



**MINUTES OF A COUNCIL MEETING, HELD IN THE COUNCIL CHAMBERS, ON TUESDAY, 7 FEBRUARY, 2012 COMMENCING AT 6.35PM.**

**1. DECLARATION OF OPENING OF MEETING**

In the absence of the Mayor, the Deputy Mayor (Presiding Member) declared the meeting open.

**1.1 Present**

Cr A Wilson	Presiding Member
Cr C Collinson	
Cr B de Jong	
Cr R Lilleyman	
Cr S Martin	
Cr D Nardi	
Cr R Olson	
Cr M Rico	
Mr S Wearne	Chief Executive Officer
Ms J May	Minute Secretary

**2. 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.”*

**3. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF**

There were two members of the public in the gallery at the commencement of the meeting.

**4. RECORD OF APPROVED LEAVE OF ABSENCE**

Nil.

**5. RECORD OF APOLOGIES**

Mayor A Ferris.

**6. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS**

Nil.

**7. PUBLIC QUESTION TIME**

Nil.

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**8.1 Cr Wilson**

Cr Wilson sought leave of absence for the Council Meeting on 21 February 2012.

**Cr Olson – Cr Collinson**

**That Cr Wilson be granted leave of absence for the Council Meeting on 21 February 2012.**

CARRIED

**8.2 Cr de Jong**

Cr de Jong sought leave of absence for the Council Meeting on 21 February 2012.

**Cr Olson – Cr Collinson**

**That Cr de Jong be granted leave of absence for the Council Meeting on 21 February 2012.**

CARRIED



**8.3 Cr Lilleyman**  
Cr Lilleyman sought leave of absence for the Council Meeting on 20 March 2012.

**Cr Olson – Cr Collinson**  
That Cr Wilson be granted leave of absence for the Council Meeting on 20 March 2012. CARRIED

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**9.1 Council Meeting – 13 December 2011**  
Cr Nardi – Cr Rico  
That the Minutes of the Council Meeting held on 13 December 2011 be confirmed. CARRIED

**10. ANNOUNCEMENTS BY MAYOR WITHOUT DISCUSSION**

**10.1 C Barlow Irwin Street**  
The Presiding Member advised of a phone call to Council staff from Mrs Christine Barlow who advised that the Pioneer Lunch had been fantastic and wanted to thank everyone involved.

**10.2 Matthew Byng, Polytechnic West**  
The Presiding Member read correspondence from Mr Byng of Polytechnic West thanking Sue Limbert for providing his students the opportunity of work placement to complete their qualifications as future community services workers and enclosing a certificate of appreciation.

**10.3 Eric Ripper MLA Leader of the Opposition**  
The Presiding Member read correspondence from the Leader of Opposition thanking Council for its support and assistance in relation to the WA Labor Party's Container Deposit and Recovery Scheme Bill.

**11. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION BY COUNCIL MEMBERS**  
Nil.

**12. MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN BY COUNCIL MEMBERS**  
Nil.

**13. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)**  
Nil.

**14. FINANCE**

**14.1 Monthly Financial Activity Statement for Period Ending 31 December 2011**  
By Bill Bond Acting Executive Manager Finance & Administration on 31 January 2012

**PURPOSE**

This statement outlines operating and capital revenues and expenditures in accordance with statutory requirements.

**BACKGROUND**

The monthly Financial Activity Statement for the period ending 31 December 2012 is appended and includes the following:



- Financial Activity Statement
- Notes to the Financial Activity Statement including schedules of investments and rating information.
- Capital expenditure Report

**ATTACHMENT**

The attached Financial Activity Statement is prepared in accordance with the amended Local Government (Financial Management) Regulations 1996; with additional material to provide Council with easy to understand financial information on Council activities undertaken during the financial year.

**REPORT**

**Introduction/Comments**

The following is summary information on the attached financial reports:

The December 2011 year to date Financial Activity Statement report shows an overall actual surplus of \$3,371,160 compared to the year to date budget of \$2,647,403 representing a favourable variance of \$723,757.

Revenue and expenditure variances are generally timing in nature. The surplus is large at the start of the year as the full year rate revenue is brought to account. This surplus will decrease in the remaining months of 2011/12 as it is used to fund expenditure providing works and services.

The overall favourable variance of \$723,757 can be analysed as follows:

- The YTD actual Operating Revenue is \$6,854,085 compared to the YTD budget of \$7,214,016, an unfavourable variance of \$304,584. The variance is due primarily to the timing of various capital works programs and the associated capital grants thus not being claimed at this stage.
- The YTD actual Operating Expenditure is \$3,832,439 compared to the YTD budget of \$3,821,459, an unfavourable variance of \$10,980. This total is in line with budget estimates for this period, although there are still variances within various programs
- The YTD actual Capital Expenditure is \$637,550 when compared to the YTD budget of \$1,676,873 a favourable variance of \$1,039,323. The variance is primarily due to the timing of undertaking various road and building works.

**Statutory Requirements**

Local Government Act 1995 (As amended)

Local Government (Financial Management) Regulations 1996 (As amended)

**Relevant Council Policies**

Significant accounting policies are adopted by Council on a periodic basis. These policies are used in the preparation of the statutory reports submitted to Council.

**Strategic Plan Implications**

Nil

**Financial/Resource/Budget Implications**

The December 2011 Financial Activity Statement shows variances in income and expenditure when compared with budget estimates.

**Conclusion**

The attached Financial Activity Statement for the period 1 July 2011 to 31 December 2011 is presented to the Council for information.

**RECOMMENDATION**

That the Financial Activity Statement for the period ending 1 July 2011 to 31 December 2011 be received.

The Presiding Member noted that elected members had, prior to the meeting, been requested to communicate any queries on this item and the following item to the Acting Executive Manager Finance & Administration, in advance of the meeting.

The CEO responded to queries from some elected members.

**Cr Olson – Cr Nardi**

**That the Financial Activity Statement for the period ending 1 July 2011 to 31 December 2011 be received.** CARRIED

**14.2**

**Accounts for Payment – December 2011 & January 2012**

*By Bill Bond, Acting Executive Manager Finance & Administration on 3 February 2012*

**PURPOSE**

To endorse the list of payments for the period 1 December to 31 December 2011 and 1 January to 31 January 2012.

**BACKGROUND**

It is a requirement of the Financial Management Regulations that the monthly Accounts for Payment are endorsed by the Council. The List of Accounts is attached.

**ATTACHMENT**

**REPORT**

**Comments/Discussion**

The List of Accounts for the period beginning 1 December and ending 31 January 2012 require endorsement by the Council.

**RECOMMENDATION TO COUNCIL**

That the List of Accounts for the period beginning 1 December and ending 31 January 2012 be received, as per the following tables:

<i>December 2011</i>		
Voucher Nos	Account	Amount
4263 – 4288	Municipal (Cheques)	\$14,098.05
EFT 14822 – EFT 15030	Electronic Transfer Funds	\$996,948.25
Loans	Electronic Transfer Funds	64,519.93
Payroll	Electronic Transfer Funds	\$150,363.65
	<b>Municipal Total Payments</b>	<b>\$1,225,929.88</b>



<i>January 2012</i>		
<b>Voucher Nos</b>	<b>Account</b>	<b>Amount</b>
4289 – 4314	Municipal (Cheques)	\$27,621.99
EFT 15031 – EFT 15170	Electronic Transfer Funds	\$396,439.73
Loans	Electronic Transfer Funds	2,570.79
Payroll	Electronic Transfer Funds	\$168,573.54
	<b>Municipal Total Payments</b>	<b>\$595,206.05</b>

The CEO responded to queries from some elected members.

**Cr de Jong – Cr Nardi**

**That the List of Accounts for the period beginning 1 December and ending 31 January 2012 be received.**

CARRIED

## 15. REPORTS OF ELECTED MEMBER DELEGATES

### 15.1 *Cr Rico – WALGA State Council*

Cr Rico reported on the outcome of her attendance at the State Council Meeting held on 30 January 2012 to consider WALGA's Metropolitan Local Government Review submission, which she had attended in the capacity of Deputy.

The CEO:

- advised of his disappointment with respect to the decision of State Council to endorse (subject to minor changes) WALGA's proposed submission to the Metropolitan Local Government Review Panel.
- advised of his disappointment that whilst WALGA had obtained an extension of time to make their submission, the period involved meant all of WALGA's meetings on the matter had been held in the January period which, for many local governments, including the Town of East Fremantle, is a recess period.
- noted neither the Mayor nor Deputy Mayor had been able to attend the WALGA forum held on 16 January 2012 to consider alternative governance models, although it was appreciated that whilst only Mayors had originally been invited, Cr Rico had, following representations by the CEO, been given permission to represent the Town at the forum.
- noted none of Council's three delegates attended the Special Meeting of the South Metropolitan Zone held on 23 January 2012 at which WALGA's submission to the Metropolitan Local Government Review Panel was endorsed.
- noted that in respect to Cr Rico's attendance at the Special Meeting of State Council held on 30 January:
  - Cr Rico could not, technically, represent the Town at that meeting, as she was obliged (in the capacity of Deputy) to represent the adopted position of the Zone.
  - Cr Rico was thus handicapped in terms of what she could achieve for the Town, given the decision of the Zone meeting to support WALGA's submission, with respect to which it was implicit a local government of East Fremantle's size would cease to exist.
- advised of his deep disappointment, nevertheless, that an amendment he had suggested to Cr Rico beforehand, which was essentially that any changes to local



government boundaries should be “conditional upon deep and broad community support, as assessed by a poll of electors”, was lost.

The term “deep and broad community support”, had been taken, deliberately, from WALGA’s submission, was not taken out of context and its conclusion should not have been contentious.

Further, the suggested amendment merely reflected existing poll provisions in the Act and more to the point, reflected WALGA’s long expressed opposition to forced amalgamations.

- understood Cr Rico was criticised for proposing the amendment when, it was claimed, this should have been dealt with at the Zone level. The CEO rejects this view, noting numerous other amendments and new resolutions were considered at the meeting.
- noted that such was the opposition to Cr Rico’s position, Cr Rico did not move an alternative amendment he had suggested to Cr Rico, should the above recommendation not be accepted, which was to defer the matter to allow member councils to consider the issue in the February meeting rounds.
- noted statements made to Cr Rico by other delegates present, in response to her proposed amendment, that the Act already contained poll provisions, thus implying there was no need for the amendment. The CEO considers that advice highly questionable, given that it seems almost certain the government, particularly if it is a position to govern in its own right, would seek to implement (the foreshadowed) widespread amalgamations via legislation, ie forced amalgamations, as the Minister threatened three years ago, when launching his “reform” initiative.

Both the Minister and Premier have already publicly indicated that whilst the government will honour a commitment on no forced amalgamations during this term of government, there is no such guarantee with respect to any future government, should they be returned.

Further, if the delegates believed the poll provisions would or should remain in force, or if WALGA’s position was predicated on the poll provisions remaining, what would the harm have been of supporting Cr Rico’s amendment?

The facts are that WALGA did not mention the poll provisions once in their submission, nor did the Conway Davey report commissioned by WALGA, and there was nothing to suggest any of their recommendations on amalgamations were predicated on the poll provisions remaining in operation.

Further, the four “guiding principles” for determining local government boundaries which WALGA has adopted, do not include any reference to the poll provisions or any other safeguard of that nature.

The CEO advised that, in brief, the four models which WALGA proposed to members, with respect to Perth’s existing 30 local governments, were:

#### Model 1

Approximately 10 local governments abolished and a Metropolitan Regional Council established to operate alongside approximately 20 local governments.

#### Model 2

Between 15-20 local governments abolished, leaving 10-15 local governments, to be developed around ‘Activity Centres’ together and to operate together with a Metropolitan Regional Council.

The role of the Metropolitan Regional Council (Models 1 & 2) which would entail changes to the Local Government Act and related Acts, including the Planning Act would primarily involve strategic planning and decision making at a regional level.



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Model 3

Six cities established, broadly corresponding to the existing sub-regional areas of the Metropolitan Region. In East Fremantle's case this would mean a city called Central South Council and comprising the existing Cities of Fremantle, Melville, South Perth, Canning and Belmont and the Towns of East Fremantle and Victoria Park and with a population of about 340,000.

Model 4

A single "Super City" be established, comprising the whole of the Perth metropolitan area, with a subsidiary network of local community boards.

The role of local community boards is not clear however are proposed, in part, "to have the capacity to make and implement decisions concerning the application of metro-wide policy at a community level".

The CEO noted there was no model involving the retention of the status quo which was:

- (i) consistent with the Minister's and Premier's resolve to reduce the number of local governments in Perth, not to mention the rest of WA
- (ii) consistent with Troy Pickard's personal position, as expressed to the CEO in a telephone linkup involving himself and Ricky Burges, which he had sought shortly after the Review was announced. Mr Pickard stated words to the effect "everyone knows there are too many local governments in Perth".

The CEO expressed surprise at the apparent degree of influence allowed to Mr Pickard in regard to subsequent proceedings in respect of the Review, notwithstanding the limitations of his role as WALGA President, his pre-determined views on the matter and the obvious concerns at his inherent conflict of interest given:

- (i) his role of Mayor of a Council whose size (160,000) is clearly a size which would be favoured by the Minister, who has repeatedly expressed a "bigger is best" philosophy
- (ii) his political connections and personal political aspirations with respect to the current government.

However, in contrast to the apparent acquiescence of many WALGA delegates some are prepared to be more critical.

For example, the CEO noted comments of the South East Metropolitan Zone as follows:

*"South East Metro Zone delegates expressed concern with the process leading up to the preparation of the final WALGA submission to the Local Government Review Panel and make the following comments:*

- 1. South East Metro Zone Delegates formed the view that the Forum held on the 16 of January was conducted in a manner to drive delegates to a predetermined conclusion, the results of the voting process was not audited and that other governance models were not considered or able to be considered during workshop.*
- 2. Concern was also expressed that delegates to the forum were not given a fifth option to the models in that none of the 4 models be supported.*
- 3. Given there was a close preference indicated between models 1 and 2, the submission should have indicated that option 1 was the least change option and should have then been WALGA's default position.*
- 4. South East Metro Delegates were of the view that as WALGA's submission had not been viewed or endorsed by their respective Councils so Zone Delegates were not comfortable endorsing a submission without the support of their Council or community.*
- 5. Zone Delegates understand the enormity of the task but the changes and disruption to our communities should not be overlooked or ignored in bending to the will of the government."*



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Cr Rico has advised the CEO that many of the delegates at the 16 January Forum opposed all four options – the CEO notes this is not reflected in any of WALGA's subsequent statements.

WALGA claims an option involving maintenance of the status quo was never a possibility because the Review Panel's 4<sup>th</sup> Term of Reference did not allow this.

The 4<sup>th</sup> Term of Reference was *"Identify new local government boundaries and a resultant reduction in the overall number of local governments to better meet the needs of the community."*

In the CEO's view WALGA's claim is fatuous.

WALGA would have been well aware that the Review Panel Chair, Professor Robson, had publicly indicated, in the course of the Review, that the Panel was independent and would not be fettered by that Term of Reference. For example in August, Professor Robson was quoted as saying *"There were no certainties about the outcomes of the review"* (and) *"amalgamation was not the only option available"*. The Gazette (August 23) reported Professor Robson as saying *"Nothing is set in stone...People are focussing on amalgamation and consolidation, but there are lots of other models"*. At a meeting with Professor Robson in December, in response to a question from the CEO, Professor Robson confirmed the Panel did not consider they were fettered by the 4<sup>th</sup> Term of Reference, they would report on recommended governance models "as they saw fit", and it was up to the government as to what they did with their advice. Nevertheless, even if the Panel *had* felt restricted, WALGA did not need to be. It was entirely open to WALGA to respond to the Terms of Reference as they saw fit. In the CEO's view it simply suited WALGA to accord with that Term of Reference.

Troy Pickard is quoted as saying *"that the best course was to go along with the government's plan to reduce the number of councils, rather than 'choose to opt out of the process' "*.

The process of "going along with the government's plan" started at the Forum held on January 16, after which Troy Pickard issued a press statement that delegates favoured reducing the 30 metropolitan councils to around 20 or 15 councils. This led to attendees such as the Town of Claremont Deputy Mayor stating *"It is simply false for WALGA to claim the forum 'identified a preferred future for the sector that would reinforce strategic cooperation and could substantially reduce the number of councils'. The forum was not given an opportunity to consider anything other than a reduction in the number of councils so no preference could be expressed on that matter"*.

What has WALGA actually decided?

Delegates adopted (from 4 choices which involved ever increasing reductions in the number of local governments and as indicated did not include the status quo as an option) *"a synthesis of Models 1 and 2"* (which) *"would suggest that the metropolitan region should be governed by...approximately 15 to 20 local governments determined using appropriate criteria"*. "Appropriate criteria" is given as economic sustainability, social sustainability, environmental sustainability and organisational sustainability and stated to be based on the sustainability criteria given in Directions 2031. Whilst the first three criteria are frequently used, the CEO notes the introduction of the undefined "organisational sustainability" and expects that could be significant in the case of a local government which had demonstrated its sustainability in regard to the other three criteria.

The above model would also involve approximately 4 to 5 regional bodies undertaking regional service delivery functions including waste, economic development and natural resource management and possibly also spatial, transport, infrastructure and environmental planning for their region.





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Whilst this particular concept may have merit, it means delegates have effectively endorsed giving up significant planning powers to a “regional body” despite very little detail of how such a regional body would operate, and despite, for example, WALGA's position of opposition to the Development Assessment Panels, which have a much more limited role than that envisaged for the “regional body”.

The lack of detail is typical of the unsubstantiated arguments which characterise both papers.

The Conway Davey report cannot be regarded as entirely independent of WALGA. The authors state the report was developed “*in discussions with WALGA*”. This presumably included advice from WALGA that maintaining the status quo was not to be considered as an option. Thus the report, with no basis for the claim, states at one point (in part) “*If the starting point for reform is that 30 local governments in Perth is too many...*”

Elsewhere the report states “*Metropolitan local governments and the State Government need to face up to the challenge of accommodating a rapid rate of growth well into the future*”, which is entirely reasonable, yet no compelling evidence is given that existing local government structures are acting as unreasonable or significant impediments to implementing increased densities in the Perth metropolitan area and even if this were the case, it is easily overcome by binding Planning Policies such as Directions 2031, which contains targets local governments *must* meet (and in East Fremantle's case we are working towards and will easily meet).

One example of the numerous nebulous arguments which are being used to promote a significant reduction in the number of Perth local governments, is the issue of Perth's international competitiveness.

The Minister and Premier made considerable reference to this issue when they announced the review process in July, without explaining what this had to do with local government.

Following are the Minister's own words on the issue, in what was described as the Minister's “*first major interview on local government reform since announcing a review of the structure in July*” (source: Minister's “Portfolio News”).

*Mr Castrilli said WA risked losing influence in the region because of its number of local governments.*

*“However, the whole business of government, the whole business of the way we do things, technology, (and) everything we do in life has changed dramatically, and yet local government hasn't changed.”*

*WA is currently putting out 47 per cent of the total value of Australian exports, and Mr Castrilli said that figure would be closer to 67 per cent within 10 years through trade with major resources customers Japan, China, India and Korea.*

*Mr Castrilli said he formed the local government review panel to ensure that influence was not squandered by local government, adding that the review panel had a blank canvas to work with.*

*“We've got corporate headquarters coming to Perth; we have major international corporations spending a hell of a lot of money”, he said.*

*“That influence we have is being diluted across the 29 local governments in the metropolitan area”.*

*“We need to take advantage of our influence, we need to change the way we do things in local government.”*



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*"We need to take advantage of the position we find ourselves in, and we're going to take a global perspective on this."*

In WALGA's submission, under the heading *"Is metropolitan Perth in a position to be an effective international competitor? If not, what would you change?"*, a full page of the report is spent discussing the issue.

However there is not a single suggestion in those comments that Perth's local government structure is in any way handicapping Perth's international competitiveness.

The section concludes with a number of vague clichéd comments, as follows:

*"Clearly there will be major challenges throughout the twenty-first century to ensure that Perth fulfils its potential, including the provision of economic infrastructure in a timely manner. To address these challenges, governments at all levels will need to cooperate and work together with the private and non-government sectors, in a robust and meaningful way."*

The Town of East Fremantle has every right to ask how the Town is compromising Perth's international competitiveness, just as it has every right to ask where the Town "fits in" to every other issue raised.

The CEO reminded elected members that he posed a number of specific questions to the Minister regarding the basis of the Review, after the Review was announced by the Minister, however the Minister declined to respond to the questions. The Minister advised he had referred them to Dr Chris Berry, the Project Director of the Local Government Review Panel, for a response, however Dr Berry later advised the CEO he knew nothing of this.

To this day none have been answered.

In short the current situation is that:

- (i) Neither the Minister nor the Department has responded to the Town's specific queries regarding the basis of the Review.
- (ii) Despite being advised by the Minister after the Review was announced that the Town (as with all local governments) would be contacted by the Panel as part of their review, the only contact was a 30 minute session, with one Panel member (only), which the Town had to request and which was limited to attendance by the Mayor and CEO (in our case the Deputy Mayor attended)
- (iii) WALGA, with the support of the South Metropolitan Zone, has effectively endorsed the Town of East Fremantle (for one) ceasing to exist, notwithstanding the lack of any compelling argument for the changes being mooted – in either the Report WALGA commissioned from Conway Davy or WALGA's submission.

Whilst the Town must now await the next stage of the process, being the Review Panel's Report – due in March/April, the CEO believed it important to place on record:

- The Town of East Fremantle is a financially viable local government (having, for example, been advised only 5 days ago by the Department of Local Government that all of the financial ratios which are used to assess a local government's financial position, as given in its annual financial report which the Department had just assessed, were "well above the required benchmark")
- The Town will continue to oppose any amalgamation, unless it is clearly supported by the Town's residents and ratepayers, the overwhelming majority of whom have at this point, clearly indicated their opposition.
- The Town notes WALGA's previous opposition to forced amalgamations and calls upon WALGA to maintain that principled position.
- The Town would oppose any move by the State Government to remove the Act's existing poll provisions or carry out any other action designed to bring about a forced amalgamation which was contrary to the wishes of the East Fremantle community.



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**15.2 Cr Rico - Fremantle/East Fremantle Library Visit**

Cr Rico advised that she had received positive feedback from the elected members who had attended the Fremantle/East Fremantle Library on Monday 31 January where a comprehensive presentation by library staff had outlined the numerous services and facilities provided.

Cr Rico also advised that the photo display of long time resident John O'Byrne's life, which had been exhibited at the Pioneer's Lunch and subsequently the library, was now available for Council to display or store.

**Cr Rico – Cr Nardi**

**That a letter of thanks be forwarded to library staff for the informative and enjoyable evening extended to Council.**

CARRIED**15.3 Cr Collinson – SMRC**

Cr Collinson advised that as the new Council representative on the SMRC he would be attending his first meeting on 23 February 2012, however, briefly advised of the following current issues:

- Mr Tim Youé had been appointed relief CEO whilst Stuart McAll was on sick leave.
- The rebuilding of the new Materials Recovery Facility is expected to be completed by 31 July 2012
- Green waste continues to be processed off site. Although it was anticipated this would resolve complaints regarding the odour, these are still being received.
- City of Canning's intentions in relation to the access road to the SMRC.

Cr Collinson undertook to further advise elected members after his attendance at the 23 February meeting.

**16. REPORTS OF THE CHIEF EXECUTIVE OFFICER****16.1 Update from Chief Executive Officer on Various Items**Communications Strategy/Website Management

In mid January (following a delay caused by both of them being unavailable in the first weeks of the new year) I met with Shelley Kissing Doyle and Leigh Sinclair of Bluebottle and discussed the above issues.

Shelley and Leigh advise they require no more advice from Council with respect to an earlier communications audit and at this point I am awaiting a report from them on a proposed communication strategy.

With respect to the issue of the website/management, this matter could not be progressed too far, primarily due to the Acting Executive Manager Finance & Administration, who is responsible for the website, being on leave for almost all of January. One of the issues was uncertainties regarding any contractual issues (including intellectual property rights) with the current web designer/manager, Ethan, who is now located in New Zealand, should Ethan be replaced, however "his" website continued to be maintained and operated by others.

From discussions with Mr Bond and other staff it would appear that a number of previous issues with the website and its management have been resolved.

Other issues have nothing to do with Ethan but relate to Council's ISP provider, Westnet, who have not agreed to certain requested changes.

These matters are relevant to the issue of whether Council should be looking at maintaining, but improving its existing system, or effectively starting again from scratch and contracting someone to design and implement a new website.



To discuss the issue further a meeting with Bluebottle has been arranged for 8 February.

Bluebottle designed the City of Fremantle's website and they are still involved on a consultancy basis, for example, in regard to training staff, thus they have useful expertise in the matter.

Regardless of the outcomes of the meeting with Bluebottle, the CEO believes a workshop should, ultimately, be held with elected members to elicit suggestions on changes to the existing system. However it needs to be appreciated that with a council of East Fremantle's size and resources, not all suggested changes may be possible.

At the forthcoming meeting, the CEO will discuss the suggested elected member meeting with Bluebottle, with a view to Bluebottle facilitating the meeting.

#### Community Events

I also met with Cynthia Williamson in mid January, again after a delay due to Cynthia's unavailability to meet earlier.

Cynthia agreed to work on a proposal involving the Town holding of four community events, in addition to the East Fremantle Festival, over the next 12 months.

I have suggested this issue would benefit from a workshop with elected members to elicit ideas regarding events which could be considered.

Cynthia thought that a good idea.

At the time of writing I am waiting for a report from Cynthia.

#### Outdoor Gym No 2/Gazebos

At Council's December meeting, the "gazebo" site was, based on Ken Dyer's advice, tentatively identified as the next location, however the Council position was to wait until the gazebos are installed and also to consider any feedback from the newsletter's request for suggestions, before making a final decision.

At this point there has been no public feedback.

As previously advised, Ministerial approval for the Section 18 clearance has been obtained and subsequently the necessary permit for the gazebos from the Swan River Trust has also been obtained. A meeting with the contractor has also taken place and the gazebos should be installed in March.

#### Plympton Steps and Kitson Park

Elected members will recall that Annabel Wills, a recognised conservation architect and formerly an officer of the Heritage Council of WA, has been commissioned to prepare a Conservation Plan as the first stage of the restoration of the Plympton Steps and surrounding park.

Due to Annabel's unavailability in the school holidays it was not possible to meet in January, however we have arranged to meet on 8 February in order to commence the above process.

Annabel has flagged the Conservation Plan is likely to be a 20 week process.

#### Town Centre

The CEO has kept in contact with Russell Quinn who has met with the WAPC with respect to the road reservation issue.

A meeting of the State Planning Committee (a coordinating committee involving the WAPC, Department of Transport and Main Roads) is set for 28 February.



If the Committee finds in Russell Quinn's favour, Main Roads have no appeal rights. If they do not find in Russell Quinn's favour, Russell will have appeal rights to SAT.

East Fremantle Oval Precinct Master Plan

The first of two workshops was held on Thursday, 2 February, 2012.

It is hoped a decision can be made at this meeting on the date for the next workshop.

Dates under consideration are 29 February, 1 March, 19 March, 21 March or 22 March.

Residential Design Guidelines

The consultants presented a draft to the Town Planning Advisory Panel at their meeting held on 31 January 2012, where they were well received, and there will be a further presentation to the Town Planning & Building Committee (Private Domain) meeting to be held on 14 February.

Review of Town Planning Scheme

A draft will be presented to the Town Planning Advisory Panel at its meeting to be held on 28 February 2012.

Leeuwin Barracks

Elected members will recall I had been awaiting advice from South West Group CEO, Mick McCarthy, re the best person to approach in the Australian Defence Forces re a meeting on their land disposal processes. Advice in this regard is considered essential by the CEO, in terms of discussing the most appropriate planning approach for Council to adopt.

Although the CEO could have instigated contact, Mick McCarthy specifically asked he be allowed to make the initial contact, due to a broader agenda involving HMAS Stirling.

Mick McCarthy has advised today that whilst he has identified the appropriate person his various attempts to make contact with that person have not been successful.

I will now attempt to make contact myself.

The Old Post Office ("Manera Building")

At this stage the report from Main Roads which had been promised by the first week in February has still not been received.

Conservation Works Town Hall and Old Police Station

This is attached.

As previously advised the roof of the Old Police Station is planned to be replaced in February.

Ian Maitland has been engaged for advice on structural issues with respect to the Town Hall roof/ceilings and Phil Griffiths has also been engaged with respect to a range of heritage advice.

Staff Appointments

The CEO will make verbal comment on this.

Swan Yacht Club Lease

Still awaiting information from the Swan Yacht Club.

128A George Street

It had been hoped to have a report on this issue by the Acting Executive Manager Finance & Administration prepared for the February meeting however that has not been possible as not all of the necessary information has been received.



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## MINUTES

Advice from two property consultants has been received, advice from a third consultant is however still outstanding.

In addition the Valuer General's Office has raised an issue which the CEO will discuss at the meeting.

New Lighting Raceway Park

The CEO will make verbal comment and advice on what is planned.

Advice on the proposed new lighting will be tabled at the meeting.

Elected members raised various items, which the CEO responded to and the CEO made comment on other items.

**(i) East Fremantle Oval Precinct Master Plan**

A consensus of elected members indicated that all elected members present except Cr Lilleyman could attend a second workshop on 19 March 2012. The best alternative date was 29 February. It was agreed that whichever of the two dates best suited the Mayor, would be set for the second workshop for the East Fremantle Oval Precinct Master Plan.

**(ii) Staff Appointments**

The CEO advised that the following positions had been advertised:

- Senior Town Planner
- Executive Manager Finance Administration
- Administration Officer Development Services

with several potentially promising submissions for the two senior positions being received at the close of applications.

**(iii) 128/128A George Street**

The CEO advised, in relation to his report, that the issue which he was referring to was Council's position on the possibility of 128/128A George Street being subsequently demolished, should it be sold. The CEO advised that whilst the property was on Council's Heritage List due to its inclusion in the George Street Precinct, it was not included on the Municipal Inventory in its own right and it appeared it had never been the subject of a heritage report, which the CEO recommended should occur.

**Cr Martin – Cr Nardi**

**That:**

- a heritage report be commissioned for the property 128/128A George Street.
- the CEO provide a preliminary report to the next Council meeting on options for the use or sale of 128/128A George Street, including a time line for any process.

CARRIED

**(iv) New Lighting Raceway Park**

The CEO circulated a plan of the two light poles proposed for Raceway Park, which elected members endorsed.

**(v) Cr de Jong – Cr Olson**

**That the remainder of the CEO's report be received.**

CARRIED

**16.2 Change of date of Audit/Finance Committee meetings scheduled for 28 February 2012 to Wednesday 7 March.**

The CEO advised that as there was some confusion as to the date the Acting Executive Manager would be back from leave he would confirm dates with him and then come back to elected members.



7 February 2012

## MINUTES

- 16.3** **Matters Arising from Annual Electors Meeting 6 February 2012**  
The CEO tabled Minutes of the Annual Electors' Meeting of 6 February 2012 and advised that there were no matters arising. **ATTACHMENT**

- 16.4** **King Street Footpath: Consultation**  
**16.5** **Glasson Park Upgrade: Consultation**

Following earlier Council discussion on this matter in December and given Council has now resumed, the CEO sought advice on which elected members it had been envisaged would be in attendance to meet residents in Glasson Park to discuss the above projects, together with a suitable date.

Cr Martin stated that it had been intended only for the two Plympton Ward Councillors and the Mayor to be present. Cr Martin also advised that although she was available on Saturday or Sunday mornings, she considered Sunday morning was probably the best option, given parents often had children's sport based commitments on Saturdays.

It was resolved that Cr Lilleyman would confer with the Mayor to decide a convenient Sunday morning date and advise Council staff after that occurred.

- 16.6** **George Street Access & Parking Management Plan**

The CEO reported an issue involving access to the contributions received to date, which were being held in trust, had been resolved, administratively, this morning and no further report or decision of elected members would be required.

The issue had been an impediment to the Plan being commissioned however it could now proceed.

- 16.7** **Australia Day Award - Dr Shayne Silcox**

The CEO advised that Melville CEO, Shayne Silcox, had been awarded a Public Service Medal for outstanding public service, particularly to local government in Western Australia, in the recent Australia Day Awards. The CEO suggested it would be appropriate that a letter of congratulations be forwarded to Dr Silcox.

**Cr Wilson – Cr Olson**

**That a letter of congratulations be forwarded to City of Melville CEO, Dr Shayne Silcox, on his recent Australia Day award of the Public Service Medal. CARRIED**

**17. CONFIDENTIAL BUSINESS**

- 17.1** **Petra Street Pavement Rehabilitation Tenders**

**Cr de Jong – Cr Olson**

**That this matter be dealt with on a confidential basis, in accordance with Section 5.23(2)(c) of the Local Government Act. CARRIED**

The meeting was closed to the public at 8.15pm and members of the gallery vacated the room.

The CEO tabled the following report:

**Petra Street Pavement Rehabilitation Tenders**

*By Stuart Wearne, Chief Executive Officer, on 7 February 2012*

**REPORT**

The approval of elected members is required for the letting of a tender for the Petra Street Pavement Rehabilitation works.

Fulton Hogan have submitted the lowest price and are the recommended tenderer.

A copy of the Tender Evaluation, prepared by the Operations Manager, is attached.

**CONFIDENTIAL ATTACHMENT**



Fulton Hogan are a large firm who are experienced in this type of work. They earlier brought out Pioneer Concrete Services, whom the Town has previously engaged for both road and footpath works.

There is some urgency for Council approval to be obtained due to the planned timing of the commencement of these works in early April and the need to "lock in" the selected tenderer, Fulton Hogan Industries Pty Ltd, should elected members endorse this selection.

**RECOMMENDATION**

That the tender for the Petra Street pavement rehabilitation be awarded to Fulton Hogan Industries Pty Ltd at a cost of \$462,886.51 (GST exclusive).

**Cr Olson – Cr de Jong**

**That the tender for the Petra Street pavement rehabilitation be awarded to Fulton Hogan Industries Pty Ltd at a cost of \$462,886.51 (GST exclusive).**

CARRIED UNANIMOUSLY

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

Nil.

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

Nil.

**20. CLOSURE OF MEETING**

There being no further business, the meeting closed at 8.25pm

*I hereby certify that the Minutes of the meeting of the **Council** of the Town of East Fremantle, held on **7 February 2012**, Minute Book reference **1. to 20.** were confirmed at the meeting of the Council on*

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**Presiding Member**