



Agenda

Finance, Policy, Operations and Legislation Committee

Wednesday, 11 July 2018, 6.00pm

CITY OF FREMANTLE

**NOTICE OF A FINANCE, POLICY, OPERATIONS AND LEGISLATION
COMMITTEE MEETING**

Elected Members

A Finance, Policy, Operations and Legislation Committee meeting of the City of Fremantle will be held on **Wednesday, 11 July 2018** in the North Fremantle Community Hall, located at 2 Thompson Road, North Fremantle commencing at 6.00 pm.

A handwritten signature in black ink, appearing to read 'Glen Dougall', with a large, sweeping flourish extending from the end of the signature.

Glen Dougall
Director City Business

6 July 2018

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CITY OF FREMANTLE

Finance, Policy, Operations and Legislation Committee

Agenda

1. Official opening, welcome and acknowledgement

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

2. Attendance, apologies and leaves of absence

There are no previously received apologies or approved leave of absence.

3. Disclosures of interests

Elected members must disclose any interests that may affect their decision-making. They may do this in a written notice given to the CEO; or at the meeting.

4. Responses to previous questions taken on notice

There are no responses to public questions taken on notice at a previous meeting.

5. Public question time

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time.

Further guidance on public question time can be viewed [here](#), or upon entering the meeting.

6. Petitions

Petitions to be presented to the committee.

Petitions may be tabled at the meeting with the agreement of the presiding member.

7. Deputations

7.1 Special deputations

A special deputation may be made to the meeting in accordance with the City of Fremantle Meeting Procedures Policy 2018.

There are no special deputation requests.

7.2 Presentations

Elected members and members of the public may make presentations to the meeting in accordance with the City of Fremantle Meeting Procedures Policy 2018.

8. Confirmation of minutes

Officer's recommendation

That the minutes of the Finance, Policy, Operations and Legislation Committee meeting dated 13 June 2018 be confirmed as a true and accurate record.

9. Announcements by presiding member

The presiding member may make announcements to the meeting

10. Questions or personal explanations by members

Elected members may ask questions or make personal explanations on matters not included on the agenda.

11. Reports and recommendations

11.1 Committee delegation

FPOL1807-1 WFCC37.18 CONTESTABLE ELECTRICITY SUPPLY

Meeting Date: 11 July 2018
Responsible Officer: Manager Facilities and Environmental Management
Decision Making Authority: Committee
Agenda Attachments: Confidential – under separate cover.

SUMMARY

The purpose of this report is to consider Tender number WFCC 37.18 for contestable electricity supply to City assets.

This report recommends that Committee accepts the Tender submitted by Synergy for contestable electricity supply to City assets in accordance with the Tender evaluation undertaken as per the selection criteria included in the tender document.

BACKGROUND

The City of Fremantle spends approximately \$405,650 (ex GST) per annum on electricity at ten (10) sites which are suitable for contestable electricity contracts. By definition, sites with electricity consumption over 50 MWh per year (on average) are considered to be contestable. The ten (10) contestable sites are:

Asset Name	Address
Temporary Admin Centre, Fremantle Football Club	70 Parry Street, Fremantle
Hilton Community Centre	Paget St, Hilton
Fremantle Arts Centre	4 Finnerty Street, Fremantle
Esplanade Park	98 Marine Terrace, Fremantle
Moores Building	U 3 46 Henry St, Fremantle
Samson Recreation Centre	McCombe Ave, Samson
City of Fremantle Depot	81 Knutsford Street, Fremantle
Hilton Park	Shepherd Street, Beaconsfield
Fremantle Leisure Centre	10 Shuffrey St, Fremantle
Old Administration Building	Newman Court, Fremantle

Requests for Tender were issued via e-Quotes to the WALGA Energy Panel on 4 April 2018 and closed on 20 April 2018.

Suppliers were requested to prepare an all-inclusive quotation that details pricing tariff rates for the following scenarios for all contestable accounts:

1. Normal electricity supply through the grid (required).
2. 100% carbon neutral through 100% renewable energy (preferable).
3. 100% carbon neutral through offset surcharge (preferable).

Respondents were requested to provide details for two supply options:

1. Take or pay contracts.
2. Power purchase agreements.

Four (4) responses were received by the City to supply the contestable electricity.

FINANCIAL IMPLICATIONS

The table below summarises the proposed budget provision and the forecast expenditure against the maintenance services listed:

Description	Expenditure	Budget
Budget		
Budget for 18 / 19 Financial Year		\$441,875
Expenditure		
Expenditure incurred to date:	\$0	
Activities <ul style="list-style-type: none"> • Tender number WFCC37/18 (forecast expenditure for 2018 / 2019 financial year) 	\$308,918	
Balance (pa.)		\$132,957

Sufficient funding provision has been allocated in 2018 / 2019 to deliver the supply within budget.

All costs are dependent on actual electricity consumed and will vary accordingly.

Budget provision will need to be made for Financial Years 2019/2020 and 2020/2021. The proposed contract has provision to maintain the Tendered rates over the course of the contract term (3 years) – CPI adjustments are not applicable.

The expenditure estimates will potentially decrease as the PCYC are currently investigating the option of changing the electricity account for the Hilton Community Centre into their name so that they can obtain a discount tariff that is not available to the City.

LEGAL IMPLICATIONS

Responses were invited in accordance with Regulation 11(2) (b) of the Local Government (Functions and General) Regulations 1996, as quotations were obtained via the WALGA Preferred Supplier Program. The evaluation of responses complied with part 4 of the Local Government (Functions and General) Regulations 1996.

CONSULTATION

Nil.

OFFICER COMMENT

Detail

Tender WFCC37/18 for Contestable Electricity was issued via e-Quotes to the WALGA Energy Panel on 4 April 2018 and closed on 20 April 2018.

Essential details of the contract are outlined below:

Contract type	Schedule of Rates
Contract duration	3 years.
Commencement date	On or about 1 July 2018 (to be backdated)
Completion date	30 June 2021

Tender evaluation

Tender submissions were received from the following suppliers and evaluated by the tender evaluation panel:

- Alinta Energy
- Perth Energy
- Infinite Energy
- Synergy

The Tender evaluation panel establishes whether the tender submissions conform to the conditions for tendering and selects a suitably qualified and experienced contractor.

The tender evaluation panel comprised:

- Manager Facilities and Environmental Management
- Sustainability Technical Officer
- Procurement Team Leader

Tenderers were required to disclose information that might be relevant to an actual or potential conflict of interest and disclose if they had any relationship with City of Fremantle employees involved in the tender process. Members of the tender evaluation panel are required to disclose any actual or perceived interest with any of the tenderers.

No disclosures were made.

To obtain the broadest possible comparison base, each of the tenders was evaluated against the following tender selection criteria and was in turn graded in the tender evaluation matrix.

Item No	Description	Score
1	Service Delivery Plan	20%
2	Evidence of Locally Sourced Green Energy	20%
3	City of Fremantle sourced Green Energy	10%
4	Price	50%

All Tender submissions received conformed to the Tender requirements.

The Tender requested pricing for 3 different requirements:

1. Normal electricity supply through the grid (black power).
2. 100% carbon neutral supply through 100% certified renewable energy (green power) at an additional cost to the budget of 10% for the total contract.
3. 100% carbon neutral supply through purchasing carbon offsets.

The results of the Tender evaluation, shown in the table below, narrowly identified that Synergy were the preferred tenderer to supply the contestable energy with a score of 81 out of 100.

Criteria	Weighting	Bundled Tariff			
		Synergy	Perth Energy	Infinite - Grid only	Infinite - Grid and PPA
(a) Service Delivery Plan	20%	17	18	0	0
(b) Evidence of Locally Sourced Green Energy	20%	9	7	0	5
(c) City of Fremantle sourced Green Energy	10%	7	7	0	5
(d) Price	50%	48	46	44	41
Total		81	78	44	51

Criteria	Weighting	Unbundled Tariff		
		Synergy	Alinta	Perth Energy
(a) Service Delivery Plan	20%	17	16	18
(b) Evidence of Locally Sourced Green Energy	20%	9	9	7
(c) City of Fremantle sourced Green Energy	10%	7	0	7
(d) Price	50%	45	40	44
Total		78	65	76

The Tender submitted by Synergy for a bundled tariff scored the highest rating with 81 points, followed by Perth Energy with 78 points. The remaining tender submissions received lower scores.

Synergy, the preferred tenderer, was assessed as having the ability to deliver the level of service described in the specification, in accordance with the terms of Tender document.

The evaluation process determined that the tender from Synergy is a conforming tender; they have worked for the City on various projects and provided good service that met the City's needs.

Only 2 respondents (Synergy and Alinta) offered 100% renewable energy options with a price premium of approximately 36% for Synergy and 49% for Alinta. These are above the threshold adopted by Council of 10% price premium for 100% renewable energy.

In previous years, the carbon neutral status of the City has been maintained through the purchase of carbon offsets as a separate contract.

Four options were reviewed to maintain the carbon neutral status for the duration of this contract:

1. Continue to purchase carbon offsets as a part of a separate contract for an annual cost of approximately \$12,615 (ex GST).
2. Purchase 100% renewable energy from Synergy for an annual cost of approximately \$106,835 (ex GST). (36% price premium but within current budgets).
3. Purchase 25% renewable energy from Synergy and 75% carbon offsets for an annual cost of approximately \$38,828 (ex GST).
 - a. *This option aligns with Councils 10% price premium.*
4. Continue to purchase carbon offsets as a part of a separate contract for an annual cost of approximately \$12,615 (ex GST) and use the estimated electricity budget savings (of approximately \$132,957 per annum) to purchase on-site renewable energy systems to be placed on City assets.

Officers recommend Option 4 as this is a step towards the City's 100% renewable energy target and will provide a positive net present value over the life of the renewable energy systems which will free up future budget for additional renewable energy expenditure.

Additionally, the contract from Option 4 includes the flexibility to 'upgrade' to a purchase of 100% renewable energy at any stage during the term of the contract if Synergy can demonstrate they have entered into an agreement to source renewable energy from a local source such as the solar farm proposed by Epuron.

This would be at a total annual cost of approximately \$441,875 (ex GST) – from an available budget of \$441,875 (ex GST).

Environmental considerations

The supply of 100% renewable energy and carbon offsets have been considered as a part of this Tender process to ensure that the City maintains a carbon neutral status.

The impact of the solar farm proposed by Epuron at South Fremantle has been considered as part of this tender process and the recommended contract provides the City an opportunity to agree to 'upgrade' the supply to local renewable energy if the project is completed during the three (3) year Contract period.

Risk consideration

An assessment undertaken by Dun and Bradstreet indicates that Synergy have the financial capacity to undertake the contract.

There are no strategic or corporate risks within the City's existing risk registers which relate to the issues contained in this report.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required.

OFFICER'S RECOMMENDATION

That the Finance, Policy, Operations and Legislation committee acting under delegation 1.1:

- 1. Accepts the Tender submitted by Synergy for the supply of grid electricity at an estimated total contract price of \$926,754 (ex GST) subject to actual electricity consumption in accordance with the terms and conditions specified in the tender document for a 3 year period from 1 July 2018 to 30 June 2021.**
- 2. Undertakes the purchase of carbon offsets for the estimated cost of \$12,600 (ex GST) per year for a 3 year period from 1 July 2018 to 30 June 2021.**
- 3. Any savings provided in the electricity account for 2018/19 be placed in the Sustainability Reserve.**
- 4. Request the Chief Executive Officer to prepare a program of suitable energy related initiatives for potential implementation subject to Council approval to utilise the surplus funds (estimated \$132,957 per annum) remaining in the electricity budget subject to the proposed projects providing a positive net present value.**

FPOL1807-2 AWARD OF TENDER FCC511.18 INTEGRATED PARKING MANAGEMENT SYSTEM

Meeting Date: 11 July 2017
Responsible Officer: Director City Business
Decision Making Authority: Committee
Agenda Attachments: Nil

SUMMARY

The purpose of this report is to consider tender FCC511/18 for an integrated parking management system to improve the customer parking experience, allow the City to optimise its parking network, deliver efficiency improvements for customers and the City, and provide the City with greater access, insight and understanding of parking data.

This report recommends that committee, accepts the tender submitted by Database Consultants Australia. The tender evaluation was undertaken using the selection criteria provided in the tender document and according to the requirements of the Local Government (Functions and General) Regulations 1996.

BACKGROUND

The City manages a diverse range of parking services for residents and visitors including on and off street fee applicable car bays and carparks, non-fee time restricted car bays, ACROD bays, loading zones, parking permits, reserved bays and enforcement services.

The City issued a tender for an integrated parking management system, to incorporate the above mentioned parking services, through the Tenderlink portal. The tender specifications were put together by the City's Commercial Parking and Economic Development teams with the following aims:

- improve community satisfaction on parking within the Fremantle city centre by providing a better quality user experience
- allow the City to optimise its parking network
- deliver efficiency improvements for the City and for users of the City's parking services
- provide the City with greater access, insight and understanding of the City's parking data.

FINANCIAL IMPLICATIONS

The table below summarises the available budget, current expenditures, recommended tender price by Database Consultants Australia, and associated expenses:

Description	Expenditure	Budget
Budget for 18/19 Financial Year		
11794 – Integrated parking management application		\$105,000
100566 – Manage commercial parking operations		\$370,000

(Credit card, bank and transaction fees)		
100566 – Manage commercial parking operations (Pay-by-phone Commission)		\$35,894
Total budget		\$510,894
Expenditure		
Activities		
• Tender number FCC511/18 Integrated Parking Management System	\$188,450	
Credit card, bank and transaction fees	\$276,992	
Total expenditure (forecast)	\$465,442	
Balance (forecasted)		\$45,452

The forecast balance is a result of expected savings in credit card, bank and transaction fees as more transactions are increasingly made on the Pay-by-phone platform provided as part of this tender.

LEGAL IMPLICATIONS

Tenders were invited in accordance with section 3.57 of the *Local Government Act 1995* and the tendering procedures and evaluation complied with part 4 of the Local Government (Functions and General) Regulations 1996.

CONSULTATION

Nil

OFFICER COMMENT

Detail

The tender for an integrated parking management system was structured as follows:

Essential functions

1. Pay-by-phone system with high quality user interface
2. Enforcement management
3. Resident parking permits
4. Reporting services for business intelligence
5. Promotions capability

Desirable functions

6. Dynamic pricing
7. Commercial permits
8. Staff and guest permits

The City advertised the Integrated Parking Management System tender in the West Australian newspaper and on the Tenderlink web portal on Wednesday 7 March 2018 and closed on 6 April 2018.

Tender evaluation

Tender submissions were received from the following contractors:

- Romex Australia
- RapidKat Pty Ltd
- CellOPark
- APARC
- Database Consultants Australia (DCA)

The tender evaluation panel establishes whether the tender submissions conform to the conditions for tendering and selects a suitable qualified and experienced contractor.

The tender evaluation panel comprised:

- Manager Economic Development and Marketing
- Parking Team Leader
- Economic Development Officer
- Senior Contracts and Procurement Officer

Members of the evaluation panel are required to disclose any conflicts of interest. No conflicts of interest were disclosed.

The tenders were required to meet the following compliance criteria:

- compliance with the specification
- compliance with the terms of tendering
- compliance with the completion of the price schedule

All submissions except the submission from Romex Australia were deemed to have met the compliance criteria. The submission from Romex Australia did not include a completed price schedule and the evaluation panel chose not to evaluate their submission any further.

To provide a broad comparison base, each of the compliant tenders was evaluated against the following tender selection criteria and in turn graded in the tender evaluation matrix.

Item No	Description	Weighting
1	Relevant experience	15%
2	Key personnel Skills and Resources	10%
3	Demonstrated Understanding	30%
4	Occupational Health and Safety	10%
5	Sustainability	5%

Tenderers were also required to provide a schedule of rates for the supply of the various systems required. The evaluation panel then used the rates provided and the target uptake rates of the pay-by-phone system and estimated number of permits to determine an overall cost to the City over the full length of the contract (ex GST).

Price was weighted at 30%.

The panel convened on 16 May 2018, discussed the tenders and chose to short-list two respondents, to provide a presentation and product demonstration.

The panel met with Database Consultants Australia on 24 May and with CellOPark on 30 May 2018.

The panel reconvened on 30 May 2018 and reached a consensus decision for a preferred tenderer.

	Relevant Experience	Key Personnel Skills & Resources	Systems Functionality	Sustainability	Occupational Health and Safety	Qualitative Sub Total	Price	Total Score
Tenderer	15	10	30	10	5		30	100
DCA	11	8	22	5	4	49	30	79
Rapid KAT	3	5	15	5	4	32	10	42
APARC	6	2	7	4	4	23	17	40
CellOPark	11	8	22	5	4	50	17	67

The tender submitted by DCA scored the highest rating with 79 points. The remaining tender submissions received lower scores.

The recommended tenderer DCA was assessed as offering the City with a high level of directly relevant experience, an excellent understanding of the City's requirements and system functionality whilst having the ability and capacity to undertake the works. The offer also provides the City with good value for money.

The evaluation process determined that the tender from DCA was a fully conforming tender and was able to provide all of the essential and desirable functions.

Reference checks indicate that DCA have provided a good level of service to their customers on similar projects and will be suitable suppliers to the City of Fremantle.

All respondents and the recommended tenderer declared compliance with the four principles of No Business in Abuse (NBIA).

Environmental considerations

Nil

Risk consideration

A financial reference check was carried out with Dun and Bradstreet and showed there is minimal financial risk of contracting with DCA.

Comment

The recommended tenderer scored well against the qualitative criteria required to deliver the scope of work and provides the City with good value for money for the services to be provided during the contracted period.

DCA were able to demonstrate that their Pay-by-phone product has been able to achieve and in some cases exceed the targets set by the City in the tender documentation.

The uptake targets set by the City are aimed at shifting the way users pay for their parking from predominantly cash and credit/debit card to the pay-by-phone system.

Using the pay-by-phone system provides a number of benefits for the customer including, but not limited to the following:

- No need to carry cash.
- No need to meet a minimum payment amount on credit/debit card (currently set at \$3).
- Only pay for the time actually parked, to the minute.
- No need to guess the expected parking time.
- No need to interact with a parking meter.
- Customer is provided with a statement of parking transactions.
- Ability to locate particular parking requirements such as ACROD or loading bays.

By increasing the uptake of users on the pay-by-phone solution the City can make substantial savings on the following:

- Transaction fees charged by the parking meter supplier.
- Fees charged to process credit and debit card transactions.
- Cash collection fees.

Further to this, as the use of the pay-by-phone solution increases the City can expect the requirement for parking meters to reduce. Fewer parking meters will provide the following benefits:

- Cost savings on licencing fees.
- Reduced maintenance costs for working parts of the parking meters such as card readers and coin mechanisms.
- Reduced maintenance costs due to vandalism and wear and tear.
- Improving the urban realm and increasing the amount of public space.
- Efficiency, sustainability and cost saving improvements through reduced number and frequency of coin collections.

The tenderer will also provide the City with a parking enforcement management system that is better integrated with other parking services to give the City an enhanced compliance program.

Additionally the tenderer will provide the City with the following systems:

- an improved parking permit system
- dynamic pricing ability
- improved business intelligence tools
- promotions capability for use by the City and the business community to use parking as an incentive for visiting Fremantle

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required.

OFFICER'S RECOMMENDATION

The Finance, Policy, Operations and Legislation Committee acting under delegation 1.1, award Database Consultants Australia the tender for FCC511/18 Integrated Parking Management System for a period of four (4) years for an estimated amount of \$710,013 (ex GST and with CPI to be added from years 2 to 4 inclusive).

11.2 Council decision

FPOL1807-3 NAVAL STORES TENDER REPORT

Meeting Date: 11 July 2018
Responsible Officer: Manager Facilities and Environmental Management
Decision Making Authority: Council
Agenda Attachments: 1. Tender evaluation reports (*Confidential – under separate cover*)

SUMMARY

The purpose of this report is to consider tender number FCC509/18 for Naval Stores Adaptive Reuse and Compliance Works at 141 Queen Victoria Street, Fremantle.

This report recommends that Council authorise the Chief Executive Officer to enter into negotiations with the preferred tenderer Clinton Long Project Management Pty Ltd (CLPM), Unit 1, 2 Walcott Street, Mount Lawley, WA, 6050 for the delivery of separable portion works up to the current budget allowance of \$506,002 and approve a variation of the lease between Enkel Collective and the City.

BACKGROUND

On 01 April 2017 the City entered into a 20 year lease agreement with the Enkel Collective to occupy the Naval Stores on the understanding the facility could be adapted and used as a public facility.

Following an initial design exercise to scope suitable works to provide public use at the facility, tender proposals were received and reviewed by the tender evaluation panel, these were subsequently presented to the Major Procurement Panel on 06 April 2017 with a recommendation not to progress due to the high values of the returns and project budget limitations. The Chief Executive Officer accepted the Major Procurement Panel's recommendation to not accept the tenders and requested officers re-scope the potential works in line with budget availability.

The proposal has subsequently been re-scoped with the inclusion of separable portions to allow officers flexibility to align the scoped works with tender returns. The revised proposal was documented and re-advertised for public tender on 28 February 2018. The tender period closed on Friday 23 March 2018. The City received 6 compliant submissions.

FINANCIAL IMPLICATIONS

The table below summarises the available budget, current expenditure for the Naval Stores Adaptive Reuse and Compliance Works and associated expenses:

	Previous Year	Current year / carry forward
Budget year:	2017/2018	2018/2019
Budget allocation:	517,000	506,002
Expenditure:	10,998	0
Commitment:	0	0
Total	506,002	506,002

Budget provision has been carried forward for the 2018/2019 financial year to deliver an agreed separable portion of the project.

LEGAL IMPLICATIONS

Tenders were invited in accordance with section 3.57 of the *Local Government Act 1995* and the tendering procedures and evaluation complied with part 4 of the Local Government (Functions and General) Regulations 1996.

On 01 April 2017, Enkel and the City entered into a 20 year lease agreement. Enkel's original business case proposed making use of the whole of the facility, which included significant areas of public use. Subsequent changes to the leased area require a lease variation.

CONSULTATION

Officers have consulted and liaised with Enkel throughout the scoping and development stages of the project. Enkel were updated with regards to the issues with the scope of work and value of the initial tender returns, they were also consulted with respect to the subsequent re-scoping exercise.

Officers met with Enkel on 19 December 2017 and 23 May 2018 to clarify the potential implications of the proposed re-scoping process and the design intentions with respect to the separable portions and budget availability.

Enkel were requested to submit a revised business plan, based on the reduced scope of works and in particular, access and activation of the ground floor only. A revised business plan was received 7 June 2018. The reduced leased area and new business plan requires a variation to the lease between the City and Enkel.

OFFICER COMMENT**Detail**

A reduced scope of works was developed to align with the available budget and a pricing structure forming separable portions was developed to allow the City options on scoping and affordability.

The tender was structured as follows:

- Complete Works – Separable Portion 1, 2 and external conservation works
- External conservation works only
- Separable Portion 1 – Public Toilets
- Separable Portion 2 – Internal Toilets

The City re-advertised the 'Naval Stores Adaptive Reuse and Compliance Works' via public tender, on 28 February 2018. The tenders closed on Friday 23 March 2018.

Following the tender returns, Officers have sought feedback from stakeholders on the options available, this also included a briefing of Elected Members at an IEM meeting on 16 April 2018; the following options have been highlighted for discussion:

1. Complete All Works
Requires additional funding + \$600k
(\$500k available in 2017/18 budget)
2. Complete External / Conservation Works
Require additional funding + \$265k
(\$500k available in 2017/18 budget)
3. Complete Conservation Works and Public Toilets
Require additional funding + \$468k
(\$500k available in 2017/18 budget)
4. Complete internal works and include Public Toilets
(Affordable within the \$500k available budget)

Given the constraints of the available budget and following consultation with stakeholders and feedback, and in order to progress the lease and activate the building - officers would conclude that the most effective option would be to complete the internal works to bring the facility up to a Class 9b (public use) building on the ground floor.

A Class 9b building relates to an 'Assembly building' and permits public access; this would typically include the following uses - community centre, sports hall or a trade workshop etc.

Option 4 would complete the internal works – including the public toilets and internal toilets only; this to include all relevant statutory / compliance works necessary to bring the facility up to a Class 9b building on the ground floor.

Works would include:

- Internal refurbishment of the ground floor
- Isolation of the Mezzanine floor
- Construction of Internal and External Toilets
- Install New Sewer Connection
- Installation of Electrical, Hydraulic and Mechanical Services for compliance to class 9B

The following works would be excluded from the scope:

- External conservation works (including repair to the external façade, new windows and doors)
- Compliant works to internal stair cases and mezzanine floor
 - The mezzanine floor will be isolated and not be accessible / able to be used by Enkel

Tender evaluation

Tender submissions were received from the following contractors and evaluated by the tender evaluation panel:

- ICS Australia Pty Ltd
- Connolly Building Company
- Clinton Long Project Management Pty Ltd
- Byte Construct Pty Ltd
- Buildon Construction
- Safeway Building Pty Ltd

The tender evaluation panel establishes whether the tender submissions conform to the conditions for tendering and selects a suitably qualified and experienced contractor.

The tender evaluation panel comprised:

- Director Infrastructure and Project Delivery
- Project Manager Buildings
- Project Architect - Hocking Heritage Architects Studio

Tenderers were required to disclose information that might be relevant to an actual or potential conflict of interest and disclose if they had any relationship with City of Fremantle employees involved in the tender process. Members of the tender evaluation panel are required to disclose any actual or perceived interest with any of the tenderers. No disclosures were made.

To obtain the broadest possible comparison base, each of the tenders was evaluated against the following tender selection criteria and was in turn graded in the tender evaluation matrix.

Item No	Description	Weighting
1	Price	30
2	Relevant Experience	15
3	Key Personnel Skills and Resources	10
4	Demonstrated Understanding	25
5	Occupational Health and Safety	10
6	Sustainability	10

Six (6) tender submissions received were conforming; no (0) tender submissions received were non-conforming.

Pricing Evaluation (Complete works which Includes all Separable Portions)

The tender submitted by Clinton Long Project Management Pty Ltd scored the highest rating with 78 points, followed by ICS Australia with 75 points. The remaining tender submissions received lower scores.

	Relevant Experience	Key Personnel Skills & Resources	Demonstrated Understanding of the Project	Sustainability	Occupational Health and Safety	Price	Total Score
Tenderer	15	10	25	10	10	30	100
ICS Australia	11	7	20	6	6	26	75
Connolly	10	5	3	2	5	27	52
CLPM Pty Ltd	13	8	21	6	7	24	78
Byte Construction	9	6	19	6	6	27	73
Buildon Construction	8	5	12	4	6	30	64
Safeway Building Pty Ltd	12	6	16	5	5	22	66

Pricing Evaluation (Separable Portions 1 & 2 including compliance works to enable class 9b use)

The tender submitted by Clinton Long Project Management Pty Ltd scored the highest rating with 80 points, followed by Byte Construction with 76 points. The remaining tender submissions received lower scores.

	Relevant Experience	Key Personnel Skills & Resources	Demonstrated Understanding of the Project	Sustainability	Occupational Health and Safety	Price	Total Score
Tenderer	15	10	25	10	10	30	100
ICS Australia	11	7	20	6	6	26	75
Connolly	10	5	3	2	5	26	51
CLPM Pty Ltd	13	8	21	6	7	26	80
Byte Construction	9	6	19	6	6	30	76
Buildon Construction	8	5	12	4	6	28	62
Safeway Building Pty Ltd	12	6	16	5	5	24	68

Clinton Long Project Management Pty Ltd (CLPM), the recommended tenderer, was assessed as having the capacity, resources, experience and management systems to safely undertake the works and deliver the level of service described in the specification, in accordance with the terms of the tender document.

The evaluation process determined that the tender from Clinton Long Project Management Pty Ltd (CLPM) is a conforming tender; they have worked for the City on various projects and provided a good level of service that met the City's needs.

Reference checks indicate that Clinton Long Project Management Pty Ltd (CLPM) have provided satisfactory service delivery to their customers on similar projects, and will be a suitable supplier to the City of Fremantle.

Environmental considerations

Nil

Risk consideration

An assessment undertaken by Dun and Bradstreet indicates that Clinton Long Project Management Pty Ltd (CLPM) have the financial capacity to undertake the contract.

There are no strategic or corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Project specific risk assessments have been developed and will be used in the management of this project.

Lease variation

As a result of the scope changes, the leased area will reduce from 1,340m² to 868.29m². Enkel have requested that the decommissioned substation attached to the Naval Stores is included in the leased area (30m²). Officers support this request for the purpose of storage.

The City's works to the building provides compliance for the lease permitted uses - industrial work space, community venue and hire, office and climbing wall. The permitted use for a café is subject to the installation of required infrastructure and relevant statutory approvals. To allow for flexibility, the permitted use of café will remain in the lease with additional wording outlining requirements. In the meantime Enkel can operate a kiosk where food can be sold but no onsite preparation occurs.

The lease commenced 1 April 2017, but as occupation of the site prior to compliance works has not been possible, the lease start date will be altered to 1 January 2019. This date will be brought forward if works are completed earlier.

Officers will include in the lease variation the City's updated standard maintenance clause which better clarifies the maintenance responsibilities of the City and Enkel. A Lessee's Works clause will also be included to determine how any future works to the Naval Stores, initiated by Enkel, is managed.

The smaller lease area has impacted how Enkel will deliver their business model, with the commercial uses originally planned, now not viable. The revised business plan has resulted in some changes to the leases performance criteria as some deliverables by Enkel are no longer possible within the initial lease term. The lease has a total term of 20 years in which time the lease allows for the performance criteria to be accessed and changed, in conjunction with Enkel, to reflect changing services and expansion.

	CURRENT	VARIATION
Land Description	Lot 602 on Deposited Plan 65368 being the whole of the land comprised in Certificate of Title Volume 2747 Folio 159 portion of Land comprising 1,360m2	Lot 602 on Deposited Plan 65368 being the whole of the land comprised in Certificate of Title Volume 2747 Folio 159 portion of Land comprising 868.29m2
Property Description	141 Queen Victoria Street, Fremantle – Naval Stores Building	141 Queen Victoria Street, Fremantle – Naval Stores Building and substation building.
Permitted Use	Café, industrial working space, community venue and hire, office and climbing wall	Naval Stores – Café (subject to all statutory works required at the sole cost of the Lessee), industrial working space, community venue and hire, office and climbing wall Substation building – Storage
Lease Commencement Date	1 April 2017	1 January 2019 (date will be subject to change dependant on completion of compliance works)
Lease Term	Five years effective 1 April 2017 expiring 31 March 2022	Five years effective 1 January 2019 expiring 31 December 2023
	Five years effective 1 April 2022 expiring 31 March 2027	Five years effective 1 January 2024 expiring 31 December 2028
	Five years effective 1 April 2027 expiring 31 March 2032	Five years effective 1 January 2029 expiring 31 December 2034
	Five years effective 1 April 2032 expiring 31 March 2037	Five years effective 1 January 2035 expiring 31 December 2039
Annual Rent	1 April 2017 – 31 March 2018 = Nil 1 April 2018 – 31 March 2019 = \$20,000 1 April 2019 – 31 March 2020 = \$30,000 1 April 2020 – 31 March 2021 = \$40,000 1 April 2021 – 31 March 2022 = \$47,600	1 January 2019 – 31 December 2019 = Nil 1 January 2020 – 31 December 2020 = \$8,000 1 January 2021 – 31 December 2021 = \$16,000 1 January 2022 – 31 December 2022 = \$22,000 1 January 2023 – 31 December 2023= \$29,340
Performance Criteria	1. Activation (a) The Naval Store will operate at least 5 days a week and may also operate evenings. (b) A range of creative enterprises and activities will occur on site, including but not limited to: (i) Learning pods: areas for local artists and entrepreneurs to include team and conference rooms; (ii) Fab Lab: fabrication lab for prototyping and education to teach about new technologies	1. Activation (a) The Naval Store will operate for a minimum of 2 days per week and may also operate evenings. Operation of at least 5 days per week to be achieved within the first five years. (b) A range of creative enterprises and activities will occur on site, including but not limited to: (i) Learning pods: areas for local artists and entrepreneurs to include team and conference rooms; (ii) Fab Lab: fabrication lab for prototyping and education to teach about new technologies and maker

	<p>and maker movement; and (iii) Co-creation and ideation workshops: share insights and skills with access to resources for the development of ideas and initiation of projects. (c) Complimentary commercial activity may also occur, subject to normal planning approval processes and approval of the Lessor, including a cafe, climbing wall. (d) Public events and activities open to members and non-members will be held regularly (monthly) by tenants or venue hirers. (e) Activation of the public space at Cantonment Hill Reserve by the initiation of activities or events, shall be subject to Council and any further relevant statutory approval required for each event or activation.</p> <p>2. Public access, use and interaction (a) Membership of Enkel shall be open to the public. (b) Space is to be made available to be hired for public use. (c) Hire fees for event space must include a non-profit/community group rate for eligible hirers being at least 45% less than general hire fees. For the purposes of this clause, non-profit/community group shall be as defined by the Australian Charities and Not for Profits Commission and shall additionally include any group of Fremantle residents representing themselves or a Fremantle school or any group or individual defined by the Lessee (acting reasonably) as a non-profit/community group.</p> <p>3. Capacity (a) The Lessee shall monitor membership capacity and report on level of building use in the following categories:</p>	<p>movement; and (iii) Co-creation and ideation workshops: share insights and skills with access to resources for the development of ideas and initiation of projects. (c) Complimentary commercial activity may also occur, subject to normal planning approval processes and approval of the Lessor, including a kiosk, climbing wall. (d) Public events and activities open to members and non-members will be held regularly (monthly) by tenants or venue hirers. (e) Activation of the public space at Cantonment Hill Reserve by the initiation of activities or events, shall be subject to Council and any further relevant statutory approval required for each event or activation.</p> <p>2. Public access, use and interaction (a) Membership of Enkel shall be open to the public providing they endorse the values and general principles of the cooperative. (b) Space is to be made available to be hired for public use. (c) Naval Store membership fees must include a non-profit/community group rate for eligible hirers, being at least 45% less than general hire fees. For the purposes of this clause, non-profit/community group shall be as defined by the Australian Charities and Not for Profits Commission and shall additionally include any group of Fremantle residents representing themselves or a Fremantle school or any group or individual defined by the Lessee (acting reasonably) as a non-profit/community group.</p> <p>3. Capacity (a) The Lessee shall monitor organisational membership capacity and report on level of building use in the following categories: (i) Small: Example – local Fremantle Community organisations, social start-ups, small charities. (ii) Medium: Example - Technology companies for clean energy, recycling companies, larger charities,</p>
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	<p>(i) Full Enkel membership; (ii) Casual Enkel membership; and (iii) General public hire and attendance - not relating to visitors to commercial elements (café, climbing wall).</p> <p>4. Financial (a) Annual profit and loss statements of the Lessee are to be prepared by an independent auditor / accountant. (b) As the rental valuation of the Premises is based on 'community use', no more than 40% of the lettable area of the Premises can be sub-leased by the Lessee for commercial uses at market rate. (c) In return for the staged incremental rent over the initial 5 year term of the Lease payable in accordance with Item 5 of the Schedule, the Lessee shall reflect the Lessor's level of support by acknowledging the Lessor in any marketing and public relations activities.</p>	<p>established social enterprises. (iii) Large: Example – Government, universities, and corporates aligned with enkel values. (ix) 2-3 strategic partners closely aligned with enkel values and future vision for a new local economy.</p> <p>4. Financial (a) Annual profit and loss statements of the Lessee are to be prepared by an independent auditor / accountant. (b) As the rental valuation of the Premises is based on 'community use', no more than 50% of the lettable area of the Premises can be sub-leased by the Lessee for commercial uses at market rate. (c) In return for the staged incremental rent over the initial 5 year term of the Lease payable in accordance with Item 5 of the Schedule, the Lessee shall reflect the Lessor's level of support by acknowledging the Lessor in any marketing and public relations activities.</p>
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Comment

The City tendered the project on the basis that separable portions of work could be clearly identified and provides the City the option of completing all, or parts of work in order to meet budget expectations.

Subject to Council approval, the City would now propose to progress with negotiations with the preferred contractor in respect to progressing the internal compliance (including internal / public toilets) as a separable portion of work – in accordance with the available budget.

Subject to acceptance of the tender, the proposed implementation program is scheduled below:

Award contract:	To be Confirmed on negotiations with preferred contractor – <i>Estimate July / August 2018</i>
Commence construction:	Subject to above: <i>Estimate August / September</i>
Completion:	Subject to above: <i>Estimate October / November</i>

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

OFFICER'S RECOMMENDATION

That Council:

- 1. Enter into negotiations with the preferred contractor, Clinton Long Project Management Pty Ltd (CLPM), to vary the contract price to reflect the a reduced scope of works as included in the separable portions of Tender FCC509/18 Naval Stores Adaptive Reuse and Compliance Works.**
- 2. Authorise the Chief Executive Officer to award Clinton Long Project Management Pty Ltd (CLPM) the tender for FCC509/18 Naval Stores Adaptive Reuse and Compliance Works, providing:**
 - a. The negotiation to vary the contract, to reflect the change of scope of works is successful, and**
 - b. The negotiated price does not exceed the current budget allowance of \$506,002 (ex GST).**
- 3. Authorise the Chief Executive Officer to approve a variation to the lease between the City of Fremantle and Enkel Collective for Naval Stores, 141 Queen Victoria Street, Fremantle, as follows:**
 - a. Approve variations that address the reduced scope of tender for FCC509/18 Naval Stores Adaptive Reuse and Compliance Works, including:**
 - i. Leased area**
 - ii. Permitted uses**
 - iii. Commencement date**
 - iv. Annual rental figure**
 - b. Update maintenance clauses to align with City of Fremantle standard requirements**
 - c. Include a lessees works clause to align with City of Fremantle standard requirements**
 - d. Amend the performance criteria section of the lease to:**
 - i. Reduce the operation days from 5 to 2 with a condition that 5 day operations are achieved within the first five year term; and**
 - ii. Remove the requirement for Enkel Collective to deliver Fab Lab; and**
 - iii. Remove the requirement for Enkel Collective to activate the public space at Cantonment Hill Reserve; and**
 - iv. Amend the Public access use and interaction performance criteria to require new members endorse the values and general principles of the collective**

- v. **Amend all references to “hire fees for event space” to “Naval Stores membership fees”**
- vi. **Increase the maximum allowed commercial use from 40% to 50%**
- vii. **Replace the text at section 3 ‘capacity’ with the following dot points:**
 - **Small: Example – local Fremantle Community organisations, social start-ups, small charities.**
 - **Medium: Example - Technology companies for clean energy, recycling companies, larger charities, established social enterprises.**
 - **Large: Example – Government, universities, and corporates aligned with enkel values.**
 - **2-3 strategic partners closely aligned with Enkel values and future vision for a new local economy.**

FPOL1807-4 REPORT - ONE PLANET ACTION PLAN 2018

Meeting Date:	11 July 2018
Responsible Officer:	Manager Strategic Planning
Decision Making Authority:	Council
Agenda Attachments:	One Planet Strategy – 2018 Action Plan

SUMMARY

The Fremantle One Planet Strategy achieved national One Planet certification in 2014 and international certification in 2015. The One Planet Strategy: 2018 Action Plan reflects the commitments made as part of the One Planet Fremantle Strategy and includes corporate and community targets for each Principle in the One Planet framework, in line with our international certification.

The 2018 Action Plan outlines our top priorities for the next year, and new and ongoing actions for each Principle. The Action Plan will be reviewed and updated on an annual basis, with any major additions or amendments subject to approval by the council. This report recommends that council receive the One Planet 2018 Action Plan.

BACKGROUND

The One Planet Council framework allows Australian councils to assess their sustainability programs against a simple yet holistic framework. The framework addresses all major aspects of environmental, social and economic sustainability and allows councils to set out a clear vision and shared goals for sustainability strategy, policy and operations.

Council adopted the One Planet Fremantle Strategy in 2014. The strategy achieved national One Planet certification in 2014 and international certification in 2015. In accordance with the requirements of international certification, a One Planet Annual Report was produced for 2017 as the second review of the City's progress under international certification. This 2017 annual report was received by Council on 28 March 2018.

FINANCIAL IMPLICATIONS

Different projects and initiatives in the Action Plan have different financial implications. These are identified in the Action Plan based on the following categories:

- Actions with direct financial costs which were expended in the adopted 2017/18 budget.
- Actions with direct financial costs which are approved in the adopted 2018/19 budget.
- Actions which can be carried out as part of ongoing operational activities and service delivery, or otherwise have no direct financial costs, e.g. actions by the

community where the City has an enabling or facilitation role involving only officer time.

LEGAL IMPLICATIONS

Nil

CONSULTATION

Nil

OFFICER COMMENT

The Action Plan is intended as an internal operational document to outline priority actions under the One Planet Strategy for 2018 and to monitor progress towards targets. Table 1 of this item provides a snapshot of our priority projects for 2018 for both corporate and community targets. The complete Action Plan document is provided in attachment 1 to this item.

The One Planet Strategy is a key strategy under the Strategic Community Plan 2015-25 with annual reporting of this listed as a strategic project within the Plan. Several of the One Planet principles directly align with strategic focus areas in the Strategic Community Plan, for example environmental responsibility, transport and connectivity, and health and happiness.

To streamline reporting with financial year budgets, next year's action plan will be prepared for the 2019/20 financial year, and will be presented to council following the adoption of the 2019/20 budget. **Table 1: Priority programs and projects for 2018**

One Planet Principle	Corporate	Community
Zero Carbon Energy	<ul style="list-style-type: none"> Review of carbon accounting system Audit of the Leisure Centre cogeneration system Development of South Fremantle solar farm 	<ul style="list-style-type: none"> Stan Reilly car park to be lit using solar powered LEDs. Develop process to facilitate installation of solar on community buildings Provide support for the RENeW Nexus project
Zero Waste	<ul style="list-style-type: none"> Preparation of Sustainable Events Policy Going Digital project Review of Property Local Law 2002 – provisions to control the release of gas filled balloons in public places 	<ul style="list-style-type: none"> Roll out of FOGO – education, marketing and tender preparation and approvals Recycling Roadshow throughout Fremantle, including events. Establishment of a reuse shop at the Fremantle Recycling Centre. Garage Sale Trail participation and

One Planet Principle	Corporate	Community
		City event
Travel and Transport	<ul style="list-style-type: none"> • Staff 'travel to work' survey • Update and review of the Local Bicycle Plan. • EOI to seek car share organisations interested in entering the market in Fremantle. 	<ul style="list-style-type: none"> • Installation of four Electric Vehicle chargers at Stan Reilly carpark • Rapid transit investigation • CAT Bus provision
Materials and Products	<ul style="list-style-type: none"> • Preparation of Sustainability and Accessibility checklist. • Preparation of Sustainable Events Policy • Investigate possibility of applying 10% sustainability criteria to quotes above \$20,000. 	<ul style="list-style-type: none"> • Track community sustainable product use through the One Million Woman app, due to be launched in mid-2018. • Continue support for Boomerang Bags • Support for Sustainable House Day
Local and Sustainable Food	<ul style="list-style-type: none"> • Support for community gardens • Nutrition sessions and fruit delivery throughout the month of August, as part of the City's Health and Wellbeing Program 	<ul style="list-style-type: none"> • Implementation of the verge garden policy • Food for Body and Soul: A Place in the Country – community presentation by Chris Ferreira
Sustainable Water	<ul style="list-style-type: none"> • Review of the Water Conservation Strategy • Maintenance of Waterwise status for Council and for the Leisure Centre 	<ul style="list-style-type: none"> • Implementation of the verge garden preparation assistance scheme which will provide residents with verge preparation, mulch provision and plants.
Land and Nature	<ul style="list-style-type: none"> • City of Fremantle joining the International Biophilic Cities Network • Report regarding glyphosate use by Council, including advice or strategy on how to reduce use 	<ul style="list-style-type: none"> • Development of White Gum Valley Pocket Park • Greening Samson Event
Culture and Community	<ul style="list-style-type: none"> • Development of a Reconciliation Action Plan • Review of West End Conservation Policy 	<ul style="list-style-type: none"> • Update to Positive Ageing Plan • Feasibility study into an Aboriginal Cultural Centre
Equity and Local Economy	<ul style="list-style-type: none"> • Health and Wellbeing Program • Reward and Recognition Program 	<ul style="list-style-type: none"> • Development of Destination Marketing Strategy and Action Plan • Training, development and employment in accordance with

One Planet Principle	Corporate	Community
	<ul style="list-style-type: none"> • Performance Management Training for leaders and staff 	<p>diversity and inclusion principles at the Recycling Centre.</p> <ul style="list-style-type: none"> • Freo Alternative – scheme amendment and policy
<p>Health and Happiness</p>	<ul style="list-style-type: none"> • Continuation of Health and Wellbeing Program, Reward and Recognition, Social Club and 19 Day Work Month Option. • Participation in the Virgin Pulse Global Challenge 	<ul style="list-style-type: none"> • Support for the Happiness Project, run through Edith Cowan University and carried out in the City of Fremantle. • Lifelong Learning Program • Implementation of Access and Inclusion Plan

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required.

OFFICER'S RECOMMENDATION

Council receive the information in the One Planet Strategy: 2018 Action Plan.

FPOL1807-5 ESPLANADE PARK - PARK HUB PROJECT UPDATE

Meeting Date: 11 July 2018
Responsible Officer: Director City Business
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

This report recommends that Council postpone further progress of the Esplanade Reserve Park Hub project for a period up to three years, and accept that the Carriage Coffee Shop remains on a monthly agreement after the lease expiry 30 April 2019 for a term consistent with the postponed project.

BACKGROUND

At the Ordinary Meeting of Council held 24 June 2015 it was resolved that the draft Esplanade Reserve Masterplan (the masterplan) dated 4 June 2015 be released for public comment for a period of six (6) weeks and that the final masterplan, together with a report on the submissions received, be presented to council following the comment period. Following the closure of the comment period, council resolved at its meeting on 16 December 2015 to (including):

2. Adopt the final Esplanade Reserve Masterplan dated 20 November 2015.

5. Request the CEO to seek expressions of interest in early 2016 for potential tenants of the park hub to enable their involvement in the hub's detailed design process.

The City called for proposals from April 2016 to July 2016 for two areas within the park hub. One hospitality venue and one entertainment area. Three proposals were received for the hospitality venue and one proposal was received for the entertainment area.

At the Ordinary Meeting of Council held 26 October 2016 it was resolved:

- 1. Council accept the proposal from Parklife Pty Ltd as the preferred proposal for the hospitality venue within the planned Esplanade Reserve Park Hub.*
- 2. Council accept the proposal from Australian Touristic Attractions Pty Ltd as the preferred proposal for the entertainment area within the planned Esplanade Reserve Park Hub.*
- 3. Based on the indicative terms sheet attached, the Chief Executive Officer progress the lease between the City of Fremantle and Parklife Pty Ltd for the hospitality venue within the planned Esplanade Reserve Park Hub, within six months following resolution of all planning and budget considerations to the satisfaction of council.*

4. *Based on the indicative terms sheet attached, the Chief Executive Officer progress the lease between City of Fremantle and Australian Touristic Attractions Pty Ltd for the entertainment area within the planned Esplanade Reserve Park Hub by the end of the 2016/17 financial year.*
5. *The Carriage Café lease consideration be deferred to consider possible options.*

In actioning Councils resolution officers spent time developing preliminary design concepts and financial scenarios for the project. Officers met regularly with the preferred tenants to gain their input into the project.

In early 2017 the Esplanade Reserve Park Hub was identified to be a lower priority project when compared to other projects under consideration for the 2017/18 financial year budget. At its meeting dated 23 August, 2017 Council resolved to:

1. Postpone further development of the project until the consideration of its updated ten-year budget, which expected to be late 2017.
2. Request that the Chief Executive Officer write to the owners of Parklife to thank them for their ongoing interest in the project and to advise them:
 - a. Of Council's position in items 1 above.
 - b. That Parklife's status as Council's preferred tenant for the Esplanade Reserve Park Hub café remains valid until the end of the 2019/20 financial year.
 - c. Council prefers the original concept for the Park Burger café submitted as per the expression of interest (EOI) as it is better integrated into the park landscape.

FINANCIAL IMPLICATIONS

There are no financial implications related to the recommendations of this report.

LEGAL IMPLICATIONS

There are no legal implications related to the recommendations of this report.

CONSULTATION

The draft Esplanade Reserve Masterplan was released for public comment on 4 June 2015 for a period of six weeks. Officers briefed elected members on the status of the project at three informal elected member meetings.

OFFICER COMMENT

Through the Kings Square Fremantle Renewal project the City is currently making the largest ever investment by a Fremantle Council. In light of this significant investment and other competing projects, the City is continually reviewing the priority of all capital and operational projects.

The Park Hub project, as part of the Esplanade Masterplan, has been identified as a lower priority project at this time and should be put on hold until other higher priority projects are completed.

Parklife

Following council's resolution at its meeting dated 23 August 2017, Parklife's status as preferred tenant for the Esplanade Reserve Park Hub café continues until the end of the 2019/20 financial year. It is expected that Council will consider the priority of this project as part of the Long Term Financial Plan review.

Carriage Café

The Carriage Coffee Shop is located in an area outside of the designated Park Hub and the Masterplan does not include provision for this business in this location in the long-term.

The lease expires 30 April 2019. The lease is a land lease only with all infrastructure onsite owned by the lessee. Removal of the carriage and other infrastructure will be the financial responsibility of the lessee when the lease terminates.

It is proposed, subject to the lease obligations continuing to be met by the lessee, that the Carriage Coffee Shop remains on site after the lease expiry of 30 April 2019 for a term consistent with postponement of the masterplan project.

Australian Touristic Attractions (ATA)

Given the need for relocating the Tourist Wheel as part of the Masterplan project, ATA elected to remain on a monthly agreement and not start their new lease until the project commenced.

ATA has recently approached officers with a proposal to upgrade the existing wheel which would provide an opportunity to relocate the Tourist Wheel to the masterplan entertainment location. A separate item will be brought to council to consider a new lease once the City receives ATA's proposal in writing.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council:

- 1. Postpone the Esplanade Reserve Park Hub within the Esplanade Park Masterplan for a period up to three years from this Council resolution.**
- 2. Approve the Carriage Coffee Shop lease, subject to all lease conditions being met, to remain on a monthly arrangement after the expiry 30 April 2019 for a period consistent with point 1.**
- 3. Acknowledge that accepting the monthly arrangement with Carriage Coffee Shop does not obligate the City to maintain the monthly agreement until Esplanade Reserve Park Hub project commences.**

FPOL1807-6 DOG EXERCISE AND PROHIBITED AREAS POLICY SIR FREDERICK SAMSON MEMORIAL PARK

Meeting Date:	11 July 2018
Responsible Officer:	Manager Parks and Landscape
Decision Making Authority:	Council
Agenda Attachments:	1. Dog Exercise and Prohibited Areas Policy 2. Community Survey Results - Dog Exercise and Prohibited Areas Policy

SUMMARY

The purpose of this report is for Council to consider amending the *Dog Exercise and Prohibited Areas Policy* in relation to Sir Frederick Samson Memorial Park (Samson Park). The amendment for Samson Park provides a balanced approach between improving conservation outcomes while allowing dog walking access in the bushland.

This report recommends Council adopt an amendment to the location details for Sir Fredrick Samson Park outlined in section 2 of the *Dog Exercise and Prohibited Areas Policy*, by adding the words *“Excluding the bushland areas that are dogs on leash at all times”*.

BACKGROUND

At the Council’s Finance, Policy, Operations and Legislation (FPOL) Committee meeting on 14 February 2018 a revised *Dog Exercise and Prohibited Areas Policy* was presented to Council. The proposal for Samson Park was dogs off leash in the grassed parkland and dogs excluded from the bushland. Council deferred its decision on the Policy and requested, in relation to Samson Park, officers to further investigate the impacts the proposed exclusion of dogs in the bushland would have on the community and the environment.

At the Ordinary Meeting of Council on 18 April 2018, Council adopted an amended *Dog Exercise and Prohibited Areas Policy*. The adopted Policy proposed no change to dog control in Samson Park. It noted that a revised approach to dog control in Samson Park would be brought back to Council for consideration following further investigation by officers. This report proposes a Policy amendment for Samson Park to provide a balanced approach between improving conservation outcomes and allowing dog walking access in the bushland.

FINANCIAL IMPLICATIONS

A budget of \$65 000 has been included in the 2018/19 budget for works in Samson Park. A portion of the budget will be used for Stage 1 works including implementing the first stage of track formalisation, fencing and signage upgrades. Stage 2 of the works will be completed in a subsequent year as budget is allocated and is estimated to require an additional \$110 000.

The following table is an estimate of works for stage 1 and stage 2 of works:

Item	Cost Estimate
Stage 1 Works – Budget approved in 2018/19 Financial Year	
Revise the Bushfire Management Plan	\$10 000
Install post and 4 wire fence to existing trails to be retained	\$20 000
Install limestone path to existing trails to be retained	\$25 000
Update information signage for the park including the proposed change to dogs on leash in the bushland	\$10 000
Stage 2 Works - Future Financial Year	
Balance of fencing and limestone access track works	Additional requirement \$110 000

LEGAL IMPLICATIONS

Nil.

CONSULTATION

Community consultation in relation to the proposed changes to the *Dog Exercise and Prohibited Areas Policy* was undertaken from 9 November 2017 to 8 December 2017 via My Say Freo (refer attachment Community Survey Results - Dog Exercise and Prohibited Areas Policy). 213 responses were received relating to Samson Park. Of the 213 respondents, 63 commented on the proposal to make the Samson Park bushland dogs prohibited and:

- 77% said they are opposed
- 19% supported the change
- 4% said they weren't sure
- Many would like to see the policy supported with better signage, amenities and community education by the City of Fremantle.

In February 2018 City officers attended the Samson precinct meeting to discuss dogs in Samson Park and the bushland. A range of views were expressed including:

- Dog walkers provide security and act as community watch within the park. The exclusion of dog walkers would decrease the level of community surveillance and potentially lead to an increase in anti-social behaviour.
- The 'social capital' of dog walking is an important part of creating a cohesive local community. Walking a dog is a great way to socialise and contributes to the health of the local community.
- Fencing and path formalisation could be used to help manage the bushland and prevent track widening.
- Information signage improvements could be used to educate the community about the bushland.
- An Environmental Impact Assessment could be used to determine the existing condition of the bushland and the possible impacts the proposed dog exclusion would have on the condition of the bushland.

- The re-establishment of the 'Friends of Samson Park' group could improve community awareness of the significance of the bushland.
- Dog walking in the bushland is not the only factor contributing to the health of the bushland. Bikes, motor bikes, fire and pedestrians, among others, were noted as being detrimental to the bushland.
- The ability to walk dogs in the bushland is important for the health of the dog by providing stimulation to a range of senses they don't receive from a 'grass only' walk.

The recommendation in this report responds to the community feedback provided during the community consultation process by providing dog walking access to the bushland.

OFFICER COMMENT

Significance of the Bushland

Samson Park is an approximately 14ha reserve consisting of bushland (12.7ha) and grassed parkland (1.3ha). The bushland is the only remnant marri / jarrah / tuart open woodland in the City of Fremantle. It was originally recognised for its significance as an urban bushland reserve in the former Environmental Protection Authority's (EPA) System Six Reserve System (1981). The report recommended a management plan be prepared for the park, with the primary management objectives of "*encouraging growth and regeneration of indigenous flora*" and "*giving priority to passive recreation activities which are compatible with the conservation of flora and fauna*" (City of Fremantle, 1995). The park was subsequently included in the Bush Forever (2000) strategic plan under the *State Government Urban Bushland Strategy (1995)* (Western Australian Planning Commission 2000). The biodiversity and environmental values are currently protected under the

State Planning Policy 2.8: Bushland Policy for the Perth Metropolitan Region (Western Australian Planning Commission 2010, Department of Lands Planning and Heritage 2018).

Management Plans

The City prepared an initial Management Plan for the bushland in 1989 with revisions in 1995, 2006 and 2014. The initial management plan noted that "*Samson Park be restricted to passive forms of recreation only*". Where it identified that some access and trails were to be retained it stated the objective was to develop "*a system of trails within the park that provide access to the lawned passive recreation area from various points on the perimeter of the Park and to provide paths for nature study activities and quiet retreats in the bush*". Subsequent revisions noted proliferation of tracks and track widening caused by off-track traffic. The 2006 report noted "*as Samson Park is the only dog exercise area available in the suburb, excessive regulation of dogs in the Park is undesirable. However, owners should be encouraged to leash dogs in bush areas. In areas of particularly high conservation value, dogs should be excluded*". The 2014 plan noted that the park "*receives considerable pedestrian pressure from the local community recreating in the park. This dynamic of isolation and high usage, puts pressure on the natural ecological functions in the park's bushland, reducing the genetic fitness of the vegetation and the overall ecological resilience of the bushland*".

Bushland Condition and Management

The deterioration in condition of the bushland has been observed by field staff and the community. It includes track widening, track proliferation, decline in native plant numbers including presence of orchids and increase in weed species on the edge of tracks. To protect, enhance and regenerate the bushland for the future, officers are proposing a range of additional works, including:

- track formalisation and sealing
- new fencing
- new information signage
- vegetation survey.

In addition, the City will continue with the programmed:

- weed control
- track rationalisation
- revegetation
- feral bee removal
- vegetation monitoring (new program in 2018)
- fauna monitoring (new program in 2018).

This report proposes to complement the above bushland management practices with dog control in the bushland areas through dogs on leash. This will reduce the amount of off-track movement and support the healthy establishment and survival of bushland habitat for native fauna.

Management for Conservation Outcomes

As the only remnant marri / jarrah / tuart open woodland in the City of Fremantle, the bushland is considered to have high conservation value (City of Fremantle, 1989). This is further demonstrated through its nomination in the current assessment of Tuart Woodlands of the Swan Coastal Plain for listing as a Threatened Ecological Community (Department of the Environment and Energy 2018). Managing the park to preserve and enhance its conservation values is consistent with the intention of setting aside the land for conservation in the EPA's 1981 report. It is common practice by conservation agencies around the world to exclude dogs from conservation areas and only permit them in areas of low conservation value and where their impact can be managed. If Samson Park were to be managed with bushland conservation as the priority, dog exclusion would protect the bushland to achieve the conservation objectives expressed in all management plans. This would recognise the increasing pressure the park is experiencing from high volumes of visitation, and in particular dog walking in the bushland areas, which has not been successfully addressed through previous plans or management.

Community Benefit

In addition to the 2017 community consultation, officers attended the Hilton precinct group meeting in February 2018 to further discuss the proposed dog restrictions in the Samson Park bushland with the community. A range of views were expressed and were

predominantly against the proposed dog exclusion in the bushland for the reasons noted in the consultation section of this report. It has been advocated that dog walking access to the bushland provides a range of community benefits that warrant consideration as part of the management of Samson Park. The community consultation and the precinct meeting have demonstrated a strong desire in the community to allow dog walking access to continue in the bushland. To accommodate this desire it is necessary reach a balanced approach between improving conservation outcomes while allowing dog walking access in the bushland. The proposed dogs on leash in the bushland will allow continued access to bushland for the dog walking community.

Recommendation

From a conservation view point, the exclusion of dogs from the bushland would provide the best outcome in conjunction with the bushland management practices. However, it is acknowledged the exclusion of dogs from the bushland would be undesirable for dog walkers. To compromise between conservation outcomes and community benefits, officers recommend that the Policy is amended for Samson Park to allow:

- Dogs on leash in the bushland at all times, the remainder of the park is a dog exercise area.

The proposed approach provides dog walkers access to the entire reserve. The bushland provides on-leash recreation on the walking trails and the parkland provides an active off-leash exercise area on the turfed areas.

VOTING AND OTHER SPECIAL REQUIREMENTS

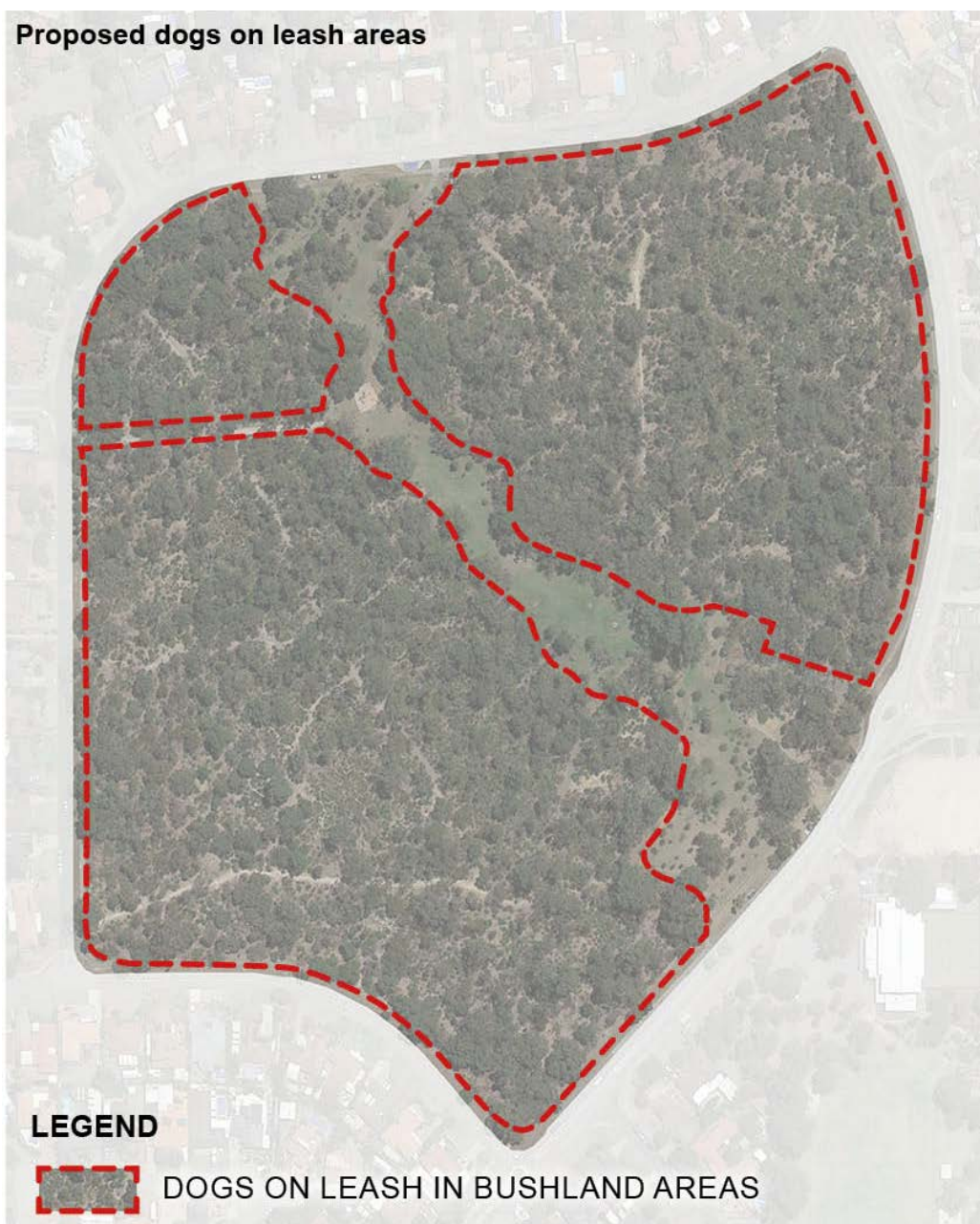
Simple Majority Required

OFFICER'S RECOMMENDATION

Council adopt an amendment to the location details for Sir Fredrick Samson Park outlined in section 2 of the Dog Exercise and Prohibited Areas Policy, by adding the words *“Excluding the bushland areas that are dogs on leash at all times”*, as follows:

2. The following areas are declared dog exercise areas:

Area/Reserve	Location
Sir Fredrick Samson Park	Corner of McCombe Avenue and Sellenger Avenue, Samson, <i>excluding the bushland areas that are dogs on leash at all times.</i>



FPOL1807-7 NOMINATION OF MEMBERS TO THE SOUTH-WEST JOINT DEVELOPMENT ASSESSMENT PANEL

Meeting Date: 25 July 2018
Responsible Officer: Manager Governance
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

This purpose of this report is to reappoint members of the Metropolitan South West Joint Development Assessment Panel (JDAP) for the City of Fremantle for the extended term approved by the Minister for Planning.

BACKGROUND

Following the Local Government Election in 2017 Council reappointed the existing *Metropolitan South West Joint Development Assessment Panel (JDAP)* members in order to enable them to complete that current JDAP membership term (due to expire on 26 July 2018). Likewise, following the south ward election held in March 2018 council appointed the newly elected south ward member to JDAP, also for the remainder of that term.

The Minister for Planning who previously appointed JDAP Local Government members for a 1 year term expiring 26 July 2018 with an option to extend the term of office up to 3 years, has now extended this term for a further 2 year appointment, intended to align with the local government elections and facilitate a more streamlined approach for the DAP nomination process.

Council now needs to formalise its reappointment of members for the term expiring on 26 January 2020.

Decision made at the ordinary council meeting held on 28 March 2018:

“COUNCIL DECISION

6. *Nominate Cr Andrew Sullivan, as a representative of the City of Fremantle, to the Metropolitan South West Joint Development Assessment Panel (JDAP) for the remainder of the current term ending 26 July 2018, and submit the nomination to the Minister for Planning for consideration.”*

Decision made at the ordinary council meeting held on 25 October 2017:

“COUNCIL DECISION

3.7

- a) Nominate the following members and deputy members as the representatives of the City of Fremantle to the Metropolitan South West Joint Development Assessment Panel (JDAP) for the remainder of the current term ending 26 July 2018;*

METROPOLITAN SOUTH WEST JOINT DEVELOPMENT ASSESSMENT PANEL (JDAP) (as required)	
MEMBER	DEPUTY
Cr Andrew Sullivan	1 st - Cr Rachel Pemberton
Cr Jon Strachan	2 nd – Cr Bryn Jones

- b) The above nominations be submitted to the Minister for Planning for consideration.”*

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

CONSULTATION

Nil.

OFFICER COMMENT

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

Council note the Minister for Planning's extension to the term of appointment and re-nominate the following members and deputy members as the representatives of the City of Fremantle to the Metropolitan South West Joint Development Assessment Panel (JDAP) for the remainder of the current term expiring on 26 January 2020

<i>METROPOLITAN SOUTH WEST JOINT DEVELOPMENT ASSESSMENT PANEL (JDAP)</i>		
Member	Deputy Member	
Cr Andrew Sullivan	1st	Cr Rachel Pemberton
Cr Jon Strachan	2nd	Cr Bryn Jones

FPOL1807-8 DISPOSAL OF VICTORIA HALL, 179 HIGH STREET, FREMANTLE

Meeting Date: FPOL 11 July, 2018
Responsible Officer: Director City Business
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

This Item is for Council to receive an update on Fly by Night Club vacating 179 High Street, Fremantle (Victoria Hall) and advise that officers will be proceeding with advertising the property for sale by public tender in line with the adopted 2018/19 budget.

BACKGROUND

In February 2018 Council resolved the following:

That Council:

- 1) *Acknowledges the working relationship between the City and tenant and the "Business Review" document provided by the tenant dated 30 January, 2018.*
- 2) *Is of the opinion that whilst the "Business Review" provides options for the future operation for the tenant, that it has not demonstrated ongoing sustainability at this time at this venue.*
- 3) *Continues to work with the tenant to improve the sustainability of its business model and consider alternative models and venues.*
- 4) *Encourages the organisation to remain operational and in Fremantle.*
- 5) *Grant the current tenant a new short-term and rent-free lease of 179 High Street, Fremantle, from 1 March 2018 to 31 August 2018 in order to provide the tenant with sufficient transitional time.*
- 6) *At the expiry of the current lease, waive payment of the current tenant's outstanding debt to the City.*
- 7) *Request officers prepare a report on the options for the future use of 179 High Street, Fremantle, for consideration at the next appropriate finance, policy, operations and legislation committee meeting.*

The Fly by Night Club will vacate the property 31 August in accordance with the above resolution.

Included within the 2018/19 budget adopted by Council in June is the provision for disposal of Victoria Hall, post the departure of the tenant.

In 2001 the City of Fremantle made a commitment to purchase and restore Victoria Hall 179 High Street, Fremantle, due to its architectural, social and cultural value. Since 2001 the City has systematically undertaken restoration works to the property and has successfully fulfilled the purpose of the property's acquisition by investing approximately \$2 million to restore the Hall's heritage value.

FINANCIAL IMPLICATIONS

There are no further financial implications associated with the tenant vacating the property.

The budget provides for the proposed sale of the property. Net proceeds from any sale are to be placed in the Town Hall Conservation Reserve and the Heritage Reserve.

LEGAL IMPLICATIONS

The property will be disposed in accordance with Section 3.58 of the *Local Government Act 1995* and *Sale of Land WA Act 1970*.

A Memorial is lodged against the property's Certificate of Title under the *Heritage of Western Australia Act 1990*. This protects the historic significance of the building and how it is maintained, used and developed in perpetuity.

CONSULTATION

Officers have maintained communication with the tenant with regards to vacating the premises, alternate leasing opportunities and hired spaces for events.

OFFICER COMMENT

With the tenant vacating the property 31 August, 2018, the City will commence a marketing campaign in early August to advise the upcoming sale by public tender. The intention of the marketing campaign, which will run for a period no less than six weeks, is to ensure there is adequate awareness of the property being sold prior to the formal tender process. This should ensure the City encourages and creates significant interest in the property.

The property provides a rare opportunity in Fremantle and is a unique building close to the Kings Square redevelopment. These factors should contribute to purchaser interest. The intention for early advertisement is to reduce the possible vacant period.

Any tenders received will be considered by Council.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council note:

- 1. That the Fly by Night Musicians Club will be vacating 179 High Street 31 August 2018, and**
- 2. That Officers will proceed with advertising the sale of Victoria Hall, 179 High Street, Fremantle by public tender, as approved in 2018/19 budget.**
- 3. Notes the net proceeds of the sale are to be placed in the Town Hall Conservation Reserve and the Heritage Reserve.**

12. Motions of which previous notice has been given

A member may raise at a meeting such business of the City as they consider appropriate, in the form of a motion of which notice has been given to the CEO.

13. Urgent business

In cases of extreme urgency or other special circumstances, matters may, on a motion that is carried by the meeting, be raised without notice and decided by the meeting.

14. Late items

In cases where information is received after the finalisation of an agenda, matters may be raised and decided by the meeting. A written report will be provided for late items.

15. Confidential business

Members of the public may be asked to leave the meeting while confidential business is addressed.

FPOL1807-9 MARKET REVIEW - 42 PORT BEACH ROAD, NORTH FREMANTLE

Meeting Date:	11 July 2018
Responsible Officer:	Director City Business
Decision Making Authority:	Council
Agenda Attachments:	Confidential (under separate cover)

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- (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

16. Closure