevant procedure is fully complied with so that citizens are not deprived of their rights to be heard.

How consultative processes work at the City of Fremantle	
Community engagement processes have cut-off dates that will be adhered to.	<p>1 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, community engagement 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 community input is involved, the Council is the decision-maker and this affords community members the opportunity to make input after the cut-off date via personal representations to individual Elected Members and via presentations to Committee and Council Meetings.</p>
Citizens need to check for any changes to decision making arrangements made	<p>1 The City will take initial responsibility 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 the City's website, checking the Fremantle News in the Fremantle Gazette or inquiring at the Customer Service Centre by phone, email or in-person.</p>
Citizens are entitled to know how their input has been assessed	<p>1 In reporting to decision-makers, City officers will in all cases produce a community engagement outcomes report that summarises comment and recommends whether it should be taken on board, with reasons.</p>
Reasons for decisions must be transparent	<p>1 Decision-makers must provide the reasons for their decisions.</p>
Decisions posted on the City's website	<p>1 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 the City's website under 'community engagement' or at the City Library or Service and Information Centre.</p>

Issues that Council May Treat as Confidential

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

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