

MINUTES OF A COUNCIL MEETING, HELD IN THE COUNCIL CHAMBERS, ON TUESDAY, 5 JUNE, 2012 COMMENCING AT 6.30PM.

112. DECLARATION OF OPENING OF MEETING

In the absence of the Mayor and the Deputy Mayor, the Chief Executive Officer declared the meeting open.

112.1

Present

Cr B de Jong	Presiding Member
Cr R Lilleyman	
Cr S Martin	
Cr D Nardi	
Cr R Olson	
Mr S Wearne	Chief Executive Officer
Mr L Mainwaring	Executive Manager Finance & Administration
Ms S Cocks	Principal Environmental Health Officer
Ms J May	Minute Secretary

113. ELECTION OF PRESIDING MEMBER

The CEO called for nominations for the position of Presiding Member.

Cr Nardi – Cr Olson

That Cr de Jong be nominated as Presiding Member for this meeting.

In the absence of any further nominations, the Chief Executive Officer declared Cr de Jong elected as Presiding Member for this meeting.

Cr de Jong assumed the Chair.

114. ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member made the following acknowledgement:

“On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place.”

115. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF

There were no members of the public in the gallery at the commencement of the meeting.

116. RECORD OF APPROVED LEAVE OF ABSENCE

Cr Collinson

117. RECORD OF APOLOGIES

Mayor A Ferris
Cr M Rico
Cr A Wilson.

118. PUBLIC QUESTION TIME

Nil.

119. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.



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120. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**120.1 Council Meeting – 15 May 2012**

Cr Nardi – Cr de Jong

That the Minutes of the Council Meeting held on 15 May 2012, with the following corrections/additions to MB Ref 104 En Bloc Recommendation:

1. MB Ref 104. Enbloc Recommendation be amended to read:

That Council adopts en bloc the following recommendations of the Town Planning & Building Committee Meeting of 8 May 2012 in respect to Items MB Ref T42.4, T42.5, T42.10, T42.11, T43.1 & T43.2. **CARRIED**

2. The following be added after MB Ref 104.4:

104.5 T43.1 Town Planning Scheme No 3 and Local Planning Strategy Review
That the report be received and the project consultant Eugene Ferraro address Council at a date to be arranged.

104.6 T43.2 Planning & Development Services – Status Report
That the report be received.

be confirmed.

CARRIED**121. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****121.1 Heritage Awards**

At the invitation of the Presiding Member Cr Nardi advised that he, Cr Wilson and Cr Collinson had attended the Fremantle/East Fremantle 2012 Heritage Awards on 28 May 2012. Although noting there were no nominations from East Fremantle, Cr Nardi advised it was an enjoyable evening with Cr Collinson delivering a good speech on the Town's behalf.

121.2 125th Anniversary Fremantle Rowing Club Ball

At the invitation of the Presiding Member the Chief Executive Officer advised that the Mayor and himself had attended the Fremantle Rowing Club's 125th Anniversary Ball at the Fremantle Town Hall on Saturday, 2 June 2012, held as part of the Fremantle Heritage Festival and at which the mayor gave a well received speech.

121.3 Red Cross Battle of the Burbs

At the invitation of the Presiding Member the CEO displayed the trophy won by the Town in the Red Cross Battle of the Burbs competition.

122. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION BY COUNCIL MEMBERS

Nil.

123. MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN BY COUNCIL MEMBERS

Nil.

124. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)

Nil.



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125. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS**125.1 *Matt Broadbent, Swan River Trust***

Matt Broadbent, Senior Investigations Officer, Swan River Trust with the assistance of Brad Wright, Riverpark Officer provided a power point presentation on the following aspects of the Swan River Trust's operations:

- Outline of the Trust's Organisational Structure
- Explanation of the riverpark boundaries
- Overview of the SRT compliance team
- Legislation enforced by the Trust
- Common offences relevant to the riverpark
- SRT incident response/investigations (inc photographs)

Mr Broadbent advised that the primary objectives of the presentation was to provide information concerning the Trust's roles with respect to compliance and enforcement responsibilities, with the broader aim of strengthening local government's working relationship with the Trust.

After responding to a number of questions by elected members, the Swan River Trust representatives were thanked for their attendance and left the meeting at 8.00pm.

126. REPORTS OF ELECTED MEMBERS

Nil.

127. HEALTH & GENERAL PURPOSES**127.1 *Environmental Health Report***

By Shelley Cocks Principal Environmental Health Officer on 31 May 2012

WASTE REDUCTION WORKSHOP

As part of Council's ongoing actions to help reduce greenhouse gases, a Council funded Living Smart course was offered to the community through the Glyde In Community Learning Centre.

Unfortunately, despite advertising by Glyde-In and an extensive letterbox drop, not enough enrolment applications were subsequently received to justify holding the course. Following subsequent discussions between the author, Ann Reeves and the Living Smart Facilitator Annolies Truman, it was decided to run a 2 hour waste reduction workshop on Saturday afternoons on a monthly basis, as an alternative. It was considered that many people may not wish to commit to an 8 week course held on Saturdays however people would generally not mind attending a once off Saturday seminar.

The first workshop was held at Glyde-In on Saturday 26 May with 17 participants including 4 Glyde-In volunteers who helped get material ready and publicised the event. Participants constructed a functioning compost bin, a raised garden bed and a large wicking bed, fully planted with herbs and vegetables. Worm farms were also demonstrated.

The participants were extremely enthusiastic, indicating that the workshop was "a great success" and expressed willingness and confidence to reduce their waste by composting, worm-farming and no-dig gardening.

Photos will be circulated at the meeting.

This initiative is consistent with Council's Zero Waste Plan and the State Waste Strategy. It is practical and useful for residents and may facilitate further interest in Council's subsidised compost bins and worm farms. Council presently have several 150 litre compost bins for sale at \$20 and worm farms at \$48. Note that Council also has a limited number of 360 litre recycling bins available on request.

APACE FINAL REPORT

Cat Williams from APACE reports that they have sold the most plants this season since the Local Plant Subsidy Scheme commenced.

Notwithstanding the Scheme was publicised in Council's and Glyde-In's newsletters, and on Council's website and during Garden Week, East Fremantle residents only bought 464 subsidised plants out of a total of 1,666 allocated, so Council's budget will be underspent in this area (by around \$1800). Next year, it is intended Council place advertisements in both community newspapers as well as maintaining the advertising on the web page.

STATE GRAFFITI FUND GRANT "BUS STOP BLITZ"

Following a grant application submitted some time ago, the Strategic Crime Prevention Division of the West Australian Police has approved a State Graffiti Fund grant of \$15,000 (GST exclusive) for the proposed bus stop blitz. The project involves the preparation, painting and application of anti-graffiti coating to three bus stops in Marmion Street. Photos will be circulated at the meeting.

The bus stops will be painted by Graeme Richards of Art Fresco and preliminary discussions have been held in regard to design. At this stage Adam Kelly of the East Fremantle Football Club has made some suggestions into incorporating the sharks logo and famous jerseys onto the bus stop adjoining the football club car park. It was further planned to paint the next bus stop (towards Petra St) with a "nature" theme, and the following bus stop in a "retro" theme. Examples will be circulated at the meeting.

It is planned a formal presentation of the grant to the Town of East Fremantle will be made by the Member for South Metropolitan, the Hon Nicolas Goiran MLC, in due course.

RECOMMENDATION

Report for information.

The Principal Environmental Health Officer provided further explanation to her report and answered queries from elected members.

Cr Martin - Cr Lilleyman
That the report be received.

CARRIED

128. FINANCE**128.1 Finance & Administration Update**

By Les Mainwaring, Executive Manager Finance & Administration, on 2 June 2012

- **Draft Budget 2012/13 Progress Report**

During the past 4 weeks, draft budget data has been gathered from staff in the areas of Finance/Administration, Planning, Building, Health, Works, Parks, including Plant Operation Costs, Insurance, Depreciation, Activity Based Costing and Fees & Charges. Data preparations are continuing in the areas of HACCC, Salaries/Wages, Public Works Overheads, Capital Expenditure Renewal Programs, Asset Disposals, Loans and Reserves.

Submissions have also been received from Councillors and external groups, together with capital expenditure proposals which forms part of the draft budget process.

Once uploaded, the initial draft budget will be reviewed by the executive group, and then presented to Council as a 1st Draft budget workshop with Year 1 priority submissions included.

- **End Of Year 30 June 2012**

We will be quarantining any unspent general purpose funds from capital expenditure accounts into the respective Capital Reserve accounts, so that any carryover works in the following year are funded from identifiable Reserve transfers. This approach serves to protect capital allocations from being consumed by recurrent operations.

- **Finance Year Ahead 2012/13**

New Financial Management (Regulations) inserted 20 April 2012

Regulation 16: Accounting for land under local government's control.

Requires the inclusion as an asset, any easements granted in favour of the local government over any land, with an assessment of fair values due 30 June 2013.

Accounting for easements is just another new addition to asset management requirements. Whether they have a significant fair value or not, we will still have to demonstrate that we have gone through the appropriate process of identification and measurement.

Regulation 17A: Assets – fair value measurement required.

A local government must show the fair value of all assets that are;

- i) plant and equipment by 30th June 2013,
- ii) land and buildings by 30th June 2014,
- iii) infrastructure and all other assets by 30th June 2015.

The assessment of fair values in the first instance will normally require some third party involvement to substantiate values, in agreement with the external auditors. Fair values underpin the ability to measure asset management performance, which is reflected in the change of financial ratio requirements.

Finance Ratios

The Annual Financial Report contains eight (8) ratios that provided trend analysis in certain areas. The existing ratios will be reported to 30 June 2012, however there is significant change to the ratios that will be reported for the following period ending 30 June 2013.

ATTACHMENT

Retained (1) – Current Ratio

Removed (7) – Debt Ratio, Debt Service Ratio, Rate Coverage, Outstanding Rates Ratio, Gross Debt to Revenue Ratio, Untied Cash to Trade Creditors Ratio, and Gross Debt to Economically Realisable Assets Ratio.

Added (6) – Asset Consumption Ratio, Asset Renewal Funding Ratio, Asset Sustainability Ratio, Debt Service Cover Ratio, Operating Surplus Ratio and Own Source Revenue Coverage Ratio (see attached Guidance Note 29).

The significance of change shows a marked shift toward assessing asset management performance trends and sustainability, and shows the linkage with long term planned capital expenditures over 10 years, within the long term financial planning framework.

Operational Planning Requirements by 30th June 2013

With respect to the financial aspects, the informing strategies and plans listed below will form the basis of our major administrative priorities for 2012/13.

Long Term Financial Plan (10+ yrs)

Workforce Plan (4 yrs)

Asset Management Plan & Service Planning (10+ yrs)

Corporate Business Plan (4 yrs) – Objectives, Strategies & Actions from the Strategic Plan

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Components of the Integrated Strategic Planning and Reporting requirements due for completion in 2012/13, that provide an initial capability analysis and link identified community priorities and aspirations over a 4 year term with local government operations and service delivery.

- **128/128A George Street Progress**

I refer to the resolution of Council on 21 February 2012, and advise that advertising has taken place for expressions of interest for a short term lease of the property for 6 months, and a formal report will be put to Council on 19 June 2012.

The report will also contain the results of a Landgate market valuation.

RECOMMENDATION

That the report be received

The Executive Manager Finance & Administration provided further explanation to his report and answered a number of queries from elected members.

Cr Olson – Cr Nardi

That the report be received.

CARRIED

129. REPORTS OF CHIEF EXECUTIVE OFFICER**129.1 Meeting Schedule 2012/2013**

By Stuart Wearne, Chief Executive Officer, on 29 May 2012

PURPOSE

The purpose of this report is to facilitate a decision by Council on the meeting schedule for 2012/13.

Council is required, under Section 13 of the Local Government (Administration) Regulations 1996, to advertise its meeting schedule for the next twelve months, at least once a year. The previous schedule was to 30 June 2012 thus the meeting schedule for 2012/2013 will need to be resolved and advertised prior to July 1 2012.

BACKGROUND

At the Council Meeting of 21 June 2011, Council resolved as follows:

That:

1. *a Council meeting be scheduled for the 3rd Tuesday of the month (except during the month of December 2011 when the meeting is held on the 2nd Tuesday) to consider mainly Town Planning & Building Committee (Private Domain) and Finance matters and any other items of an urgent nature, including urgent Health or Town Planning/Public Domain matters.*
2. *a Council meeting be scheduled for the 1st Tuesday of the month (except December 2011) to consider mainly Works & Health matters and items of an urgent nature including Town Planning*
3. *a Town Planning & Building Committee (Private Domain) meeting be scheduled for the 2nd Tuesday of the month (except during the month of December 2011 when it will be scheduled for the first Tuesday of the month).*
4. *meetings of the Finance Committee be scheduled for the 26 July and 25 October 2011 and the 28 February and 29 May 2012.*
5. *Special Meetings of any of the standing committees to be called if such meetings are required.*
6. *the above arrangements not to apply for January 2012 and the Chief Executive Officer be delegated authority to deal with, in consultation with the Mayor, any items of an urgent nature which cannot be held over to the round of meetings in February 2012.*

7. *the Chief Executive Officer be delegated the authority to establish the actual dates for the above meetings and to carry out the required advertising.*

Names of Committees

The issue of the names being used for Standing Committees was recently raised by an elected member. The Chief Executive Officer advises that the names currently being used are as per a Council decision of 1999/2000 which was made in respect of organisational changes which were adopted at the time.

The CEO considers the situation has changed since then and recommends the Committee names given in the Standing Orders be used, as previously occurred.

Thus the recommended Standing Committee names are:

- Finance Committee (abbreviation "Finance")
- Works & Reserves Committee (abbreviation "Works")
- Health & General Purposes Committee (abbreviation "Health")
- Town Planning & Building Committee (abbreviation "Town Planning")

Council Meetings

It had been considered the provision of meetings for the 1st and 3rd Tuesday of each month, the first dealing with mainly "works", and "health" issues (where there were such issues to discuss) and the second, mainly "planning" and "finance" matters, had provided a flexible and efficient means of having matters considered by Council.

Where there have been no, or insufficient items, to warrant a "1st Tuesday" meeting, the meeting has been cancelled, under the adopted delegated authority processes, which involved consultation between the Mayor and the CEO.

It has recently been understood that any cancellation of the 1st Tuesday meeting has been perceived by some elected members in a negative light, notwithstanding the question of why a meeting would be held when there are insufficient items to justify the meeting (noting also the financial cost involved – generally a minimum of \$500) and notwithstanding there was never an intent to hold this meeting regardless of the prevailing agenda item situation. It should also be noted that the "two meeting" approach is a relatively new approach, which was effectively being trialled, and prior to this, for approximately 110 years since the founding of the Town, there was only one ordinary Council meeting a month.

"1st Tuesday" meetings are not always cancelled due to agenda item issues. For example the November meeting was primarily cancelled because of concerns there would not be a quorum.

In December and January, 1st Tuesday meetings had not been scheduled, pursuant to an earlier decision by elected members.

1st Tuesday meetings were held in February and in March (where the meeting took the form of a presentation by Cynthia Williamson).

In April there was a lack of agenda items and some other relevant issues, in particular disruption at the Town Hall due to internal building maintenance works.

In May a meeting had been planned however the meeting did not proceed because the Chief Executive Officer was away on urgent family business during the week when the agenda would need to have been prepared.

Notwithstanding the above, as discussed at Council's meeting of 15 May 2012, if the periodic cancellation of 1st Tuesday meetings is a concern for any elected member, an alternative model would be to call the 1st Tuesday meetings as *Special* Council Meetings

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which means they would only be advertised and held when required and thus there would be no issue of a cancellation. (Because 1st Tuesday meetings are currently designated as ordinary Council Meetings they must be advertised for the following year and then, by definition, if any of those meetings are not held, they are deemed cancelled.

When this matter was discussed at Council's meeting of 15 May 2012, some elected members indicated a preference for the Special Council Meeting option, to the point where there appeared a consensus view that a revised report, containing this option, be prepared.

Town Planning & Building Committee (Private Domain)

The current monthly meeting system (including the role of the TPAP) is working well and I am pleased with the operation of this Committee.

One of the suggestions made at the meeting of 15 May 2012 was for this Committee to be given a degree of delegated authority in planning matters – which could be a full delegated authority or could be a partial delegation, for example referring matters which had not resulted in a unanimous decision, to full Council.

The Chief Executive Officer believes this issue should be discussed further, at both a Committee and Council level.

It is not an issue which needs to be considered further for the purposes of this report however could be usefully discussed at this meeting.

Finance Committee

This Committee, which meets quarterly, has also been working well.

The following timetable is proposed for the 2012/2013 budget deliberations and the adoption of the financial statements for 2011/12.

2012/2013 Budget

7 August 2012 *Council Meeting to Adopt 2012/2013 Budget.*

2011/2012 Financial Statements

31 August 2012 *Completion of 2011/2012 Financial Statements including Pensioner Rebate, ESL, HACC and Roads to Recovery returns.*

4-7 September 2012 *Annual Audit of 2011/2012 Financial Statements by council auditor.*

15 October 2012 *Audit sign-off of 2011/2012 Financial Statements by council auditor.*

30 October 2012 *Annual Financial Statements Report to Audit Committee. Representation by External Auditor.*

6 November 2012 *Annual Financial Statements Report to Council for Adoption.*

It is proposed to hold the following ordinary Finance Committee Meetings during the 2012/13 year:

- 31 July 2012
- 30 October 2012
- 26 February 2013
- 28 May 2013

Town Planning/Public Domain, Works & Reserves Committee and Health & General Purposes Committee

It has not been necessary to call any meetings of these committees as the relevant items have been dealt with at the full Council Meetings, consistent with point (2) of Council's decision above.

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If it is considered more appropriate for a particular issue to be dealt with at committee level, in the first instance, a special meeting of the relevant committee can be called, consistent with point (6) of Council's decision above.

December and January Meetings

Given the difficulty of completing correspondence from the December "planning" Council meeting, processing licences and finalising other tasks associated with this time of the year prior to the normal Christmas closure, it is again proposed to forgo the 1st Council Meeting in December (if this system is continued – see below) and bring forward the Town Planning & Building (Private Domain) and 2nd Council Meeting by one week. This would mean the Committee meeting would be held on Tuesday, 4 December and the Council Meeting on 11 December 2012.

As per normal practice, no meetings have been scheduled for January 2013, however, should any urgent business arise which needs to be considered during this recess, a special Council meeting can be convened.

CONCLUSION

In consideration of the overall circumstances the following arrangements are recommended.

RECOMMENDATION

That:

1. the Standing Committees henceforth be referred to as:
 - Finance Committee
 - Town Planning & Building Committee
 - Works & Reserves Committee
 - Health & General Purposes Committee
2. a Council meeting be scheduled for the 3rd Tuesday of the month (except during the month of December 2012 when the meeting is held on the 2nd Tuesday) to consider mainly Town Planning & Building and Finance matters and any other items of an urgent nature, including urgent Health & General Purposes or Works & Reserves matters.
3. a Council meeting be scheduled for the 1st Tuesday of the month (except during the month of December 2012) albeit the holding of which to be subject to there being sufficient items to warrant holding the meeting.
4. a Town Planning & Building Committee meeting be scheduled for the 2nd Tuesday of the month (except during the month of December 2012 when it will be scheduled for the 1st Tuesday of the month).
5. meetings of the Finance Committee be scheduled for the 31 July and 30 October 2012 and the 26 February and 28 May 2013.
6. Special Meetings of any of the standing committees to be called if such meetings are required.
7. the above arrangements not to apply for January 2013 and the Chief Executive Officer be delegated authority to deal, in consultation with the Mayor, with any items of an urgent nature which cannot reasonably be held over to the round of meetings in February 2013.
8. the Chief Executive Officer be delegated the authority to call and convene the above meetings and to carry out the required advertising.

Absolute Majority Resolution Required

ALTERNATIVE RECOMMENDATION TO 3 ABOVE

3. a Special Council Meeting be held, preferably on the 1st Tuesday of the month (except during the month of December 2012) subject to there being sufficient items to warrant holding the meeting.

Cr Olson – Cr Martin

That:

1. *the Standing Committees henceforth be referred to as:*



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- Finance Committee
 - Town Planning & Building Committee
 - Works & Reserves Committee
 - Health & General Purposes Committee
2. a Council meeting be scheduled for the 3rd Tuesday of the month (except during the month of December 2012 when the meeting is held on the 2nd Tuesday) to consider mainly Town Planning & Building and Finance matters and any other items of an urgent nature, including urgent Health & General Purposes or Works & Reserves matters.
 3. a Council meeting be scheduled for the 1st Tuesday of the month (except during the month of December 2012) albeit the holding of which to be subject to there being sufficient items to warrant holding the meeting.
 4. a Town Planning & Building Committee meeting be scheduled for the 2nd Tuesday of the month (except during the month of December 2012 when it will be scheduled for the 1st Tuesday of the month).
 5. meetings of the Finance Committee be scheduled for the 31 July and 30 October 2012 and the 26 February and 28 May 2013.
 6. Special Meetings of any of the standing committees to be called if such meetings are required.
 7. the above arrangements not to apply for January 2013 and the Chief Executive Officer be delegated authority to deal, in consultation with the Mayor, with any items of an urgent nature which cannot reasonably be held over to the round of meetings in February 2013.
 8. the Chief Executive Officer be delegated the authority to call and convene the above meetings and to carry out the required advertising.

LOST
ABSOLUTE MAJORITY NOT ACHIEVED

Cr Nardi – Cr Lilleyman**That the matter be held over to the next Council Meeting.****CARRIED****129.2****Review of Delegations to the Chief Executive Officer***By Stuart Wearne, Chief Executive Officer on***PURPOSE**

To approve the delegation of designated powers and functions to the Chief Executive Officer under Section 5.42 of the Local Government Act 1995.

BACKGROUND

Various powers and duties currently delegated to the CEO must, under Section 5.18 of the Act, be reviewed by Council annually.

ATTACHMENT**REPORT****Comments/Discussion**

Under Section 5.42 of the Local Government Act, Council may resolve to delegate some of its powers and duties to the Chief Executive Officer. This is normally done in order to improve customer service and reduce the time spent by Council in considering matters of a more operational nature.

Such delegations of authority are consistent with references to Customer Service in the Strategic Plan. These include:-

Core Values

"We are committed to providing a professional service that is timely and meets or exceeds customer expectations and needs."

Strategic Goals

"To ensure the operations and functions of the Town are carried out in an efficient, effective and timely manner."

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Any of the duties designated in the Local Government Act may be delegated to the CEO except for those shown in Section 5.43 which are:

- Any duty requiring an absolute or higher majority of Council
- Accepting a tender greater than an amount set by Council
- Appointing an auditor
- Disposing of property valued higher than an amount set by Council
- Deciding fees payable to elected members
- Borrowing money
- Determining objections to a Council decision of a kind referred to in Section 9.5

Powers delegated to the CEO may be further delegated (with or without conditions) by the CEO to other officers, as deemed appropriate by the Chief Executive Officer.

The delegation of any power from Council to the Chief Executive Officer and from the Chief Executive Officer to any other officer must be in writing and when the delegated power is used it must be recorded by the officer exercising it.

A Chief Executive Officer cannot exercise delegated powers or duties if the CEO has an interest in the matter. The nature of the interest must be disclosed to the Mayor as soon as practicable after the CEO becomes aware of the interest.

Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 and subject to the annual review –

- a delegation has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
- any decision to amend or revoke a delegation by a local government is to be by an absolute majority.

Financial/Budget Implications

Nil

Discussion

The only changes to the delegations approved by Council in the last review have resulted from amended terminology relating to the new Building Act 2011 and Building Regulations 2012.

RECOMMENDATION

It is recommended that the Delegations of Authority to the Chief Executive Officer attached to and forming part of these minutes be approved. **Absolute Majority Required**

Cr Martin sought clarification from the Chief Executive Officer regarding a number of the delegations and the Chief Executive Officer responded to the queries.

Cr Lilleyman sought an amendment to Delegation D06 to provide advice on all debts written off under this delegation. The Chief Executive Officer suggested that the following notation be added to the Conditions section of this delegation:

“All debts written off to be reported to Council”.

Cr Martin questioned the consideration of this important matter in light of the absence of the Mayor and Deputy Mayor.

Cr Martin - Cr Lilleyman

That this matter be deferred to the next Council Meeting.

LOST

Cr Olson – Cr Nardi

That the Delegations of Authority to the Chief Executive Officer attached to and forming part of these minutes be approved subject to the following amendment:

That Delegation D06 “Recovering of Impounding Expenses and Recovery of Debts (Non Rates)” be amended to include as a condition:

“All debts written off to be reported to Council”.

CARRIED
ABSOLUTE MAJORITY

129.3

Chief Executive Officer’s Updates

By Stuart Wearne, Chief Executive Officer, on 1 June 2012.

EAST FREMANTLE OVAL PRECINCT PLAN

Elected members will recall the recent workshop process conducted by SRD Consulting, the outcome of which was an agreed “Road Map” of the staged processes, including public consultation and elected member decision making, which would be required to ultimately obtain an agreed master plan. In subsequent discussion with the Mayor and Deputy Mayor it was accepted that the multitude of tasks which the Road Map gave rise to, could not reasonably, given numerous competing tasks, be managed by the Chief Executive Officer, and therefore it was decided an appropriate consultant/project manager be identified and appointed.

However in later discussion with Jamie Douglas, Mr Douglas advised, now that several major planning matters were either dealt with, or in hand, that he would be interested in taking on this project.

Mr Douglas’ rationale was that he considered the matter related to other town planning issues, such as the Scheme Review and there would be benefits of integration and oversight in dealing with the issue in-house.

This was discussed with the Mayor who was in agreement.

Mr Douglas and I subsequently met recently to review the relevant material, including the Road Map and previous Master Plan, primarily in order that Mr Douglas could make an informed decision in the matter.

Following that Review, Mr Douglas confirmed he wished to be the Project Manager for the project and to that end would draft a Project Plan, for the Chief Executive Officer’s initial consideration, over the next two weeks.

When the Project Plan is completed, this will be referred to elected members.

The above has been discussed with Adam Kelly, the General Manager of the East Fremantle Football Club, who indicated understanding and acceptance of the plan.

COMMUNITY EVENTS

Elected members will recall the workshop conducted by Cynthia Williamson on 6 March.

Arising from decisions made at that workshop, the planned first event, a performance by the Fremantle Chamber Orchestra in Glasson Park, was expected in May.

As previously advised to elected members, that event did not proceed after Cynthia raised weather concerns, after which it was agreed the second planned event would become the first event.

This was a “community cocktail party” (which for some reason Cynthia refers to as a “volunteers function”) at the Tricolore Centre.

Last week I received an email (attached) about this event.

ATTACHMENT

A little earlier, I had received, after considerable delay, notes from the March workshop which are also attached.

ATTACHMENT

Whilst in a covering email Cynthia spoke of “the next stage in this process (a report to Council, further consultation)” my preference is that Cynthia is simply asked to “just get on” with the “community cocktail party” event, even if further discussion needs to take place in respect of the other planned events.

At this meeting I am hoping elected members can agree on a date for the community cocktail function and provide any ideas they may have in relation to this proposed function and, if wished the other planned events.

I was not proposing to have Cynthia at the meeting, although Shelley Cocks, who is the liaison with Cynthia, will be in attendance.

Recommendation

A date for the “community cocktail party” be agreed.

COMMUNICATIONS STRATEGY

Attached is the final communications audit document as recently received from Bluebottle Consulting. **ATTACHMENT**

Elected members are requested to review the document with a view to making decisions on the 10 recommendations.

If the recommendations are considered acceptable, an appropriate recommendation would be:

Recommendation

That:

1. Bluebottle Consulting be thanked for their report and advised Council endorses the recommendations in the report.
2. the Chief Executive Officer be requested to progress the implementation of the recommendations, subject to budget and resource considerations.

RESOLUTION OF MISCONDUCT AT THE LOCAL LEVEL

This issue involved a proposal by the Minister for Local Government to amend relevant provisions of the Local Government Act in relation to the Local Government Standards Panel, which deals with complaints against elected members. The primary objective of the changes was to have “low level” complaints (which would mean most complaints and all of which are currently dealt with by the Chief Executive Officer in the first instance and if necessary referred to the Panel), dealt with by Mayors or Presidents (or in the event of a complaint about the Mayor, dealt with by the Deputy Mayor).

The proposal was blatantly based on reducing the workloads of Departmental officers and the appointed Panel and could be reasonably viewed as a form of “buck passing”.

A two week response period was provided and very little thought appeared to have been given in regard to the potential divisiveness which could be caused on councils.

In subsequent discussion with the Mayor and Deputy Mayor, both agreed with the Chief Executive Officer’s view that the proposed model was quite inappropriate.

The Chief Executive Officer has been monitoring this issue via WALGA’s deliberations.

This report is to advise that on 30 May the Minister announced that no further action on the issue would be taken at this time and that the consultation period would be extended to December 2012.

It is not known what form this further consultation will take, however it may be useful if the Chief Executive Officer, (who, as indicated, under current legislation is currently responsible for dealing with complaints, at least in the first instance), was granted a delegated authority to deal with the issue if it is returned for comment.

In that regard it is reiterated that in respect of the Minister's earlier proposal, a two week response period (only) was allowed.
Alternatively the report could be received.

Recommendation

The Chief Executive Officer be delegated the authority to deal with any proposed amendments to legislation relating to the Local Government Standards Panel.

Alternative Recommendation

The information be received.

PERTH'S CONTINUING POPULATION GROWTH

One of the claims by the Minister and the development industry, in respect of the perceived need for metropolitan amalgamations, is that local governments are not doing enough to promote and expedite urban infill.

The attached table of Population Growth Rates, recently issued in a report by the Committee for Perth, indicates that, with the exception of the City of Perth (where there has been a concerted effort to "bring life to the City" through attracting inner City residents) indicates the Town of East Fremantle and the City of Cockburn (notwithstanding the City of Cockburn has undergone significant growth from such major "greenfield" developments such as Port Coogee, Cockburn Central etc), equally have the highest population growth rate of metropolitan Perth, with the entirely expected exception of the northern and southern perimeters of the metropolitan area, where much greenfield development is taking place, being northeast and northwest Wanneroo, Kwinana, Rockingham, Armadale, Serpentine-Jarrahdale and Mandurah.

ATTACHMENT

An arguably more relevant measure however is population *densities*, measured in people per square kilometre. The Chief Executive Officer is currently clarifying some information in that regard and plans to report further on the issue.

ZEPHYR CAFÉ EROSION CONTROL

Elected members will recall previous advice on this matter after a member of the public, Elaine Christy, referred concerns regarding the works which had been carried out, to the Swan River Trust.

Attached is a recent email from Ms Christy.

ATTACHMENT**Recommendation**

That the information be received.

ROYAL GEORGE HOTEL

Further to the Chief Executive Officer's report to the 17 April meeting, the Chief Executive Officer has had discussions with June Moorhouse, a consultant/facilitator and former Director of the Fremantle Arts Centre and City of Fremantle employee.

Cr Martin is thanked for suggesting Ms Moorhouse as a potential facilitator.

The Chief Executive Officer has arranged a meeting with Ms Moorhouse next Wednesday to further discuss the issue.

Meanwhile the following optional dates have been identified for an elected member workshop:

Wednesday, 13 June,
Wednesday, 20 June
Wednesday, 27 June

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Elected members are asked to indicate a preference for one of these dates.

Recommendation

Elected members decide which date they would prefer for a Royal George Hotel workshop.

(A) Community Events

It was noted that the school holidays would run from 6 to 23 July 2012 and it may be preferable to hold the event after that period.

The Chief Executive Officer sought an indication from elected members present as to their preferred date (Friday 20 or 27 July) for the community cocktail party.

Crs Nardi, Martin, Lilleyman and Olson indicated they were available either date with Cr de Jong advising he would be unable on the 27 July.

Cr Nardi – Cr Olson

That the Chief Executive Officer set a date for the community cocktail party taking into account the expressed availability of elected members present this evening and after discussion with those elected members not in attendance. CARRIED

(B) Communications Strategy**Cr Martin – Cr de Jong**

That Bluebottle Consulting be thanked for their report and the Chief Executive Officer be requested to prepare a management response including a costing and resource plan for the consideration of elected members. CARRIED

(C) Royal George Hotel

The Chief Executive Officer sought an indication from elected members present as to their preferred date (Wednesday, 13, 20 or 27 June) for the Royal George Hotel workshop.

Crs Martin, Lilleyman and de Jong indicated they could attend all dates, Cr Olson advised he was available on 13 and 27 June and Cr Nardi on 20 and 27 June.

Cr Olson – Cr Martin

That the Chief Executive Officer set a date for the Royal George Hotel workshop taking into account the expressed availability of elected members present this evening and after discussion with those elected members not in attendance. CARRIED

(D) Zephyr Café Erosion Control

The Chief Executive Officer responded to elected members queries. CARRIED

(E) Cr Martin – Cr Lilleyman

That the remainder of the Chief Executive Officer's report be received. CARRIED

129.4 SMRC

The CEO provided a brief update on the current situation with regard to the SMRC.

129.5 Riverside Road Footpath

Following an earlier query from Cr Wilson regarding the status of the two footpaths on Riverside Road in the vicinity of Pier Street, the Chief Executive Officer read a response prepared by the Operations Manager, Ken Dyer, regarding the issue:

"The new concrete footpath installed along the foreshore between the Red Herring and the Marine Education Boatshed has been opened for use.

The new footpath construction was terminated at the intersection of the lower and upper asphalt paths near the intersection of Pier Street and Riverside Road. The



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termination of the footpath construction at this point was to allow time to assess a possible redesign of the river wall. The idea being to create a wider platform between the road side kerb and the river wall. This would allow the extension to the new path to be full width and to be aligned away from the road edge and as such be a safer pedestrian way. I intend to discuss this option with the Swan River Trust for possible permit approval.

The remaining asphalt path between the new and existing concrete paths is in reasonable condition and is safe to use in the meantime."

The Chief Executive Officer also read the following correspondence from a resident regarding the foreshore area:

"Just a word of praise to your gardening team; the paths and lawns along the river are an absolute joy to walk along! It all looks so very 'cared for' and I'm sure the East Fremantle section of our river must be without doubt the very best!! Well done!

G Harvey"

129.6 Glasson Park Upgrade

The Chief Executive Officer advised that the Mayor and Operations Manager had meet with students of East Fremantle Primary School regarding the redevelopment of Glasson Park and the feedback had been very positive.

129.7 Principal Investigating Officer Ombudsman's Office

The Chief Executive Officer read an email recently received from the Ombudsman's Office, thanking the Chief Executive Officer for his actions in dealing with a complaint and concluding "I will bring your actions to the attention of the Ombudsman as a best practice case study".

129.8 Newly Installed Shower Norm McKenzie Reserve

The Chief Executive Officer read the following correspondence from Michael Regan, co-signed by a member of other satisfied users, regarding the recently installed shower at Norm McKenzie Reserve:

"I am writing this letter of appreciation for installing the shower/foot wash which will be of great assistance for people who need to wash the sand off themselves and feet before going home. It is a nice area with very good facilities, barbeque, shelters, seating and a nice grass area for the children. It is used by many of my neighbours and locals (including myself and family). Many thanks to Cr Robbie Lilleyman with whom I conveyed the thoughts of the people who frequently use the area. It is a job well done.

Many thanks

Michael Regan"

130. CONFIDENTIAL BUSINESS

Nil.

131. NOTICES OF MOTION BY ELECTED MEMBERS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

132. MOTIONS WITHOUT NOTICE OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.



133. CLOSURE OF MEETING

There being no further business, the meeting closed at 9.58pm

*I hereby certify that the Minutes of the meeting of the **Council** of the Town of East Fremantle, held on **5 June 2012**, Minute Book reference **112. to 133.** were confirmed at the meeting of the Council on*

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Presiding Member