



MINUTES

Ordinary Meeting of Council

Wednesday, 25 January 2012, 6.00 pm

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ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held in the Council Chambers, Fremantle City Council
on **25 January 2012** at 6.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Mr Brad Pettitt declared the meeting open at 6.00 pm and welcomed members of the public to the meeting.

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 Robert Fittock	North Ward
Cr Rachel Pemberton	City Ward
Cr Dave Coggin	East Ward
Cr Ingrid Waltham	East Ward
Cr Sam Wainwright	Hilton Ward
Cr Bill Massie	Hilton Ward
Cr Jon Strachan	South Ward (<i>entered 6.02 pm</i>)
Cr Andrew Sullivan	South Ward
Cr David Hume	Beaconsfield Ward
Cr Josh Wilson	Deputy Mayor / Beaconsfield Ward
Mr Graeme Mackenzie	Chief Executive Officer
Mr Glen Dougall	Director Corporate Services
Ms Marisa Spaziani	Director Community Development
Mr Philip St John	Director Planning and Development Services
Mr Peter Pikor	Director Technical Services
Mr Peter Wood	Coordinator Parking Services
Mr Maurice Werder	A/Finance Manager
Mr Andrew Eastick	Manager Economic Development and Marketing
Mrs Tanya Toon-Poynton	Minute Secretary

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

APOLOGIES

Cr Doug Thompson

LEAVE OF ABSENCE

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 21 December 2011 the following questions related to item PSC1112-205 were taken on notice:

Summary of Question by Kay Griffiths related to PSC1112-205	Summary of Response from Natalie Martin Goode, Manager Development Services
1. What are council's immediate solutions to eliminate illegal parking if seats are to be increased to 52.	The area is also subject to random patrol. Specific patrols can be tasked using the duty roster to magnify the deterrent effect to any illegal parking in the vicinity. Additionally, persons observing alleged offences may contact the City using telephone 9432 9999 during business hours, and 9432 9860 after hours. Where available, an officer will be despatched to investigate.
2. Can the industrial fans be turned on not earlier than 7am.	Under the National Food Safety Standards, 9 Seeds Café legally must protect potentially hazardous food from spoilage. The fans on the commercial fridges operate on a thermostat 24 hours a day to protect the food from spoilage and therefore they cannot be altered in anyway, unless they require servicing to maintain food safety performance. It is understood that attenuation measures are taking place at the moment to get new commercial refrigeration equipment that is more efficient and has a lower sound output.
3. Can a sound proof door be put at the rear entrance.	Environmental Health staff have conducted several site inspections and at the time of the inspections, did not identify any breach of noise regulations. On this basis there is no requirement for a door to be installed due to noise.
4. Can a gate be put on the east southern side of the driveway.	This was suggested to the applicant who advised that a gate will not be required as they have spoken to the adjoining objectors and agreed to: <ol style="list-style-type: none"> 1. Not park any cars at the rear of the restaurant until after 8am; and 2. Prior to 8am vehicles will park in the driveway located at the front/side (north east) of the property.
5. The mediation that resolved for staff to park their cars on the eastern side of the cafe driveway before 8am has not been adhered to.	Staff have observed cars parked in the driveway as permitted prior to 8am. Staff will continue to monitor where vehicles park prior to 8am. Note that there is a property at the rear of the café. Cars associated with the residence are permitted to park their vehicles at the rear. For example a vehicle parked at the rear associated with the residence the night before, is not required to be moved. Only vehicles associated with café are required to park on the eastern side of the café prior to 8am.

PUBLIC QUESTION TIME

Summary of comment by Cale Parsons

Mr Parsons spoke against the committee recommendation of item PSC1201-5.

Summary of comment by Vicki Hamersley

Ms Hamersley spoke against the committee recommendation of item PSC1201-5.

DISCLOSURES OF INTEREST BY MEMBERS

Nil

APPLICATIONS FOR LEAVE OF ABSENCE

MOVED: Mayor, Brad Pettitt

Cr Doug Thompson's request for leave of absence from 17 January 2012 to 18 February 2012 is approved.

SECONDED: Cr R Fittock

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Ingrid Waltham Cr Robert Fittock Cr Josh Wilson Cr Rachel Pemberton Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

PETITIONS / DEPUTATIONS / PRESENTATIONS

Cr Jon Strachan attended a WALGA workshop on structural reform. The Mayor and CEO also attended the workshop.

Cr Strachan attended an interview related to the Integrated Planning and Reporting system being introduced across Australian. The interview was initiated by the Department of Local Government.

CONFIRMATION OF MINUTES

MOVED: Mayor, Brad Pettitt

That the Minutes of the Ordinary Meeting of Council dated 21 December 2011 be confirmed as a true and accurate record.

SECONDED:

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Ingrid Waltham Cr Robert Fittock Cr Josh Wilson Cr Rachel Pemberton Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

ANNOUNCEMENTS BY THE MAYOR

Nil

QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS

Nil

TABLED DOCUMENTS

Council Additional Documents
 Additional attachment under separate cover for item C1201-5

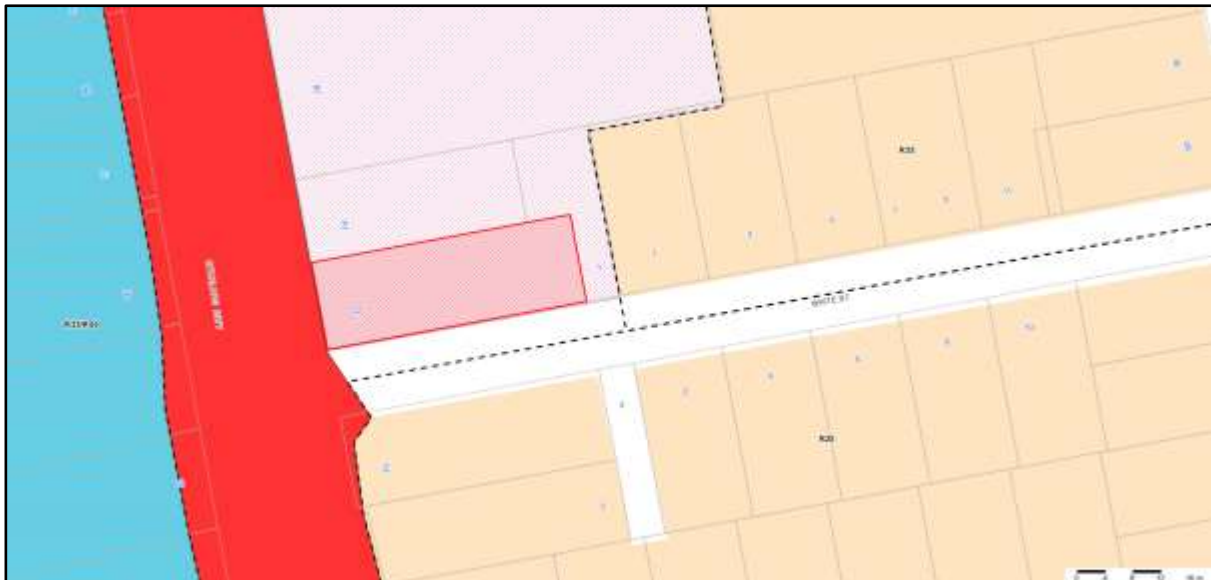
LATE ITEMS NOTED

COMMITTEE REPORTS

PLANNING SERVICES COMMITTEE 18 JANUARY 2012

PSC1201-5 STIRLING HIGHWAY, NO. 72 (LOT 3) NORTH FREMANTLE - DEMOLITION OF EXISTING BUILDING (JWJ DA0497/11)

DataWorks Reference: 059/002
Disclosure of Interest: Nil
Meeting Date: 18 January 2012
Responsible Officer: Manager Development Services
Actioning Officer: Senior Planning Officer
Decision Making Level: Planning Services Committee
Previous Item Number/s: None
Attachment 1: Development Plans (11 October 2011)
Attachment 2: Applicant justification (11 October 2011)
Attachment 3: Heritage Assessment (November 2011)
Attachment 4: Site photos (January 2012)
Date Received: 11 October 2011
Owner Name: LF Rural Nominees (S & V Hamersley)
Submitted by: As Above
Scheme: Development Zone – Development Area 15
Heritage Listing: MHI Management Category Level 3
Existing Landuse: Single House



EXECUTIVE SUMMARY

The item is presented to the Planning Services Committee (PSC) for determination as the application includes the proposed demolition of a building at 72 Stirling Highway, North Fremantle which is listed on the City's Heritage List and Municipal Heritage Inventory as a Management Category Level 3.

The building is considered to be of 'some' significance and contributes to the heritage significance and character of Stirling Highway and North Fremantle.

In accordance with clause 5.15.1 of the City's Local Planning Scheme No. 4, the application is recommended for refusal.

BACKGROUND

The site is zoned Development Zone under the provisions of the City of Fremantle's (the City) Local Planning Scheme No. 4 (LPS4). The site is located within Development Area 15 in accordance Schedule 11 of LPS4. The site is listed on the City's Heritage List and Municipal Heritage Inventory as a Management Category Level 3. The site is located within the North Fremantle Heritage Precinct which is a designated Heritage Area in accordance with clause 7.2 of LPS4.

The site is approximately 492m² and incorporates a 2.6m downwards slope from west to east. The site is located on the north eastern corner of Stirling Highway and White Street and is improved by an existing single storey dwelling with vehicle access provided to the site from White Street.

A review of the property file found the following information:

- On 18 August 1994, Planning Approval was granted for alterations and additions to the existing dwelling and a two storey Grouped Dwelling (refer DA209/92.01);
- On 24 November 1994, an application to demolish the existing dwelling and construct an office/warehouse building was refused (refer DA209/92.02);
- On 3 November 1995, an application for change of use to real estate office to the existing dwelling was refused (refer DA209/92.03).

A similar proposal for demolition of a level 3 dwelling (and construction of a mixed use development) was refused by Council in March 2008 at No. 119 Stirling Highway, North Fremantle. The applicant appealed the decision with the State Administrative Tribunal who dismissed the appeal and upheld the City's refusal of the demolition. The Tribunal in its decision acknowledged that although the dwelling was not well maintained and was not habitable:

"While it would involve considerable work, the cottage can be made structurally adequate. The loss of the cottage would have an adverse impact on the cultural value of the streetscape."

DETAILS

On 11 October 2011, an application was received by the City for the proposed demolition of the existing building at 72 Stirling Highway, North Fremantle.

STATUTORY AND POLICY ASSESSMENT

The application has been assessed against the relevant provisions of LPS4 and Council Local Planning Policies. Refer to the Planning Comment section of this report for further discussion regarding the proposed demolition.

CONSULTATION

Community

The application was not required to be advertised in accordance with Clause 9.4 of the LPS4.

Heritage

A heritage assessment was required to be undertaken for the proposed demolition of the existing building in accordance with Council policy *LPP 1.6 Preparing Heritage Assessments*.

The external heritage assessment was submitted to the City on 15 November 2011. The following comments were raised (summarised):

- The place is of historical significance due to ownership of the property by Charles Percival Rule between 1934 and 1986;
- The house is a typical timber framed single storey cottage dating from 1934;
- The place has some aesthetic value as its scale, materials and modest design contribute to the historical character of North Fremantle and its immediate locality on Stirling Highway;
- As a weatherboard dwelling, the place has some rarity value as it represents a building material that is no longer widely used in the construction of residential buildings in Perth and Fremantle;
- The place is representative of the typical timber housing stock that was common to the North Fremantle locality during its development in the late nineteenth and early twentieth century;
- The place has a moderate degree of integrity as it still presents as a residential dwelling from the street;
- The place has a moderate degree of authenticity – although some changes have been undertaken, the form of the house and its location on the site are largely as originally constructed;
- Demolition of the building will impact adversely on the streetscape of the locality because the subject property has heritage value for its contribution to the streetscape;
- The garage/shed and toilet to the rear of the lot do not contribute to the heritage significance of the subject property and may be demolished without adverse impact.

PLANNING COMMENT

Clause 5.15 contains provisions where Council will only grant planning approval for the demolition of a building or structure where it is satisfied that the building or structure:

- (a) Has limited or no cultural heritage significance, and*

(b) Does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located.

As discussed previously, the heritage assessment found the existing building at 72 Stirling Highway to be of:

- Some aesthetic value - due to its scale, materials and modest design in its contribution to the historical character of North Fremantle and Stirling Highway;
- Some historic value – as a representation of a typical timber cottage in North Fremantle;
- Some rarity value – in its representation of a building material that is no longer widely used in construction of residential buildings in Fremantle;
- Moderate integrity – as it still presents as a residential dwelling from the street;
- Moderate authenticity – the form of the house and its location on the site are largely as originally constructed;
- Some cultural heritage value – in terms of its contribution to the historical character of the area.

CONCLUSION

An external heritage assessment has confirmed that the subject site has ‘some’ significance for its contribution to the historical character and streetscape through its scale, materials and modest design.

The proposal is not considered to meet clause 5.15 and is therefore recommended that the application be refused.

COMMITTEE AND OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Cr A Sullivan

That the application be REFUSED under the Metropolitan Region Scheme and Local Planning Scheme No. 4 for the Demolition of Existing Building at No. 72 (Lot 3) Stirling Highway, North Fremantle, for the following reason:

- 1. The place is considered to be of “some” cultural heritage significance and having regard to the provisions of clause 5.15.1 (a) of LPS4, demolition is not permitted.**

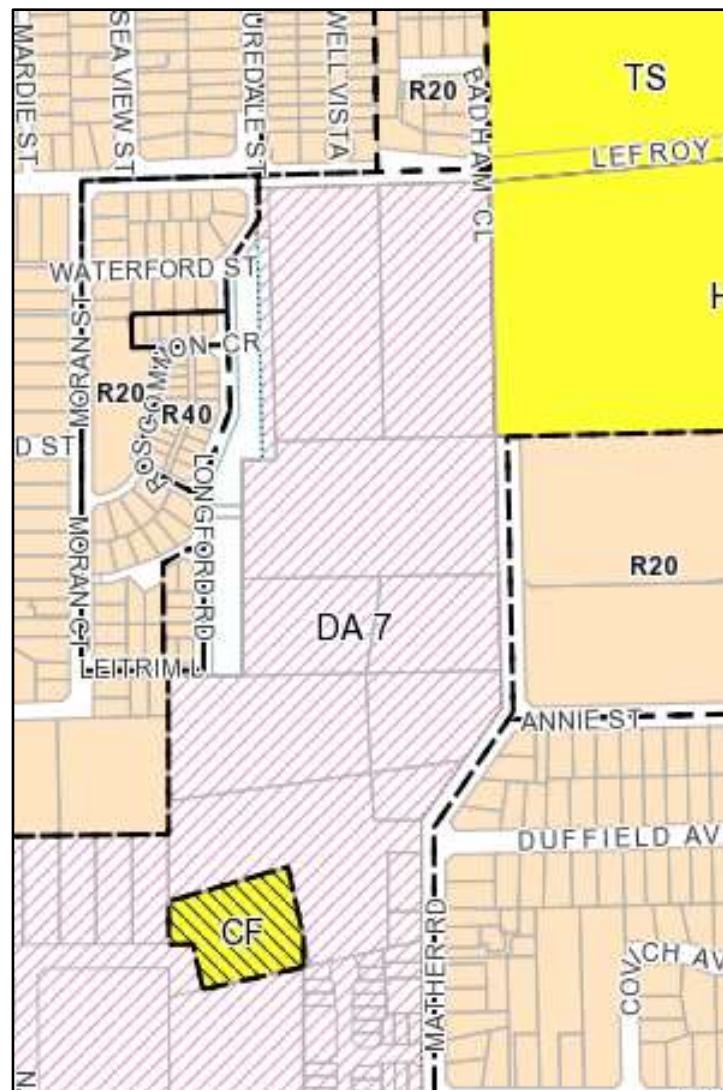
SECONDED: Cr B Massie

CARRIED: 8/3

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr Rachel Pemberton Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Dave Coggin Cr Andrew Sullivan	Cr David Hume Cr Robert Fittock Cr Bill Massie

PSC1201-7 LEFROY ROAD QUARRY LOCAL STRUCTURE PLAN - FINAL ADOPTION

DataWorks Reference: 115/032
Disclosure of Interest: Nil
Meeting Date: 18 January 2011
Responsible Officer: Manager Planning Projects and Policy
Actioning Officer: Strategic Planning Officer
Decision Making Level: Council
Previous Item Number/s: PSC0811-324 (26 November 2008)
 SGS0512-20
 C1110-11 (26 October 2011)
Attachments:
 1. Schedule of Submissions
 2. Lefroy Road Quarry Local Structure Plan



EXECUTIVE SUMMARY

Council granted consent to advertise the proposed Lefroy Road Quarry Local Structure Plan at its Ordinary Meeting of 26 October 2011. The Structure Plan was subsequently advertised on 1 November 2011 for a period of 43 days, with advertising closing 13 December 2011. A community information session was held on the 15 November 2011 during the advertising period and was attended by approximately 15 community members.

This report details the 14 submissions received by the City during advertising and recommends adoption of the Lefroy Road Quarry Local Structure Plan.

BACKGROUND

At its Ordinary Meeting of 26 November 2008 (please see PSC0811-324), Council resolved the following with regard to Development Area 7 – Lefroy Road Quarry site:

- 1. That Council authorises officers to organise a community consultation event involving the Beaconsfield Precinct for the purpose of identifying a preferred development concept plan for redevelopment of the Lefroy Road quarry site (Development Area 7 as defined in the City of Fremantle Local Planning Scheme No. 4);*
- 2. That Council approves the preparation of a draft Structure Plan for Development Area 7 based on the preferred concept plan referred to in (1) above; and*
- 3. That the draft Structure Plan to be prepared in accordance with (2) above be presented to Council for further consideration prior to being advertised for public comment under the requirements of clause 6.2.8 of Local Planning Scheme No. 4.*

Community consultation took place in May 2009 in line with part 1 of the resolution. This included a public information session by a professional facilitator on 19 May 2009 as part of the Beaconsfield Precinct meeting and a community workshop on 23 May 2009 in which community members, together with officers of the City, Landcorp and specialist consultants, developed a concept design plan for the future development of the site.

In adherence with part 2 of the resolution, the concept plan and outcomes of the community consultation forms the basis of the draft Lefroy Road Quarry Local Structure Plan and has been adapted to reflect the practical implementation, commercial viability and geotechnical constraints of the subject land. The Structure Plan has maintained, in line with the concept plan, a strong north-south linkage of extensive public open space integrated with residential land use through pedestrian and cycle networks. A range of residential densities are indicated throughout the site and a provision to encourage housing diversity is also proposed.

In line with part 3 of the resolution, officers presented the draft Lefroy Road Quarry Local Structure Plan to Council at its Ordinary Meeting of 26 October 2011 and consent was granted to advertise the proposed Structure Plan (please see PSC1110-11). The Structure Plan was subsequently advertised for a period of 43 days, with advertising closing 13 December 2011 (please refer to the Consultation section of this report for more detail).

A copy of the Lefroy Road Quarry Local Structure Plan as advertised can be viewed at Attachment 2 of this report. A copy of the full Structure Plan report and Technical Appendices are available for inspection in the Councillors Lounge.

A provision of Development Area 7 (DA7) under Schedule 11 of Local Planning Scheme No. 4 (LPS4) requires 'investigation of potential site contamination to the satisfaction of the DEC'. As such, the draft Structure Plan was forwarded to the Department of Environment and Conservation (DEC) for comment during the consultation process. Please find their submission at Attachment 1 and a discussion on their comments below under Consultation.

STATUTORY AND POLICY ASSESSMENT

The site is zoned Development Zone and comprises most of Development Area 7 (DA7) under LPS4. Clause 6.2.4 of LPS4 requires a Structure Plan to come into effect prior to subdivision or development of land within a Development Area.

The submitted Structure Plan complies with the requirements of clause 6.2.6 of LPS4 which specifies the information a structure plan is required to contain.

Proposed Development and Density

The Structure Plan relates to a site of 10.77ha, and proposes a mix of Residential land use and extensive Public Open Space (POS). The location and extent of the open space is influenced by the geophysical constraints to development posed by the deeper landfill areas. The residential components are located to the north and the south of the development and are linked through the POS and pedestrian/cycle pathways. A mix of lot sizes and density are provided, with residential densities of R15, R40 and two development cells where density may range between a minimum of R40 and a maximum of R100.

To promote housing diversity, a planning condition has been placed on the Structure Plan requiring that in development comprising ten or more Multiple Dwellings, a minimum of 25% of the total number of dwellings must have a maximum floor area of 60sqm or less and no more than 40% of the total number may have a floor area of 120sqm or less.

Statutory Context

The site is contained within Development Zone (DA 7). The provisions of Schedule 11 of LPS4 dealing with development areas require the following in respect to DA7:

- 1. Structure Plan is to be adopted to guide subdivision, land use and development prior to approval of development applications.*
- 2. Investigation of potential site contamination to the satisfaction of the DECWP.*
- 3. Provisions of Development Plan 19, to be applied to this site.*

The provisions of Development Plan 19 (carried forward from the former Town Planning Scheme No. 3) are only still relevant in so far as they repeat the requirements for environmental site investigation to the DEC's satisfaction.

CONSULTATION

The proposed Structure Plan was advertised for 43 days from 1 November 2011 to 13 December 2011, in accordance with the requirements of clause 6.2.8.1 of LPS4 and the City's Local Planning Policy 1.3. An advertisement was placed in the Fremantle Gazette and two signs were placed on site on the 8 November 2011 and remained in place until the close of advertising.

The City's precinct groups, utility companies, adjoining neighbours (of a 100m radius) and other interested parties and key agencies were also specifically notified and copies of the Structure Plan Report and Appendices were made available for viewing at the Service and Information Counter at the Town Hall Centre and on the City's website. Additionally, a community information session was held on 15 November 2011 from 7pm to 9pm at Winterfold Primary School. The session was presented by City Planning officers, Landcorp, Roberts Day, and Golder Associates and was attended by approximately 15 members of the community, including members of the Beaconsfield Precinct group.

Fourteen submissions were received: eight from state agencies, one from the Beaconsfield Precinct, and five from owner/occupiers adjacent to the Structure Plan area. Four submissions stated no objection with comments, four were neutral with comment, one submission stated support with no comment, and five submissions expressed support with comment. The main issues as presented in the submissions are outlined below. The Schedule of Submissions can be found at Attachment 1.

Public Open Space - design, use, and management

There were a number of concerns and comments from submitters regarding the Public Open Space and its design, use, and management. These are summarised as follows:

- Landscaping of the drainage pond on the adjacent South Fremantle High School (SFHS) site into a small lake through collaboration with the Department of Education.
- Council's long-term management and maintenance of the POS, including how watering of the POS will be achieved with regard to the site's prior use for landfill.
- In recognition the POS is unable to support organised sports due to the depth of fill at these sites, alternative options for recreation could be considered, such as 'kindy sports'.
- Retain the undulations of the current topography of the POS sites to restrict organised active recreation.
- Proposed uses for the POS - public picnic areas, bocce/bowling court and/or a mini golf centre.

Pedestrian and Cycle Links - Connectivity

A submitter expressed concern regarding the proposed pedestrian link between the POS and Salentina Ridge and requested consideration be given in its design in order to prevent access to the rear of the residential lots adjoining the access way. Another submitter also expressed concern with apparent absence of a west-east pedestrian link from Salentina Ridge across to the SFHS. This pedestrian link is depicted on the Structure Plan and addressed in the Schedule of Submissions (see Attachment 1).

The Precinct group (and a submitter) also expressed a strong desire to ensure connectivity between the proposed Structure Plan area with the Strang Street area to the west, noting the City's endorsed principles for a proposed Scheme amendment to this area (please see PSC1112-220, 21 December 2011).

Affordable Housing

A submitter and the Beaconsfield Precinct noted an absence of information regarding affordable housing and requested affordable housing opportunities be addressed/incorporated into the Structure Plan.

Traffic Management

A number of submitters expressed concern with the expected traffic generated as part of the residential component of the Structure Plan and the impact of traffic on the surrounding local road network, including the Mather Road subdivision. These issues are listed below. Additionally, the Transport Assessment report undertaken by an independent transport consultant (Shawmac) in August 2011 can be found at Part 3 of the Technical Appendices of the Structure Plan report.

- **Sunday Markets at South Fremantle High School**

A submitter expressed concern that the traffic generated as a result of the Sunday Markets was not considered as part of the traffic assessment for the Structure Plan area and the risk that vehicles will utilise the proposed POS for overflow parking during this weekly event.

- **Proposed internal road exit to Lefroy Rd**

A number of concerns were raised regarding the proposed exit of the northern internal road of the Structure Plan area onto Lefroy Road. These specifically related to safety due to the location of the exit in the context of the existing road network and topography, and its close proximity to the child care centre. A submitter enquired if alternatives been considered, such as a tunnel through to TAFE. The Precinct group felt the proposed exit onto Lefroy Rd inappropriate, but if an entry/exit was to occur, recommended exit from the Structure Plan area onto Lefroy Rd westward only, and entry into the area from the east only.

- **Retain Butterworth Place as a cul de sac (Mather Road subdivision)**

Two submitters and the Precinct group expressed concerns regarding the proposed road connection between the Structure Plan area and the Mather Road subdivision through Butterworth Place, which is currently a cul de sac. Submitters felt the road network within the existing subdivision would not be able to cope with an increase in traffic due to the already narrow roads and verges and that safety would be an issue as a result, particularly with regard to the children and families who utilise the Butterworth Place POS. Submitters would prefer Butterworth Place to remain a cul de sac as a traffic calming measure and to mitigate traffic and safety concerns. Connectivity is proposed to be maintained between the existing cul de sac and proposed internal road through a pedestrian/cycle way.

- **Traffic Impacts**

The Precinct group expressed concern with traffic flows throughout the proposed Structure Plan area, exit speed issues and concerns that these issues will have repercussions on the local road network, particularly Annie and Jean Streets will could be used as 'shortcuts'.

It was also noted by the Precinct group that the Clontarf and Mather Rd intersection would require major redesign to cater for the increased traffic flows due to safety concerns with current design, specifically, the “existing blind spots on Clontarf Rd, east and west of Mather Rd.”

Remediation – Truck Movements

The Beaconsfield Precinct and a submitter expressed concern regarding the uncertainty of fill, number of truck movements and the impact of heavy truck traffic flow on the adjoining road network (including the Mather Road subdivision) as part of future remediation works.

Development Design Considerations

The Precinct group recommended stringent development approval conditions be applied to protect development along the embankment. A submitter acknowledged the embankment stabilisation works undertaken as part of the Salentina Ridge development but recommended the City reserve a strip of land at the rear of the lots proposed along the base of the embankment to allow ease of access to the lots for any possible future rectification works.

The Precinct also recommended built form to be ‘stringently enforced’ to encourage innovative and original housing types and designs (discouraging ‘McMansion’ style development), and exemplified the use of ‘pole house’ designs for the unusual topography of the lots along the embankment. Additionally, the Precinct and another submitter encouraged the full utilisation of the split density sites as afforded by the Min/Max R40/100 density, including opportunities for housing diversity, particularly at the lot adjoining the embankment and with POS to the south. It was noted that the Structure Plan area is one of the few areas in the City of Fremantle where building height, when ‘judicially placed, would not impinge on surrounding residents’ due to its valley location. Building heights within the R40/100 sites and within the Structure Plan area were encouraged to be ‘imaginative’, though overshadowing would need to be a consideration.

Concern was raised by the Precinct group with regard to the private landholders adjacent to (at the south-east), but not included within, the Structure Plan area, and the potential for any future development on those sites to detract from the ‘amenity and aspect/appearance of the site as a whole.’ It was hoped that the City would aid in ensuring design/development of these sites in the future is compatible with the Structure Plan area.

Land Use and Density

A submitter noted there is no allocation for mixed use land use activity such as ‘a small retail centre with coffee shop, community centre, café or restaurant’ and suggested such a development could be included in the ground floor of one of the higher density lots.

Another submitter expressed concern that the proposed residential yield and component of the Structure Plan was too dense, with a preference for ‘less houses on bigger lots’. The submitter feels with the City as a landowner, if profit is not a motivation, then a lessor density should be supported and larger block sizes encouraged.

Environmental Considerations

Under the *Contaminated Sites Act 2003*, the Department of Environment and Conservation (DEC) has classified the existing lots within the Structure Plan area as *possibly contaminated-investigation required*. A memorial stating this classification will be placed on the Certificate of Title in due course. The DEC recommends “that further investigation to adequately delineate the extent of the potentially contaminated site across the Structure Plan be conducted.”

The DEC also advise that conditions relating to the investigation and remediation of the contaminated site(s) (the Structure Plan area) will be placed on the approval of any subdivision application/or at later stages of planning. When the results of further environmental investigations and associated remediation and validation are submitted to DEC, these will be reviewed, and the site may be re-classified. The contamination status and classification of the Structure Plan area should be taken into account when undertaking any development works.

South Fremantle High School

City Planning Officers met with the Vice Principal and other school staff on site at the South Fremantle High School (SFHS) to discuss the proposed Structure Plan. A formal submission was not lodged, but issues discussed included depiction of the SFHS on the plan whereby it appears to be inclusive of the Structure Plan area, particularly as the lot boundary is not very clear and the SFHS lot is of the same colouring as the Structure Plan area. Additionally, it was noted the building envelopes on the SFHS lot are outdated as a new Trade Centre has been recently built on site. Concern was also raised that the proposed location of the POS would open up access to the SFHS site, residential dwellings would overlook the grounds and that these elements would need to be considered in the design of the POS. The Vice Principal expressed interest in being involved in any future discussions regarding development of the adjoining POS and the existing pedestrian pathway on the SFHS lot.

PLANNING COMMENT

Some of the issues raised in submissions, as set out in the Schedule of Submissions (see Attachment 1) and outlined in the Consultation section of this report, require further discussion and are addressed below.

It is important to note that the purpose of a Structure Plan is to depict broad scale land use in order to guide any future proposed development in the form of subdivision or development application. Detail regarding the specific design of development and associated outcomes will be addressed at a later stage of the planning process, most probably through an application for subdivision and/or one or more detailed area plans for sub-areas of the overall site.

Public Open Space - design, use, and management

Management

The WAPC requires that land proposed for residential subdivision provide ten percent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown as a Reserve for Recreation. This land would then subsequently be developed and then maintained by the City through a Management Order.

Design

The Structure Plan area proposes 37.7% (4.05ha) of the subject site as Public Open Space (POS), nearly four times the required amount. The size and location of the POS is influenced by the geophysical constraints to development posed by the deeper landfill areas, which cannot be developed for residential land uses.

With regard to the significant amount of POS, it is considered that at such a time when subdivision/development is to occur, it could be appropriate for the City to undertake community consultation regarding the detailed design of the POS. However, due to considerable constraints on the City's ground water allocation, the POS would need to be designed in manner that incorporates best practice in water efficient landscaping in order to minimise irrigation requirements.

During the development of a detailed POS design plan, matters to be considered would be likely to include:

- Land remediation
- Landscaping (water efficiency and Crime Prevention through Environmental Design principles)
- Integration with adjoining land uses (such as SFHS) and proposed residential development
- Pedestrian and cycle networks
- Recreational equipment (e.g. play area, BBQ facilities, exercise equipment)
- Community facilities (i.e. ablutions)

Submitters' comments recommending detailed land uses for the POS are acknowledged and could be considered in future detailed area planning of the POS within the Structure Plan area.

Water

Ground water analysis, proposed stormwater drainage and sewer and water reticulation are discussed in the Structure Plan report and are further detailed in the Geotechnical and Environmental Report at Part 2 of the Technical Appendices. Water management of the POS and any possible linkages with drainage areas located on the adjoining SFHS site would be addressed in future detailed design of the area as discussed above and through the development of an Urban Water Management Plan, which the Structure Plan states should be prepared. The advice the City has received regarding permanent surface water features, such as a small pond/lake or stream, is that they are not appropriate with regard to the history of the site as landfill.

Pedestrian and Cycle Links – Connectivity

Pedestrian Link - Salentina Ridge and SFHS

A submitter expressed concern regarding the proposed pedestrian link between the POS and Salentina Ridge and requested consideration be given in its design in order to prevent access to the rear of the residential lots adjoining the access way. This concern is acknowledged and as discussed previously, can be addressed as part of the POS design at the subdivision stage, should the Structure Plan be adopted. It is considered that the principles of Crime Prevention through Environmental Design (CPTED) will be incorporated as part of the design of the POS.

Proposed Pedestrian Link at Portuguese Club

The proposed Structure Plan depicts a potential pedestrian connection (subject to the landowner's agreement) over the site of the Portuguese Club (No. 2 Strang Court). As noted by the Precinct group, Council at its Ordinary Meeting of the 21 December 2011 endorsed principles and development provisions for a proposed Scheme amendment to Development Area 14 (Strang Street area) (please see item PSC1112-220). The report recognises the location of the Portuguese Club as presenting an opportunity to provide north-south pedestrian linkages between these two potential areas of redevelopment and in-line with the proposed Structure Plan, and Council's resolution supported the principle of re-zoning No. 2 Strang Street (Portuguese Club) from 'Community Facility' to 'Development Zone', and including it in Development Area 7.

Officers have informally discussed with members of the Portuguese Club the proposed scheme amendment for the Strang St area and the proposed Lefroy Rd Quarry Local Structure Plan, with a view to this planning work facilitating redevelopment options subject to a portion of the land being set aside for a pedestrian linkage. The Portuguese Club, who are currently considering relocation and have been investigating redevelopment opportunities for the site, have verbally agreed to this proposal as part of the proposed Scheme amendment to the Strang St area.

Affordable Housing

At Condition 3 of the planning conditions as shown on the Structure Plan, it states; *"in development comprising of ten or more Multiple Dwellings, a minimum of 25% of the total number of dwellings must have a maximum floor area of 60 sqm or less and no more than 40% of the total number may have a floor area of 120 sqm or more."*

This condition is in line with the objectives of the City's Affordable and Diverse Housing Policy and a report put forward to Council at its Ordinary Meeting on 27 July 2011 dealing with specific options for implementation of affordable and diverse housing through the planning system. This provision has also been previously included in LPS4 through Amendment No. 38 (East End area of Local Planning Area 2 - Fremantle) and is proposed to be applied city-wide as part of the currently proposed Scheme Amendment No. 49 (City Centre Strategic Sites).

The City, as a major landowner within the Structure Plan area, has the opportunity to consider further affordable housing requirements for this site outside of the planning process and it is recommended that Council consider this matter separately and at a future date on adoption of the Structure Plan by the WAPC and Minister for Planning. (See comments under 'Future Planning and Implementation Process' later in this report).

Traffic

The impact of traffic on the surrounding local road network, particularly through to the Mather Road subdivision, as a result of the proposed residential component of the Structure Plan was a common concern raised in the submission process. Submitters raised a number of points in regards to traffic volume, safety, speed and internal road exit points. These are listed below and for further information please see the submissions at Attachment 1.

Traffic Flows

The intent of the Transport Assessment by Shawmac (please see the Technical Appendices) was to assess the transportation impacts associated with the proposed residential component of the Structure Plan on the surrounding road network of the locality. Key issues assessed included the capacity of the local road network to accommodate and safely manage the additional traffic proposed to be generated from the Structure Plan area, safe access to and from the subdivision, and the safety and efficiency of the Structure Plan's internal road network (including provision for pedestrians and cyclists). Based on the predicted traffic flows to and from the Structure Plan area during AM and PM peak times, it is assessed the existing road network and intersection at Mather and Clontarf Roads can accommodate the estimated flows without modification and that traffic volumes on individual streets can be kept below threshold levels to preserve the amenity of the local area.

The traffic produced as a result of the Sunday Markets at the South Fremantle High School is not considered relevant in the context of the traffic assessment. The Markets take place only once a week, outside of peak hours, and are a temporary land use not permanent development and may cease to run at any given time. It is also considered that the traffic generated by the Markets should not adversely impact the internal network road of the Structure Plan area, or vice versa, as the proposed primary entry/exit to the Structure Plan area is at Mather Road.

At such a time that subdivision or development is proposed in the Structure Plan area, consideration of such issues as parking provision and management can be addressed in detail through appropriate parking controls (creation of parking bays, signage, time limits) and management. It is also considered that in any future detailed planning of the Public Open Space, design elements to prevent the use of POS for unauthorised parking could be considered.

Butterworth Place road extension to Structure Plan area

In the development of the Mather Road Structure Plan in 2007, consideration was given to the integration of the site with the Lefroy Road Quarry site to the north through vehicle links. In consideration of the constraints and remediation issues of the Quarry site, and the uncertainty of the timeline and form of development that may eventuate, it was considered a vehicle link in 2009 would not have been appropriate. However, the opportunity to link the Mather Rd development with any future development at the Quarry development was incorporated in the design whereby the originally placed POS to the north of the cul de sac was amended to its current location to allow and future pedestrian and vehicular links to the Quarry.

The proposed northern extension of Butterworth Place (currently a cul de sac) through to the southern residential component of the Structure Plan area adjacent to the Portuguese Club is considered supportable by officers given the low dwelling yield and associated low traffic generation at this site. Officers also consider maintaining a vehicle link between the Mather Road subdivision and the proposed Structure Plan area presents better urban design and planning outcomes in terms of connectivity and access.

It is considered that primary access to the proposed residential area would occur via the proposed new internal road opposite Duffield Ave and only a small number of occupiers of the indicative lots at the southernmost end of the current structure plan area (less than 10) would be likely to regard Butterworth Place as a more convenient access to Mather Road and the wider road network than the new roads in the structure plan area. Therefore any through traffic into the Mather Rd subdivision is likely to be minimal and speed and safety could be addressed through relevant traffic calming devices if required.

Proposed internal road exit to Lefroy Rd

The Structure Plan includes provision for a future road connection from the proposed internal road network to Lefroy Rd. However, the provision of this road connection is subject to detailed design (including traffic assessment and vehicle safety) and engineering feasibility studies at the subdivision design stage and may or may not be an acceptable connection.

Technical Services Feedback

The City's engineering officers have viewed the Shawmac Transport Assessment report and support the findings, noting the predicted traffic volumes and flows on both the internal and external road network are well below road capacity thresholds. City's engineering officers have also considered submitter's comments on the retention of the cul de sac at Butterworth Place and support planning officers' recommendations that the through road as proposed on the Structure Plan be maintained to ensure optimal connectivity outcomes.

Remediation - Truck Movements

The number of truck movements associated with the necessary remediation of the Structure Plan area has been highlighted as a concern in submissions and in previous community consultation and workshops. These concerns were a key factor in considering options for remediation with the objective being to minimise impact on adjoining existing residential and school land uses and road networks.

Due to the sites context and history as a quarry and subsequent land fill site, areas nominated for residential development will require remediation. This will include removal of material in areas of minimal uncontrolled fill and replacement with properly compacted clean fill. Development of the Structure Plan area cannot occur without remediation. If full remediation of the Lefroy Road Quarry site was to occur (i.e. all the fill removed and replaced), this would require the removal of approximately 500,000m³ of fill and therefore 500,000m³ of clean fill to be bought back in as replacement. This equates to approximately 100,000 truck movements, depending on truck load capacity.

The remediation required as proposed in the Structure Plan is based on an approach which minimises the amount of fill removed/imported and therefore involves the least truck movements. It would require 185,000m³ in total of fill to be both removed and replaced and this equates to approximately 18,500 to 20,000 total truck movements. In summary, the remediation as proposed in the Structure Plan represents 1/5 of the total truck movements if full remediation had been considered.

In regards to access to the Structure Plan area during any future remediation of the site – it is assumed any vehicles or trucks would use the existing road access extending from Mather Road (currently used by the City to access the quarry to deposit landfill).

Development Design

A Structure Plan is not intended to prescribe the detailed form and design of housing. This is subject to a separate development application which will assess the proposed dwellings against the State's Residential Design Codes.

With regard to the unusual topography of the western R15 lots, which incorporate the Salentina Ridge embankment, it is considered a Local Planning Policy or other design guidance document could be developed at a later date to guide development on these lots and ensure optimal development and design outcomes. This policy may include such detail as the location of building envelopes and recommended building type (e.g. pole design).

The Salentina Ridge embankment has been filled, compacted and stabilised to meet detailed engineering specifications intended to make the embankment suitable for future residential development. Completion of the embankment works in accordance with these geotechnical specifications has been verified by the City's engineering consultants Golder Associates. It is therefore considered, in line with this geotechnical verification, that the embankment is suitable for potential future residential development without any requirement for further works through the structure plan.

Private lots adjacent to the Structure Plan area

The lots at 1, 1A, 3-5, 9, and 11A Mather Road are currently zoned Development Zone, therefore, under the provisions of LPS4, at such a time the landowners of these properties wish to develop, creation of a Structure Plan will be required. As part of the Structure Plan process, it must be demonstrated how the plan integrates with the surrounding land, including Lefroy Rd Quarry Local Structure Plan if adopted, and must be consistent with orderly and proper planning. These owners were invited to participate in the current structure planning process with the City, but declined to do so.

Density

The WAPC requires the provision of ten percent of a subdivision as POS. The proposed Structure Plan, due to geophysical constraints, provides 37.7% POS. As an outcome of this, the dwelling yield as proposed in the Structure Plan is significantly lower than what would otherwise be proposed had the land not been constrained. The site contains a number of large single dwelling lots, interspersed with varying sized lots at R40, and two lots with a minimum/maximum density of R40/R100.

With regard to the two min/max R40/R100 lots, under current conditions it is assumed development would occur at R40 on these sites. The dwelling yield of the Structure Plan area whereby the min/max R40/R100 lots are developed at R40, is calculated at 113 dwellings. If development was to occur at the maximum residential density of R100 on these lots, the overall Structure Plan dwelling yield is shown at 187 dwellings.

Officers consider reducing the density further as suggested by one submitter would conflict with Local and State planning objectives. Directions 2031, the State's spatial framework and strategic plan guiding the detailed planning and delivery of housing, infrastructure and services, establishes a target of an additional 3,500 dwellings to be accommodated in the City of Fremantle by 2031. Development Area 7 (Lefroy Rd), the Structure Plan area, is identified in the Sub Regional Strategy of Directions 2031 as a key site in the delivery of this target, with a projected yield of 170 dwellings.

Additionally, the City's Local Planning Strategy (2001) nominates this Development Area for residential development and open space with a nominal density of R35/40. Most submitters are supportive of the density and diversity of lot size/types proposed.

Land Use

A submitter noted the absence of Mixed Use development provision within the Structure Plan area. The absence of such provision does not preclude the possibility this type of land use being explored at the later stage of subdivision, however, considering the proposed relatively low residential yield of the Structure Plan area, it is unlikely to sustain a small scale commercial land use. In addition to this, the Structure Plan area is in close proximity to a number of existing commercial shops and services.

Environmental Considerations

It is considered the Structure Plan, as a planning tool, provides certainty of the type of land use proposed to occur over the site and will subsequently inform the type and context of further geotechnical investigations to be undertaken as requested by the DEC. Application for subdivision/development will occur as a separate process based on the land uses of an endorsed Structure Plan and a comprehensive Environmental Management Plan, audited by an accredited environmental auditor, will need to be presented to the DEC prior to/as part of any future application for subdivision of land. In acknowledgement of the above and the DEC's advice, the endorsement of the Structure Plan by Council and the WAPC can include wording requiring an Environmental Management Plan to be prepared prior to application for subdivision/development of the land.

FUTURE PLANNING AND IMPLEMENTATION PROCESS

The City is the owner of the majority of the land subject to the structure plan, with Main Roads WA and the WAPC owning the balance. The site is one of the 'priority sites' identified in the Memorandum of Understanding between the City and LandCorp signed in 2004, which commits both parties to work together to facilitate remediation and sustainable development of the identified sites.

The agreed approach between the City and LandCorp to date in respect of the Lefroy Road quarry site has been to achieve certainty about the broad planning outcomes for the site through preparation and adoption of a structure plan, as addressed in this report, prior to finalising the process for implementing development.

Subject to Council's adoption of the structure plan, officers would intend to continue work with LandCorp to finalise the financial development viability appraisal, and then present details of this work to Council in a further report in the near future together with details of options for the City's role in the development of the site (which might range from direct involvement, joint venture arrangements or sale of the City's land) to enable Council to determine its preferred approach to implementation of development as proposed in the structure plan.

CONCLUSION

The adoption of a structure plan represents a key milestone in the regeneration of this strategically important site. The submissions received during the advertising of the Lefroy Road Quarry Local Structure Plan have been generally supportive of the proposals. It is recommended that Council note the submissions received during the advertising period, and support the proposed form of development shown in the Structure Plan without any further modification to the plan, other than a minor wording modification to clarify that preparation of an Environmental Management Plan prior to application for subdivision/development of any part of the land is required.

COMMITTEE AND OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Cr A Sullivan

- 1. Note the submissions received as detailed in the Officer's report and Attachment 1;**
- 2. Adopt the Lefroy Road Quarry Local Structure Plan notated October 2011 under clause 6.2.9 of Local Planning Scheme 4, subject to a minor modification to the text of the supporting written report to clarify that it is a requirement of the structure plan that a comprehensive Environmental Management Plan addressing issues including (but not limited to) unexpected finds, asbestos, air quality, noise, water, fauna and weed management must be prepared and submitted to the City and to the Department of Environment and Conservation for approval prior to any application for subdivision and/or development of any part of the land subject to the structure plan.**
- 3. Forward the Lefroy Road Quarry Local Structure Plan (as modified in accordance with 2 above) to the Western Australian Planning Commission for endorsement in accordance with the requirements of clause 6.2.10 of LPS4.**

SECONDED: Cr R Fittock

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

PSC1201-8 DEVELOPMENT ASSESSMENT PANELS (DAP) CONSIDERATION OF DAP APPLICATIONS BY COUNCIL AND ASSOCIATED MODIFICATION TO DELEGATED AUTHORITY REGISTER

DataWorks Reference: 059/002
Disclosure of Interest: Nil
Meeting Date: 18 January 2012 Planning Services Committee (PSC) and 25 January 2012 Council Meeting
Responsible Officer: Director Planning and Development
Actioning Officer: Manager Development Services
Decision Making Level: Council
Attachments: Tracked Changes to Delegation 2.1

EXECUTIVE SUMMARY

On 1 July 2011 Development Assessment Panels (DAP) came into effect in Western Australia.

The City has received legal advice confirming that there is an inconsistency between the DAP training notes that state that DAP applications are a report from a professional planning and are not to be formally considered by Committee/Council and the legislation that does not prohibit Committee/Council from considering a DAP application and providing a report to the DAP.

On this basis it is intended to refer DAP applications to PSC for consideration.

BACKGROUND

On 1 July 2011 Development Assessment Panels (DAP) came into effect in Western Australia. A DAP is an independent decision-making body comprised of technical experts and elected local government representatives. These panels determine development applications made under local and region planning schemes, in the place of the local government.

Applications required to be determined by a DAP include development of a value of more than \$7million (excluding applications for 10 dwellings or less). An option is available to applicants to choose whether applications of a value between \$3 and \$7 million (excluding single houses or applications for 10 dwellings or less) is determined by the local government or a DAP.

Each DAP consists of five panel members, three being specialist members and two local government councillors. The Fremantle DAP members include:

1. Presiding Member - Neil Foley
2. Deputy Presiding Member - Rachel Chapman
3. Third Specialist - Robert Nicholson

4. Cr Andrew Sullivan

5. Cr Joshua Wilson

Mayor Pettitt and Councillor Massie are Alternate Members.

PLANNING COMMENT

Consideration of the DAP application by PSC

As part of any DAP application the “responsible authority” (local government) is required to provide a planning report to the DAP for consideration. The format of the report is prescribed by the Director General and provides detail similar to that of a standard planning report.

The Development Assessment Panel Training Notes state:

“It should be noted that a DAP application report is NOT a resolution of the relevant local government’s council – it is the professional opinion of the local governments planning officer who assesses the application. It is improper for Councillors of a local government to influence the planning officer’s report in any way.

If the local government wishes to make a statement regarding an application before a DAP, it should do so by making a submission.”

It has also been suggested that the consideration of a DAP application by elected members who are local government DAP members at a Committee/Council meeting may be a breach of the Code of Conduct.

The City has however received legal advice confirming that:

1. There is an inconsistency between the training notes and the legislation to the effect that the legislation does not prohibit the Planning Services Committee from providing the ‘responsible authority’ report; and
2. The Act, Regulations and Code of Conduct indicate that no conflict of interest would arise as a consequence of a Councillor participating in a meeting of the PSC at which a recommendation is formulated for a DAP application and then subsequently participating in the meeting of the DAP at which the DAP application is determined.

Clause 2.1.2 of the Code on Conduct ensured that Councillors are not precluded from voting as DAP local government members or bound by any previous decision of the PSC. The Code states:

“A local government member of a DAP is not bound by any previous decision or resolution of the local government in relation to the subject matter of a DAP application. In such a situation, the member is not prevented from voting for a decision that is the same as the local governments. However, the member must exercise independent judgment, and consider the application on its planning merits, in deciding how to vote.”

On this basis it is intended to refer DAP applications to PSC for consideration.

It is therefore recommended that the City write to the DAP secretariat to seek comments on the City's legal advice and intention to refer DAP applications to Planning Committee.

Delegation from Council to PSC

The statutory timeframe for a responsible authority to provide a report to the DAP from the date a complete application is lodged is 80 days (where advertising is required). Due to the frequency of PSC (twice a month) it is envisaged that a DAP application could be advertised, considered by PSC and forwarded to a DAP within the 80 day timeframe.

The current delegation of Council to PSC requires that at least 5 members of the committee vote in favour of the committee recommendation. The purpose of this is to ensure that a higher majority of PSC members (i.e. 5 out of 7) concur with the resolution than a simple majority (i.e. 4 out of 7).

In the instance that a minimum of 5 votes is not received at PSC, the DAP application would be required to be referred to the next Council meeting. As Council only meets once a month, if a DAP application was considered by Council (rather than PSC), it is likely that the 80 day timeframe could not be met.

On this basis it is considered that the Council delegation to PSC may need to be modified to require only a simple majority vote so that DAP applications are then not referred to the Council which will ensure that reports to the DAP are submitted on time.

Attachment 1 details the tracked changes to Delegation 2.1 required to effect the above.

Depending on the response received from the DAP Secretariat in relation to the City's intention to refer DAP applications to Planning Committee, any required change to the delegation from Council to PSC for DAP application will be the subject of a separate report.

OFFICER'S RECOMMENDATION

MOVED: Cr A Sullivan

1. The following advice relating to the consideration of applications to be determined by Development Assessment Panels (DAP) be noted:
 - a. The relevant legislation does not prohibit the Planning Services Committee from providing the 'responsible authority' report; and
 - b. No conflict of interest would arise as a consequence of a Councilors participating in a meeting of the Planning Services Committee at which a recommendation is formulated for a DAP application and then subsequently participating in the meeting of the DAP at which the DAP application is determined.

2. The City write to the DAP Secretariat seeking comments on the above advice and the City's intention to refer DAP applications to Planning Services Committee for consideration.

Cr A Sullivan MOVED an amendment to the Officer's Recommendation to change the word **Councillors** to **Elected Members**.

CARRIED: 6/0

For	Against
Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Bill Massie Cr Andrew Sullivan	

COMMITTEE RECOMMENDATION/COUNCIL DECISION

MOVED: Cr A Sullivan

1. The following advice relating to the consideration of applications to be determined by Development Assessment Panels (DAP) be noted:
 - a. The relevant legislation does not prohibit the Planning Services Committee from providing the ‘responsible authority’ report; and
 - b. No conflict of interest would arise as a consequence of a Elected Member participating in a meeting of the Planning Services Committee at which a recommendation is formulated for a DAP application and then subsequently participating in the meeting of the DAP at which the DAP application is determined.
2. The City write to the DAP Secretariat seeking comments on the above advice and the City’s intention to refer DAP applications to Planning Services Committee for consideration.

SECONDED: Cr J Wilson

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

PSC1201-9 DESIGN ADVISORY COMMITTEE - REVIEW OF TERMS OF REFERENCE

DataWorks Reference: 059/002
Disclosure of Interest: Nil
Meeting Date: 18 January 2012 Planning Services Committee and 25 January 2012 Council
Responsible Officer: Director Planning and Development
Actioning Officer: Manager Planning Services
Decision Making Level: Council
Previous Item Number/s: PSC1002-45 (February 2010 PSC) and C1006-3 (June 2010 Council)

EXECUTIVE SUMMARY

In February 2010 Council established a Design Advisory Committee (the Committee) and associated terms of reference pursuant to clause 11.8 of the City of Fremantle Local Planning Scheme No. 4 (the Scheme). After receiving nominations for the membership of the Committee in June 2010 Council appointed the 5 members of the committee.

The June 2010 Council resolution required that the terms of reference be reviewed in 12 months time.

Changes to the Scheme are currently being proposed as part of Amendment No. 49 that, if adopted, will strengthen the link between the role of the Committee and the advice it provides and the determination of city centre development proposals under the provisions of LPS4.

On this basis it is recommended that the review of the Committee's terms of reference be delayed for a maximum of 6 months until the details of changes to Scheme arising from Amendment 49 are finalised. This timeframe will correspond with when the appointment of the DAC members is required to be reviewed (due June 2012).

BACKGROUND

In June 2010 Council resolved as follows:

1. *That the following be appointed to the City of Fremantle Design Advisory Committee for a period of 2 years from the date of this resolution in accordance with Clause 11.8 of Local Planning Scheme No 4;*

Geoffrey London

Dominic Snellgrove

Alan Kelsall

Linley Lutton

A nomination from the Office of the Government Architect of WA,

2. *That the sitting fee for members be set at \$200 per hour, up to a maximum of 3 hours per meeting.*
3. *That the Terms of Reference, as adopted in February 2010, be modified as follows;*
 - (a) *inclusion of 5 members, including a nomination from the Office of the Government Architect of WA,*
 - (b) *deletion of the reference to the Chair of the Committee being determined by the Council*
4. *That the Terms of Reference be reviewed in 12 months time.*

STATUTORY AND POLICY ASSESSMENT

Clause 11.8 of the Scheme states:

11.8 Advisory Committees

11.8.1 The Council may from time to time establish Advisory Committees to advise it on any matters in the Scheme, subject to such terms of reference, procedures and conditions of office as the Council thinks fit.

11.8.2 The membership of an Advisory Committee may comprise of community representatives and/or technical experts who in the opinion of the Council have the relevant knowledge, experience or expertise to give fair and reasoned advice on the matters referred to the Committee, but the number of members shall not be more than five.

11.8.3 The Advisory Committee shall comprise no more than 5 members appointed by the Council and shall be chaired by a person elected by the Committee.

11.8.4 A member of an Advisory Committee shall not discuss or vote on any matter before the Committee in which that member has a pecuniary interest.

11.8.5 When dealing with any matter involving an application for planning approval or structure plans or when dealing with any other matter involving a development or land use proposal, the Council shall have due regard to any relevant recommendation of any Advisory Committee.

CONSULTATION

No external consultation is required.

PLANNING COMMENT

In August 2011 Council resolved to initiate an amendment to the Scheme (Amendment No. 49) which proposes changes to land use and development provisions relating to certain sites within the city centre area.

The provisions proposed in Amendment 49 include extensive references to design considerations, and in particular propose a requirement for 'exceptional design quality' to be achieved in order for development to achieve discretionary maximum building heights in certain cases.

These proposed provisions have been the subject of considerable comment through the public consultation process in relation to Amendment 49. Regardless of whether Council decides in due course to adopt the Amendment as advertised or to make further modifications to its content in response to submissions, the proposed Scheme provisions will have implications for the operation of the Design Advisory Committee. Consequently officers consider it would be appropriate to defer the review of the Committee's Terms of Reference until after the changes to LPS4 arising from Amendment No. 49 are finalised. Deferring the review for a maximum of 6 months (i.e. until June 2012 at the latest) would allow sufficient time to finalise the relevant amendments to LPS4.

A review of the terms of reference would also correspond with the review of the appointment of DAC members which is due in June 2012.

COMMITTEE AND OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Cr A Sullivan

That the review of the Design Advisory Committee's terms of reference be deferred for a maximum of 6 months until the details of changes to Local Planning Scheme No. 4 arising from Amendment No. 49 are finalised, as these changes may have implications for the terms of reference of the Advisory Committee.

SECONDED: Cr I Waltham

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

STRATEGIC AND GENERAL SERVICES COMMITTEE 11 JANUARY 2012

SGS1201-1 OBJECTION TO DECLINE OF RESIDENTIAL PARKING PERMIT - NATALIE OSMETTI

DataWorks Reference: 028/004
Disclosure of Interest: Nil
Meeting Date: 11 January 2012
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Peter Wood, Coordinator Parking Services
Decision Making Authority: Committee
Agenda Attachments: Letter from Ms Natalie Osmetti

EXECUTIVE SUMMARY

Ms Natalie Osmetti of Unit 11, 1 Phillimore Street, Fremantle, (referred to by Ms Osmetti as 21 Little High Street) applied for a residential parking permit on 14 November 2011. She is one of two adult persons resident there, each with a motor car.

On 18 November 2011 the application was rejected for two reasons:
Firstly, the unit is one of 13 units within a residential complex. The *City of Fremantle Parking Local Law 2006* ('Parking Local Law') prohibits the issue of a residential parking permit in a residential complex comprising nine or more units.

Secondly, the residential complex was modified after 1993 so as to affect vehicle parking. Thus, the issue of the parking permit is prohibited by the *Parking Local Law*.

This Item is to enable Committee to determine the objection lodged by Ms Osmetti.

Ms Osmetti bases her objection for a residential parking permit upon two criteria:
Firstly, that the residential complex provides vehicle parking for only one motor car for the unit she occupies.

Secondly, her need for close access to her personal motor vehicle to aid her to attend her occupation as a St John Ambulance officer.

The Officer's Recommendation to decline the objection is primarily based upon considerations of current Council policies, and strategic considerations to avert increased pressure upon vehicle parking within the West End/central business district.

BACKGROUND

Ms Osmetti advises she is one of two adult persons resident at Unit 11, 1 Phillimore Street, Fremantle, by lease dated 11 November 2011. She further states that both persons have a motor car. One is parked in the parking space provided with the lease for the unit. Ms Osmetti's vehicle is unable to be accommodated. On 14 November 2011 Ms Osmetti applied for a residential parking permit for her vehicle.

On 18 November 2011 the application was declined for two reasons: Firstly, the unit is one of 13 units within a residential complex. The *City of Fremantle Parking Local Law 2006* ('Parking Local Law') prohibits the issue of a residential parking permit in a residential complex comprising nine or more units.

Secondly, the residential complex was modified after 1993 (in 1997) so as to affect vehicle parking. Thus, the issue of the parking permit is prohibited by the *Parking Local Law*.

The objection to decline the application for a residential parking permit lodged by Ms Osmetti is made pursuant to *Local Government Act 1995* s 9.1, and the *Parking Local Law* clause 60(9).

Ms Osmetti bases her objection for a residential parking permit upon two criteria: Firstly, that the residential complex provides vehicle parking for only one motor car for the unit she occupies.

Secondly, her need for close access to her personal motor vehicle to aid her to attend her occupation as a St John Ambulance officer. Ms Osmetti cites that she is a senior paramedic, sometimes on call.

COMMENT

Vehicle parking in the area in which Ms Osmetti resides is severely over-committed due to the several factors, namely, the number of residential premises within the West End; pressure from business operators, their customers, and delivery logistics; staff and students of Notre Dame University; visitors and tourists.

The general concept of inner-city living is one which accents pedestrian access to local facilities, and public transport to other areas.

Ms Osmetti seeks to accommodate two motor cars in relation to her residence, in this inner-city area. The residential unit she leased provides vehicle parking for one motor car. At the time of signing the lease, existing vehicle parking restrictions and shortages would have been readily apparent to even the casual observer.

<i>Description</i>	<i>Comments</i>	Does this application meet the criteria?
1) <i>Is the applicant a resident at the property?</i>	<i>If not, the application should be refused.</i>	Yes.
2) <i>Is the vehicle registered to the property?</i>	<i>In some cases the vehicle is owned by a company or employer and therefore the occupier of the property</i>	Yes.

	<i>is not the registered owner of the vehicle. In such cases it is reasonable to accept that compliance with this aspect is not necessary.</i>	
<i>3) Is the vehicle a caravan, motor home or trailer? Does the vehicle exceed 7.5 metres in length or 4.5 tonne tare weight?</i>	<i>If yes to any of these points then a permit should not be approved. In some cases it may be reasonable to grant a permit for some classes of these vehicles when special circumstances apply. In such cases the permit should not exceed three months and not be transferable.</i>	No. The vehicle does not exceed criteria as to length or weight.
<i>4) How many units or homes are on the property?</i>	<i>If the number of units exceeds nine then no permits should be issued.</i>	Residential complex consisting of 13 units.
<i>5) Was the applicant or settlement agent informed of parking difficulties in the area at time of acquiring the property?</i>	<i>If the applicant or settlement agent was informed of the existence of parking difficulties through a property enquiry at or near the time of purchase then the application should be refused.</i>	Unknown. Parking restrictions are easily seen on signs displayed in the street, which is within the Fremantle central business district. The residential unit is occupied by the applicant and another adult person. The residential complex provides one parking space for the applicant's residential unit, however, the applicant seeks a permit for a second vehicle.
<i>6) Was on-site parking removed since acquiring the property?</i>	<i>If the applicant made alterations to the property that actually deleted car parking bays then the application should be refused.</i>	The property was modified in 1997, affecting vehicle parking. The applicant took residence in November 2011.
<i>7) Does a development application (DA) make any reference to parking at the property</i>	<i>If Council has approved a planning application on the understanding that parking was on site or planned to be installed then the expectation of Council is that the undertaking or condition would be complied with and therefore no permit should be issued.</i>	Yes. It is understood the available parking is consistent with the approval.
<i>8) Did the City significantly change parking restrictions after the applicant had acquired or occupied the property?</i>	<i>If the City significantly altered the parking time restrictions or street design of the street adjoining the property and it can be shown that this change disadvantaged the applicant then the application could be favourably considered.</i>	No.
<i>9) How many reside at the property who own a motor vehicle that is usually parked on or near the premises.</i>	<i>In keeping with the intent of Council's Sustainable Transport Policy which discourages private vehicle ownership in the city centre, the maximum number of permits issued to any one property is 2 Residential parking permits and 1 Multi-purpose</i>	Two adult persons, including the applicant.

	<i>parking permit</i>	
<p>10) <i>How many parking bays are on the property?</i></p> <p><i>How many residential properties are in the street?</i></p> <p><i>How many parking bays are in the street?</i></p>	<p><i>If the number of permits issued exceeds the number of parking spaces available on the street then problems will emerge. Therefore when the number of permits issued equals or exceeds the number of parking bays available no further permits will be issued.</i></p>	<p>One vehicle parking space is available for the unit occupied by the applicant.</p> <p>The area is a mixture of retail, commercial, residential, and educational.</p> <p>There are 6 parking bays nearby in Phillimore Street; 73 parking bays in No 19 (Roundhouse) parking station, and 40 parking bays in No. 41 (Arthur's Head) parking station. Many of those parking station bays are committed to long term tickets. Cliff Street has approximately 41 parking bays.</p>
<p>11) <i>Are there special circumstances outlined in the objection that warrant special consideration?</i></p>	<p><i>In some cases short term or time limited permits can be considered. Such special circumstances need to be fully explained in writing with supporting documentation. This will be determined taking into account the individual need versus community needs.</i></p>	<p>No.</p>
<p>12) <i>Are there any conditions that should apply if a permit was to be issued?</i></p>	<p><i>Conditions that should be considered include, but are not limited to: Non transferability of permits to future owners/occupiers, Vehicle-specific permits, Time, day or dates may be specified on the permits</i></p>	<p>The location in which the permit is to be valid may not be in the immediate vicinity.</p>
<p>13) <i>If approved what fees are to be applied?</i></p>	<p><i>The applicant may find that the purchase of a monthly parking permit or a private parking arrangement may be suitable alternatives to Residential Parking Permits. The fees applicable are stated in the Fees and Charges Schedule.</i></p>	<p>The application fee of \$27.50 has been paid in accordance with the <i>Parking Local Law</i> and the current <i>Fees and Charges Schedule</i>. No other fees apply.</p>

RISK AND OTHER IMPLICATIONS

Financial

There is substantial financial benefit to Ms Osmetti upon the granting of a residential parking permit in relation to saved costs of alternative parking. Granting the permit would consequently deprive the City of revenue for the fee-paying parking bay occupied, as the vicinity is fee-paying.

Legal

The *City of Fremantle Parking Local Law 2006* applies. Clause 60(1)(b), (8) and (12) are particularly relevant (these relate to the two grounds upon which the application was declined).

Operational

Granting the permit will place additional stress upon vehicle parking in the West End/central business district.

Organisational

Council's policy on the Environment, OP14, is relevant.

Council's policy entitled 'Criteria to Apply When Considering Requests for Residential and Multi-purpose Parking Permits' (this appears as the table under the heading 'Comment' in this Item), is also relevant.

CONCLUSION

The objection should be declined.

In taking up residence in or in close proximity to a growing city, persons should know or ought reasonably to know the general difficulties associated with the parking of vehicles in such a location. Further, in this instance, the parking restrictions are self-evident upon inspection of the streetscape. These matters should have been of high priority to Ms Osmetti prior to entering the lease, given the importance now stated by her of the need for close access to her vehicle to attend to her occupation as an ambulance officer.

Vehicle parking in and surrounding the central business district is under continuing increase in pressure as Fremantle's profile rises as a residential location and visitor/tourist destination. This residential complex is very close to Notre Dame University, a TAFE college, and Victoria Quay.

It is with consistency in mind that Council adopted a policy in July 2005 entitled 'Criteria to apply when considering requests for Residential and Multi-purpose Parking Permits'. The policy appears under the heading 'Comment' in this Item. Having adopted this policy it is important for Council to make decisions consistent with it.

STRATEGIC AND POLICY IMPLICATIONS

Granting the permit will be contrary to the City vision and policies, given effect by the *Parking Local Law*, of reduction of motor cars in the central business district.

Granting the permit will place additional stress upon vehicle parking in the West End/central business district.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority required.

COMMITTEE AND OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Cr J Strachan

That the Strategic and General Services Committee, acting under delegated authority from Council, decline the application by Ms N Osmetti for the issue of one residential parking permit for unit 11, 1 Phillimore Street, Fremantle, for the reasons:

- 1. That the application is inconsistent with the City of Fremantle Parking Local Law 2006, and Council's policies, namely Council's policy on the Environment, OP14; and 'Criteria to Apply When Considering Requests for Residential and Multi-purpose Parking Permits'.**
- 2. That where these policies might not be known to a parking permit applicant, the difficulties associated with accommodating residents' motor cars within the central business district of Fremantle city ought be readily apparent.**

SECONDED: Cr D Coggin

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

SGS1201-2 OUTDOOR DINING RENEWAL FEES - CONSIDERATION OF A DISCOUNT

DataWorks Reference: 158/003
Disclosure of Interest: Nil
Meeting Date: SGS 11 January 2011 and Council 25 January 2011
Previous Item: Nil
Responsible Officer: Natalie Martin Goode, Manager Development Services
Actioning Officer: Natalie Martin Goode, Manager Development Services and Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

The outdoor dining license renewal fees for 2012 were issued in December 2011 but contained an error in their calculation and businesses were subsequently advised that those notices have been cancelled and to ignore them.

The reissue of the outdoor dining licenses in accordance with the 2011/2012 Fess & Charges Schedule are anticipated to result in budgeted revenue of 14% in excess of the 2010/2011 revenue due to increases in the gross rental value as determined by the Valuer General. This item is to seek Council's consideration of offering a 8.0% discount if the license is paid by 29 February 2012, which would effectively mean Council's budgeted revenue would be 5% greater than 2010/2011 and in line with the revenue target that underpinned the 2011/2012 Budget.

BACKGROUND

The Fees and Charges for Outdoor Dinning Fees are contained in the 2011/2012 Fees & Charges Schedule on line references 1556 to 1564. The formula for calculating the Outdoor Dinning Fee is as follows:

$$\text{Outdoor Dinning Fee} = (C \times D) - E + \$110 \text{ (where } A \div B = C \text{)}$$

- A = Gross Rental Value (as determined by the Valuer Generals Office)
- B = total area of premises (m²)
- C = Dollars per m² of premises
- D = Outdoor dining area (m² ÷ 2)
- E = 75% discount (seasonal factors and contribution to Fremantle's atmosphere)

COMMENT

The error in the notices despatched related to the outdoor dining area component of the calculation not being divided by 2 as specified in the Fees & Charges Schedule. However, further review of the calculation also identified that the GRV used in the calculation had not been varied in line with changes that arose from the 1 July 2011 triennial property revaluations. From the revaluations, the GRV's for commercial

premises increased on average by 25%, though particular property variations can vary materially from the average.

Modelling for 70 businesses receiving a renewal notice indicates there would be a 14% increase in revenue to be raised over 2010/2011. Note: The percentage increase for different businesses varies dependent on the movement of their GRV at 1 July 2011.

Based on the above calculation, if a 8.0% discount was offered on payments received by 29 February 2012, then the anticipated revenue if all businesses renewed would be equivalent to a 5% increase on 2010/2011 revenue and within the strategic parameters set for the fee increases in the 2011/2012 Budget.

RISK AND OTHER IMPLICATIONS

Financial

Without the discount or some type of concession, revenue will be in excess of budget if all fees are paid.

Legal

The fee needs to be calculated in accordance with the formula in the Fees & Charges Schedule and because that will produce revenue in excess of budget, any concession to reduce the fee payable needs to be approved by an absolute majority of Council.

Operational

The possibility of significantly increased fees has created concern in the business community .

Organisational

Nil.

CONCLUSION

It is considered offering a discount for payment by a set date is the most appropriate mechanism for Council to keep the revenue raised within the strategic budget parameters.

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 an 8.0% discount be offered on the renewal of 2012 Outdoor Dining Fees if paid by close of business 29 February 2012.

SECONDED: Cr David Hume

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

That an 8% discount be offered on the renewal of the 2012 Outdoor Dining Fees if paid ***or approved instalment arrangements made*** by the close of business 29 February, 2012.

SECONDED: Cr I Waltham

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Dave Coggin Cr Andrew Sullivan Cr Bill Massie	

Mayor, Brad Pettitt put the recommendation as amended.

COUNCIL DECISION

That an 8% discount be offered on the renewal of the 2012 Outdoor Dining Fees if paid *or approved instalment arrangements made* by the close of business 29 February, 2012.

CARRIED: 10/1

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Dave Coggin Cr Andrew Sullivan	Cr Bill Massie

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Some of the businesses have paid by instalments in the past due to the size of the fees and to manage their cash-flows. Usually these instalments operate over two or three months. This minor amendment is offered to allow this process to continue if sought.

**SGS1201-3 CONCESSION REQUEST FROM LEEUWIN OCEAN ADVENTURE
FOUNDATION LTD**

DataWorks Reference:	152/001
Disclosure of Interest:	Nil
Meeting Date:	25 th January 2012
Previous Item:	Nil
Responsible Officer:	Alan Carmichael, Manager Finance
Actioning Officer:	David Nicholson, Rates Coordinator
Decision Making Authority:	Council
Agenda Attachments:	Concession Request from Leeuwin Ocean Adventure Foundation Ltd

EXECUTIVE SUMMARY

In January 2010 Leeuwin Ocean Adventure Foundation Ltd (LOAF) leased approximately 475m of area in the Victoria Quay B Shed premises from the Fremantle Port Authority. This area was rated effectively from the 1st December 2010 which resulted in LOAF applying for rate exemption under section 6.26 of the *Local Government Act 1995* on the basis that the property was utilised for charitable purposes. This application was declined as it was considered the activities conducted from the area were commercial in nature. An appeal on this decision was lodged with the State Administrative Tribunal (SAT) where a mediation conference was held. From this conference all parties agreed that instead of continuing with costly rate exemption adjudication, that LOAF would seek a rating concession from the City. This item is submitted for Council to consider such a concession under section 6.47 of the *Local Government Act 1995*.

BACKGROUND

The objects of Leeuwin Ocean Adventure Foundation Ltd (LOAF) are:

- To promote the education of young men and women by the provision of an adventure sail training scheme utilising a traditional sailing ship.
- To provide opportunities for young men and young women to develop qualities of leadership, independence, initiative and self discipline.
- To assist young men and young women to develop good character and to foster a community spirit and to develop their responsibilities as junior citizens.

To achieve these objectives LOAF manages and operates the Leeuwin sailing ship from premises in the Victoria Quay B Shed that was leased in January 2010 from the Fremantle Port Authority.

The majority of the funding for LOAF comes from rendering of its services, which includes sale of gift vouchers and the hiring of the ship to the general public for charter and private functions such as birthday's, weddings and Christmas parties.

In June 2011 rates were raised on these premises, effective 1st December 2010, which resulted in LOAF applying for rate exemption under section 6.26 of the *Local Government Act 1995* on the basis that the property was utilised for charitable purposes.

This application was declined as it was considered that the sale of gift vouchers and the hiring of the ship to the general public for charter and private functions were not charitable but more commercial in nature.

This decision was appealed with the State Administrative Tribunal (SAT) where in a mediation conference of the 1st November 2011, it was agreed by all parties that instead of costly rate exemption adjudication via SAT, which the mediator indicated may have a chance of success, that a rate concession be sought from the City.

Such concession has been requested (Refer Attached) with Mr G Mackenzie, Chief Executive Officer of the City meeting with the Chairman and Chief Executive Officer of LOAF to discuss their operations and likelihood of a concession approval.

Whilst not making any commitment to a concession, Mr Mackenzie did agree to support the application but stressed to the LOAF representatives that the final decision would be that of Council.

COMMENT

Despite the unlikelihood of rate exemption being approved by SAT, it is considered that LOAF does warrant the City's financial support as the uniqueness of the Leeuwin sailing ship being based in Fremantle would have strong community support and would promote locally, interstate and overseas the City and its nautical connection.

Should this financial support not be forthcoming, then there may be a possibility that the Leeuwin sailing ship could be moved to another location or at worse LOAF may cease to trade due to the additional financial strain that the rating of their premises is having.

RISK AND OTHER IMPLICATIONS

Financial

Approval of a rating concession would reduce the 2011-2012 rating income by \$5,692.31.

Legal

If a concession is not forthcoming, the LOAF may pursue the rate exemption via SAT or other legal means.

Operational

Nil

Organisational

Nil

CONCLUSION

That the City provide a concession on all annual and/or interim rates that may be levied on the Victoria Quay B Shed area that is leased by LOAF.

STRATEGIC AND POLICY IMPLICATIONS

Nil as this concession would be provided due to the uniqueness of the Leeuwin sailing ship and its community benefits.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required.

OFFICER'S RECOMMENDATION

That the City approves a concession under section 6.47 of the Local Government Act 1995 commencing 1 December 2010 on all annual or interim rates levied on the area of Victoria Quay B Shed leased by Leeuwin Ocean Adventure Foundation Ltd.

Cr D Thompson moved the following alternative recommendation:

1. That Council not approve a concession of 100% under section 6.47 of the Local Government Act 1995 commencing 1 December 2010 on all annual or interim rates levied on the area of Victoria Quay B Shed leased by Leeuwin Ocean Adventure Foundation Ltd.
2. That the Chief Executive Officer be given delegated authority to advise the LOAF that it is prepared to assist with an annual subsidy based on reasons outlined in this report and to negotiate such a subsidy.
3. That this arrangement with the Leeuwin Ocean Adventure Foundation be reviewed annually through the budget process.

COMMITTEE RECOMMENDATION/COUNCIL DECISION

MOVED: Cr J Strachan

1. That Council not approve a concession of 100% under section 6.47 of the Local Government Act 1995 commencing 1 December 2010 on all annual or interim rates levied on the area of Victoria Quay B Shed leased by Leeuwin Ocean Adventure Foundation Ltd.
2. That the Chief Executive Officer be given delegated authority to advise the LOAF that it is prepared to assist with an annual subsidy based on reasons outlined in this report and to negotiate such a subsidy.
3. That this arrangement with LOAF be reviewed annually through the budget process.

SECONDED: Cr B Massie

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil.

REPORTS BY THE MAYOR OR OFFICERS OF COUNCIL

STATUTORY COUNCIL ITEMS

C1201-1 MONTHLY FINANCIAL REPORT - DECEMBER 2011

DataWorks Reference:	087/002
Disclosure of Interest:	Nil
Meeting Date:	Council 25 January 2012
Previous Item:	C1112-1
Responsible Officer:	Glen Dougall, Director Corporate Services
Actioning Officer:	Maurice Werder, Acting Manager of Finance
Decision Making Authority:	Council
Agenda Attachments:	<ol style="list-style-type: none">1. Statement of Financial Activity by Nature to 31 December 20112. Statement of Financial Position to 31 December 20113. Determination of Closing Funds (Net Current Assets)4. Payment Report for December 20115. Schedule of Accounts Paid December 20116. Investment Report to 31 December 20117. Debtors Outstanding as at 31 December 2011

EXECUTIVE SUMMARY

This report reflects the financial position to 31 December, 2011. The City adopted its Annual Budget on 14 July, 2011 with an estimated municipal surplus of \$100,000.

This report highlights some of the emerging issues that may need further review over the next few months.

BACKGROUND

The 2011/12 Budget was adopted on 14 July, 2011 with an estimated municipal cash surplus of \$100,000.

The Council at its meeting on Wednesday 27 July 2011 (Item SGS1107-6) adopted nature and type as the preferred reporting format and 2.5% with a threshold of \$200,000 as the level for explanation of variances.

COMMENT

City Management

Chief Executive Office

Legal expenses are currently \$15,000 over budget and is associated with the legal advice surrounding the MOU. This budget will need to be reviewed at the mid-year budget review.

The consulting budget is also over by \$14,000 due to the work related to the Kings Square Project and revitalisation of Fremantle. Further funds will be required here to allow for the progression of the development of the business plan and the Fremantle Union. Further funds will also be required for the consultant supporting the MOU. These matters will be addressed in the mid-year budget review.

Fremantle Visitor Centre

The first figures coming from the centre indicate that revenue streams are exceeding estimates by \$39,000 at the end of December. Officers will better understand the cash flow pattern after the first twelve months of operation. The expenditure budget is also above estimates by \$69,000 which will offset the revenue.

Events

Expenditure is running over year to date budget estimates at the end of December. At present this is expected to balance out by year end but will be monitored over the coming months.

Civic Halls

The building construction process for the Hilton Community Centre is nearing completion and the fit-out works have commenced. Council recently received a Lotterywest Grant for \$580,000 to support the fit-out. A revised lease is being progressed with the PCYC. A full analysis of costs is being undertaken.

Corporate Services

Information Technology

Leasing costs for the IT equipment are well over year to date expectations by \$73,000. There are some pre-payments affecting this result and a review of the year to date allocations was undertaken to establish if there are other factors affecting this. At present some additional needs during implementation have been identified issues affecting this position. There are savings in other areas which will offset this overspend and the budget will be monitored over the coming months.

Human Resources

Contracted Services are over the expected position for the end of December. This is associated with works on implementing a new HR Information System and will need to be monitored over the coming months to ensure it balances out by end of year.

Finance

Interest on investments is \$156,000 above estimates for year to date. This is somewhat offset by decreases in market value of equity investments of \$69,000.

Commercial Property

Revenue from rent is above expectation for the end of December by \$75,000.

Commercial Parking

Revenues for car parking are above estimates by \$350,000 at the end of December. This is a pleasing result but is somewhat offset by the revenue sharing arrangements with leased car parks such as Fishing Boat Harbour. Queensgate car park revenue is up by \$80,000. Expenditure, which includes payments for the leased car parks is up by \$300,000.

Parking

Parking infringement revenue remains up by \$100,000 but is offset by legal expenses associated with collection of \$210,000.

Community Development

Leisure Centre

City officers have met with Synergy to discuss an appropriate solution to the gas account "penalty". The issue is that Synergy is charging the City for minimum use each month, regardless of our actual use. A change has been made to the contract which has seen \$20,000 of this corrected but further discussion needs to occur to ensure better management of the contract in future.

The hydrotherapy pool refurbishment is nearing completion. Due to a double up in budget allocations the budget for this project is above the anticipated expenditure so it is anticipated there may be approximately \$140,000 available once the project is completed.

Planning

Statutory Planning

Planning revenue is up on expected numbers at the end of December by \$30,000. This is a pleasing result and hopefully is maintained. It is somewhat offset by higher than anticipated legal costs of \$15,000 over year to date estimates.

Technical Services

Construction

Footpath and drainage budgets currently reflect over expenditure on year to date figures. This is mainly associated with the works at Queen Victoria Street. There will need to be budget amendments at mid-year review to take account of this.

Parks and Reserves

Stage 1 of the Old Port works at Bathers Bay have been completed. To date there have been 29 variations to the contract considered, some in the City's favour but most requiring an increase in contract value. Council approved a budget amendment last month which should see the through the completion of stage 2.

Building Maintenance

The FTI roof project will be held over to allow for design works to be undertaken before tenders are called. This will most likely result in the works taking place next financial year.

Waste

A new regional recycling processing contract has been awarded which will see the processing cost per tonne drop from \$80/t to \$35/t. This is anticipated to save the City approximately \$60,000 for the remainder of the year.

RISK AND OTHER IMPLICATIONS

Financial

This report is provided to enable council to keep track of how the allocation of costs is tracking against the budget. It is also provided to identify any issues against budget which council should be informed of.

Legal

Regulation 13 (Financial Management) under section 6.10 of the Local Government Act 1995 (Listing of Accounts Paid).

Regulation 34 (Financial Management) under section 6.4 of the Local Government Act 1995 (Financial Report by Nature and Explanation of Variances).

Operational

This report is provided to council to keep track of the operational issues affecting the implementation of projects and activities provided for under the 2011/12 adopted budget by reporting actual revenue and expenditure against budget.

Organisational

No direct impact but results year to date may highlight matters that have arisen or may need to be addressed in the future.

CONCLUSION

The financial statements as attached is received.

STRATEGIC AND POLICY IMPLICATIONS

Nil.

COMMUNITY ENGAGEMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

The City of Fremantle Financial Report for the period ended 31 December, 2011 is received.

SECONDED: Cr D Coggin

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

COUNCIL ITEMS

C1201-2 **FREMANTLE PARK MAJOR EVENT HIRE FEE ASSESSMENT**

DataWorks Reference:	042/006
Disclosure of Interest:	Nil
Meeting Date:	February
Previous Item:	Nil
Responsible Officer:	Andrew Eastick, Manager Economic Development and Marketing
Actioning Officer:	Marie La Frenais, Events Management Coordinator
Decision Making Authority:	Council
Agenda Attachments:	VSA property report

EXECUTIVE SUMMARY

To consider a commissioned report by VSA Property, for the purpose of establishing a new hire fee schedule for Fremantle Park at a fair and reasonable level for external users, such as Sunset Events for the “West Coast Blues & Roots Festival” (The Festival).

The agreed scope of works in preparing the report were:

1. Consultation with the City to gain a full understanding of the requirement and associated issues.
2. A review of the current arrangement and hire fee schedule.
3. Investigation of hire fees charged by other local authorities.
4. Provision of a letter detailing the findings.
5. Further consultation with the City regarding implementation of the new fee structure.
6. Consultation with local business and accommodation dwellings.

The report outlines key matters to be considered in determining a new fee structure which are:

- The Festival represents a significant impost on City staff, facilities and associated infrastructure. The City estimates that a total of 11 staff dedicated a total of at least 400 hours to the 2011 Festival at an average of \$30 per hour which equates to \$12,000.
- Access to and use of Fremantle Park is restricted not only for the time the Festival is in progress but also for the week prior to the Festival for “bump in” and for three days following the event for “bump out”. Therefore Sunset Events should pay a fee to reflect the inconvenience caused to the sports clubs based at the Park.
- The Festival can present as an inconvenience to City residents and ratepayers and in particular to those living in the immediate proximity of Fremantle Park.
- Research in the report indicates that when comparing with other Perth venues the City has been significantly undercharging for the use of Fremantle Park for the West Coast Blues and Roots Festival.

- Evidence in the report indicates a range of hire fee's for events of the nature of the Festival from \$8,500 to \$100, 000, depending on location and in-situ facilities provided.
- On the basis of a \$/person fee, the City of Perth's \$0.42c/person is noteworthy for open areas with no fencing or facilities and is considered representative of the Fremantle Park scenario.
- Having due regard for the evidence investigated and analysed by VSA Property, it is their advice that a fair market hire fee for City of Fremantle to charge Sunset Events for the hire of Fremantle Park for staging the West Coast Blues and Roots Festival lies within the range of \$10,000 to \$20,000.

BACKGROUND

Sunset Events has staged the West Coast Blues and Roots Festival in Western Australia since 2004. The first festival was held at Kings Park In 2005 the Festival moved to Fremantle, initially at the Esplanade Reserve. In 2010 the Festival moved to Fremantle Park. Consultation with local business and accommodation providers has indicated that the economic benefit these businesses received when the event was at the Esplanade Reserve substantially diminished when the Festival changed from a two day event to a one day event, and diminished further to minimal benefit when the Festival moved to Fremantle Park. It has been argued that the 'Fringe Events' held in association with the Festival, at Pioneer Park and at other locations in Fremantle, warrants consideration in determining the fee for the use Fremantle Park for the Festival but it is important to note that the City has in the past partly funded the 'Fringe Events' through cash sponsorship. The City did not provide funds for 'Fringe Events' in 2011 and no 'Fringe Events' where held. The Festival runs for 11.5 hours from 10.30am until 10pm. According to media reports, the 2010 Festival was sold out, with 20,000 people attending. The attendance at the 2011 Festival was 19,000. Tickets for the 2011 Festival ranged from \$79 (incl GST) for those under 18 to \$139 (incl GST) for general admittance. VIP tickets were \$275 (incl GST).

COMMENT

It is apparent from the evidence gathered during the preparation of the report that, of the local authorities and venue operators that were surveyed, seven contacted were able or willing to accommodate an event with an attendance of 20,000 people.

If the West Coast Blues and Festival were to be held at the City of Perth on the Esplanade (an unfenced and unserviced site) with an attendance of 20,000, the fee would be in the order of \$8,400 for each hour of the event. Assuming an event duration of 11.5 hours, the total fee would be \$96,600 including GST, but excluding council application fees and charges. The City of Perth does not charge "bump-in" and "bump-out" fees. The Esplanade within the City of Perth is however considered a superior location to Fremantle Park and it is unlikely that the City of Fremantle could charge similar fees.

Another location which could accommodate an event of this size would be the South Perth foreshore which is considered a similar venue to Fremantle Park (also an unfenced and unserviced site) that is easily accessed. The hire fee of \$9,500 for the day of the event, plus \$4,750/day for a 9 day “bump-in” and “bump-out” would result in a total hire fee of \$52, 250. However, given that the 10,000 person Joe Cocker concert at this venue was charged at a reduced fee of \$20,000 (including electricity and water), this could be seen as the minimum fee the City of Fremantle should charge for the West Coast Blues and Roots Festival at Fremantle Park.

RISK AND OTHER IMPLICATIONS

Financial

The West Coast Blues and Roots Festival:

- Attracts new audiences to Fremantle and has a broad appeal to audiences of all ages;
- Reinforces Fremantle's identity as a tourism destination; and
- Reinforces the reputation of Fremantle as a cultural capital, through the presentation of artists of international standing.

Legal

Nil

Environmental

The City's environmental requirements for the Festival have always been exceeded by Sunset Events and this is expected to continue for future events.

Organisational

Nil

CONCLUSION

Having due regard for the evidence gathered and analysed by VSA Property in the report, it is their consideration that a fair market hire fee for City of Fremantle to charge Sunset Events for the hire of Fremantle Park for staging West Coast Blues and Roots Festival lies within the range of \$10,000 to \$20,000.

STRATEGIC AND POLICY IMPLICATIONS

The Ground Restoration Fee, other Parks and Landscape associated costs including compensation for officer time in sporting the Festival are to be resolved through a separate negotiated agreement with Sunset Events.

COMMUNITY ENGAGEMENT

The festival attracts significant local and national attention to Fremantle and builds on Fremantle's reputation as a venue for highly prestigious events.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

MOVED: Mayor, Brad Pettitt

1. That Council note the report regarding hire fees for West Coast Blues and Roots Festival prepared by VSA Property.
2. That the fee to Sunset Events for the hire of Fremantle Park for staging West Coast Blues and Roots Festival in 2012 be \$10,000, including electricity and water, but excluding: car parking; ground restoration; application and other relevant fees.
3. That officers initiate immediate discussions with Sunset Events about the future of the West Coast Blues and Roots Festival at Fremantle Park in 2013 and beyond, on the basis that Council is in support of a three to five year agreement for the use of the Fremantle Park for the West Coast Blues and Roots Festival; and that appropriate fee for the use of Fremantle Park, using the VSA Property recommendations for guidance, is agreed.

SECONDED: Cr D Hume

Cr S Wainwright MOVED an amendment to part 2 of the Officer's Recommendation to change the following wording:

2. That the fee to Sunset Events for the hire of Fremantle Park for staging West Coast Blues and Roots Festival in 2012 be **\$12,000**, including electricity and water, but excluding: car parking; ground restoration; application and other relevant fees.

SECONDED: Cr D Hume

CARRIED: 10/1

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Dave Coggin Cr Andrew Sullivan	Cr Bill Massie

COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

1. That Council note the report regarding hire fees for West Coast Blues and Roots Festival prepared by VSA Property.
2. That the fee to Sunset Events for the hire of Fremantle Park for staging West Coast Blues and Roots Festival in 2012 be \$12,000, including electricity and water, but excluding: car parking; ground restoration; application and other relevant fees.
3. That officers initiate immediate discussions with Sunset Events about the future of the West Coast Blues and Roots Festival at Fremantle Park in 2013 and beyond, on the basis that Council is in support of a three to five year agreement for the use of the Fremantle Park for the West Coast Blues and Roots Festival; and that appropriate fee for the use of Fremantle Park, using the VSA Property recommendations for guidance, is agreed.

SECONDED: Cr D Hume

CARRIED: 10/1

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	Cr Rachel Pemberton

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Council is of the view the fee is too low and the organiser should at least be charged back the amount the event costs the City.

C1201-3 REQUEST FOR TENDER TENANCY ADVICE SERVICE

DataWorks Reference:	106/048;023/017;Department of Commerce
Disclosure of Interest:	Nil
Meeting Date:	25 January 2012
Previous Item:	Nil
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 has the opportunity to respond to a request from the Department of Commerce for the: *Provision of Tenancy Advice and Education Services in Western Australia from 1 July 2012 to 1 June 2017* delivered from the Fremantle Community Legal Centre (FCLC). The request will be advertised on 3 February 2012 with a closure of early March 2012. If the City is interested in applying to provide these services and to enable staff to have the time to complete the application, a decision by Council as to whether it wishes to respond to the request is required at this meeting. Application due dates timing does not allow passage through the February round of meetings, therefore, this item is coming direct to Council for decision.

This is an open tender not a preferred provider application.

BACKGROUND

Elected members have requested to make decisions on the continuation or otherwise of services under contract to government agencies. In the past, decisions about delivery of services under service agreements to State government agencies have been operational ones made by senior management.

Under the Residential Tenancies Act, the Department of Commerce has a number of statutory functions which includes the provision of advice to persons on the provisions of the Act or any other law relating to or affecting the interest of parties to residential tenancy agreements. The funds for these tenancy services come from the interest payments made from the Rental Accommodation Fund as set up under the Act.

Fremantle Community Legal Centre (FCLC) provides information, advocacy and assistance to people in the community regarding a range of issues in an attempt to ensure that the community is well informed and has access to a fair and competitive marketplace. One of the services operating from FCLC is delivered by a tenant advocate who assists people in public and private tenancies experiencing difficulty with their tenancy. The service has been delivered successfully with funding from the Department of Consumer & Employment Protection since 2002 with the current 3 year contract expiring on 30 June 2012.

As rental affordability declines, more people seek assistance through social housing however, the ability of social housing to meet demand has also declined, which in turn impacts on affordability and so the demand for private rental outstrips supply. In spite of this, clients continue to seek assistance with obtaining public housing and approach the service to assist them with accessing a priority listing with the Department of Housing.

The following table provides statistical information on the number of clients assisted by the tenancy service for the past calendar year:

	1 January – 30 June 2011	1 July – 31 December 2011
Total number of clients during the period	151	142
Information only activities during the period.	131	77
Face to face interviews.	43	73
Cases open at start of the period.	77	38
Cases open during the period.	34	44
Cases closed during period.	73	59

COMMENT

The funds provided will assist FCLC to continue to offer a tenancy advice and information service to the community. This is an open tender process not an application under preferred provider status.

RISK AND OTHER IMPLICATIONS

Financial

For the last 2 financial years, there has been a small surplus in the tenancy budget that the Department of Commerce has allowed the City to carry forward. There will be additional costs this financial year due to the coordinator of FCLC now being employed full-time. Previously the coordinator was employed 22.5 hours per week. The coordinator salary costs and the administration costs are split across all FCLC funded programs. Should the City not respond to the request, or not be successful, there will be a flow on effect of cost increases across all other FCLC contracted services.

After the State Government announced the 15%+ increases to not for profit agencies providing these services with Local Government not being eligible for these increases, the Department of Commerce made an independent decision to provide additional funding to the City for this service. This reflected the across-the-board increase percentage that not for profit organisations received and it was drawn from the Rental Accommodation Account for the remaining year of the current agreement. The City of Fremantle is the only local government providing tenancy advice. The increased salary costs are therefore offset by this variation to funding.

Should the City respond to the request, there will be the opportunity to price the service on a cost recovery basis. The intent of the Department of Commerce is to give an indicative price of what the service has cost for the past 5 years and ask organisations to price the service for the next 5 years. The Department has indicated it has a cap which will not be advised to organisations, however, if the City's price is over the cap then the Department may be prepared to negotiate the service delivery output given the actual costs of delivering the service.

Legal

If the City is successful in the request for response it would be required to enter into a five (5) year service agreement with the Department of Commerce.

Operational

Continuation of services from FCLC.

Organisational

The current staff employment contract expires on 30 June 2012 in line with the Service Agreement.

CONCLUSION

The funding agreement with the Department of Commerce expires on the 30 June 2012. The City has the opportunity to respond to a request for tender to provide a tenancy advice and education service to tenants and potential tenants. The previous contract gave a number of objectives that the service had to meet. It is anticipated that a new agreement will also name a number of objectives and will be for a five (5) year period.

This service is one that is also affected by the State Government not passing on funding increases to local government as outlined in the State Budget. The Department of Commerce made an independent decision to provide additional funding that reflected the across-the-board increase percentage and draws this from the Rental Accommodation Account to fund a similar increase to the City of Fremantle for the remaining year of the current agreement.

Staff recommend that if Council wished to continue to operate the service and apply to the request for tender, then the pricing to the State should be on a cost recovery basis.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required.

OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

1. The City apply to the Department of Commerce request for application for the Provision of Tenancy Advice and Education Service for the period 1 July 2012 to 1 June 2017.
2. In completing the application the City provide a cost recovery price for the service provided.

SECONDED: Cr R Fittock

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

C1201-4 POSTAL ELECTION REPORT - 15 OCTOBER 2011

DataWorks Reference: 099/005; 099/010; 099/011
Disclosure of Interest: Nil
Meeting Date: 25 January 2012
Previous Item: SGS1011-6 of 10 November 2010
Responsible Officer: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alice Wegrzyn, Senior Rates Officer
Decision Making Authority: Council
Agenda Attachments: Fremantle Postal Election Report – 15 October 2011

EXECUTIVE SUMMARY

The attached report from the Western Australian Electoral Commission provides a comprehensive summary on the conduct and results of the full postal elections held on 15 October 2011.

BACKGROUND

Council appointed the Western Australian Electoral Commissioner to conduct full postal elections and the Electoral Commissioner in turn appointed the Returning Officer to conduct the Fremantle elections.

COMMENT

The report shows a percentage voter participation of 35.88%. The previous ordinary elections on 17 October 2009, which had a mayoral election, recorded 46.9% percentage voter participation.

The Electoral Commission's final cost for conducting the elections came to \$38,869.90 which was less than the \$65,000 estimated.

RISK AND OTHER IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

Nil

Organisational

Nil

CONCLUSION

That the report be received.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

That the Western Australian Electoral Commission Postal Election Report for the City of Fremantle 15 October 2011 ordinary elections be received.

SECONDED: Cr A Sullivan

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

C1201-5 STRATEGIC PLAN PROGRESS REPORT, DECEMBER 2011

DataWorks Reference:	030/017
Disclosure of Interest:	Nil
Meeting Date:	Council, 25 January, 2012
Previous Item:	C1112-3
Responsible Officer:	Graeme Mckenzie, Chief Executive Officer
Actioning Officer:	Glen Dougall, Director Corporate Services
Decision Making Authority:	Council
Agenda Attachments:	Strategic Plan Progress Report – December 2011

EXECUTIVE SUMMARY

Council adopted its new Strategic Plan in June, 2010. One of the key projects of the plan was to commence a reporting regime that informed the council and community of progress against the achievements of the plan.

The report format shows in graph form the target and actual completion percentages cumulatively each month, the planned commencement and completion dates, the budget allocated to each project, and a comment from the responsible Director for each project. The report also has easy to read indicators for each project and summary indicators showing overall progress against each of the Strategic Imperative areas from the Plan.

The report ensures the City remains focused on its strategic imperatives. The report is provided for information and discussion as appropriate.

BACKGROUND

Council adopted its new Strategic Plan in June 2010. The Plan contains seven 'strategic imperative areas' within which there are a number of projects that the council determined were priority projects to achieve the outcomes it sought in each of these strategic areas.

One of the strategic areas is Organisational Capability. The focus of this area is to ensure that we are capable of delivering the Strategic Plan projects within the expected timeframes. A key part of that is to ensure that progress on each project is regularly monitored and reported on by officers and overseen by council to ensure the focus is maintained.

The product 'Interplan' was selected as the reporting tool for this project and the attached report details the progress against the plan.

COMMENT

A majority of the projects are tracking on target, or within acceptable level behind target which is expected for this time of the year. This is also indicated in the dashboard indicators provided on page 2 and 3 of the report.

Projects which are less than 40% of their target progress are commented on below;

1.1.1.4 – Performance Review for Council Decision Making

This action is behind expected progress for the end of 2011. Whilst some work has started in reviewing performance mechanisms, these are yet to be applied.

5.1.1.2 – Development of a Streetscape Plan for Queen Street

Development of this plan is yet to commence and is not anticipated to commence until early next year. Strategic Planning priorities set in December.

7.3.1.3 – Planning for Victoria Quay

Initial discussions have taken place, however commencement of the project is yet to take place and is planned for 2012. This action was identified as a key priority by Council in setting planning priorities at December meeting.

7.3.1.6 – North Fremantle Scheme Review

This project is yet to commence. A brief review of considerations has only been undertaken to date.

7.3.1.7 – Hilton Streetscape Plan

Development of this plan is yet to commence and is not anticipated to commence until early next year.

All other projects are progressing satisfactorily.

RISK AND OTHER IMPLICATIONS

Financial

Nil.

Legal

Local Governments are required to develop and maintain a Strategic Plan (for the moment known as a Plan for the Future).

Operational

Relevant staff have been trained in the use of this software, which will be further developed and integrated with corporate systems over the next year or two to provide enhanced reporting options.

Organisational

The whole organisation is involved in the delivery of the strategic plan. Organisational capacity and focus on achievement is recognised as a critical success factor in the plan. Reporting against progress on projects the council has identified as priorities is critical in sustaining the focus and reviewing capacity along the way.

CONCLUSION

The City of Fremantle Strategic Plan Progress Report for December, 2011 shows sound progress toward implementation of the strategic plan and is presented for information.

STRATEGIC AND POLICY IMPLICATIONS

As discussed within the report.

COMMUNITY ENGAGEMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION/COUNCIL DECISION

MOVED: Mayor, Brad Pettitt

Council receives the City of Fremantle Strategic Plan Progress Report for December 2011.

SECONDED: Cr A Sullivan

CARRIED: 11/0

For	Against
Mayor, Brad Pettitt Cr Jon Strachan Cr David Hume Cr Rachel Pemberton Cr Robert Fittock Cr Josh Wilson Cr Ingrid Waltham Cr Sam Wainwright Cr Bill Massie Cr Dave Coggin Cr Andrew Sullivan	

CONFIDENTIAL MATTERS

Nil.

CLOSURE OF MEETING

THE MAYOR, B PETTITT DECLARED THE MEETING CLOSED AT 7.15 PM.

SUMMARY GUIDE TO CITIZEN PARTICIPATION & 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	10 City officers are charged with the responsibility of being objective, non-political and unbiased. It is the responsibility of the management of the City to ensure that this is the case. It is also recognised that City officers can find themselves unfairly accused of bias or incompetence by protagonists on certain issues and in these cases it is the responsibility of the City’s management to defend those City officers.
City officers must follow policy and procedures	11 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

<p>Community engagement processes have cut-off dates that will be adhered to.</p>	<p>12 . As City officers have the responsibility to provide objective, professional advice to decision-makers, they are entitled to an appropriate period of time and resource base to undertake the analysis required and to prepare reports. As a consequence, 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>
<p>Citizens need to check for any changes to decision making arrangements made</p>	<p>13 . 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>
<p>Citizens are entitled to know how their input has been assessed</p>	<p>14 . 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>
<p>Reasons for decisions must be transparent</p>	<p>15 . Decision-makers must provide the reasons for their decisions.</p>
<p>Decisions posted on the City's website</p>	<p>16 . Decisions of the City need to be transparent and easily accessed. For reasons of cost, citizens making input on an issue will not be individually notified of the outcome, but can access the decision at 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.



MINUTES ATTACHMENTS

Ordinary Meeting of Council

Wednesday, 25 January 2012, 6.00 pm

**MINOR AMENDMENT - SGS1201-2 - OUTDOOR DINING RENEWAL FEES -
CONSIDERATION OF A DISCOUNT (SUBMITTED BY MAYOR BRAD PETTITT)**

Mayor Brad Pettitt would like to make a minor amendment to the committee recommendation by adding the bolded wording.

ALTERNATIVE RECOMMENDATION

That an 8% discount be offered on the renewal of the 2012 Outdoor Dining Fees if paid **or approved instalment arrangements made** by the close of business 29 February, 2012.

REASON FOR CHANGE TO COMMITTEE RECOMMENDATION

Some of the businesses have paid by instalments in the past due to the size of the fees and to manage their cash-flows. Usually these instalments operate over two or three months. This minor amendment is offered to allow this process to continue if sought.

C1201-5 - ITEM UNDER SEPARATE COVER – ATTACHMENT 2



CAPITAL WORKS 2011/12 PROGRESS REPORT

SECOND QUARTER, JANUARY 2012

www.fremantle.wa.gov.au



CAPITAL WORKS 2011/12 PROGRESS REPORT

SECOND QUARTER, JANUARY 2012



CAPITAL WORKS DELIVERED PROGRESS REPORT

Task Name	Duration	Start	Finish	Budget	Cost, actual YTD	% Complete	Comment
Road Projects	262 days	Fr 1/07/11	Sat 30/06/12	50.00		78%	
Perry Street - Queen Victoria St to Beach St	7 days	Mon 11/03/11	Fr 4/11/11	\$17,420.00	\$7,015.00	39%	Design issued, awaiting resurfacing
High Street - Market St to Cliff St	9 days	Mon 27/02/12	Mon 27/02/12	\$101,245.00	\$35,379.00	35%	Design issued, awaiting resurfacing
Hampson Road - Ingham St to CR 100 R	223 days	Wed 25/05/11	Fr 30/05/12	\$55,320.00	\$10,457.00	19%	Design issued, awaiting resurfacing
Hollmole Street - Market St to Cliff St	15 days	Mon 5/03/12	Fr 23/03/12	\$134,900.00	\$24,807.00	18%	Design in progress
East Street - Marmion St to High St	20 days	Mon 21/11/11	Fr 16/12/11	\$107,099.00	\$29,141.00	27%	Design issued, awaiting resurfacing
Beach Street - Perry St to Peter Hughes Dr	14 days	Mon 23/02/12	Mon 6/03/12	\$290,941.00	\$54,120.00	19%	Design issued, awaiting resurfacing
Swainsome St - Stevans to Samson R2R	124 days	Mon 15/12/11	Mon 4/06/12	\$62,149.00	\$11,087.00	18%	Design in progress
Howard - South to Marine R2R	7 days	Mon 18/11/11	Fr 18/11/11	\$90,000.00	\$11,000.00	12%	Design issued, awaiting resurfacing
Howson Street - Oulton to Wollatford R2R	263 days	Wed 13/05/11	Mon 21/05/12	\$65,000.00	\$12,000.00	18%	Design issued, awaiting resurfacing
Crane Sealing - Citywide	40 days	Mon 6/02/12	Fr 30/03/12	\$43,000.00	\$0.00	0%	Underway
Queen Victoria Street	85 days	Mon 13/08/11	Fr 11/11/11	\$90,000.00	\$1,877,506.29	100%	Complete
Onslow Street - Marmion to High	18 days	Mon 1/10/11	Mon 24/10/11	\$99,000.00	\$12,000.00	12%	Design progressing
Stage 1 Prestons St Mosaic Plan Cliff St Location	80 days	Mon 12/05/12	Fr 28/06/12	\$419,249.00	\$62,560.00	15%	Project team of PTA PP and COP staff are finalising designs with a view to tendering in April. Funding will be required in 12/13 year for completion of the project.
Annual tree planting program	44 days	Mon 1/05/12	Fr 25/06/12	\$190,000.00	\$61,709.00	32%	Planning for planting in winter 2012 underway
Streetscape upgrades for rDAP Program & CHODM	59 days	Mon 6/06/11	Fr 23/11/11	\$40,000.00	\$69,875.32	100%	Complete
Visual display signs for SW 20%N		Fr 1/07/11		\$100,000.00	\$4,000.00	4%	Consultants have provided a report to officers which is currently being considered for later implementation
Reassessment of carpark lighting	45 days	Mon 18/08/11	Fr 18/11/11	\$40,000.00	\$67,882.00	100%	Complete
Greening Streetscape Strategies				\$30,000.00	\$72,477.00	0%	Planning for planting in South Terrace is complete, the next step is to consult and inform the community
Adelaide Street - Port Street to Perry Street	295 days	Mon 4/04/11	Mon 27/02/12	\$0.00	\$62,756.00	48%	This project was rolled into the Queen Victoria Street project
South Street/Paget Street - Signal	8 days	Mon 23/01/12	Mon 30/01/12	\$227,704.00	\$36,864.00	16%	Subject to design discussions with owners and Main Road

JANUARY 2012



CAPITAL WORKS 2011/2012 PROGRESS REPORT

Task Name	Duration	Start	Finish	Budget	Cost, actual YTD	% Complete	Comment
McCombs Avenell/Smith St - Traffic Signal	570 days	Mon 1/11/10	Mon 1/09/12	\$277,127.00	21,500.00	8%	Design has been approved by MARWA, the scope of the project has evolved considerably because of MARWA requests, therefore more funding will need to be sourced from SFRWA to allow the project to proceed.
Lalorford Street/Walton Rd - Roundabout	90 days	Mon 9/03/11	Fri 17/01/12	\$294,300.00	21,563.84	6%	Design has been approved in principle by MBWA, final detailed design is at 85% stage.
Elmer Street/Che Street - Left Turn Splitter & Right Turn Lane	37 days	Fri 4/07/11	Fri 22/07/11	\$23,000.00	\$11,388.21	100%	Complete
Parade - SFRWA Anti-noise Program		Fri 4/07/11		\$25,824.00	\$814.42	8%	Public consultation complete/report to council in Feb 2012
South Terrace pedestrian crossing	20 days	Fri 1/10/11	Fri 28/10/11	\$10,000.00	10.00	100%	All approvals in place, design at 85%
Kings Street - Opposite Winterford Primary - Additional Parking Bays	1 day	Fri 1/07/11	Fri 1/07/11	\$21,810.00	\$48,884.88	100%	Complete
Ocean Road SW10 PRR Route upgrade	39 days	Fri 11/03/11	Tue 21/06/11	\$11,754.00	\$11,853.06	86%	Design issued, awaiting resurfacing.
National B-Spot - High Street St	12 days	Tue 6/03/11	Fri 26/03/11	\$20,000.00	28,475.00	100%	Issued for construction
State B-Spot - High St / East St - Seawardene St	240 days	Mon 28/03/11	Fri 24/01/12	\$103,500.00	\$118,140.00	83%	Project issued to contractors
State B-Spot - Lalmer St / Peel Rd	1 day	Fri 1/07/11	Fri 1/07/11	\$47,000.00	\$8,895.00	100%	Project cancelled funding returned to SFRWA
Art Hoop - Watkins Street	10 days	Mon 18/03/11	Fri 26/03/11	\$27,400.00	23,888.00	34%	Public consultation complete/report to council in Feb 2012
Art Hoop - Moderate Road	186 days	Fri 1/07/11	Fri 26/03/12	\$23,500.00	28,487.00	83%	Public consultation complete/report to council in Feb 2012
Art Hoop - Jeffrey Street	201 days	Fri 1/07/11	Fri 6/04/12	\$24,820.00	24,538.00	81%	Public consultation complete/report to council in Feb 2012
Winterford Road Traffic Calming (Contribution to City of Cockburn)	40 days	Mon 17/10/11	Fri 9/12/11	\$20,000.00	28,475.00	100%	Payment only as contribution to works
Streets Vision: South Terrace (Party to Zeek)	40 days	Fri 4/06/11	Fri 25/11/11	\$60,000.00	\$70,961.14	85%	Complete
Streets Vision: Lighting for key heritage buildings	1 day	Fri 1/07/11	Fri 1/07/11	\$50,000.00	\$58,388.12	100%	Complete
Streets Vision: Market Street/Terrace	1 day	Fri 1/07/11	Fri 1/07/11	\$21,000.00	\$87,814.00	100%	Complete
Streets Vision: Kings Square				\$55,758.00	50.00	0%	On hold awaiting future discussions for this area.
Port Beach Road - Water Place to Tyburnian Road	131 days	Mon 17/10/11	Tue 11/03/12	\$40,000.00	27,400.00	80%	Design at 95%
DUP Along Train Line - Pearce Street to Conpton Street	1 day	Fri 1/07/11	Fri 1/07/11	\$45,300.00	28,821.00	30%	Design complete awaiting land access approvals to construct
Oceanside Parklands DUP Upgrade - P & R, to Curlew Avenue	30 days	Fri 1/10/11	Fri 8/11/11	\$40,000.00	\$11,561.00	8%	Design at 95%
Fremantle Way Finding Audit and Reinstatement	80 days	Mon 3/10/11	Fri 26/01/12	\$13,700.00	10.00	0%	No action to date
New Bike Plan Projects	140 days	Mon 10/10/11	Fri 26/04/12	\$100,000.00	\$75,817.71	83%	Complete, includes funding 0/1 Street and Mews Road cycling facilities and heads up green paint on Parry and ancillary projects
Bikeplan Initiative - Staging	105 days	Mon 28/04/11	Fri 26/11/11	\$44,654.00	\$85,257.84	86%	DUP Hampton Rd to South Beach upgrade, design complete issued for construction
Mews Road end car park	75 days	Mon 15/06/11	Fri 26/11/11	\$285,000.00		100%	Complete, stage 2 funding will be requested in 12/13 budget

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Task Name	Duration	Start	Finish	Budget	Cost, actual VTD	% Complete	Comments
Path Program							
	261 days	Fr 1/07/11	Thu 26/09/11	30,000		0%	The path program has only just commenced as most of the focus in the first half of the year was on the other projects
Chesler St (Waters St to South St - Paving Slabs - WE)	14 days	Fr 1/11/11	Fr 9/12/11	\$7,940.00	\$4,000.00	0%	
Balmain St (High St to End Of Path (South) - Asphalt - WE)	10 days	Fr 1/11/11	Fr 23/11/11	\$25,000.00	\$2,800.00	0%	
Edmundson St (Paxa Cr to Dixon St - Paving slabs - SE)	10 days	Mon 18/11/11	Mon 5/01/12	\$4,800.00	\$400.00	0%	
Almyra Ave (Dixon St to Walters St - Paving Slabs - SE)	10 days	Mon 18/11/11	Fr 9/01/12	\$44,200.00	\$8,100.00	0%	
South Toe (Dixon St to South St - Asphalt - SE)	10 days	Mon 21/01/12	Fr 6/01/12	\$29,000.00	\$4,500.00	0%	
South Toe (South St to Midland St - Asphalt - SE)	8 days	Thu 7/11/11	Thu 27/11/11	\$28,800.00	\$5,700.00	0%	
South Toe (South St to Dixon St - Asphalt - WE)	11 days	Mon 10/10/11	Mon 24/10/11	\$21,400.00	\$3.00	0%	
Steven St (Waters to Fisher - Paving Slabs - SE)	10 days	Mon 9/01/12	Fr 20/01/12	\$4,100.00	\$217.00	0%	
Stockton Rd (Car Park Access (N) to South St - Instl Concrete - WE)	10 days	Mon 18/01/12	Fr 27/01/12	\$25,700.00	\$2,800.00	0%	
Yuckford St (Start Of Path to Finerty St - Instl Concrete - SE)	10 days	Mon 20/01/12	Fr 10/02/12	\$21,740.00	\$40,400.71	0%	
Yuckford St (Start St to Finerty St - Instl Concrete - WE)	10 days	Mon 23/01/12	Fr 24/02/12	\$27,180.00	\$5,000.00	0%	
Walters St (Younger Ave to Almyra Ave - Instl Concrete - SE)	10 days	Thu 17/01/12	Fr 9/01/12	\$14,770.00	\$5,800.00	70%	
Walters St (Almyra Ave to Carrington - Paving Slabs - SE)	10 days	Mon 13/01/12	Fr 23/01/12	\$25,440.00	\$20,200.00	60%	
Restatements	101 days	Thu 26/09/11	Mon 4/06/12	\$50,000.00	\$27,943.40	0%	Funding used to balance OI at project close
Disability Access				\$30,000.00	\$27,900.00	0%	
Bus shelters				\$30,000.00	\$45,100.00	0%	
Bike Paths at Bus Stops				\$10,000.00	\$20,000.00	0%	Complete, wills installed on site
Drainage Projects							
	261 days	Fr 1/07/11	Thu 26/09/11	30,000		0%	
Beach Street - Opposite No 2 - Flooding Issue	1 day	Fr 6/11/11	Fr 6/11/11	\$25,000.00	\$3.00	0%	Design in conjunction with Beach Street resurfacing
Archer St - adds funding for flooding project	90 days	Mon 11/07/11	Fr 26/09/11	\$120,000.00	\$124,552.00	100%	Complete, very successful project, eliminated flooding from major flood prone area
Dump Enhancement		Fr 1/07/11		\$50,000.00	\$44,500.00	10%	ongoing program
Dixons Street Dump Upgrade	25 days	Mon 6/06/11	Fr 9/06/11	\$30,000.00	\$41,400.00	100%	Complete, very successful project, eliminated flooding from major flood prone area
Carrington Street - Gossip Street	30 days?	Mon 13/06/11	Mon 5/06/11	\$100,000.00	\$45,900.00	0%	Preliminary design undertaken. Relocation of path appears to have eliminated the problem, remainder of funds reallocated to Dr Street
Road Rehabilitation Damage Remedial		Fr 1/07/11		\$30,000.00	\$3.00	2%	Various locations ongoing program
Gulleys upgrades		Fr 1/07/11		\$20,000.00	\$3.00	2%	Various locations ongoing program
Keegan Street - O'connor	30 days	Thu 1/06/11	Wed 8/11/11	\$40,000.00	\$380,700.00	100%	Complete, very successful project, eliminated flooding from major flood prone area
Queen Victoria Street - Drainage Upgrade	1 day	Fr 1/07/11	Fr 1/07/11	\$81,000.00	\$80,517.74	100%	Complete

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CAPITAL WORKS 2011/2012 PROGRESS REPORT

Task Name	Duration	Start	Finish	Budget	Cost, actual YTD	% Complete	Comments
Infrastructure Buildings							
Fremantle Arts Centre	283 days	Fr 1/07/11	Fr 28/08/12	50,000		67%	
Upgrade Toilet Block Drainage Access Compliant	175 days	Mon 1/09/11	Sat 11/03/12	50,000		76%	
Quantity Access Level 2 Design Fee	153 days	Thu 1/09/11	Sat 11/03/12	610,000.00	24,480.00	4%	Designs complete, sourcing quotes
Retainment Repairs/Upgrade	88 days	Thu 1/09/11	Sat 11/12/11	610,000.00	21,500.00	3%	Designs complete, sourcing quotes
Water storage water removal systems	153 days	Thu 1/09/11	Sat 11/03/12	810,000.00	2790.18	0%	Complete
South Leam retaining walls	153 days	Thu 1/09/11	Sat 11/03/12	810,000.00	26,778.00	3%	Complete
Room 6 fit out as gallery space	88 days	Mon 1/09/11	Mon 23/10/11	810,000.00	111,031.50	14%	Complete
North wing completion of painting	153 days	Thu 1/09/11	Sat 11/03/12	810,000.00	51,217.80	6%	Designs complete, sourcing quotes
North wing sealing wooden floors	153 days	Thu 1/09/11	Sat 11/03/12	810,000.00	50,000	6%	Works progressing
North wing sealing wooden floors	111 days	Mon 1/09/11	Sat 11/12/11	810,000.00	118,076.20	15%	Works complete
Catarina Studio renovation	109 days	Thu 1/09/11	Tue 11/01/12	810,000.00	110,055.00	14%	Project scoped and quotes being received
Fremantle Arts Centre Conservation Works (extra funding to complete)	1 day	Thu 1/09/11	Mon 1/09/11	810,000.00	127,914.10	16%	Final payments for contracts in previous year

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CAPITAL WORKS 2011/2012 PROGRESS REPORT

Task Name	Duration	Start	Finish	Budget	Cost, actual YTD	% Complete	Comments
Fremantle Leisure Centre		Fr 1/07/11	Sun 30/06/12	30,000		42%	
50m x 25m Meter Post Upgrades (over 2 years)	522 days	Fr 1/07/11	Sun 30/06/12	\$170,000.00	30,000	8%	On hold due to financing concerns following detailed project assessment
50 Meter Post Blankets Replacement	88 days	Mon 1/08/11	Wed 30/11/11	\$60,000.00	\$27,170.00	100%	Complete
Smoke Alarm Installation - Leisure Centre	308 days	Sat 1/10/11	Wed 28/02/12	\$30,000.00	\$4,762.62	80%	Finalising installation
Voltage reduction for Fremantle Leisure Centre	1 day	Fr 1/07/11	Fr 1/07/11	\$20,000.00	\$230.00	100%	
Access Control Program	193 days	Mon 1/08/11	Wed 28/02/12	\$40,000.00	\$1,858.54	30%	On going program of re keying the city's buildings
Fremantle Park Public Toilets Refurbishment	54 days	Mon 25/06/11	Mon 31/08/11	\$20,000.00	\$26,598.15	100%	Complete
Brook Lee Public Toilets Roof Replacement	54 days	Mon 25/06/11	Mon 31/08/11	\$10,000.00	\$6,115.00	100%	Complete
Hilton Middle Oval Clubroom Roof and Gutters	44 days	Mon 06/08/11	Wed 30/11/11	\$20,000.00	\$0.00	80%	Sourcing quotations
Fremantle Oval Wall Repair	72 days	Mon 21/08/11	Tue 21/01/12	\$20,000.00	\$0.00	80%	Sourcing quotations
Fremantle Bowling Club Lighting Upgrade	85 days	Mon 01/08/11	Fr 28/08/12	\$20,000.00	\$0.00	8%	Not started
Round House Internal Wall Restoration	62 days	Tue 28/06/11	Fr 12/11/11	\$40,000.00	\$26,684.00	100%	Original project complete, additional works 82%
Leighton Beach Redevelopment (stage over 2 FYs)							
Final design approvals & Contract documentation	121 days	Fr 1/07/11	Fr 18/11/11	30,000		100%	
Tender, Award & Preliminaries	68 days	Wed 11/08/11	Fr 13/04/12	50,000		25%	
Site works	108 days	Mon 18/04/11	Mon 18/09/11	30,000		8%	
Leighton Beach Landscaping (FY 12) (WAPC grant)				60,000		8%	Refers to funding being supplied by WAPC to complete landscaping once the Beach is complete
South Beach Cafe Diesel Connection	201 days	Fr 1/07/11	Fr 18/11/11	\$70,000.00	\$48,224.00	67%	Tender closed 20th Jan 2012
South Beach Toilet Upgrade Refurbishment	88 days	Mon 1/08/11	Wed 30/11/11	\$200,000.00	\$143,825.00	80%	Stage one complete, stage two planned for period following completion of sewer installation
FTV Roof Replacement	240 days	Fr 1/07/11	Thu 11/05/12	\$600,000.00	\$0.00	25%	Project received. First phase will be to obtain a liability report from builders and architects to ensure that a full and detailed plan of action can be approved for the 2nd stage
Fremantle Markets - Stormwater & Roof Works	185 days	Mon 6/08/11	Fr 28/08/12	\$600,000.00	\$1,240.00	30%	Final drainage design 80% complete, from this point works can be started and a decision made on priority of works
Waverley Playground & Building Upgrade				\$80,000.00	\$0.00	0%	This project relies on grant funds. The application has been made, no response as yet
Capital Works - One Stop Shop	181 days	Fr 1/07/11	Mon 13/02/12	\$4,000.00	\$5,613.00	70%	Finalising completion
Dick Lawrence Pavilion	130 days	Mon 25/07/11	Fr 20/01/12	\$440,000.00	\$412,060.00	95%	Practical Completion in Jan 2012 handover and commissioning in February
Hydrotherapy Pool PLC	348 days	Tue 1/07/09	Sun 30/09/11	\$400,000.00	\$390,549.00	100%	complete, final result a quality facility
Hilton Community Centre Project	81 days	Fr 1/07/11	Fr 23/08/11	\$1,240,748.00	\$1,150,776.00	100%	complete, final result a quality facility
North Fremantle Hall	135 days	Mon 1/08/11	Fr 1/02/12	\$200,000.00	\$204,949.00	75%	Tender let, works commenced Jan 2012
Volley Pavilion - Repair cable	67 days	Fr 1/07/11	Mon 5/09/11	\$18,000.00	\$3,945.00	100%	Complete

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Task Name	Duration	Start	Finish	Budget	Cost, actual YTD	% Complete	Comments
Free Hold Buildings		Fr 1/07/11	Fr 29/06/12	50.00		80%	
Civic Admin HVAC Commissioning 1st Floor	152 days	1/07/11	Mon 5/12/11	\$40,000.00	\$15,817.55	45%	Works underway
Civic Admin Building Toilet Upgrade	151 days	8/07/11	Tue 31/01/12	\$30,000.00	\$8,450.00	25%	Design complete sourcing quotes
ON HOLD Civic Admin Roof Repairs	88 days*	1/08/11	Wed 30/11/11	\$40,000.00	\$18,181.51	50%	This project is on hold
Electrical Panel Repair & Replacement Programme	240 days	Mon 1/08/11	Fr 29/06/12	\$90,000.00	\$8,993.28	100%	Scope and documentation finalised, project will proceed in April because the works are at the lecture centre and this is a quieter period
ON HOLD Library - Resurfacing Local History and Workroom	48 days	Fr 25/10/11	Tue 31/01/12	\$10,000.00	\$0.00	0%	On hold
Reception Room Refurbishment	91 days	Mon 25/11/11	Sat 11/03/12	\$80,000.00	\$0.00	25%	Awaiting decision on carpet selections
Security panel replacement program	120 days	Mon 18/01/12	Fr 29/06/12	\$25,000.00	\$0.00	0%	Scoping underway
Civic Admin Fire panel replacement program	33 days	1/02/11	Wed 30/11/11	\$10,000.00	\$11,612.20	100%	Complete
Civic Building Energy Piv installation	220 days	Mon 1/02/11	Fr 1/06/12	\$100,000.00	\$17,455.10	15%	Design development in progress
ON HOLD Civic Building Lighting upgrades	35 days	1/02/11	Fr 18/06/11	\$90,000.00	\$0.00	10%	On hold
City Works Administration Building Refurbishment	87 days	Mon 18/08/11	Tue 31/01/12	\$10,000.00	\$0.00	10%	Not yet started
City Works Training Room Refurbishment ON HOLD	87 days	Mon 18/08/11	Tue 31/01/12	\$10,000.00	\$0.00	10%	On hold
City Works Administration Area HVAC replacement	87 days	Mon 18/08/11	Tue 31/01/12	\$10,000.00	\$23,280.00	100%	Complete
City Works Administration refurbishment of reception area and Manager's Office	76 days	Mon 18/08/11	Sat 11/12/11	\$20,000.00	\$4,123.00	100%	Complete
City Works Service Pit Extension	96 days	Mon 21/08/11	Sat 11/12/11	\$7,000.00	\$2,278.00	100%	Complete
CCTV Security - Sanson Recreation Centre	132 days	Sat 1/10/11	Sat 11/03/12	\$11,000.00	\$0.00	100%	Complete
Smoke Alarm Installation - Sanson Centre	132 days	Sat 1/10/11	Sat 11/03/12	\$10,000.00	\$2,783.94	35%	Complete
Victoria Hall HVAC and Curtain Rails	138 days	Mon 1/02/11	Mon 5/03/12	\$300,000.00	\$38,896.00	48%	
Stevens St Reserve Clubrooms Roof Replacement	44 days	Fr 05/09/11	Wed 30/11/11	\$20,000.00	\$18,300.00	100%	Complete
ON HOLD Fred Wright Security Works	120 days	Mon 14/01/12	Fr 29/06/12	\$10,000.00	\$0.00	0%	
HVAC Upgrade Civic Administration Building	152 days	1/07/11	Sat 11/12/11	\$80,440.00	\$65,513.00	75%	
Upgrade Sound System for Council Chamber	30 days	1/07/11	Wed 3/08/11	\$30,000.00	\$45,888.00	100%	Complete
Civic Centre Garden	108 days	Fr 1/07/11	Wed 30/11/11	\$1,800.00	\$0.00	100%	Complete

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Task Name	Duration	Start	Finish	Budget	Cost, actual YTD	% Complete	Comment
Investment Buildings							
Queensgate Carpark Office Carpet	261 days	Mon 1/07/11	Fri 28/06/12	50,000		0%	
Queensgate Painting Commercial tenancy AMFA				113,000.00	10.00	0%	Not yet started
Replace Carpet For AMFA Queensgate Suite 1 Level 1				543,000.00	10.00	0%	Not yet started
Even Decks Building Refurbishment				170,000.00	17,560.00	0%	Primary investigations to contribute towards tenancy refurbishment project
Bathers Bay stage 1	83 days	Mon 15/06/11	Fri 23/12/11	50,000		100%	Complete
Bathers Bay Stage 2				50,000		0%	
Parks							
Seal and Table for Sanson Park	87 days	Mon 6/07/11	Thu 28/12/11	54,500.00	54,747.00	80%	paths are ready to be poured, furniture is ordered
North Fremantle Skate Park	89 days*	Mon 6/07/11	Fri 29/10/11	1130,000.00	109,400.00	100%	Complete
North Fremantle Parkside Management Plan	111 days*	Fri 8/06/11	Fri 28/06/12	380,000.00		22%	not to quotation expected completion April 2012
Beesleybars Park Asbestos Determination	104 days*	Tue 1/07/11	Fri 1/09/12	103,700.00	104,072.00	75%	Complete
Annual Bone Upgrade/Replacement	280 days*	Mon 6/07/11	Fri 28/06/12	1100,000.00	19,252.51	10%	On hold
Irrigation subsoil upgrades	280 days*	Mon 6/07/11	Sat 30/06/12	580,000.00	10,000	2%	On hold
Infield Renovation Replacement	280 days*	Mon 6/07/11	Fri 28/06/12	1170,000.00	28,013.88	0%	Funds reallocated
Minor Parks and Recreation Assets Replacement				520,000.00			Ongoing program
Park Furniture Replacement				120,000.00			Ongoing program
Wesgate Mall Improvements				120,000.00			Planning to commence Feb 2012
South Beach Carpark and Basketball court project				150,000.00	114,000.00	80%	Carpark works 80% complete, now planning relocation of Basketball court
Esplanade Park Development	155 days	Mon 11/11/11	Fri 13/07/12	175,000.00	119,000.00	25%	Consultants brief under development
Commonwealth Hill Master Plan Capital	155 days*	Mon 6/07/11	Fri 6/09/12	2100,000.00	10,000	0%	Draft Masterplan complete and ready for public consultation
Fremantle Park Sports Lighting Upgrade	174 days*	Mon 6/07/11	Thu 1/03/12	120,000.00	10,000	5%	Not yet started
Parks & Reserve Bolards Replacement Program	280 days*	Mon 6/07/11	Fri 28/06/12	123,000.00	10,000	0%	Not yet started
Revegetation	280 days*	Mon 6/07/11	Fri 28/06/12	178,000.00		30%	Planting to occur in winter
Shoreline Study	280 days*	Mon 11/06/11	Fri 7/09/12	121,000.00		25%	Quotes sent and consultants undertaking works
ISAF presentation	276 days*	Mon 1/10/10	Fri 11/10/12	103,000.00	104,732.00	100%	Works complete

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