

City of Fremantle

MINUTES

Ordinary Meeting of Council

Wednesday, 27 July 2005
6.00 pm

COUNCIL MEMBERS

Mayor Peter Tagliaferri
North Ward
South Ward
City Ward
Hilton Ward
Beaconsfield Ward
East Ward

Cr Doug Thompson
Cr Jon Strachan
Cr Les Lauder
Cr Bob Smith
Cr Shirley Mackay
Cr John Dowson (Deputy Mayor)

Cr Bob Williams
Cr Geoff Graham
Cr Steve Gorman
Cr Alice King
Cr John Alberti
Cr Brad Pettitt

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ATTACHMENTS TO ITEM C0507-8 - ADOPTION OF 2005/2006 ANNUAL
BUDGET **ERROR! BOOKMARK NOT DEFINED.**

CHANGES TO ITEM C0507-8 FOR THE COUNCIL MEETING OF 27.07.05.DOC**ERROR! BOOKMARK NOT DEFINED.**

2005/2006 RATES STATEMENT - CITY OF FREMANTLE**ERROR! BOOKMARK NOT DEFINED.**

CLOSURE OF MEETING

ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held in the Council Chambers, Fremantle City Council
on 27 July 2005 at 6.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

IN ATTENDANCE

Peter Tagliaferri	Mayor
Cr John Alberti	Beaconsfield Ward
Cr John Dowson	East Ward
Cr Steve Gorman	City Ward
Cr Alice King	Hilton Ward
Cr Les Lauder	City Ward
Cr Shirley Mackay	Beaconsfield Ward
Cr Brad Pettitt	East Ward
Cr Bob Smith	Hilton Ward
Cr Jon Strachan	South Ward
Cr Doug Thompson	North Ward (entered 6.01pm)
Cr Bob Williams	North Ward
Mr Graeme Mackenzie	Chief Executive Officer
Mr Glen Dougall	Director Corporate Services
Mr Ken Posney	Director Cultural and Community Services
Mr Alan Carmichael	Manager Finance and Administration
Mr Bob Caporn	Manager Environmental Control
Mrs Kylie Telfer	Corporate Development Officer
Mrs Jill Gaynor	Land Use Planner
Mrs Melody Foster	Minute Secretary

There were approximately 18 members of the public and 2 members of the press in attendance.

APOLOGIES

Nil

LEAVE OF ABSENCE

Cr G Graham

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Ms Cathy Hall of Daly Street South Fremantle asked the following questions at Ordinary Council Meeting held on 22 June 2005 and the Chief Executive Officer, Mr Graeme Mackenzie's responses are provided below.

Question

1. Can the CEO please supply an estimation of costing for the proposed 6 week business plan community consultation process?
 - a. Ratepayer proportion of burden of cost?
 - b. Pindan proportion of cost?
2. Can the CEO please supply ratepayer burden of costing of the Taylor Burrel Burnett feasibility study 2004?
3. Can the CEO please supply ratepayer burden of cost of the 2001 South Fremantle landfill site discussion paper?
4. Can the CEO please supply ratepayer burden of cost of protecting the ratepayers of South Fremantle from the effects of exposed contaminated waste on the South Fremantle landfill site in the years since the site waste formally closed as a tip? (e.g. inert fill material on top of the wastes and other methods other than signage).
5. Can the CEO advise the ratepayers of South Fremantle when proposed inert fill material will be placed on the exposed wastes on this former landfill site adjacent to the homes of many of these people?

Responses

1. Arrangements for the consultation requested by council for the current Pindan proposal have not been finalised, therefore how costs of any consultation might be shared is not known.
2. The Taylor Burrell Barnett study cost the City \$45,000.
3. No external costs were incurred in 2001 as the Discussion Paper was prepared by council staff.
4. This information is not readily available as the tip has completely ceased operations for over 20 years, and therefore an answer is not able to be provided.
5. The draft council budget includes \$150,000 to attend to matters associated with implementing the Management Plan for the site.

PUBLIC QUESTION TIME

Summary of comments by David Pringle from Pindan

Spoke in support of the Pindan proposal (related to item C0507-9 & 10) and made comments in relation to this proposal.

Cr D Thompson entered the meeting at 6.01 pm.

Summary of Question by Sylvia Lang

In the view of the Council at what point would the financial benefit from the seal and development of the tip sit, out way the possible risks to the health and wellbeing of the Citizens of Fremantle.

Summary of Response from Mayor, Peter Tagliaferri

Your question is a rhetorical question and I am sure the Councillors will take that on board when making their decisions and that will way in to part of the decision making process.

Summary of Question by Ian Scott

Spoke on item C0507-9 & 10 and asked if the Council can confirm wether the developer has gained approval from the joining land owners to run the train line over their land and if not, does this mean that the Councils report states that it will take 3 years by truck and cost 70 million dollars. If this is the case and Pindan are willing to put up 45 million dollars, who is putting up the other 25 million dollars. Mr Scott also urged the Councillors to vote for the Mayors proposal.

Summary of Response from CEO, Graeme Mackenzie

In a recent meeting Pindan did indicate that if they couldn't get the rail through there, there are other options to actually link up to the rail. So they won't be taking 3 years to dig it out if this proposal goes ahead. I understand that they are in discussions with the property owners but I am not sure wether they have approvals or not.

Summary of comments by Irene Conway

Spoke in support of item C0507-9

Summary of comments by Cathy Hall

Spoke in support of item C0507-9.

Summary of comments by Adele Carles

Spoke in support of item C0507-9.

Summary of comments by Caroline Beal

Spoke in support of item C0507-9.

Summary of comments by Don Sanders

Spoke in support of item C0507-10.

Summary of comments by Anna O'Sullivan

Spoke in relation to item C0507-9 & 10.

DISCLOSURES OF INTEREST BY MEMBERS

Nil

APPLICATIONS FOR LEAVE OF ABSENCE

C0507-11 APPLICATION FOR LEAVE OF ABSENCE - CR GEOFF GRAHAM

DataWorks Reference: 097/005
Disclosure of Interest: Nil
Author: Nellene Hill, Minute Secretary
Actioning Officer: Nellene Hill, Minute Secretary
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To approve Leave of Absence for Cr Geoff Graham for the period Wednesday 27 July 2005 to Sunday 31 July 2005 inclusive.

EXECUTIVE SUMMARY

To approve Leave of Absence for Cr Geoff Graham for the period Wednesday 27 July 2005 to Sunday 31 July 2005 inclusive.

BACKGROUND

Nil

COMMENT

Nil

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE AND LEGAL CONSIDERATIONS

Section 2.25 of the Local Government Act 1995 refers.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION

That Council approve Leave of Absence for Cr Geoff Graham for the period Wednesday 27 July 2005 to Sunday 31 July 2005 inclusive.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr L Lauder

For	Against
Cr John Alberti Cr John Dowson Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Bob Williams	Mayor, Peter Tagliaferri Cr Steve Gorman Cr Doug Thompson

CARRIED: 9/3

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

PETITIONS / DEPUTATIONS / PRESENTATIONS

Cr B Williams attended the Junior Recruits 45 Anniversary at the Leeuwin and received a plaque on behalf of the City of Fremantle and presented it to the Mayor, Peter Tagliaferri.

Cr Doug Thompson spoke on the Waste & Recycle 2005 Conference that is coming up on the 25 & 26 August 2005, information of this conference will be sent to Councillors.

CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council dated 22 June 2005 be confirmed as a true and accurate record.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

ANNOUNCEMENTS BY THE MAYOR

Nil

QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS

Cr J Dowson spoke in relation to the Heritage and Special Places Committee meeting held on the 26 July 2005. They were presented with the plans for the reconstruction of the Port on the Fremantle Town Hall, which was a project that Council commissioned a year ago with a \$10,000 budget to re-draw the plans for the Port that was taken down many years ago and it is on the list of Council projects to be done over the next couple of years. It is to be situated where the plinth for the statue of John Curtin happens to be

standing at the moment and Cr J Dowson wanted to bring this to the attention of the Mayor and Councillors.

Cr L Lauder wanted to bring the attention to the importance of the media release that the Mayor made about the extension of trading hours for the hotels and night clubs as part of the State Governments promotion of the liquor industry. Spoke in relation to the breakfast that a number of members attended at the Esplanade Hotel where Minister McGowan was openly promoting the liquor licensing hours. Asked the Council what actions will the Council take to oppose these changes, how do we involve the community in opposing this, how do we raise the awareness and what can the community do.

Summary of the Mayor, Peter Tagliaferri response to Cr Les Lauder comments:

Regarding the Minister I did raise the issue with the Minister at that breakfast and at our meeting after the breakfast. I understand the city is going to put a submission to Jim Fremantle but the Minister has given me the undertaking that the author of that document who happens to be Jim Fremantle and he will be coming down to Fremantle to give Council a briefing. Then the city will put a submission to that committee and to that document and we encourage all community groups to get active.

Cr S Gorman spoke of comments made at the Strategic and General Services Committee meeting held on the 13 July 2005. I made some comments on the item regarding the dog exercise beach in South Fremantle, I linked comments made by Jack Turnball and Caroline Beal and they resulted in an in averment inference that Caroline was displaying selfish attitude towards the dog beach. I wish to apologies for that in averment inference, no inference was intended and I would like her to accept my apology for any embarrassment felt.

TABLED DOCUMENTS

1. Additional Documents
2. Attachment to Item C0507-8 - Adoption of 2005/2006 Annual Budget.
3. Changes to item: C0507-8 - Adoption of 2005/2006 Annual Budget.
4. 2005/2006 Rates Statement.

LATE ITEMS NOTED

Nil

REPORTS BY THE MAYOR OR OFFICERS OF COUNCIL**STATUTORY COUNCIL ITEMS**

Mayor, Peter Tagliaferri moved en bloc recommendations numbered C0507-1, C0507-2, C0507-3, C0507-4, C0507-5, C0507-6, C0507-7 and C0507-8.

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

C0507-1 ABBREVIATED STATEMENTS OF FINANCIAL POSITION AS AT 30 JUNE 2005

DataWorks Reference: 087/002
Disclosure of Interest: Nil
Author: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: Abbreviated Statements of Financial Position for the month ending 30 June 2005
 Staff Statistics June 2005

PURPOSE

Present a summary of financial information for the month ending 30 June 2005.

EXECUTIVE SUMMARY

The abbreviated statements of financial position and the Staff Statistics for the month of June 2005 are contained within the attachments and the item is to receive the statements.

BACKGROUND

Nil.

COMMENT

Nil

CONCLUSION

Nil.

STRATEGIC AND POLICY IMPLICATIONS

Efficient and Effective Local Government:

- Our financial planning and performance are transparent to the community.
- All statutory and legal requirements are met.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil.

Environmental

Nil.

Social

Nil.

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Information provided in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Decision Required.

COUNCIL DECISION

That the Abbreviated Statements of Financial Position and Staff Statistics for the period ending 30 June 2005 be received.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number C0507-2 was moved and carried en bloc earlier in the meeting.

C0507-2 CONFIRMATION OF ACCOUNTS FOR PAYMENT JUNE 2005

DataWorks Reference: 087/002
Disclosure of Interest: Nil
Author: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: Summary of Schedule of Accounts June 2005
Municipal Fund/Trust Fund/Investment Trust Cheque Listing June 2005
Advance Account Cheque Listing June 2005

PURPOSE

Present the listing of payments made during June 2005.

EXECUTIVE SUMMARY

The list of payments made during the month is contained within the attachments and the item is to receive the information.

BACKGROUND

Nil.

COMMENT

Where a creditor is GST registered, the value of the payment is inclusive of GST. Note: The Council budget figures are exclusive of GST and figures quoted in Council items are taken as GST exclusive unless otherwise stated.

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

Efficient and Effective Local Government:

- Our financial planning and performance are transparent to the community.
- All statutory and legal requirements are met.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil.

Environmental

Nil.

Social

Nil.

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Information provided in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required.

COUNCIL DECISION

That the listing of payments of accounts for the month of 30 June 2005 amounting to \$5,315,548.48 be received.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number C0507-3 was moved and carried en bloc earlier in the meeting.

C0507-3 SUNDRY DEBTORS REPORT JUNE 2005

DataWorks Reference: 085/003
Disclosure of Interest: Nil
Author: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: Rates Outstanding as at 30 June 2005
 Summary of Properties Sundry Debtors as at 30 June
 2005
 Summary of Sundry Debtors as at 30 June 2005

PURPOSE

Present a monthly report on outstanding sundry debtors as requested by Council.

EXECUTIVE SUMMARY

The attached reports summarise the outstanding sundry debtors and the item is to receive the information.

BACKGROUND

Nil.

COMMENT

Nil.

CONCLUSION

Nil.

STRATEGIC AND POLICY IMPLICATIONS

The item has a general connection to the City Plan.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil.

Environmental

Nil.

Social

Nil.

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION

That the report on outstanding sundry debtors for June 2005 be received.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number C0507-4 was moved and carried en bloc earlier in the meeting.

C0507-4 INVESTMENT REPORT - JUNE 2005

DataWorks Reference: 089/004
Disclosure of Interest: Nil.
Author: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: Investment Report – June 2005

PURPOSE

Present a monthly report on investments as required by Council.

EXECUTIVE SUMMARY

The attached report summaries the investments and earnings from those investments. The item is to receive the information.

BACKGROUND

Nil.

COMMENT

Nil.

CONCLUSION

Nil.

STRATEGIC AND POLICY IMPLICATIONS

The item has a general connect to the City Plan.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil.

Environmental

Nil.

Social

Nil.

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Guidelines on Delegated Authority Item 3.2 (Investment of Surplus Cash Funds) require a monthly report to be submitted to Council.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COUNCIL DECISION

That the investment report for June 2005 be received.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number C0507-5 was moved and carried en bloc earlier in the meeting.

**C0507-5 APPLICATIONS FOR CROSSOVERS BY THE CITY OF FREMANTLE
FOR JUNE 2005**

DataWorks Reference: 158/001
Disclosure of Interest: Nil.
Author: Cindy Elder, Technical Assistant
Actioning Officer: Cindy Elder, Technical Assistant
Decision Making Authority: Council
Agenda Attachments: Nil.

PURPOSE

Report on the number of crossovers approved by the Manager Physical Services (under delegated authority) to be constructed by the City of Fremantle for the month of June 2005.

EXECUTIVE SUMMARY

Council has requested that details of crossover construction be reported on a monthly basis. For the month of June 2005 - 3 crossovers constructed.

BACKGROUND

Nil.

COMMENT

Nil.

CONCLUSION

Nil.

STRATEGIC AND POLICY IMPLICATIONS

Strategy 3 - a beautiful and accessible place, item 5 Facilities and Infrastructure.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil.

Environmental

Nil.

Social

Nil.

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Information only, no decision required.

COUNCIL DECISION

That the report on the number of crossovers constructed during the month of June 2005 be received.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number C0507-6 was moved and carried en bloc earlier in the meeting.

C0507-6 MINUTES OF FREMANTLE SPORTS RECREATION AND YOUTH ADVISORY COMMITTEE

DataWorks Reference: 039/005
Disclosure of Interest: Nil
Author: June Moorhouse, Manager Culture & Recreation
Actioning Officer: June Moorhouse, Manager Culture & Recreation
Decision Making Authority: Council
Agenda Attachments: Minutes of the Fremantle Sports Recreation & Youth Advisory Committee Meeting - 27 April 2005
Minutes of the Fremantle Sports Recreation & Youth Advisory Committee Meeting - 30 May 2005

PURPOSE

To note the Minutes of the Fremantle Sports Recreation & Youth Advisory Committee Meetings held on 27 April 2005 and 30 May 2005.

EXECUTIVE SUMMARY

Nil

BACKGROUND

Nil

COMMENT

Nil

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Information only no decision required

COUNCIL DECISION

That the Minutes of the Fremantle Sports Recreation & Youth Advisory Committee Meetings held on 27 April 2005 and 30 May 2005 be noted.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

The following item number C0507-7 was moved and carried en bloc earlier in the meeting.

C0507-7 MINUTES OF THE ARTS, CULTURE AND EVENTS ADVISORY COMMITTEE

DataWorks Reference: 039/002
Disclosure of Interest: Nil
Author: June Moorhouse, Manager Culture & Recreation
Actioning Officer: June Moorhouse, Manager Culture & Recreation
Decision Making Authority: Council
Agenda Attachments: Minutes of the Arts Culture & Events Advisory Committee held on 25 May 2004
Attachment to the Minutes of the Arts Culture & Events Advisory Committee held on 25 May 2004
Minutes of the Arts Culture & Events Advisory Committee held on 29 June 2004
Minutes of the Arts Culture & Events Advisory Committee held on 3 August 2004
Minutes of the Arts Culture & Events Advisory Committee held on 14 September 2004
Minutes of the Arts Culture & Events Advisory Committee held on 9 November 2004
Minutes of the Arts Culture & Events Advisory Committee held on 1 February 2005
Minutes of the Arts Culture & Events Advisory Committee held on 14 June 2005

PURPOSE

To note the Minutes of the Arts Culture & Events Advisory Committee Meetings held on 25 May 2004; 29 June 2004; 3 August 2004; 14 September 2004; 9 November 2004; 1 February 2005; 14 June 2005

EXECUTIVE SUMMARY

Nil

BACKGROUND

Nil

COMMENT

Nil

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Information only no decision required

COUNCIL DECISION

That the Minutes of the Arts Culture & Events Advisory Committee Meetings held on 25 May 2004 ; 29 June 2004; 3 August 2004; 14 September 2004; 9 November 2004; 1 February 2005; 14 June 2005 be noted.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number C0507-8 was moved and carried en bloc earlier in the meeting.

C0507-8 ADOPTION OF 2005/2006 ANNUAL BUDGET (ABSOLUTE MAJORITY)

DataWorks Reference: 091/009
Disclosure of Interest:
Author: Glen Dougall, Director Corporate Services
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council
Agenda Attachments: 2005/2006 Statutory Budget (under separate cover)
 Fees and Charges 2005/2006 proposed changes list

PURPOSE

To adopt the 2005/2006 Statutory Budget.

EXECUTIVE SUMMARY

The budget presented to Council is similar to the previous couple of years in that it presents the sources and applications of funds in recurrent and non-recurrent formats. It is the culmination of three workshops with elected members and provides an average rate increase of 2.8 percent.

BACKGROUND

Section 6.2 of the Local Government Act 1995 requires local governments to prepare an annual budget not later than 31st August in each financial year. Each local government is to prepare and adopt the budget in the form and manner prescribed and by absolute majority.

The budget is to detail estimates for the current year of;

1. The expenditure by the local government,
2. The revenue and income, independent of general rates, and
3. The amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue.

The budget is to incorporate;

1. Particulars of the estimated expenditure to be incurred by the local government,
2. Detailed information relating to the rate and service charges which will apply to land within the district, including the estimated amount to be yielded by the rate and the rate of interest to be charged by the local government on unpaid rates and service charges,
3. The fees and charges proposed to be imposed,
4. The particulars of borrowings and other financial accommodation proposed,
5. Details of the amounts to be set aside in, or used from, reserve accounts and the purpose for which they are to be used,
6. Particulars of proposed land transactions and major trading undertakings, and

7. Such other matters as prescribed.

In previous years local governments were to consider the contents of the plan of principal activities, however earlier this year the requirement to prepare a plan of principal activities was removed and replaced with a need to provide a plan for the future. In accordance with previous years this budget has been collated with a five year budget for non-recurrent expenditure.

COMMENT

The proposed budget presented with this item is based on a general rate increase of 2.8%. This year has seen a general revaluation of gross rental values and is the final year of the phasing out of differential rates. Both of these issues together will result in rates changes varying across the district from the 2.8% average.

Three workshops have been held with elected members to assist in finalising the budget presented for consideration. The budget includes recurrent costs of approximately \$42 million. A further \$12.7 million has been added in non-recurrent costs to provide a total budget expenditure of approximately \$54.7 million.

Non-recurrent Expenditure

Of the total non-recurrent expenditure the sources of funds are as follows;

Description	Amount	Cumulative Total
Grants	\$1,271,267	\$1,271,267
Carry-forwards	\$1,529,664	\$2,800,931
Reserves	\$733,180	\$3,534,111
Contributions	\$487,208	\$4,021,319
Loans	\$2,213,250	\$6,234,569
General revenue	\$6,438,807	\$12,673,376

Reserve Transfers

Reserve funds at the commencement of 1 July 2005 are estimated to be \$1,857,807, excluding the investment reserve. It is estimated that \$938,515 will be transferred to the municipal account from reserve during the year and \$715,500 will be transferred from the municipal account to reserves during the year.

New Loans

Loans will be raised for the following projects;

Description	Amount
Footpath Replacements	\$200,000
Right of Way Upgrades	\$400,000
Rule St Tunnel Stabilisation	\$300,000
City Centre Blueprint Projects	\$789,000
Light Vehicle Purchases	\$524,250
TOTAL	\$2,213,250

Employee Costs

Total employee costs, including superannuation is approximately \$24.2 million. There are 3 new staff proposed with this budget being for a Recreation Officer, Marketing Officer, and Planning Officer. An amount of \$40,000 is also included for Health Services for a Foodsafe inspections/compliance project which will result in an officer being employed for a fixed term.

Rates and Information

Objects and Reasons for Differential Rates

In 1987, the Council introduced a differential between the residential, commercial and industrial sectors to reduce the burden of high rates on residential areas caused by revaluation during the America's Cup era. This was achieved by moving a minor percentage of rates from the residential sector to commercial and industrial.

Subsequent variations were as follows: -

- 1987/88. Industrial was increased by 20% due to slight GRV movement in the revaluation that year
- 1989/90. Council changed the relativities in the differential significantly due to a report received on the additional cost of rubbish removal in the CBD and additional cost of cleaning the CBD which Council resolved be borne by this sector (i.e., industrial & commercial)
- 1990/91. Slight increase in the relativity in relation to commercial to allow upgrading of street lighting in High Street Fremantle

In 2002/2003 Council resolved to phase out differential rates over a 5 year period.

In 2003/2004 the commercial and industrial rates were merged into one differential rate called "other".

The 2005/2006 year is the 4th year in the 5 year phasing out of the differential rate, and should see the non-residential ratepayers actually receive a lesser rate increase than the average as a result of the phasing out. Residential ratepayers will pay about 4.25% more this year than last year. The overall rate revenue increase to the council is 2.8% which is in line with the estimated Consumer Price Index (CPI) for the year.

Advertising of Differential Rates

Notice of intention to impose differential rates for the 2005/2006 financial year was published in the Fremantle Herald edition of Saturday 2 July 2005 and notices were also displayed on public notice boards. No submissions have been received to date with the

closing period for comments being 25 July, 2005. Any comments received up until this date will be presented to the Council meeting for consideration.

The advertised rate in the dollar charges are as follows;

Differential Rate Category	Minimum Rate	Rate in the Dollar
Residential	\$604.00	7.811 cents
Other	\$622.00	8.245 cents

Minimum Payments

A minimum rate for each differential category was set along with the differential rate in 1987 and has increased according to the percentage rate increase each year. The imposition of a minimum rate is in recognition that every property receives some minimum level of benefit from the services provided by Council and as such Council has adopted an appropriate minimum rate to take that into consideration.

Specified Area Rates

- In 2004/5 council introduced a new safety and security service for the CBD, which is to be funded by a specified area rate. That rate in the \$ is to be set at 0.002148 in order to raise \$100,000, being the amount estimated to fund the service.

Late Payment Interest

Interest on late rate payments will be charged at 11.0% calculated on a daily basis. This is estimated to yield \$50,000 in the financial year.

Instalment Options

Instalment Options for Payment of Rates

(a) Due dates of instalments will be as follows: -

- 1st Instalment 7th September 2005
- 2nd Instalment 9th November 2005
- 3rd Instalment 8th February 2006
- 4th Instalment 10th May 2006

(b) Interest will be charged on the deferred amount of the rates at 5.5% per annum and calculated on a daily basis. This is estimated to yield \$111,000 in the financial year.

(c) An administration fee of \$21 per assessment will be charged to all ratepayers electing to pay by instalments. The administration fee will be recovered over the four instalments and is in addition to the interest charge in (b) above. The administration fee is estimated to yield \$72,765 in the financial year.

Fees and Charges

A list of fees and charges for the financial year are included with the budget document. A separate list has been issued with the agenda providing two columns. The first column presents the current fee charged and the second column indicates if the fee is proposed for change. If a fee is to be deleted then the second column will show the word "delete". If a fee is to be introduced for the first time then the first column will show the word "new". An example of the new fees is the introduction of charges for Reconsideration of a development application or the introduction of per participant fees for junior cricket.

CONCLUSION

The budget has been produced with a surplus of \$150,000. As per discussions at the third elected members workshop held on Monday 18th July, 2005 the following items contained in the budget document have been quarantined and require a report to be presented to Council for approval before commencement ;

1. Rule Street Tunnel Stabilisation,
2. City Blueprint Projects,
3. Risk Assessment of Limestone Cliffs,
4. Wilson Park Fencing,
5. Film Friendly Fremantle, and
6. Freo Star.

STRATEGIC AND POLICY IMPLICATIONS

The budget provides a balance of services and improvement projects in accordance with the City Plan. It demonstrates the allocation of limited resources in an efficient and effective manner to provide the outcomes expected by the community and considers the allocations under a five year budget.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

The budget provides well maintained and developed infrastructure and services to support economic growth in the district.

Environmental

The budget strives to ensure sustainable use of natural and other resources and ensures an awareness of the value of the environment.

Social

The budget provides a balance of projects and services to ensure a good quality of life for our community.

BUDGET IMPLICATIONS

The proposed budget is presented to provide a surplus of \$150,000 at the end of the financial year. The rates increase provides the minimum requirement from the community to fund all of the services provided within the document.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Section 6.2 of the Local Government Act 1995 requires all local governments to adopt an annual budget by 31st August each financial year. Each local government is to prepare and adopt the budget in the form and manner prescribed and by **absolute majority**.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. In accordance with sections 6.36 and 6.37 of the Local Government Act 1995 the following differential rates be imposed in the 2005/2006 statutory budget :

Differential Rate Category	Minimum Rate	Rate in the Dollar
Residential	\$604.00	7.811 cents
Other	\$622.00	8.245 cents
Specified Area Rate – Security		0.2148 cents

2. In accordance with section 6.47 of the Local Government Act 1995 Council grants concessions to the properties identified and as prescribed in note 4 of the 2005/2006 statutory budget attached.
3. In accordance with section 6.16 of the Local Government Act 1995 Council adopts the fees and charges provided within the 2005/2006 statutory budget attached.
4. The due dates for rate instalment payments for the 2005/2006 statutory budget be :

1st Instalment	7 th September 2005
2nd Instalment	9 th November 2005
3rd Instalment	8 th February 2006
4th Instalment	10 th May 2006
5. An administration charge of \$21.00 per assessment and an interest charge of 5.5% per annum be applied to instalment payments.
6. Penalty interest of 11% per annum be applied to overdue rates in the 2005/2006 statutory budget.
7. The fees, expenses and annual allowances paid to members of Council in the 2005/2006 statutory budget be as follows :

Mayor Annual Sitting Fee	\$14,000
Mayor Allowance	\$60,000
Deputy Mayor Allowance	\$15,000
Councillor Annual Sitting Fee (per councillor)	\$6,000
Reimbursement of Expenses (Total)	\$53,500

8. The 2005/2006 Statutory Budget, as attached, be adopted.

SUPPLEMENTARY INFORMATION (TABLED AT THE MEETING)

The following information was tabled at the meeting for consideration:

Non-recurrent Expenditure

The information for this tabled was modified to reflect final allocations with total non-recurrent reduced to \$12.3 million and total budget expenditure reduced to \$54.3 million.

Description	Amount	Cumulative Total
Grants	\$1,331,350	\$1,331,350
Carry-forwards	\$1,520,064	\$2,851,414
Reserves	\$811,180	\$3,662,594
Contributions	\$323,300	\$3,985,894
Loans	\$2,213,250	\$6,199,144
General revenue	\$6,145,065	\$12,344,209

Reserve Transfers

Reserve funds at the commencement of 1 July 2005 are estimated to be \$1,857,807, excluding the investment reserve. It is estimated that \$938,515 will be transferred from the municipal account to reserve during the year and \$715,500 will be transferred to the municipal account from reserves during the year.

New Loans

The new loans table has been modified to include the self supporting loan for Silver Chain. (Note: The loan for Silver Chain was not listed above as it is not included in the non-recurrent budget).

Description	Amount
Footpath Replacements	\$200,000
Right of Way Upgrades	\$400,000
Rule St Tunnel Stabilisation	\$300,000
City Centre Blueprint Projects	\$789,000
Light Vehicle Purchases	\$524,250
Silver Chain (Principal Self Supporting)	\$2,200,000
TOTAL	\$4,413,250

Advertising of Different Rates

Notice of intention to impose differential rates for the 2005/2006 financial year was published in the Fremantle Herald edition of Saturday 2 July 2005 and notices were also displayed on public notice boards.

No submissions had been received in relation to the advertised differential rates at the close of the advertising period.

The advertised rate in the dollar charges are as follows;

Differential Rate Category	Minimum Rate	Rate in the Dollar
Residential	\$604.00	7.811 cents
Other	\$622.00	8.028 cents

Due to the ongoing receipt of valuations from the Valuer Generals Office due to the revaluation of the district the required differential rate for other needs to be lowered to 0.1915 cents and the specified area rate for security also needs to be lowered, to achieve the total income required, from the rate in the dollar that was advertised.

Instalment Options

Rate instalment dates have been modified slightly as a result of program changes required prior to the notices being sent out. The new dates are as follows:

Instalment Options for Payment of Rates

(a) Due dates of instalments will be as follows: -

1st Instalment	22 nd September 2005
2nd Instalment	23 rd November 2005
3rd Instalment	22 nd February 2006
4th Instalment	10 th May 2006

- (b) Interest will be charged on the deferred amount of the rates at 5.5% per annum and calculated on a daily basis. This is estimated to yield \$111,000 in the financial year.
- (c) An administration fee of \$21 per assessment will be charged to all ratepayers electing to pay by instalments. The administration fee will be recovered over the four instalments and is in addition to the interest charge in (b) above. The administration fee is estimated to yield \$72,765 in the financial year.

Sitting Fees

Councillor Annual sitting fee needs to be increase by \$1000 to the new maximum amount provided under the Act. The amount listed in the item is last year's amount. Reimbursement of expenses has also increased slightly.

COUNCIL DECISION

1. In accordance with sections 6.36 and 6.37 of the Local Government Act 1995 the following differential rates be imposed in the 2005/2006 statutory budget :

Differential Rate Category	Minimum Rate	Rate in the Dollar
Residential	\$604.00	7.8110 cents
Other	\$622.00	8.0280 cents
Specified Area Rate – Security		0.1915 cents

2. In accordance with section 6.47 of the Local Government Act 1995 Council grants concessions to the properties identified and as prescribed in note 4 of the 2005/2006 statutory budget attached.
3. In accordance with section 6.16 of the Local Government Act 1995 Council adopts the fees and charges provided within the 2005/2006 statutory budget attached.
4. The due dates for rate instalment payments for the 2005/2006 statutory budget be :

1st Instalment	22 nd September 2005
2nd Instalment	23 rd November 2005
3rd Instalment	22 nd February 2006
4th Instalment	10 th May 2006

5. An administration charge of \$21.00 per assessment and an interest charge of 5.5% per annum be applied to instalment payments.
6. Penalty interest of 11% per annum be applied to overdue rates in the 2005/2006 statutory budget.
7. The fees, expenses and annual allowances paid to members of Council in the 2005/2006 statutory budget be as follows :

Mayor Annual Sitting Fee	\$14,000
Mayor Allowance	\$60,000
Deputy Mayor Allowance	\$15,000
Councillor Annual Sitting Fee (per councillor)	\$ 7,000
Reimbursement of Expenses (Total)	\$56,000

8. The 2005/2006 Statutory Budget, as attached, be adopted.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

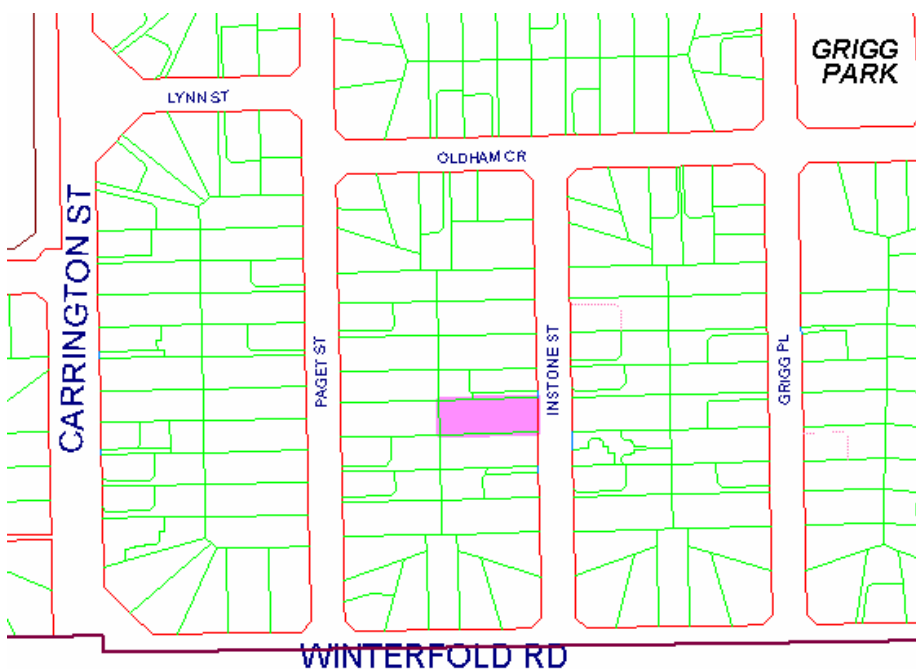
COMMITTEE REPORTS**PLANNING SERVICES COMMITTEE 6 JULY 2005**

Cr Shirley Mackay made changes to page 5 of the Planning Services Committee Minutes of the 6 July 2005. It currently reads that Cr Jon Strachan requested that the item be referred to Council, seconded by Cr Shirley Mackay. This should read Cr Bob Williams requested that the item be referred to Council, seconded Cr Shirley Mackay.

PSC0507-31 INSTONE STREET NO 13 (LOT 1532) HILTON - DEMOLITION OF DWELLING - (BB DA262/05) (DELEGATED APPROVAL)

DataWorks Reference: 059/002, 13 Instone Street
Disclosure of Interest: Nil
Author: Ben Bassett, Planning Officer
Decision Making Authority: Planning Services Committee
PSC Agenda Attachments: Photos and Demolition Plan dated 27 April 2005
 Health Department Correspondence to applicant

Date Received: 27 April 2005
Use Proposed: Vacant Land
Owner Name: John Christopher Costa
Submitted by: John Christopher Costa
M.R.S.: Urban
T.P.S No. 3: Residence R20
Heritage Listing: Nil
Existing Landuse: Residential
Use Permissibility: P
Lot Area: 1163m²



EXECUTIVE SUMMARY

The City has received an application for the demolition of a single storey dwelling at 13 Instone Street, Hilton. The City's Health Department forwarded correspondence in February 2005 to the applicant regarding concerns with squatters, vandalism, asbestos and fire hazard. A replacement dwelling is not proposed at this stage as the current land owner has advised that he is not in a financial position to construct a replacement dwelling.

The dwelling may potentially be a considerable risk to people's safety and to adjoining properties. The demolition of the dwelling would render redundant the issues that exist whilst the dwelling remains on the subject site. In light of these unique circumstances, approval is recommended.

BACKGROUND

27 April 2005 the City received an application for the demolition of a single storey dwelling at 13 Instone Street, Hilton.

The City's Health Department Officer Dan Bolton sent the applicant a letter in February 2005 stating that a complaint had been received by the City regarding the property. The letter stated that:

"The complaint is concerned that there are squatters living in the property and also that it could be a fire hazard.

I have inspected the property on February 1, 2005 and found that the property has not been properly secured and therefore could be inhabited by itinerants. A number of asbestos walls have also been damaged and the smashed asbestos debris must be cleaned up as soon as possible as it poses a health risk.

The yard area is also some what overgrown and requires slashing to reduce fire risk."

The applicant has provided justification for the demolition, which states:

"This was a rental property and after the last tenant left I was planning to renovate the property, but was unable to find anyone interested in taking on the job. In the meantime the property has been subject to extensive vandalism and squatting with associated complaints from neighbours.

The property is now far beyond economic repair and is in a dangerous state, especially with asbestos panels being kicked in by the vandals and broken glass lying around. It is also potentially a fire risk due to the squatters.

Accordingly I wish to apply for a demolition licence. At present I am financially unable to develop the block so I have not supplied any building plans.

I appreciate the leafy character of Hilton and will ask the demolition contractors to leave as many trees standing as possible."

15 June 2005 Planning Services Committee resolved the following;

That the Planning Services Committee, acting under authority delegated by the Council;

1. DEFER the application to the next Planning Services Committee meeting to allow further assessment regarding the condition of the current building and likely demolition under the Health Act and to clarify the owner's responsibility.

2. The applicant is reminded that the building is required to be secured in the interim.

EXTERNAL SUBMISSIONS

Neighbour Notification: Yes, No objections were received during the advertising period.

REFERRALS - INTERNAL COMMENTS

Internal departments commented as appropriate on the detailed design aspects with their requirements being contained in conditions and advice notes.

Additional Environmental Health Comments

The Environmental Health Officer (Dan Bolton) has had another look at this dwelling and his view has not changed that much since his visit on 1 February 2005 (refer to Attachment 1), with the following additional comments provided.

"There still remains some broken asbestos sheeting on the rear lean-to of the dwelling which poses a risk to anyone entering that area. The dwelling also has an aged asbestos roof that is somewhat friable and should be removed. Any remaining walls to the dwelling are also asbestos.

Whilst the dwelling poses as hazard in it's current state it is still possible to repair the damage and make the dwelling habitable again. In order to do this the dwelling would have to be completely re clad with the wall and roofing material removed by a licensed asbestos removal contractor in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001. A fully functional kitchen would have to be installed together with a laundry both of which currently do not exist.

It is considered that any delays in action in relation to the property may jeopardise neighbours health as it is inevitable that further vandalism and entry by young inquisitive children whilst undesirable is inevitable. A speedy resolution to this matter is required."

HERITAGE ADVICE

The City's Heritage Officer has advised that the dwelling appears to be an original, and that the proposal to demolish the dwelling with no replacement plans is contrary to Council's policy. A development application should be lodged and approved prior to granting the demolition of the dwelling in accordance with council policy should be required. However, the applicant can still pursue the demolition, with any subsequent report reflecting the non compliance with Council policy.

OFFICER COMMENTS

As outlined above the City has forwarded the applicant correspondence regarding the requirement to properly secure the property and deal with the asbestos and fire hazards that currently exist with the dwelling in its current state of disrepair.

The applicant has advised that he is currently not in a financial position to undertake the construction of a replacement dwelling, however would like to demolish the dwelling to ameliorate the current issues of squatters, vandalism, asbestos and fire hazard.

The dwelling poses a considerable risk to people's safety and to adjoining properties. The demolition of the dwelling would render redundant the issues that exist whilst the dwelling remains on the subject site.

CONCLUSION

The application for demolition is supported on the basis that the vacant dwelling is not listed on the City's MHI, and it is located in an area where there is a variety of architectural styles. The property is currently subject to vandalism, squatters and poses health risk related to asbestos and fire risk to adjoining properties.

The proposal has been assessed on its merits and the unique circumstances, approval is recommended.

OFFICER'S RECOMMENDATION

That the Planning Services Committee, acting under authority delegated by the Council, GRANT planning consent under the Metropolitan Regional Scheme and Town Planning Scheme No. 3 for Demolition Of Dwelling at No. 13 (Lot 1532) Instone Street, Hilton, as detailed on plans dated 27 April 2005, subject to the following condition(s):

1. All street trees located in verge areas adjoining the site are to be retained and protected during the construction process to the satisfaction of the Director Urban Management.
2. No street tree shall be removed without the prior written consent of the City of Fremantle.
3. All vegetation identified on the approved plans for retention are to be retained and protected during the construction process to the satisfaction of the City of Fremantle.
4. All vegetation identified on the approved plan for retention are to be retained unless its removal is approved in writing by the City of Fremantle.
5. The existing infrastructure located within the road reserve is to be protected during the construction process period with any damage to the infrastructure being repaired to the satisfaction of the City of Fremantle.

Advisory note(s):

- (i) This approval does not authorise the demolition of the existing buildings on site. A demolition licence must be obtained from the City prior to the removal/demolition of the existing buildings.
- (ii) Any existing on-site effluent disposal system must be decommissioned in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. A pump-out receipt from a licensed liquid waste contractor must be provided to the City as proof of decommissioning.
- (iii) Any building work involving the removal or alterations to asbestos products should be carried out with extreme caution. The disposal of asbestos products shall be in

accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001.

MOVED: Cr L Lauder

For	Against
Cr Shirley Mackay Cr Bob Williams	Cr Jon Strachan Cr John Dowson Cr Alice King Cr Les Lauder

LOST: 2/5

Cr J Strachan requested the item be referred to the Ordinary Meeting of Council. Seconded by Cr S Mackay.

COMMITTEE RECOMMENDATION

That the item be referred to the next Ordinary Meeting of Council to be held on Wednesday the 27 July, 2005.

MOVED: Cr L Lauder

For	Against
Cr John Dowson Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Jon Strachan Cr Bob Williams	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The demolition of the residence is contrary to Council policy. It was requested that a follow up letter be sent to the owner.

Cr L Lauder moved the Officer's Recommendation

COUNCIL DECISION

That the Planning Services Committee, acting under authority delegated by the Council, GRANT planning consent under the Metropolitan Regional Scheme and Town Planning Scheme No. 3 for Demolition Of Dwelling at No. 13 (Lot 1532) Instone Street, Hilton, as detailed on plans dated 27 April 2005, subject to the following condition(s):

1. All street trees located in verge areas adjoining the site are to be retained and protected during the construction process to the satisfaction of the Director Urban Management.
2. No street tree shall be removed without the prior written consent of the City of Fremantle.
3. All vegetation identified on the approved plans for retention are to be retained and protected during the construction process to the satisfaction of the City of Fremantle.
4. All vegetation identified on the approved plan for retention are to be retained unless its removal is approved in writing by the City of Fremantle.
5. The existing infrastructure located within the road reserve is to be protected during the construction process period with any damage to the infrastructure being repaired to the satisfaction of the City of Fremantle.

Advisory note(s):

- (i) This approval does not authorise the demolition of the existing buildings on site. A demolition licence must be obtained from the City prior to the removal/demolition of the existing buildings.
- (ii) Any existing on-site effluent disposal system must be decommissioned in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. A pump-out receipt from a licensed liquid waste contractor must be provided to the City as proof of decommissioning.
- (iii) Any building work involving the removal or alterations to asbestos products should be carried out with extreme caution. The disposal of asbestos products shall be in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001.

MOVED: Cr L Lauder

SECOND: Cr B Williams

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr Shirley Mackay Cr Bob Smith Cr Bob Williams	Cr Les Lauder Cr Alice King Cr John Dowson Cr Steve Gorman Cr Brad Pettitt Cr Jon Strachan Cr Doug Thompson

LOST: 7/5

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The reasons to change the recommendation to the original officers recommendation is due to non compliance with the Council Policy.

PLANNING SERVICES COMMITTEE 20 JULY 2005

Cr Les Lauder stated there were no changes to the Minutes of the Planning Services Committee of the 20 July 2005.

PSC0507-47 THE MUNICIPAL HERITAGE INVENTORY (MHI) FOR FREMANTLE - ANNUAL UPDATE 2005

Disclosure of Interest: nil
Author: Agnieszka Kiera, Heritage Architect Planner
Actioning Officer: Agnieszka Kiera, Heritage Architect Planner
Decision Making Authority: Council
Agenda Attachments: Municipal Heritage Inventory - Report on 2005 Updates

PURPOSE

For Council to decide on deletion / inclusion of the nominated places from / on the Municipal Heritage Inventory for Fremantle.

EXECUTIVE SUMMARY

During the year 2004/05 Council received 18 nominations for inclusion of places on the Municipal Heritage Inventory, 11 requests for clarifications/updates and 5 applications to delete places from the Municipal Heritage Inventory for Fremantle. The clarification/ updates include inclusion of Fremantle places on the State Heritage Register by the Heritage Council of Western Australia (HCWA).

The recommendations of the 2004 MHI update process as listed below are in order to be adopted by Council:

1. The following places:

Joslin Street Park, Hilton; Park at the corner of Collick and Sumpton Sts, Hilton; Hines Road, Hilton and Grigg Park, Hilton; Limestone feature, 53 Harvest Rd; 39 Wardie Street; 68 Jenkin St.

be deleted / not included on the MHI for Fremantle

2. The following places:

14 Crandon St.; 12 Baker St; 10 Baker St; 6 Baker St; 100 Thompson Rd.; 98 Thompson Rd.; 147-149 Hampton Rd; House & Moreton Bay Fig Tree at 195 High St; 1, 3, 5, 7 Sampson St; 1B Knutsford St; 61-63 and 66-70 High St; the Proclamation Tree, Adelaide St and Ord Street Precinct (10-24 Ord St, 8-14 Knutsford St and 1-9 Batemant St); The Esplanade Reserve; Moreton Bay Fig Trees in St John's Square.

be included / remain on the MHI for Fremantle as updated.

3. The individual listing of the following places:

24 Fothergill St; Hilton - Central Area Precinct (Rennie St; Paget St between Rennie St north & south, Morniborn Park Progress Association Hall, PCYC, Child Health Centre, Hilton Primary School, including oval and bushland,

Kindergarten, Kulunga Paget St Shops); 170 Hampton Road, 96 Thompson Rd; Tum Tum Tree, High Street and limestone cliffs of East St.

be deferred until the owners and community have been consulted.

BACKGROUND

The Heritage of Western Australia Act, 1990 obliges local governments to develop and maintain a municipal inventory and, once established, to update it annually and review it every 5 years.

The City of Fremantle adopted the Municipal Heritage Inventory (MHI) for Fremantle in September 2000 subject to the MHI Management Strategy (the strategy). The annual updates of the MHI are part of this strategy and the MHI for Fremantle Management Strategy provides guidelines for the updates.

In addition in November 2002 the Council adopted Policy on Adding/Deleting Places Listed on Municipal Heritage Inventory for Fremantle (MHI) (D.A16), which provides the specific procedural and operational guidance to the process.

COMMENT

During the year 2004/05 Council received 18 nominations for inclusion of places on the Municipal Heritage Inventory, 11 requests for clarifications/updates and 5 applications to delete places from the Municipal Heritage Inventory for Fremantle. The requests for clarification/updates include entry of Fremantle places on the State Heritage Register by the Heritage Council of Western Australia (HCWA)

All submissions outlined in the items 1, 2, 3 and 4, below, have been assessed by the heritage consultants Jacqui Sherriff, History & Heritage Consultancy. The methodology employed for the heritage evaluation and the summary of the consultants' recommendations are summarised in the attached report. The data which formed basis of the consultants' recommendations have been entered in the electronic entry sheet on the MHI for each nominated place.

The nominations/requests for additions/deletions/clarifications received during the year can be grouped into the following categories:

1. 5 requests for deletion that have been received were submitted by the owner (or a relative on behalf of the owner) of each place. In 3 cases the owners did not provide any supporting comments/information for their request. In 2 cases the owners advised that the heritage houses have already been demolished, therefore these should be automatically removed in order to avoid confusion with the new/replacement house.
2. 18 nominations for inclusion of the individual places on the MHI were received from the community members, not necessarily the owners of a place.
3. The 11 requests for clarification have been submitted either by the owners or officers of Council, stating either discrepancies in the information provided on the MHI entry sheets or claiming an incorrect entry. In these cases the places are already listed and the only action required was checking the date, clarify the confusion and update of the existing information on the existing entries.

4. Finally, included in the 18 nominations are: the advice from the HCWA that the Ord Street Precinct of Fremantle (10-24 Ord St, 8-14 Knutsford at and 1-9 Bateman St) has been placed on the State Heritage Register and the two nominations of the already listed Moreton Bay Fig Trees in Kings Square and the Esplanade. These places either already listed as part of the individual listing of the houses, which form part of the precinct and/or the West End Conservation Area. Their listing have already undergone the community and owners' consultation as part of the State and the City of Fremantle's listing processes. Therefore their inclusion on the MHI with an updated status is in order to be adopted by Council.

The major aspects of the Policy on Adding/Deleting Places Listed on Municipal Heritage Inventory for Fremantle (D.A16) applicable to this item are:

- City of Fremantle is the decision making authority;
- Community as well as the individual owner should be consulted on both deletion and nomination of places for listing as part of the deletion/nomination process;
- All nominations/deletions should be expertly assessed for their individual heritage value;
- While taking into consideration all views, Council should make decision to include / delete a place from the MHI on the basis of its heritage value alone;
- Category 3 of significance is defined by the policy (and the MHI Management Strategy) as a threshold for inclusion of a place on the MHI in its own right (for its individual heritage worth).

In light of the Council policy only items 1, 3 and 4 of the 2005 submissions are eligible for Council's decision at this round. Mainly because the deletions have been requested by the owners or reflect the fact (demolition of a heritage place or not meeting the threshold for listing). The nominations listed under 3 and 4 satisfy all the required policy criteria, including the requirements for heritage assessments and adequate consultation. In these cases the community has been consulted either as part of the MHI adoption process or the State Heritage registration process. In respect of item 2, not all owners of the 18 nominations submitted these nomination themselves. Some nominations have been submitted by the community members and the owners have not yet been consulted to date. The community also has not been consulted on the proposed nominations.

It is therefore recommended that consideration of the nominations outlined in item 2, which are identified within the attached report as 'new entry' with the exception of Ord Street Precinct already entered on the State Heritage Register, Moreton Bay Figs in Kings Square and the Esplanade, be deferred until the community and the owners have been consulted, as prescribed by the Act and the City of Fremantle's consultation policy.

With these considerations in mind, the recommendations of the 2005 MHI update process as listed in the table below, are in order to be adopted by Council:

1. The following places:

Joslin Street Park, Hilton; Park at the corner of Collick and Sumpton Sts, Hilton; Hines Road, Hilton and Grigg Park, Hilton; Limestone feature, 53 Harvest Rd; 39 Wardie Street; 68 Jenkin St.

be deleted / not included on the MHI for Fremantle

2. The following places:

14 Crandon St.; 12 Baker St; 10 Baker St; 6 Baker St; 100 Thompson Rd.; 98 Thompson Rd.; 147-149 Hampton Rd; House & Moreton Bay Fig Tree at 195 High

St; 1, 3, 5, 7 Sampson St; 1B Knutsford St; 61-63 and 66-70 High St; the Proclamation Tree, Adelaide St and Ord Street Precinct (10-24 Ord St, 8-14 Knutsford St and 1-9 Batemant St); The Esplanade Reserve; Moreton Bay Fig Trees in St John's Square.

be included / remain on the MHI for Fremantle as updated.

3. The individual listing of the following places:
24 Fothergill St; Hilton - Central Area Precinct (Rennie St; Paget St between Rennie St north & south, Morniborn Park Progress Association Hall, PCYC, Child Health Centre, Hilton Primary School, including oval and bushland, Kindergarten, Kulunga Paget St Shops); 170 Hampton Road, 96 Thompson Rd; Tum Tum Tree, High Street and limestone cliffs of East St.

be deferred until the owners and community have been consulted.

The process of 2005 annual update of the MHI for Fremantle has been completed with due regard to the legislative obligations of Council and in accordance with D.A16 Policy on Adding/Deleting Places Listed on Municipal Heritage Inventory for Fremantle (MHI). Heritage assessment reports have been prepared for each individual place in accordance with the Heritage Council's requirements for heritage assessments and standards, and the MHI entries for those places have been updated accordingly.

The recommendations of the 2004 MHI update process as listed in the points 1-3 above are in order to be adopted by Council.

CONCLUSION

1. The following places:
Joslin Street Park, Hilton; Park at the corner of Collick and Sumpton Sts, Hilton; Hines Road, Hilton and Grigg Park, Hilton; Limestone feature, 53 Harvest Rd; 39 Wardie Street; 68 Jenkin St.
be deleted / not included on the MHI for Fremantle
2. The following places:
14 Crandon St.; 12 Baker St; 10 Baker St; 6 Baker St; 100 Thompson Rd.; 98 Thompson Rd.; 147-149 Hampton Rd; House & Moreton Bay Fig Tree at 195 High St; 1, 3, 5, 7 Sampson St; 1B Knutsford St; 61-63 and 66-70 High St; the Proclamation Tree, Adelaide St and Ord Street Precinct (10-24 Ord St, 8-14 Knutsford St and 1-9 Batemant St); The Esplanade Reserve; Moreton Bay Fig Trees in St John's Square.
be included / remain on the MHI for Fremantle as updated.
3. The individual listing of the following places:
24 Fothergill St; Hilton - Central Area Precinct (Rennie St; Paget St between Rennie St north & south, Morniborn Park Progress Association Hall, PCYC, Child Health Centre, Hilton Primary School, including oval and bushland, Kindergarten, Kulunga Paget St Shops); 170 Hampton Road, 96 Thompson Rd; Tum Tum Tree, High Street and limestone cliffs of East St.
be deferred until the owners and community have been consulted.

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the following areas of the City Plan:

A Great People Place: a sense of history – Fremantle cherishes its history and cultural heritage and draws strength from its traditions.

A Vibrant Economy: heritage focus – Fremantle conserves its cultural and built heritage, recognising its fundamental importance to its economic future and prosperity.

A Beautiful and Accessible Place: Our Environment - Fremantle has a distinctive built form with creative reuse of buildings, innovative use of small building plots and integration of heritage.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

No applicable to this item

Environmental

The item deals with recognition and protection of heritage of Fremantle as the non-renewable resource.

Social

The item reflects the expressed high regard the community's and individual owners' have for the heritage of Fremantle. This includes the associated sense of identity and sense of place flowing from the awareness and appreciation of the heritage values of the listed places as established during the listing process.

BUDGET IMPLICATIONS

none

LEGISLATIVE AND LEGAL CONSIDERATIONS

The recommendations are based on compliance with the following, major statutory documents:

- Heritage of Western Australia Act, 1990
- The City of Fremantle's Municipal Heritage Inventory (MHI) for Fremantle and the MHI Management Strategy.
- Policy on Adding/Deleting Places Listed on Municipal Heritage Inventory for Fremantle (MHI) (D.A16)

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The recommendations are based on wide and extensive consultation of both individual owners and the community.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE RECOMMENDATION

1. Council receives and notes the heritage assessment report for the 2005 update of the Municipal Heritage Inventory for Fremantle.

2. Council adopts the following modification to the MHI for Fremantle:

a) following places:

Joslin Street Park, Hilton; Park at the corner of Collick and Sumpton Sts, Hilton; Hines Road, Hilton and Grigg Park, Hilton; Limestone feature, 53 Harvest Rd; 39 Wardie Street; 68 Jenkin St.

be deleted / not included on the MHI for Fremantle

b) The following places:

14 Crandon St.; 12 Baker St; 10 Baker St; 6 Baker St; 100 Thompson Rd.; 98 Thompson Rd.; 147-149 Hampton Rd; House & Moreton Bay Fig Tree at 195 High St; 1, 3, 5, 7 Sampson St; 1B Knutsford St; 61-63 and 66-70 High St; the Proclamation Tree, Adelaide St and Ord Street Precinct (10-24 Ord St, 8-14 Knutsford St and 1-9 Bateman St); The Esplanade Reserve; Moreton Bay Fig Trees in St John's Square.

be included / remain on the MHI for Fremantle as updated.

c) Consideration of the following places:

24 Fothergill St; Hilton - Central Area Precinct (Rennie St; Paget St between Rennie St north & south, Morniborn Park Progress Association Hall, PCYC, Child Health Centre, Hilton Primary School, including oval and bushland, Kindergarten, Kulunga Paget St Shops); 170 Hampton Road, 96 Thompson Rd; Tum Tum Tree, High Street and limestone cliffs of East St.

be deferred until the owners and community have been consulted.

MOVED: Cr L Lauder

For	Against
Cr John Dowson Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Jon Strachan Cr Bob Williams	

CARRIED: 6/0

COUNCIL DECISION

1. Council receives and notes the heritage assessment report for the 2005 update of the Municipal Heritage Inventory for Fremantle.

1. Council adopts the following modification to the MHI for Fremantle:

a) following places:

Joslin Street Park, Hilton; Park at the corner of Collick and Sumpton Sts, Hilton; Hines Road, Hilton and Grigg Park, Hilton; Limestone feature, 53 Harvest Rd; 39 Wardie Street; 68 Jenkin St.

be deleted / not included on the MHI for Fremantle

b) The following places:

14 Crandon St.; 12 Baker St; 10 Baker St; 6 Baker St; 100 Thompson Rd.; 98 Thompson Rd.; 147-149 Hampton Rd; House & Moreton Bay Fig Tree at 195 High St; 1, 3, 5, 7 Sampson St; 1B Knutsford St; 61-63 and 66-70 High St; the Proclamation Tree, Adelaide St and Ord Street Precinct (10-24 Ord St, 8-14 Knutsford St and 1-9 Bateman St); The Esplanade Reserve; Moreton Bay Fig Trees in St John's Square.

be included / remain on the MHI for Fremantle as updated.

c) Consideration of the following places:

24 Fothergill St; Hilton - Central Area Precinct (Rennie St; Paget St between Rennie St north & south, Morniborn Park Progress Association Hall, PCYC, Child Health Centre, Hilton Primary School, including oval and bushland, Kindergarten, Kulunga Paget St Shops); 170 Hampton Road, 96 Thompson Rd; Tum Tum Tree, High Street and limestone cliffs of East St.

be deferred until the owners and community have been consulted.

MOVED: Cr L Lauder

SECOND: Cr J Strachan

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

STRATEGIC AND GENERAL SERVICES COMMITTEE 13 JULY 2005

Mayor, Peter Tagliaferri noted that item SGS0507-39 - Review of Dog Exercise / Prohibited Areas (Absolute Majority) has been removed from the Council Agenda as circulated and advertised, for the reason being it is contrary to the Councils resolution on the 2 May 2005.

Mayor, Peter Tagliaferri moved en bloc recommendations numbered SGS0507-37, SGS0507-38, SGS0507-40, SGS0507-41, SGS0507-44, SGS0507-46, SGS0507-47, SGS0507-48, SGS0507-50 and SGS0507-51 .

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

SGS0507-37 FORMAL ADOPTION OF ACTIVITIES IN THOROUGHFARES & PUBLIC PLACES & TRADING LOCAL LAW (ABSOLUTE MAJORITY)

DataWorks Reference: Bob Caporn; 035/001
Disclosure of Interest: N/a
Author: Bob Caporn, Manager Urban Environment & Control
Actioning Officer: Bob Caporn, Manager Urban Environment & Control
Decision Making Authority: Council
Agenda Attachments: Text of the "Activities in Thoroughfares and Public Places and Trading Local Law"

PURPOSE

To formally advance the adoption of a new Local Law entitled "Activities in Thoroughfares and Public Places and Trading Local Law". The full text of the proposed Local Law is attached to this agenda (Attachment No. 1)

EXECUTIVE SUMMARY

This Draft Local Law has components addressing activities in thoroughfares and public places, crossovers and redundant crossovers, verge treatments, public works, driving on a closed thoroughfare, advertising signs on thoroughfares, street numbering, obstructing animals/vehicles/shopping trolleys, roadside conservation/planting, fire management, trading in public places and seed collection. Having obtained Council support for the adoption of this local law it will make our Local Laws more concise and, as it is the suggested model from the Department of Local Government, it will be in keeping with other Councils' legislation.

BACKGROUND

The existing Trading in Public Places Local Law was adopted by Council on 21 October 1985. As that Local Law had not been subjected to compulsory review we are at a stage that it has to be reviewed or replaced. The resolution of the Council meeting of 13th December 2004 (item SDRCP0412-136 refers) states:

"That Council advertises the intent to adopt a proposed Local Law entitled "Activities in Thoroughfares and Public Places and Trading Local Law" as outlined in this item including the attachment and that the precincts be invited to make comment."

COMMENT

The proposed Local Law would be the appropriate legislation to include any component for busking. At the present time there are no legislative requirements in Fremantle for buskers. Guidelines have existed and have recently been reviewed.

As mentioned above, this Local Law introduces a number of requirements into a common document that will address the following matters:

- Activities in thoroughfares and public places.
- Crossovers and redundant crossovers.
- Verge treatments.
- Public Works.
- Driving on a closed thoroughfare,
- Advertising Signs on thoroughfares.
- Street (house) numbering.
- Obstructing animals/vehicles/shopping trolleys.
- Roadside conservation/planting.
- Seed collection.
- Trading in Public Places.
- Miscellaneous notices (this includes a direction notice for garden sprinkler to be altered so that Nuisance is not created, repairs to crossovers and hazardous plant removal.

CONCLUSION

The Local Government Act requires the following action to be implemented in order to make a Local Law:-

The Presiding member at the Council meeting is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

- Local Government is to give Statewide and Local Public notice of proposed Local Law.
- Local Government gives Local Law and notice to Minister(s).
- Local Government receives and considers public submissions.
- If significant amendments are necessary, the procedure must be recommenced.

NOTE ! This is the point that we are at now, in progressing this proposed Local Law.

- Local Government makes Local Law.
- Local Government prepares Explanatory Memorandum for Committee.
- Local Government publishes Local Law in Gazette and gives a copy of Local Law to Minister(s).
- Local Government gives Local Public notice of Local Law summarising the purpose and effect and making copies available.
- Parliamentary Counsel tables Local Law in both Houses of Parliament within 6 signing days of Gazettal.

Local Government sends 10 copies of Local Law and Explanatory Memorandum to the Joint Standing Committee on Delegated Legislation.

Clause 7 of the Competition Policy Statement requires that the following be stated and addressed:-

“Statement of Objectives of the Legislation”;

To enable Council to prohibit the supply of goods or services by hawkers, stall keepers or street traders where in the opinion of council the goods or services are already adequately catered for.

STRATEGIC AND POLICY IMPLICATIONS

Policy DBU5 applies. When this Local Law is finally adopted the DBU5 policy will automatically be deleted, unless it is reviewed.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

There are many financial advantages in permitting Trading in Public Places such as the stall holder earning an income without have a significant detrimental effect on other businesses.

Environmental

There are a number of sections within this Local Law that are designed to protect the environment.

Social

The benefit of the proposed Local Law is for the community as a whole.

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Part 3, Division 2 of the Local Government Act 1995 provides the legislative functions of Local Government relating to Local Laws.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

No comments have been received from the advertising of this suggested Local Law.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

Council formally adopts the Local Law entitled "Activities in Thoroughfares and Public Places and Trading Local Law" as outlined in this item including the attachment.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

Council formally adopts the Local Law entitled “Activities in Thoroughfares and Public Places and Trading Local Law” as outlined in this item including the attachment.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number **SGS0507-38** was moved and carried en bloc earlier in the meeting.

SGS0507-38 FORMAL ADOPTION OF BUSH FIRE CONTROL POLICY

DataWorks Reference: 122/011
Disclosure of Interest: Nil
Author: Bob Caporn, Manager Urban Environment & Control
Actioning Officer: Bob Caporn, Manager Urban Environment & Control
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To review the Bush Fire Control policy in keeping with the direction of the City Plan, Local Government Act and Bush Fires Act. The suggested revised policy is specified in the report section of this item.

EXECUTIVE SUMMARY

There were 272 notices sent out in the past year (to November 2004) reminding owners of land of their responsibilities under the Bush Fires Act. The Bush Fires Act provides the power to issue infringements and serve notices and the attached policy will serve as a guide to officers ensuring compliance with the legislation.

BACKGROUND

The current policy was adopted by Council in July 1991 and has not been reviewed since. The changes suggested to the policy (which is stated below) are in italics. The suggested amendments to the policy were advertised and no comments have been received.

Suggested Policy is as follows:-

Policy Title: Bush Fire Control

Objective

To reduce the risk of fires on all land within the local government district of Fremantle.

Higher Order Plan

Fremantle City Plan

- Council Enacting the Vision – Fremantle – A Beautiful, Accessible Place
- Strategy 6 – Supporting the sustainability principles of Agenda 21, develop and implement policies that:
 - Promote community participation in environmental assessments; and
 - Provide protection to the environment through monitoring programs and enforcement of appropriate legislation.

Legislative Framework

Bush Fires Act 1954 (Section 33)

Decision Maker

Council

Delegation of Decision-Making

From Council to the Chief Executive Officer and from the Chief Executive Officer to the Manager of Urban Environment and Control.

Policy

All Council owned land requiring fire breaks to be listed and categorised as to the most practical method of fire break installation appropriate for the location, bearing in mind that the use of burning as a method for installation of fire breaks on land under the control of Council is to be used only when no other option can be practically implemented.

Private and other public land owners are encouraged to make their own arrangements in regard to the clearing of fire breaks on their property. Council will provide adequate information on what is required of the land owner in this regard and advice of the deadline dates for compliance with the fire break requirements. When private or other public land owners fail to provide fire breaks where necessary, Council will undertake provisions on their behalf, employing the same policy it applies to the installation of fire breaks on its own property (in accordance with the requirements of the Bush Fires Act) and recovering the cost of doing so from the land owners. Private land owners may also be issued an infringement notice for failing to comply with the requirements of the Bush Fires Act. The infringement notices are issued by officers authorised by Council.

In general the firebreak requirements are as follows:-

1. *All owners and occupiers of land within the district shall, prior to the commencement of the firebreak period, clear inflammable material from that land in accordance with the following requirements-*
 - (a) ***Land having an area of fifteen hundred (1,500) square metres or less-***

Clear all inflammable matter from the whole of the land. When mowing or slashing is carried out, the height of vegetation thereafter must not exceed, one hundred (100) millimetres over the entire area of the land, as far as reasonably practicable as determined by the authorised officer.
 - (b) ***Land having an area of fifteen hundred (1,500) square metres or more-***
 - (i) *Clear firebreaks of a minimum width of three (3) metres inside all external boundaries of the land and all buildings situated on the land, by ploughing, cultivating or scarifying; or*
 - (ii) *Mow / slash the whole of the land. The height of vegetation thereafter must not exceed, one hundred (100) millimetres over the entire area of the land, as far as reasonably practicable as determined by the authorised officer.*

- (c) *All firebreaks must be completed by the owner or occupier of the land on or before 30 November in any year, and thereafter be maintained by the owner or occupier clear of all inflammable matter up to and including 31 March in the following year.*

2. *Variation to fire prevention measures*

If it is considered for any reason impracticable to clear firebreaks in accordance with the policy, the owner or occupier may apply in writing to Council or its duly authorised officer no later than 14 November in any year for approval to construct a firebreak in an alternative position, or for an exemption or partial exemption from compliance with this policy.

If council or an authorised officer does not grant permission in writing, the owner or occupier must comply with the requirements of the Local Laws.

An exemption or partial exemption granted by the authorised officer shall only remain in force until 31 March of the year immediately following the date of grant of the exemption or partial exemption.

National Competition Policy Implications

The National Competition Policy does not apply to this policy as it is a public safety issue.

Policy Implementation Steps

The policy in draft form to be referred to Management Group then to the Strategic and General Services Committee meeting for support and adoption. The draft policy has been advertised and is to be referred to Council for formal adoption.

Reporting Arrangements on Decision-Making under this Policy

From Rangers to Manager of Urban Environment and Control.

Policy Review Date

16 December 2008

COMMENT

The suggested changes and policy are straight forward and are reflective of the objectives of the City Plan and Council's objectives.

CONCLUSION

The suggested policy should be adopted as soon as possible.

STRATEGIC AND POLICY IMPLICATIONS

The City Plan part one clause 5 applies.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Proactive bush fire control measures have distinct advantages over reactive control measures and make economic sense when considering the potential damage to life, property and the environment.

Environmental

The environment of Fremantle is enhanced by good bush fire control measures.

Social

The community benefits by the City having good fire control measures in place which should enhance the community's sense of social wellbeing.

BUDGET IMPLICATIONS

The cost of installing firebreaks on land under the control of Council should be charged to the responsible business unit and action taken to recover this cost.

LEGISLATIVE AND LEGAL CONSIDERATIONS

This suggested policy is directly linked to the Local Government Act 1995 and the Bush Fires Act 1954.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

This suggested policy has been advertised in accordance with Council Policy and there have been no comments received.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

Council formally adopt the policy outlined in this item addressing bush fire control.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

Council formally adopt the policy outlined in this item addressing bush fire control.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number SGS0507-40 was moved and carried en bloc earlier in the meeting.

SGS0507-40 CONSIDERATION OF A SUGGESTED AMENDMENT TO COUNCIL'S LOCAL LAWS IN RESPECT TO RESIDENTIAL PARKING PERMITS (ABSOLUTE MAJORITY)

DataWorks Reference: 028/004
Disclosure of Interest: Nil
Author: Bob Caporn, Manager Urban Environment & Control
Actioning Officer: Bob Caporn, Manager Urban Environment & Control
Decision Making Authority: Council
Agenda Attachments: Residential Parking Local Law suggested text

PURPOSE

To consider the qualifying aspects on how a resident can obtain either a Residential Parking Permit/s and/or a Visitors Parking Permit/s. The process and qualification aspect is contained within the City's Parking Local Laws and any variation will need to be progressed as an amendment to clause 58 of the Parking Local Laws. (These permits should not be confused with the free resident's parking permits issued through Service & Information which allow residents to park for free within the CBD from 9am to 11am and from 2pm to 4pm every day).

EXECUTIVE SUMMARY

Residential Parking Permits have been under review for the past few years and several recommendations have been presented. However, for a variety of reasons, it has been difficult to finalise this matter. There were several major issues remaining unresolved and elected members through the Parking Policy Working Group suggested a review of Residential Parking Permits which is presented in this item. In the meantime the amendment is being regarded as a direction from Council and applications for Residential Parking Permits are being considered under the new criteria.

BACKGROUND

At the Council Meeting of 7 February 2005 (SDRCP0501-7 refers) Council adopted the following recommendation:

"OFFICER'S RECOMMENDATION / RECOMMENDATION TO COUNCIL

*That Council advertise its intent to adopt a revised qualifying criteria for Residential and Visitors parking permits by the application of a fee schedule in keeping with the intent of option 4 * effective from 1st July, 2005.*

That an exemption to Clause 6 will apply if the resident is an occupier when time limited parking is implemented in the street of an official address.

That Council advertise the intent to delete clause 84 as required by the Joint Standing Committee of delegated legislation."

* Option 4 referred to in point 1 above states:

“Establish a new residential parking permit system that differentiates between time limited non-fee paying areas and fee payable areas.

For time limited non-fee paying areas.

The conditions that should apply would need to be clear and should include the following:–

Resident has to reside at the property

Vehicles have to be registered to the person applying for the permit

Permits will not be issued to vehicles which exceed 7.5m in length or 4.5 ton

Permits will not be issued to caravans, motor homes or trailers

Due to the short supply of parking in certain streets restrictions on the number of permits issued will apply. This will be determined by Council or the Manager Urban Environment & Control

Permits will not be issued to residential complexes where the number of units exceeds 8 in number. (An exemption to this will apply if the resident is an occupier when time limited parking is implemented in the street of an official address.)

Permits will be valid for 12 months from the date of issue

If the application does not comply and the applicant is of the opinion that they have special circumstances, an application detailing these circumstances should be submitted to the Manager Urban Environment & Control for determination

Eligibility table -

Number of adequate parking bays available	Number of vehicles registered to the residential address	Maximum number of permits permissible
Nil bays on site	Nil	1 Multi-Purpose Parking Permit
	1	1 Residential Parking Permit 1 Multi-Purpose Parking Permit
	2	2 Residential Parking Permits 1 Multi-Purpose Parking Permit
	3 or more	2 Residential Parking Permits 1 Multi-Purpose Parking Permit
1 bay on site	Nil	Nil
	1	1 Multi-Purpose Parking Permit
	2	1 Residential Parking Permit 1 Multi-Purpose Parking Permit
	3 or more	1 Residential Parking Permits 1 Multi-Purpose Parking Permit
2 bays on site	Nil	Nil
	1	Nil
	2	1 Multi-Purpose Parking Permit
	3 or more	1 Multi-Purpose Parking Permit

Note: the term “Visitor parking permits” has been replaced by the term “multi-purpose parking permits”. This permit carries the same intent as the Visitor parking permits, however allows the resident to display the permit in their own vehicle (currently a Visitor parking permit is not valid if displayed in a resident’s vehicle).

Fees –

The fees applicable for these permits can be determined by Council. Current fees are \$26 per permit on application and \$10.50 per permit for renewal. If this option is selected it would be an opportunity to introduce a fee scale that discourages the issue of multiple permits eg. first permit \$15, second permit \$25, subsequent permits \$30 & multi-purpose fees \$50.

Time Limited – Fee paying areas

Permits valid for the CBD/fee paying area will be issued by the City's Commercial Parking business unit at a fee determined by that unit. This may be dependent of the number of permits, streets the permits are valid for, additional streets required etc."

To initiate the change in the Local Law there were four pages of amendments that were necessary. These amendments have been formulated by the City's Solicitors, who have now provided the City with the correct wording for the amendment to the Local Law (see Attachment 1). The advertising stated in the recommendation of 7 February 2005 was not implemented because the amended text was not available.

COMMENT

To implement this revision an amendment is required to the Local Law. The City has also been instructed by the Joint Standing Committee of delegated legislation to delete clause 84 from the Parking Local Law. Clause 84 states "A person is not entitled to any claim, by way of damages or otherwise, against the authorised person, member of the Police Force, or the Local Government in respect of any vehicle impounded and dealt with under these clauses or against any person who purchases an impounded vehicle sold or otherwise disposed of by the Local Government pursuant to section 3.47 of the Act".

To progress this amendment the action outlined in the Legislative and Legal considerations section of this item needs to be implemented.

CONCLUSION

After Council has accepted the suggested amendments they will need to be advertised for public comment.

STRATEGIC AND POLICY IMPLICATIONS

There is a need for the City to be cautious when amending its Local Laws so that there is minimum conflict between the City's strategic direction and the impact of the Local Law amendment. It could be argued that the City should not on one hand be discouraging private vehicle ownership and then on the other, applying easy Residential Parking Permit criteria.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Easing of restrictions on Residential Parking Permits in non parking fee paying areas may adversely affect the environment, as residents may be encouraged to purchase additional vehicles and then simply apply for a parking permit.

Social

Some residents would be pleased to have increased access to Residential or Visitors Parking Permits because it would enhance social interaction.

BUDGET IMPLICATIONS

At the time of preparing this agenda item the exact number of residents who would qualify for the various options described above is unknown. Each on-street parking bay in the CBD generates an average income to the City of between \$3000 and \$5000 per annum depending on the location of the parking bay.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Following action to be implemented in order to amend the Local Law:-

NOTE ! This is the point that we are at now, in progressing the amendment to the Local Law.

- The Presiding member at the Council meeting is to give notice to the meeting of the purpose and effect of the proposed Local Law in the prescribed manner.
- Local Government gives Statewide and local public notice of proposed Local Law.
- Local Government gives Local Law and notice to Minister(s).
- Local Government receives and considers public submissions.
- If significant amendments are necessary, the procedure must be recommenced.
- Local Government makes Local Law.
- Local Government prepares Explanatory Memorandum for Committee.
- Local Government publishes Local Law in Gazette and gives a copy of Local Law to Minister(s).
- Local Government gives local public notice of Local Law summarising the purpose and effect and making copies available.
- Parliamentary Counsel tables Local Law in both Houses of Parliament within 6 signing days of Gazettal.
- Local Government sends 10 copies of Local Law and Explanatory Memorandum to the Joint Standing Committee on Delegated Legislation.

**NATIONAL COMPETITION POLICY – CLAUSE 7
LOCAL LAW REVIEW EXECUTIVE SUMMARY**

LOCAL GOVERNMENT: CITY OF FREMANTLE

TITLE: Local Laws relating to Parking	
<input type="checkbox"/> New Local Law no	<input type="checkbox"/> Repeal of Local Law no
Amendment to Implement NCP no	<input type="checkbox"/>
Other Amendment to Local Law yes	<input checked="" type="checkbox"/>
No Amendment to Local Law no	<input type="checkbox"/>
Review conduct: Not Applicable	
Restrictions on Competition: The requirements to the National Competition Policy do not apply to this proposed Local Law	
Effects of the Restrictions: Some residents will not qualify	
Assessing the Benefits and Costs: The benefits to the community would be, easier access to limited parking. The cost of implementing change will be minimal	
Alternative Means of Achieving Desired Outcome: Deregulation of residential parking in a regional centre such as Fremantle could cause an increase in the difficulty for visitors who wish to park their vehicles in Fremantle.	
Overall Conclusion and Recommendations: Residential parking permits should only be applicable with qualifying criteria and a fee schedule being applied.	
Implementing Recommendations: Responsible officer is the Manager, Urban Environment & Control.	

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

This matter has been discussed at an Elected Members workshop and at the Parking Policy Working Group. Community input will follow compulsory advertising. Mr Longley, the executive officer of the Chamber of Commerce, has been informed by telephone of the proposed change.

SUMMARY OF PURPOSE AND EFFECT OF LOCAL LAW

THE FOLLOWING SUMMARY IS A NOTICE OF PURPOSE AND EFFECT OF THE CITY OF FREMANTLE PARKING LOCAL LAW:

“In summary, the purpose of the suggested amendments to the City of Fremantle Parking Local Laws are to apply a qualifying criteria for residential parking permits and to delete clause 84 from the Local law. The effect will be that some residents who reside in parking fee payable areas and do not have sufficient parking on site will need to make alternative parking arrangements. The effect of deleting clause 84 removes the authority of Council to not allow claims for damages. (The forgoing sentence is a requirement of the Joint Standing Committee of delegated legislation.)”

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

- 1. That Council:
 - a) Provides notice to the Minister of Local Government of the intention to amend the Parking Local Law.
 - b) Advertise its intent to amend the Parking Local Law (as detailed in the attachment to this item).

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

1. That Council:

- a) Provides notice to the Minister of Local Government of the intention to amend the Parking Local Law.
- b) Advertise its intent to amend the Parking Local Law (as detailed in the attachment to this item).

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number SGS0507-41 was moved and carried en bloc earlier in the meeting.

SGS0507-41 CONSIDERATION OF NEW POLICY ENTITLED "CRITERIA TO APPLY WHEN CONSIDERING REQUESTS FOR RESIDENTIAL AND MULTI-PURPOSE PARKING PERMITS"

DataWorks Reference: 028/004
Disclosure of Interest: Nil
Author: Bob Caporn, Manager Urban Environment & Control
Actioning Officer: Bob Caporn, Manager Urban Environment & Control
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To consider a policy to guide elected members in a process of considering applications for Residential and Multi-purpose parking permits in order to give clearer guidance to residents and to limit the continual application to committee by residents citing special circumstances for relaxation of the current policy.

EXECUTIVE SUMMARY

This suggested policy has been developed so as to provide elected members the opportunity to have a consistent method of considering applications for residential parking permits.

BACKGROUND

Early in 2005 during informal discussions at an SDRCP meeting it was suggested that the Manager of Urban Environment & Control formulate a draft policy for guidelines for elected members when considering objections to refusals of applications for residential parking permits. Applicants who are refused their application often exercise their right under the Local Government Act to object to a decision of an officer.

Council in the meantime have reviewed the criteria for residential parking permits. At the Council Meeting of 7 February 2005 (SDRCP0501-7 refers) Council resolved to amend its local laws to adopt new criteria for the provision of parking permits to residents in time limited non fee paying areas. In fee-paying areas permits can be issued by arrangement with the Commercial Parking section (a fee will apply). The new criteria (yet to be formally published as a Local Law) for Residential Parking Permits in non-fee paying areas is shown in the following table:-

Number of adequate parking bays available	Number of vehicles registered to the residential address	Maximum number of permits permissible
Nil bays on site	Nil	1 Multi-Purpose Parking Permit
	1	1 Residential Parking Permit 1 Multi-Purpose Parking Permit
	2	2 Residential Parking Permits 1 Multi-Purpose Parking Permit
	3 or more	2 Residential Parking Permits 1 Multi-Purpose Parking Permit
1 bay on site	Nil	Nil
	1	1 Multi-Purpose Parking Permit
	2	1 Residential Parking Permit 1 Multi-Purpose Parking Permit
	3 or more	1 Residential Parking Permits 1 Multi-Purpose Parking Permit
2 bays on site	Nil	Nil
	1	Nil
	2	1 Multi-Purpose Parking Permit
	3 or more	1 Multi-Purpose Parking Permit

Note: the term "Visitor parking permits" has been replaced by the term "multi-purpose parking permits". This permit carries the same intent as the Visitor parking permits, however allows the resident to display the permit in their own vehicle (currently a Visitor parking permit is not valid if displayed in a resident's vehicle).

COMMENT

Suggested Policy is as follows:-

Policy Title:

Criteria to apply when considering requests for Residential and Multi-purpose Parking Permits.

Objective

To have a uniform assessment apply to requests for Residential and Multi-purpose Parking Permits. This policy should take into account the individual's circumstances and have regard for the community's need for parking. The assessments will be made in keeping with the planning scheme and other policies of Council, especially those policies referred to in this policy.

Higher Order Plan

Fremantle City Plan

Clause 6 (page 15) of the City plan:-

"6. Sustainable Transport.

Fremantle has a balanced transport system which encourages the use of public transport, bicycles and walking, while managing vehicle use. Private vehicle use in the city centre is not higher than year 2000 levels."

Legislative Framework

Local Government Act
 Local Laws relating to Parking
 Town Planning Scheme
 Parking Local Law

Decision Maker

Council or the Strategic and General Services Committee

Delegation of Decision-Making

From Council to the Chief Executive Officer and from the Chief Executive Officer to the Manager of Urban Environment and Control.

Policy

Policy Title

"Criteria to apply when considering requests for Residential and Multi-purpose Parking Permits that are applicable in fee paying and non fee paying areas."

The City has adopted a Local Law that contains qualifying criteria for the issue of Residential and Multi-purpose Parking Permits (Permits).

In assessing applications in the first instance the assessing officer will take into account any special circumstances that apply and exercise the delegation that Council has extended. Council recognises that in some cases Permits are required on compassionate grounds and in these instances the Manager of Urban Environment and Control is expected to be cognisant of the special circumstances that apply.

The Parking Local Law and the Local Government Act provides the "right to object". On receipt of an objection, on the form prescribed, the matter is to be referred as soon as practicable to the Strategic and General Services Committee of Council (the Committee) with an analysis by the officer of the request against the following thirteen criteria and a recommendation. The Committee will consider the objection having regard to the recommendation against the criteria.

It would be wise for the Committee to clearly indicate in the recommendation the reasons why the Committee decides that a Residential Parking Permit should or should not be issued. Where the Committee's decision is inconsistent with the Policy, consideration should be given to amending the Policy at the time of the next review.

Description	Comments
1) Is the applicant a resident at the property?	If not, the application should be refused.
2) Is the vehicle registered to the property?	In some cases the vehicle is owned by a company or employer and therefore the occupier of the property is not the registered owner of the vehicle. In such cases it is reasonable to accept that compliance with this aspect is not necessary.
3) Is the vehicle a caravan, motor home or trailer? Does the vehicle exceed 7.5 metres in length or 4.5 tonne	If yes to any of these points then a permit should not be approved. In some cases it may be reasonable to grant a permit for some classes of these vehicles when special

tare weight?	circumstances apply. In such cases the permit should not exceed three months and not be transferable.
4) How many units or homes are on the property?	If the number of units exceeds eight then no permits should be issued.
5) Was the applicant or settlement agent informed of parking difficulties in the area at time of acquiring the property?	If the applicant or settlement agent was informed of the existence of parking difficulties through a property enquiry at or near the time of purchase then the application should be refused.
6) Was on-site parking removed since acquiring the property?	If the applicant made alterations to the property that actually deleted car parking bays then the application should be refused.
7) Does a development application (DA) make any reference to parking at the property	If Council has approved a planning application on the understanding that parking was on site or planned to be installed then the expectation of Council is that the undertaking or condition would be complied with and therefore no permit should be issued.
8) Did the City significantly change parking restrictions after the applicant had acquired or occupied the property?	If the City significantly altered the parking time restrictions or street design of the street adjoining the property and it can be shown that this change disadvantaged the applicant then the application could be favourably considered.
9) How many reside at the property who own a motor vehicle that is usually parked on or near the premises.	In keeping with the intent of Council's Sustainable Transport Policy which discourages private vehicle ownership in the city centre, the maximum number of permits issued to any one property is 2 Residential parking permits and 1 Multi-purpose parking permit
10) How many parking bays are on the property? How many residential properties are in the street? How many parking bays are in the street?	If the number of permits issued exceeds the number of parking spaces available on the street then problems will emerge. Therefore when the number of permits issued equals or exceeds the number of parking bays available no further permits will be issued.
11) Are there special circumstances outlined in the objection that warrant special consideration?	In some cases short term or time limited permits can be considered. Such special circumstances need to be fully explained in writing with supporting documentation. This will be determined taking into account the individual need versus community needs.
12) Are there any conditions that should apply if a permit was to be issued?	Conditions that should be considered include, but are not limited to: Non transferability of permits to future owners/occupiers, Vehicle-specific permits, Time, day or dates may be specified on the permits
13) If approved what fees are to be applied?	The Parking Local Law has recently been amended so as to provide for a fee to be applied to Parking Permits in fee paying areas. (This amendment is being progressed at the present time). This proposed fee is to be commensurate with the commercial value of the parking bay and because of the variable value the fee applied will be at a rate

	<p>determined by Council's commercial parking section. The applicant may find that the purchase of a monthly parking permit or a private parking arrangement may be suitable alternatives to Residential Parking Permits. The fees applicable in non fee paying areas is stated in the Fees and Charges schedule.</p>
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National Competition Policy Implications

The National Competition Policy does not apply to this policy.

Policy Implementation Steps

The policy in draft form to be referred to the Parking Policy Working Group then to the Management Group then to the Strategic and General Services Committee meeting for support and adoption. The draft policy has to be advertised and is to be referred to Council for formal adoption.

Reporting Arrangements on Decision-Making under this Policy

From Integrated Patrols Employees to Manager of Urban Environment and Control.

Policy Review Date

16 July 2008

CONCLUSION

It would be wise for Council to have this suggested policy as a guide to transparent decision making and only issuing permits on the merits of the application. By adhering to the suggested policy accusations of favouritism or lack of transparency can be defended. Failure to adopt a policy will result in applications being presented and perhaps granted on the basis of previous decisions.

STRATEGIC AND POLICY IMPLICATIONS

The City Plan clause 6 on page 15 states that "Fremantle has a balanced transport system which encourages the use of public transport, bicycles and walking, while managing vehicle use. Private vehicle use in the city centre is not higher than year 2000 levels." The Key Performance Indicators 2004 document (due for release in July or August 2005) indicates that in 2001 there were 29303 cars accessing the city centre on an average weekday. In 2003 there were 27122 cars accessing the city centre on an average weekday.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Residential Parking permits may add to the value of a residence hence the suggestion that permits are not transferable. The issue of any parking permit should not adversely affect businesses unless large numbers of permits are issued in the CBD.

Environmental

Easing of restrictions on Residential Parking Permits in non parking fee paying areas may adversely affect the environment, as residents may be encouraged to purchase additional vehicles and then simply apply for a parking permit.

Social

The issue of a parking permit may address an individual need, but in so doing place an inconvenience on others who may be denied access to parking in a public street. Permits can be issued by the Manager of Urban Environment & Control when compassionate or special circumstances apply.

BUDGET IMPLICATIONS

There are no direct budget implications. The only cost applied is an initial application fee and renewal fee. There are no fees applicable when referring an objection to Council.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Council's Parking Local Laws apply.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

This draft policy has to be advertised prior to formal adoption.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

The draft policy as stated in the comment section of this item be advertised for comment and referred back to Council with the comments received for consideration and or adoption.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

The draft policy as stated in the comment section of this item be advertised for comment and referred back to Council with the comments received for consideration and or adoption.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number **SGS0507-44** was moved and carried en bloc earlier in the meeting.

SGS0507-44 WHALING STATION AND MARITIME HERITAGE TRAIL, ARTHUR HEAD RESERVE MASTERPLAN - REPORT ON SUBMISSIONS AND ADOPTION.

DataWorks Reference: Whaling Station 219/015 and 219/016
Disclosure of Interest: Nil
Author: Agnieszka Kiera, Heritage Architect Planner
Actioning Officer: Agnieszka Kiera, Heritage Architect Planner
Decision Making Authority: Council
Agenda Attachments: Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan, GML appendix and seven plans, July 2005

PURPOSE

For Council to receive the Submissions Report and to adopt the “Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan July 2005 (the plan)

EXECUTIVE SUMMARY

All submissions received by the City of Fremantle during the six weeks community consultation period strongly support the plan.

The majority of respondents support the recognition given by the plan to heritage significance of the area and include certain detailed recommendations to be resolved in the implementation stage. The recommendations applicable to the current project have been included in the final version of the draft plan. Recommendations on the overall Maritime Heritage Trail and/or suggested improvements to the greater context of Arthur Head Reserve have been noted and will be considered in future when those areas are due for capital upgrading.

The “Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan July 2005 is in order to be adopted by Council.

BACKGROUND

The plan to conserve and reveal the surviving archaeological remains of the former Whaling Station was first adopted by the City of Fremantle in November 1993 as part of the Arthur Head Reserve Strategy Plan D.G.F5. The strategic plan was based on archaeological investigations of the area conducted in 1987 as part of the Arthur Head Bicentennial Project run, at the time, by the City.

The project was subsequently included by the former Heritage Advisory Committee in its recommended 5 year capital conservation projects strategy, and adopted by Council, as a component of the City of Fremantle’s 5 year Budget Strategy.

At its 5 July 2004 meeting Council accepted the grant of \$19,842 allocated to the City by the Lotterywest under its 2003/04 Conservation of Cultural Heritage Grants Program

(item SDRCP0406-76 refers) to prepare the plan. The consultants, Donaldson & Warn were appointed to prepare the plan in association with the Godden Mackay Logan, Heritage Consultants.

At its 28 February 2005 meeting (item SP0502-09 refers) the Strategic Planning Committee resolved, among other things and under the delegated authority of Council, to release the plan for a 60 day consultation period and to bring back the submissions to Council for consideration when the plan is presented for final adoption.

The draft masterplan plan which covers conservation/heritage interpretation and upgrading of the Whaling Station and the Maritime Heritage Trail, was placed on the City of Fremantle's website and on the display board in the Town Hall Administration Centre's Arcade in accordance with its community consultation policy. Copies of the plan were also sent to all precincts and major stakeholders including Fremantle Ports, Heritage Council of Western Australia, Fremantle Maritime Museum, Fremantle Chamber of Commerce Inc., Department of Fisheries and Department of Planning and Infrastructure.

COMMENT

Six (6) submissions were received by the closing date of 5 May 2005. Below is the summary table of the responses received on the draft plan.

No	submission	Issues/comments	Council response
1.	Heritage Council of WA	The Council endorses the approach, methodology, accuracy and clarity of the proposed heritage interpretation scheme and compatibility of the proposed upgrading of the area within the existing context. Suggested improvement: amendment of the title and its consistent use throughout the plan.	The endorsement of the plan noted. All recommendations for editorial changes are valid and have been implemented.
2.	David Hutchison	Generally supportive. Concerned with the proposed interpretative sculpture of a whale. Suggests interpretation of the former Government Garden and the Stocks used in execution of John Gavin in 1844.	Support noted, concerns about the artwork to be addressed at the next stage of the project. The suggestions for interpretation extends beyond the site of the Whaling Station. Should be considered as part of future upgrading of Little High Street.
3.	Fremantle Ports	Generally supportive. Concerns/suggestions include: Clarification of the route of the Maritime Heritage Trail in Fleet Street Inclusion of a directional	Support noted. All suggested issues are valid and should be addressed and resolved at the next stage of the project i.e. the detailed

		signage to direct visitors along the revised heritage trail towards Maritime Museum consideration of parking to prevent illegal parking along Fleet St. traffic control measure along the proposed lookout and the City of Fremantle's management of parking in selection of lighting to consider its potential conflict with the navigation	design and working drawings.
4.	Fremantle Maritime Museum	The Museum commends the plan and urges it be implemented because of the significance of the archaeological site, the important role of Arthur Head as cultural tourism destination and the progress on the upgrading of the Fremantle Waterfront Precinct.	The commendation and support noted.
5.	Paul Williams	Commends the concept and recommends to include in the plan a complete reconstruction of the former buildings	Commendation noted The proposed full reconstruction of the former buildings would be against the conservation principles applicable to the site as none of the buildings have survived. The support is noted.
6.	Fremantle Chamber of Commerce Inc	Strongly supportive of the plan Detailed recommendations include: the route of the Maritime Heritage Trail should be clearly marked on the Quay side of the trail the trail should include underwater sculpture garden	The detailed suggestions extends beyond the brief for this stage of the project but should be considered as part of the overall plan for the Maritime Heritage Trail

All submissions received by Council during the six weeks community consultation period strongly support the plan. The recommendations which addressed the current plan directly have been incorporated in the final version of the draft plan and/or will be addressed at the next stage of the detailed planning and implementation.

The detailed recommendations which refer to the overall Maritime Heritage Trail and/or broader Arthur Head Reserve and the city side of the Reserve are valid but should be addressed in future when those adjacent areas are considered for the capital upgrading.

The "Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan" July 05 is in order to be adopted by Council.

CONCLUSION

All submissions received by the City of Fremantle during the six weeks community consultation period strongly support the plan.

The majority of respondents support the recognition given by the plan to heritage significance of the area and include certain detailed recommendations to be resolved in the implementation stage. The recommendations applicable to the current project have been included in the final version of the draft plan. Recommendations on the overall Maritime Heritage Trail and/or suggested improvements to the greater context of Arthur Head Reserve have been noted and will be considered in future when those areas are due for capital upgrading.

The "Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan July 2005 is in order to be adopted by Council.

STRATEGIC AND POLICY IMPLICATIONS

Once adopted, the plan will become a sequential step of the adopted strategy i.e. the next stage towards planned implementation of the overall plan of the Maritime Heritage Trail.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Economic

The plan represents significant improvement of the existing area which is likely to attract more users/visitors to the area and increase their appreciation and enjoyment of Arthur Head, the prime destination for cultural tourism in WA. The spill over effect of this is likely to improve viability of the foreshore businesses and increased viability of the West End and Fremantle in general.

Environmental

The plan seeks to conserve Bathers Beach and the archaeological sites as non renewable natural and cultural resources of the area.

Social

The plan will assist in revealing the rich heritage significance of the area adding to the sense of place and identity of Fremantle community. The community appreciation of the area is already evident in the involvement and interest shown by such community groups as Friends of Bathers Beach, Fremantle Society, Fremantle Heritage Guides and through its association and commitment to the area by local personalities such as the late potter Joan Campbell and artist Greg James.

The proposed conservation/interpretation and upgrading of Whalers Station is likely to improve the community use and enjoyment of the area.

BUDGET IMPLICATIONS

Budget of \$137,000 for the first stage of implementation of the Whaling Station is included in the Council's 2005/06 budget.

Should external funds be allocated to the project, the City will be in a position to implement the project fully. Any future financial contribution from the City of Fremantle will be subject to the standard budget processes of Council.

LEGISLATIVE AND LEGAL CONSIDERATIONS

The concept plan conforms with all legislative requirements flowing from the area's status as the A class Reserve and the heritage listing of the precinct on the MHI, National Estate and the State Heritage Register.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The plan was advertised for public comment by direct approach to major and statutory stakeholders, through City of Fremantle's website and exhibition in the Arcade of Fremantle Administration Centre. Service authorities and Fremantle precinct groups have been notified and comment requested.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

That Council:

- a) Notes and receives the Submissions Report on the "Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan, July 2005";
- b) Adopts the "Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan, July 2005";
- c) Funding for implementation of the project be reconsidered in light of the potential state government allocation for the Arthur Head project when it becomes available.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith	

Cr Doug Thompson	
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CARRIED: 6/0

COUNCIL DECISION

That Council:

- a) **Notes and receives the Submissions Report on the “Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan, July 2005”;**
- b) **Adopts the “Whaling Station and Maritime Heritage Trail, Arthur Head Reserve Masterplan, July 2005”;**
- c) **Funding for implementation of the project be reconsidered in light of the potential state government allocation for the Arthur Head project when it becomes available.**

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

The following item number **SGS0507-46** was moved and carried en bloc earlier in the meeting.

SGS0507-46 COCKBURN VISION DIALOGUE - TRANSPORT ISSUES PAPER

DataWorks Reference: 115/013
Disclosure of Interest: None
Author: David Nicholson, Transport Planner
Actioning Officer: David Nicholson, Transport Planner
Decision Making Authority: Council
Agenda Attachments: Cockburn Vision Dialogue-Transport Issues Paper

PURPOSE

To advise Council of the key issues arising from a transport issues paper prepared for the proposed development of land along the City of Cockburn coast immediately south of the City of Fremantle.

EXECUTIVE SUMMARY

Preliminary analysis indicates that the development of the vacant land to the south of Fremantle will have significant transport and traffic implications for the City of Fremantle. A more comprehensive transport impacts assessment is now required in order to fully assess these impacts and evaluate to options for addressing them.

BACKGROUND

The potential traffic impacts on Fremantle of future development of vacant land immediately to the south of South Fremantle have been of concern to Council Officers, Elected Members and the broader community since development of the South Beach Village site was first proposed. During the preparation and adoption of a structure plan for the South Beach Village site, the provision of a north-south vehicular connection was a controversial issue with the final structure plan for the site including a circuitous local street connection in order to discourage through traffic. In June 2003, when considering Amendment 58 to Town Planning Scheme No 3 (South Beach Village), Council resolved that:

That should change of use be considered by the State government for the area south of Rollinson Road, the City of Fremantle require the State government to commission a land use and transport study that (a) minimizes the demand for travel, (b) encourages use of non-car modes for local trips and (c) directs external car trips and freight movement onto Cockburn road.

Since that time, the approvals process for development of the Port Coogee land (formerly Port Catherine) has significantly advanced and options for remediation and possible development of the South Fremantle Tip site have commenced. Furthermore, the state government recently announced the preparation of a "vision" for the land between the Port Coogee and South Beach Village in the City of Cockburn. This former industrial area (Robbs Jetty) is now referred to as the "Cockburn Coast." A "Cockburn

Coast Vision Dialogue" was held on 14 May 2005 to provide an opportunity for community input to the development of the vision.

Just prior to the Dialogue, the Department for Planning and Infrastructure (DPI) released a Transport Issues Paper that was prepared by consultants Sinclair Knight Merz (SKM). It presents preliminary findings of a broad brush study of transport and access issues associated with the potential redevelopment of the South Beach Village, Robbs Jetty and Port Coogee areas. A copy of the Transport Issues Paper is attached (Attachment 1). It must be stressed that the analysis is preliminary only. This report therefore summarises the key issues without critically analysing them. A more comprehensive transport impact assessment is required and DPI has advised that such a study will be carried out. However, a timeframe was not specified.

COMMENT

Even with improved infrastructure to encourage walking, cycling and use of public transport, and local facilities that reduce the need to travel out of the area, there will be an increase in vehicular traffic arising from the development of these sites. The critical issues for the City of Fremantle therefore are:

- how much additional traffic?;
- can this traffic be accommodated on roads in Fremantle without adverse environmental, safety and amenity impacts;
- are changes to the transport network to accommodate this additional traffic acceptable?; or
- should the development be scaled back to a level where the traffic impacts are more acceptable?

The transport issues paper indicates that the three sites have a combined development potential of almost 4,500 residential units (with a potential population of over 11,000), about 63,000m² of commercial development and about 14,000m² of retail uses. SKM estimated that this level of development could result in:

- up to 40,000 vehicle trips per day;
- about 27,500 vehicle trips per day (about two thirds) external to the development area;
- about 8,200 vehicle trips per day will travel north either into or beyond Fremantle,
- 4,900 vehicle trips to/from the south;
- 9,000 vehicle trips to/from the east from the northern sector of the area; and
- 5,500 vehicle trips to/from the east from the southern sector of the area.

Based on these estimates of additional traffic demand and allowing for limited growth in through traffic, SKM examined a number of long term road configuration options with two options presented for consideration:

- Option 1 - upgrade Cockburn Road to a six lane (four general traffic lanes and two bus lanes) with a new two-lane road to the east (at the foot of the ridge);
- Option 2 - upgrade Cockburn road to four lanes (two general traffic lanes and two bus lanes) with a new four lane road to the east (at the foot of the ridge).

SKM have stated a preference for Option 1. The report states that with either option, Hampton Road between Rockingham Road and Douro Road is a bottleneck and widening to six lanes is recommended so that bus lanes can be provided in this section. Hampton Road, South Terrace and Marine Terrace as stated to have adequate capacity to accommodate the forecast increase in traffic. The provision of a highly connective (permeable) road network is promoted, in accordance with the state government's "Liveable Neighbourhoods Urban Design Code", rather than focussing all traffic on one high capacity route. The provision of a local road link along the railway line from Robbs Jetty to South Terrace is therefore recommended. Local opposition to such a connection is noted.

Upgraded road linkages to the east are proposed:

- extension of Rollinson Road through to the intersection of Rockingham Road and Forrest Road, and upgrading of Forrest Road to four lanes east of this point; and
- westward extension of Spearwood Avenue from Hamilton Road into Port Coogee.

On the basis of these recommended changes to the road network, SKM have estimated future long term traffic volumes. The following table compares existing traffic volumes the estimated future long term traffic volumes and the shows the changes on arterial road in the vicinity of the development sites:

Road	Section	Existing Daily Traffic	Future Daily Traffic	Change
Cockburn Road	South of Rockingham Rd	17,000	25,000	+8,000
Hampton Road	North of Rockingham Rd	27,000	35,000	+8,000
Hampton Road	North of Clontarf Rd	32,000	38,000	+6,000
Hampton Road	North of Douro Rd	19,000	22,000	+3,000
Douro Road	West of Hampton Rd	18,000	18,000	0
South Terrace	North of Douro Rd	9,000	12,000	+3,000
Marine Terrace	North of Douro Rd	8,000	12,000	+4,000
Rockingham Rd	East of Hampton Rd	14,000	13,000	- 1,000

The estimates for Douro Road indicate no long term change, but this is on the basis that there is a direct vehicular connection from South Beach Village through to South Terrace. If this link is not provided, then traffic volumes on Douro Road could increase by between 5,000 and 7,000 vehicles per day.

The report acknowledges the proposed increase in use of the freight railway for container trade, in accordance the state governments six point plan. SKM therefore recommend against use of the rail for passenger services. In order to reduce the severance effects of the freight line, the construction of a tunnel is suggested with the high cost being acknowledged. Instead of passenger rail, the provision of a high frequency shuttle bus service between Fremantle and Port Coogee is recommended in the medium term, running along dedicated bus lanes in Cockburn Road. Possible extension of the Fremantle CAT service to Rollinson Road is also suggested. The report does not comment on the merits or otherwise of a light rail (tram) link between Fremantle and Port Coogee.

CONCLUSION

Whilst only a preliminary analysis, the Transport Issues Paper highlights the potential traffic and transport implications of the combined development sites to the immediate south of Fremantle.

STRATEGIC AND POLICY IMPLICATIONS

The sustainable transport element of City Plan states that "Fremantle has a balanced transport system which encourages the use of public transport, bicycles and walking while managing vehicle use. Private vehicle use in the city centre is not higher than year 2000 levels."

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

The ease of accessibility of commercial premises has an impact on their economic viability.

Environmental

The movement of passenger and freight vehicles by road and rail gives rise to noise and air pollutions that impacts on the amenity of abutting land uses.

Land and transport initiatives that reduce the need for travel and increase the use of public transport, walking, cycling and telecommuting reduce the environmental impacts of car travel.

Social

Roads provide for both the movement of road users and exchange (ie interaction between people).

BUDGET IMPLICATIONS

Nil.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

This matter was discussed at the 20 June meeting of the Transport Advisory Committee and comments included:

- the traffic estimates are too conservative;
- there will be a significant traffic impact on roads leading into Fremantle (Douro Road, South Terrace and Hampton Road in particular);
- DPI should assess the carrying capacity of the land (including traffic impacts) before addressing subdivision issues like lot orientation;

- a light rail would be difficult to justify given that the state government had rejected a light rail link from the future Rockingham railway station to nearby major trip generating precincts (ie University/TAFE, Rockingham City and the waterfront development precinct); and
- a light rail service could run on the existing freight railway line given its low frequency of use.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

1. The City writes to the Department for Planning and Infrastructure requesting:
 - a) the urgent commencement of a detailed transport impact assessment of the proposed development sites to the immediate south of Fremantle;
 - b) input to the development of the terms of reference; and
 - c) membership of the steering committee overseeing the conduct of the study.
2. The City of Cockburn be provided with a copy of this report.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

1. **The City writes to the Department for Planning and Infrastructure requesting:**
 - a) **the urgent commencement of a detailed transport impact assessment of the proposed development sites to the immediate south of Fremantle;**

- b) input to the development of the terms of reference; and
- c) membership of the steering committee overseeing the conduct of the study.

2. The City of Cockburn be provided with a copy of this report.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number SGS0507-47 was moved and carried en bloc earlier in the meeting.

SGS0507-47 REQUEST FOR WAIVING OF DEBT BY FREMANTLE RUGBY CLUB - PROGRESS REPORT

DataWorks Reference: 085/002
Disclosure of Interest: Nil
Author: June Moorhouse, Manager Culture & Recreation
Actioning Officer: June Moorhouse, Manager Culture & Recreation
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To provide a progress report on Strategic & General Services Committee's request to pursue more information to determine an appropriate response to a request from the Fremantle Rugby Club to waive a substantial outstanding debt.

EXECUTIVE SUMMARY

Following the accumulation of a substantial debt to the City of Fremantle by the Fremantle Rugby Club, the new management committee (in place since early 2005) sought a waiver of outstanding payments to allow them to rebuild the Club. Strategic and General Services Committee considered this matter in May and requested more information regarding the long-term financial viability of the Club.

At further meetings with the Club, officers have agreed a series of deadlines for detailed financial information and progress reports on development plans. At this stage, it is difficult to determine the long-term viability of the Club. Officers anticipate a more accurate judgement could be made in March 2006 by which time the outcome of a number of key strategies for revitalising the Club, particularly its junior competition will be known. In the meantime officers are also putting in place agreements to ensure all current expenses incurred by the Club are met.

This report is provided for information only.

BACKGROUND

At its May meeting Strategic and General Services Committee considered an item (SGS05005-12) regarding a request to waive a debt owed by the Fremantle Rugby Club. Following the Committee's feedback on this matter and request for more information, the Manager Culture & Recreation and Manager Finance & Administration met with Club officials to discuss the matter and determine the Club's current and likely future financial position.

COMMENT

Discussions indicate that to date the new Management Committee has been successful in improving the Club's performance financially and members are being attracted back to

the Club. Income since November 2004 has already surpassed takings for the previous year. However, the strategies that have been put in place require more time to make a clear assessment of the Club's future. In particular, the Club is working towards the re-establishment of its Junior competition in 2006 given anticipated restructuring within the WA Rugby League which will see players return from a neighbouring club.

At the meeting it was agreed the Club would provide officers with:

- The end of year financials for 2005 as soon as possible,
- Further financials plus refined development plan for 2006 by October 2005
- Feedback on the success of the recruitment drive through schools in terms three and four by the Club's Development Officer by February 2006.

Key strategies for improvement will take more time to come to fruition therefore it is difficult to make a judgement about the Club's sustainability at this stage. Nevertheless it is important that the outstanding debt is contained to its current level and that the Club maintains its ongoing commitments to the City of Fremantle. Given this, the following action is required:

- The arrears figure, which includes all costs outstanding prior to July 1 2004 should be finalised.
- All payments due since July 1 2004 should be met by the Club.
- Repayments to a self-supporting loan from the City of Fremantle should be maintained.

CONCLUSION

The Club's future depends on the City of Fremantle's approach to recovery of the outstanding debt. In order to maintain opportunity for engagement with a diversity of sporting codes in our community, the best outcome for the City of Fremantle is to have a functioning and sustainable Rugby League Club. Current strategies appear to be improving the Club's position and the Management Committee is showing determination in getting the Club back on track.

If all payments from July 1 2004 are met and maintained by the Club and the Club continues with its development plan, officers could expect to make a reasonable judgement on the future viability of the Club and its capacity to repay the outstanding debt by March 2006. At this time a report and recommendation would be submitted to Council for further consideration.

STRATEGIC AND POLICY IMPLICATIONS

As per item SGS05005-12

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

The outcome of this matter may have bearing on future relationships with sporting clubs. The Fremantle Rugby Club has a 55 year history and is the only club providing rugby league in Fremantle.

BUDGET IMPLICATIONS

If Council chooses to waive part or all of the debt, this amount will need to be covered through municipal funds.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Information only no decision required.

COMMITTEE AND OFFICER'S RECOMMENDATION

That the information be noted.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

That the information be noted.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number SGS0507-48 was moved and carried en bloc earlier in the meeting.

**SGS0507-48 HILTON COMMUNITY PRECINCT DRAFT CONCEPT PLAN -
SEEKING APPROVAL TO RELEASE PLAN FOR FURTHER
CONSULTATION AND PROGRESS WITH FIRST STAGE (ABSOLUTE
MAJORITY)**

DataWorks Reference: 068/003; Roadway Paget St
Disclosure of Interest: Nil
Author: Steve Grant, Precinct Officer
Actioning Officer: Steve Grant, Precinct Officer
Decision Making Authority: Council
Agenda Attachments: Hilton Project Draft Concept Plan

PURPOSE

To seek Council approval to release the Hilton Community Centre Draft Concept Plan for 8 weeks community consultation and authorise the CEO to appoint an architect to produce plans and seek quotes using funds from the Hilton Community Facilities Reserve Fund (HCFRF) for a community arts workshop which has already received support from key stakeholders.

EXECUTIVE SUMMARY

A draft concept plan has been prepared for upgrading and improving services in the Hilton Community Precinct, which is bounded by Rennie Cres and Paget St in Hilton. The draft plan was developed following preliminary consultation with stakeholders in the area.

Key elements in the plan include the construction of a community arts workshop, administration/drop-in centre, storage and gym rooms for the PCYC, an area for public open space, a covered courtyard to be shared by services in the area and the rationalisation of fencing to improve the flow between facilities, the aesthetics and usability of the area. This will also create an entry statement to the precinct.

Approval is now sought to release the concept plan for broader consultation over a period of 8 weeks, including services that can be attracted to the precinct, multicultural organisations, the precinct and wider community.

In addition, an opportunity has now arisen for the City of Fremantle to apply to the Department of Culture and the Arts' Community Cultural Facilities Fund (CCFF) for a 33% contribution towards the construction of the community arts workshop. As a result, further consultation has been conducted with stakeholders and affected residents seeking support, based on a scale model of the proposed building, to proceed with this aspect of the project. Having received positive feedback, this item seeks Council approval for the CEO to engage an architect to prepare detailed designs and documentation for the workshop using funds from the HCFRF for architectural fees. Detailed designs and accurate cost estimates are required for a grant application to the Department of Culture and the Arts.

BACKGROUND

Several years ago the City of Fremantle sold Lots 1 and 4 Paget St, with the net proceeds (\$241,619.19) being set aside in the HCFRF, which was established to provide further community facilities in the Hilton area. In 2004 the Hilton Precinct submitted a list of possible projects to the City of Fremantle for the HCFRF. Representatives from the Precinct met with the Mayor and Director of Cultural and Community Services and it was decided to prepare an integrated plan which would bring together their suggestions with those of other service organisations in the area. The area bounded by Rennie Cres and Paget St was determined as the focus of this project, with the aim of creating a Hilton Community Precinct.

One-on-one interviews were conducted with the Fremantle PCYC, Fremantle Community Health Centre, Hilton and Kulungus Kindergarten, Hilton Primary School and the City of Fremantle's Manager of Service and Information, who has responsibility for the Hilton Progress Hall. Each outlined the services they provided, plans for the future and suggestions about ways that their organisation could be better integrated with others in the area to facilitate a vibrant sense of community. Concurrent to this, the City's Community Arts and Development Officer had been working with the Harmony in Hilton group, which has been operating for about 3 years, studying and developing plans to improve indigenous health, education and employment in Hilton. The group is currently running a breakfast club at the Hilton Primary School, health and first aid courses as well as art workshops and have a strong emphasis on young people.

The feedback received from these various groups was given to an urban planner from the Strategic Planning and Projects Unit, who prepared the attached concept plan. The stakeholders were then invited to a meeting where the plan was presented and discussed. There was general agreement with the plan and it was recommended that the City of Fremantle should stage the project, with the community art workshop being the first priority. Council was also encouraged to use the money from the HCFRF as a bargaining tool to seek matching or contributing funds from various grant programmes. Council was also encouraged to identify and negotiate with other services to see if they could be attracted to the area. As a result, Fremantle Youth Services has also been included as a stakeholder and is keen to pursue funding to run services out of the area, including outreach workers, a young mother's playgroup and StreetNet, a programme that provides alternate schooling for at-risk youth.

After the meeting with stakeholders, the CCFF was identified as a possible source of 33% of the costs of construction of the workshop. Discussions with the Department of the Culture and the Arts showed that the workshop could be considered for CCFF funding. The CCFF application will need to be approved by Council in September for submission to the Department of Culture and the Arts for consideration in October.

As the submission will require detailed architectural plans and quotes, a scale model of the workshop has been produced to seek community feedback/support to proceed. The model has been presented to the Harmony in Hilton Group, PCYC, Hilton Primary School and residents of Frederick Wright homes (as they are closest to the facility and most likely to be affected by activities conducted there). While one resident at Frederick Wright was unable to be contacted, the model and plan received a very positive response from others. Of the other organisations where feedback was sought, the only negative response came from a Hilton resident, indirectly through a conversation with the Manager of Cultural Development, that having the facility at the rear of the PCYC site was disrespectful to the indigenous people who had participated in the project because it

was 'out the back' and that its siting could encourage anti-social behaviour. While located at the rear of the PCYC, the new art workshop would be linked to the street by a new walkway and would become very much the focus of the precinct.

The Fremantle PCYC has expressed interest in managing bookings for the workshop on behalf of the City of Fremantle and acting as 'caretaker' due to their proximity to the facility.

COMMENT

Community feedback during the preliminary consultation on this project has been extremely positive. The Hilton Precinct, Harmony in Hilton Group, PCYC, Hilton Primary School and Kindergarten and the Community Health Centre have all expressed very similar aims and ambitions for the Hilton Community Precinct, particularly in relation to supporting initiatives which promote reconciliation, services for youth and the aged and encouraging a sense of 'community' by having a hub of services which attractive physical integration. They have also expressed enthusiasm about the possibility of sharing resources and there have already been instances where this has been facilitated, such as the Hilton Primary School making their facilities available to both the Harmony in Hilton breakfast club and the O'Connor Precinct for the screening of a documentary about future planning for suburbs. In turn, the PCYC has also held discussions with the school and Fremantle Youth Services about making its facilities available to them.

CONCLUSION

The Hilton Community has been very supportive of this initiative so far as they were engaged early in the process and have played a key role in bringing it to this stage. The key stakeholders are already fully aware of the plan and approval for further consultation is mainly to ensure that other stakeholders have not been missed.

While proceeding with developing architectural plans for the first stage (workshop) before signing off on the overall consultation is an unusual move, particular effort was made to seek approval from stakeholders and surrounding residents on this aspect of the plan in order to take advantage of the funding opportunities presented by the CCFF.

STRATEGIC AND POLICY IMPLICATIONS

A GREAT PEOPLE PLACE:

1: Diversity of Culture and Lifestyles; 1.1 plan facilitate and provide for services and facilities for Fremantle's social and cultural needs; 1.2 support and encourage community initiated cultural development events and services

2: Caring and Accepting Community; 2.2 develop plans and provide a range of programmes to encourage harmonious relations and break down prejudices in our community.

3: Participation and Knowledge; 3.2 provide equitable access to life-long learning opportunities and information to further develop and enhance knowledge and skills.

4: Artistic Cultural, Sports and Recreation Opportunities; 4.1 provide a range of accessible cultural, recreation, leisure and sports opportunities and facilities.

5: Safe Community; 5.1 forge partnerships between Council, the WA Police Service, businesses and the community in order to develop and implement safety initiatives, including community education programmes.

6: Healthy Community; 6.2 provide information to encourage community members to make informed decisions about personal health and lifestyle.

A VIBRANT ECONOMY:

1: Economic Development: 1.8 develop strong links with local and regional education institutions (public and private) to encourage their presence and growth in Fremantle; 1.9 strengthen the continued growth of cultural industries in Fremantle by supporting development of new cultural facilities.

A BEAUTIFUL AND ACCESSIBLE PLACE

2: Local centres: Fremantle offers conveniently located and easily accessible local centres providing shops, service activities and community facilities complementary to the city centre.

3: Public Open Space: 3.1 increase and enhance the quantity and distribution of green areas in Fremantle, while improving the linkages, vegetation, and the quantity of flora and fauna.

5: Facilities and Infrastructure: 5.2 undertake holistic streetscape upgrading programmes to enhance the appearance of Fremantle's neighbourhoods.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Through the sale of Lots 1 and 4 Paget St, the City of Fremantle received \$241,619.19 which was deposited in the Hilton Community Facilities Reserve Fund for the purpose of providing additional facilities in Hilton. While the scope of the concept plan would obviously be well above this figure, the intention is to seek matching or contributory grant funding to maximise its potential. Positive feedback has already been received from the Department of Culture and the Arts and LotteryWest regarding the concept plan and the possibility of receiving contributory funding from these organisations. The Department of Sport and Recreation was also supportive of the proposal, but requested time to think about where it could fit within their grant programmes.

It has also been the intention to stage the implementation of the plan, which has been supported by the stakeholders. This would ensure that if the HCFRF were depleted, the City would not be committed to implementing further stages until appropriate funds had been secured.

Funds would also need to be provided for maintenance of the facilities. At this stage maintenance has only been estimated for the community art workshop and the community open space, being put at \$11,000 per annum.

Environmental

The concept plan aims to improve the aesthetics of the Hilton Community Precinct street frontage, as well as providing a community open space which will have shaded seating and grassed areas.

The covered walkway which provides a link through the precinct has been specifically designed to shade the PCYC building, providing some reduction in the need for air conditioning. This would also be achieved through the construction of the covered courtyard and playground between the PCYC and the kindergarten, as the intention is to construct doors in the PCYC building in this area, allowing both cooling breezes to circulate, as well as providing a secure playground area accessible to both the kindergarten and the PCYC.

Social

The concept plan has been designed to support the connections that are being made by the community and services organisations in Hilton with regard to improving the social amenity of Hilton. Much of the emphasis of the consultation stage has been identifying how the service organisations can support each other in providing improved health and education in the area. There is also a great deal of emphasis on providing facilities and programming for young people, particularly indigenous youth. This has the double social benefit of allowing young people to maximise their potential by making them more aware of health, education and employment issues facing them, as well as strengthening their connection to and knowledge of the community which reduces the likelihood of anti-social behaviour. The Hilton Precinct has been extremely supportive of the PCYC and the work they have been doing in building relationships with young people in Hilton.

BUDGET IMPLICATIONS

At this stage the item seeks to use the funds from the HCFRF to develop plans and seek quotes for the art workshop. However, once the plans and quotes are received, another item will have to be submitted to Council which will seek the release of 67% of the construction costs from the HCFRF and approval to seek the remainder from the CCFF. Fees for preparation of the detailed designs for the art workshop are estimated to be \$10,000 to \$15,000.

Approximately \$7,000 per annum will also be sought for building maintenance, cleaning and managing bookings of the workshop space.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Officers are currently investigating different management models for the facilities in order to ensure that the City is not encumbered with legal obligations beyond that which it might be reasonably expected to commit to.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The Hilton Precinct was one of the initiators of this project and has been fully involved in all aspects so far.

Consultation has also been held with the Hilton PCYC, Hilton Primary School, Hilton and Kulungus Kindergarten, the Fremantle - Peel District Education Office, Harmony in Hilton Group, Fremantle Community Health Centre, residents of Frederick Wright aged units, Fremantle Youth Services and the Manager of the City's Service and Information Department.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

1. That Council approves the release of the Hilton Community Precinct Draft Concept Plan for consultation for a period of 8 weeks.
2. That Council authorises the CEO to appoint an architect to prepare plans and produce quotes for the community arts workshop using the funds from the Hilton Community Facilities Reserve Fund.
3. That a report be presented to the council in September 2005, reviewing the Draft Concept Plan in response to community comments received, and presenting detailed designs and cost estimates for the art workshop component of the Concept Plan.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

1. That Council approves the release of the Hilton Community Precinct Draft Concept Plan for consultation for a period of 8 weeks.
2. That Council authorises the CEO to appoint an architect to prepare plans and produce quotes for the community arts workshop using the funds from the Hilton Community Facilities Reserve Fund.
3. That a report be presented to the council in September 2005, reviewing the Draft Concept Plan in response to community comments received, and presenting detailed designs and cost estimates for the art workshop component of the Concept Plan.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number **SGS0507-50** was moved and carried en bloc earlier in the meeting.

SGS0507-50 VICTORIA HALL PROJECT - ACCEPTANCE OF LOTTERYWEST GRANT UNDER 2004/05 GRANTS PROGRAM (ABSOLUTE MAJORITY)

DataWorks Reference: Lotterywest 106/004
Disclosure of Interest: Nil
Author: Agnieszka Kiera, Heritage Architect Planner
Actioning Officer: Agnieszka Kiera, Heritage Architect Planner
Decision Making Authority: Council
Agenda Attachments: Letter of allocation of Lotterywest Grant to Victoria Hall Project

PURPOSE

For Council to accept the grant allocated by the Lotterywest to the City of Fremantle for the professional heritage consultant and conservation works to Victoria Hall.

EXECUTIVE SUMMARY

In response to the City Of Fremantle's submission, the grant of \$20,170 has been allocated by the Lotterywest under its 2004/05 Conservation of Cultural Heritage Grants Program. The allocation of the grant is subject to standard conditions of Lotterywest, one of each is declaration of acceptance of grant by the City.

The project represents the final implementation stage of the adopted conservation plan and the full scope of conservation strategy (both financial and strategic) of the City Of Fremantle for the building and its grounds. The estimated full cost of this stage of the project has been included in the 2005/06 budget.

The grant is in order to be accepted.

BACKGROUND

City of Fremantle purchased Victoria Hall in September 2001 on the basis of the Business Plan and Conservation Policy prepared for the City by the Construction and Property Consultants Pty Ltd and Palassis Architects in 1999. At the time the business plan estimated the cost of full conservation of Victoria Hall to be around \$1m. At its 11 February 2002 meeting (item C147 refers) Council accepted grant of \$60,000 from the Heritage Council of Western Australia under the Heritage Grants Program 2001/02 for urgent conservation works on the building. In its 2001/2002 budget Council allocated the sum of \$110,000 for stage one of conservation works, Heritage Council allocated further \$15,000 and in May 2002 Lotteries Commission also allocated \$41,482 to the project for the same urgent conservation works bringing the total budget for urgent works, stage one, to \$180,571 excl GST. This stage of works was completed in 2003. In December 2003 Council approved the plans for stage 2 & 3 of conservation/adaptation works (item SP0312-54 refers), involving, within stage 2, construction of the catering facility (Hobb's Bar) and public toilets to Victoria Hall at the cost of \$287,182 excl. GST. This stage of the works has been completed in 2004/05.

COMMENT

In response to the City Of Fremantle's submission, the grant of \$20,170 has been allocated by the Lotterywest to the project under its 2004/05 Cultural Heritage Projects Program. The City of Fremantle's estimated cost of \$290,000 for the final stage of conservation works has been included in the 2005/06 budget under the Heritage Advisory Committee's capital conservation works program. The allocation of the grant is subject to standard conditions of the Lotterywest, guiding expenditure of the grant and payment of money to the City.

This stage of the project represents a final step in implementation of the total program of conservation works planned by the City of Fremantle for Victoria Hall. Firstly in the Victoria Hall Conservation Plan and its follow up i.e. the adopted strategy for conservation/ upgrading/revitalisation works to the buildings and the already completed design and working drawings for the final stage.

The project has been supported by the City Of Fremantle's former Heritage Advisory Committee. It forms part of its strategy for the capital conservation projects, subsequently included in the City of Fremantle's 5 year budgets. The project is consistent with the City Plan, particularly the City of Fremantle's ongoing commitment to conservation of the heritage resources of Fremantle and this building in particular. Finally, largely due to the assistance offered by the external funding programs, the initially estimated, total cost of conserving this important building will be achieved in 2005/06 with more than \$250,000 costs saving than that projected in the 1999 Business Plan.

The grant allocation is in order to be accepted by Council.

CONCLUSION

In response to the City Of Fremantle's submission, the grant of \$20,170 has been allocated by the Lotterywest under its 2004/05 Conservation of Cultural Heritage Grants Program. The allocation of the grant is subject to standard conditions of the Lotterywest, one of each is declaration of acceptance of grant by the City.

The project represents the final implementation stage of the adopted conservation plan and the full scope of conservation strategy (both financial and strategic) of the City Of Fremantle for the building and its grounds. The estimated full cost of this stage of the project has been included in the 2005/06 budget.

The grant is in order to be accepted.

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the following areas of the City Plan:
The conservation program for Victoria Hall has been adopted by Council in 2001 and this item is a sequential step in implementation of this program.

This item has also connection to the following areas of the City Plan:

A Great People Place: a sense of history – Fremantle cherishes its history and cultural heritage and draws strength from its traditions.

A Vibrant Economy: heritage focus – Fremantle conserves its cultural and built heritage, recognising its fundamental importance to its economic future and prosperity.

A Beautiful and Accessible Place (Our Environment): Fremantle has a distinctive built form with creative reuse of buildings, innovative use of small building plots and integration of heritage.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Conservation of Victoria Hall aims at facilitating the more efficient and flexible use of the building thus extending its economic life and viability for, potentially, a range of possible uses. It also aims to provide model for a compatible and viable upgrading of the Hall, an stimulus to others to provide attractive and interactive activities in the east part of High Street, particularly to the owners of the adjacent properties for a gradual upgrade of their commercial premises at the street level.

Environmental

This item deals with the protection of heritage as a non-renewable cultural and built resource.

Social

This item deals with recognition by the City of Fremantle of the social capital associated with the building's heritage, in particular its commitment to meet the strongly expressed community's aspirations to fully restore the building and maintain it for, potentially, a range of public/community/cultural uses.

BUDGET IMPLICATIONS

The draft 2005/2006 Budget provides \$290,000 for the project (stage 3) costs, together with the Lotterywest grant, makes up for the available project budget. In the 5 year budget strategy the level of external funding for stage 3 of the project was estimated to be \$100,000 and the City continues to apply for funding to so estimated level. Should the external funding be less than anticipated, the item will be referred to the Heritage & Special Places Committee to assess the project's needs at the implementation stage and to recommend to Council that a shortfall of funds required to complete the final stage of the conservation works be drawn from the Heritage Places Reserve allocated for this purpose.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The project forms part of the long term conservation strategy for capital conservation projects prepared by the former Heritage Advisory Committee to the City of Fremantle, which included representatives of both, precincts and the community.

The project has been extensively consulted externally and internally at all stages of its progression. Its implementation is being coordinated with the more comprehensive city wide network of heritage trails and networks which is subject to a separate consultative process.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

Council accepts the grant of \$20,170.00 allocated to the City of Fremantle by the Lotterywest under its conservation of Cultural Heritage Grants Program 2004/05 for stage 3 of Victoria Hall Project.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

Council accepts the grant of \$20,170.00 allocated to the City of Fremantle by the Lotterywest under its conservation of Cultural Heritage Grants Program 2004/05 for stage 3 of Victoria Hall Project.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

The following item number **SGS0507-51** was moved and carried en bloc earlier in the meeting.

**SGS0507-51 FREMANTLE HISTORY MUSEUM & ARTS CENTRE PROJECT -
ACCEPTANCE OF THE LOTTERYWEST GRANT 2005/2006
PROGRAM (ABSOLUTE MAJORITY)**

DataWorks Reference: Lotterywest 106/004
Disclosure of Interest: Nil
Author: Agnieszka Kiera, Heritage Architect Planner
Actioning Officer: Agnieszka Kiera, Heritage Architect Planner
Decision Making Authority: Council
Agenda Attachments: Letter of allocation of Lotterywest Grant to Fremantle Museum & Arts Centre project.

PURPOSE

For Council to accept the grant allocated by the Lotterywest to the City of Fremantle for the Conservation Works to "Arts Centre and Museum".

EXECUTIVE SUMMARY

In response to the City Of Fremantle's submission, the grant of \$50,000 has been allocated by the Lotterywest under its 2004/05 Conservation of Cultural Heritage Grants Program. The allocation of the grant is subject to standard conditions of the Lotterywest, one of each is declaration of acceptance of grant by the City.

The project represents staged implementation of the adopted conservation plan and the long term conservation strategies (both financial and strategic) of the City Of Fremantle for the building and its grounds. The financial contribution from the City has been included in the 2005/06 budget.

The grant is in order to be accepted.

BACKGROUND

At its 20 April 1998 meeting (item SP139 refers) Council resolved to accept grant of \$25,000 from the Lotteries Commission for the Arts Centre and Museum Conservation Plan and to engage consultant for this purpose. Palassis Architects were commissioned to produce the plan.

At its November 2001 meeting (item SP68 refers) Council adopted the Fremantle Museum and Arts Centre Conservation Plan. This plan formed basis for development of the Fremantle Museum and Arts Centre (FM&AC) Conservation Works Strategy, prepared for the City by Considine & Griffiths Architects, and for the City of Fremantle's application for the external funding to facilitate implementation of the strategy.

At its 5 July 2004 meeting (item SDRCP0406 refers) Council accepted the grant of \$48,950 for the urgent works allocated to the City by the Commonwealth Department of the Environment and Heritage.

COMMENT

In response to the City Of Fremantle's 2004/05 submission, the grant of \$50,000 has been allocated by the Lotterywest to the project under its 2004/05 Cultural Heritage Projects Program. The estimated costs of the second stage of the project is \$205,000 and this has been included in the 2005/06 budget under the Heritage Advisory Committee's capital conservation works program. The allocation of the grant is subject to standard conditions of the Lotterywest, guiding expenditure of the grant and payment of money to the City.

The project represents a sequential step in implementation of the total program of conservation works identified for the Fremantle History Museum and Arts Centre. Firstly in the FM&AC Conservation Plan and its follow up i.e. the adopted strategy for conservation/upgrading/revitalisation of the buildings and its grounds. The project is consistent with the City Plan, particularly the City of Fremantle's ongoing commitment to conservation of the heritage resources of Fremantle and the Conservation Strategy for the Arts Centre in particular.

The project has been supported by the City Of Fremantle's former Heritage Advisory Committee and it forms part of its strategy for capital conservation projects, subsequently included in the City of Fremantle's 5 year budget strategy.

The grant allocation is in order to be accepted by Council.

CONCLUSION

In response to the City Of Fremantle's submission, the grant of \$50,000 has been allocated by the Lotterywest under its 2004/05 Conservation of Cultural Heritage Grants Program. The allocation of the grant is subject to standard conditions of the Lotterywest, one of each is declaration of acceptance of grant by the City.

The project represents staged implementation of the adopted conservation plan and the long term conservation strategies (both financial and strategic) of the City Of Fremantle for the buildings and its grounds. The financial contribution from the City has been included in the 2005/06 budget.

The grant is in order to be accepted.

STRATEGIC AND POLICY IMPLICATIONS

This item is a sequential step in implementation of the Fremantle Museum & Arts Centre Conservation Works Strategy and has a general connection to the following areas of the City Plan:

A Great People Place: a sense of history – Fremantle cherishes its history and cultural heritage and draws strength from its traditions.

A Vibrant Economy: heritage focus – Fremantle conserves its cultural and built heritage, recognising its fundamental importance to its economic future and prosperity.

A Beautiful and Accessible Place (Our Environment): Fremantle has a distinctive built form with creative reuse of buildings, innovative use of small building plots and integration of heritage.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

The project will stop the progress of physical deterioration of the buildings and will improve its look and utility. In a longer term it aims at promoting the Arts Centre as part of the greater city centre (heritage area) of Fremantle, including its out of the West End landmarks and cultural and community venues and interests. When fully implemented it is likely to increase the attraction of the city to the community, tourists and visitors, adding vitality and increasing intensity of the existing uses of the building and the area.

Environmental

This item deals with protection of heritage as a non-renewable natural, cultural and built resources.

Social

This item deals with interpretation and promotion and greater accessibility of the significant heritage landmark, which is held in high esteem by the community. Its restoration would enhance a sense of place, history and identity of the community thus contributing to social capital and to building sustainable community.

BUDGET IMPLICATIONS

The 2005/06 Budget provides \$205,000 for the project (stage 2) costs (yet to be adopted by Council) and, together with the Lotterywest grant, makes up for the available project budget.

In the 5 year budget strategy the level of external funding for stage 2 of the project was estimated to be \$102,000 and the City continues to apply for funding to so estimated level. Should the external funding be less than anticipated, the item will be referred to the Heritage & Special Places Committee to assess the project's needs at the implementation stage and to recommend to Council that a shortfall of funds required to complete the final stage of the conservation works be drawn from the Heritage Places Reserve allocated for this purpose.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The project forms part of the long term conservation strategy for capital conservation projects prepared by the former Heritage Advisory Committee to the City of Fremantle, which included representatives of both, precincts and the community.

The project has been extensively consulted externally and internally and its implementation is being coordinated with the more comprehensive city wide network of heritage trails and networks.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

COMMITTEE AND OFFICER'S RECOMMENDATION

Council accepts the grant of \$50,000 allocated to the City of Fremantle by the Lotterywest under its conservation of Cultural Heritage Grants Program 2004/05 to the Fremantle History Museum & Arts Centre Project.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

COUNCIL DECISION

Council accepts the grant of \$50,000 allocated to the City of Fremantle by the Lotterywest under its conservation of Cultural Heritage Grants Program 2004/05 to the Fremantle History Museum & Arts Centre Project.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr D Thompson

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson Cr Bob Williams	

CARRIED: 12/0

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

**SGS0507-35 REQUEST FOR 100% SUBSIDISED USE OF THE TOWN HALL
(ABSOLUTE MAJORITY)**

DataWorks Reference: 042/001
Disclosure of Interest: Nil
Author: David Duncanson, Economic Development Officer
Actioning Officer: David Duncanson, Economic Development Officer
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To seek consideration and approval of a request for a 100% subsidised (free) use of Town Hall by the Coastal Business Centre to hold a Business Expo for the promotion of small and micro Fremantle businesses.

EXECUTIVE SUMMARY

Coastal Business Enterprise Centre wishes to organise a small business expo in the Town Hall and has applied for 100% subsidised use. This application is supported since it will be showcasing small and micro Fremantle businesses and encouraging networking between Fremantle businesses.

BACKGROUND

Coastal Business Enterprise Centre is a not for profit organisation which gives advice to people wishing to start in business and to owners of existing small businesses. The organisation is based in the Business Incubator at Fremantle Prison. The organisation receives funding from various sources including \$3,000 per annum from the City of Fremantle and \$50,000 per annum from the Small Business Development Corporation.

In May 2004 Coastal Business Centre successfully organised a small Business Expo which was held in the Town Hall and for which they received a concession of 50% of the hire fee. They had 70 exhibitors and 600 people through the doors. A lot of business to business networking occurred on the day and has continued on since the expo.

COMMENT

Due to the fact that Coastal Business Centre receives part of its funding from the state government its application for free use of the Town Hall does not comply with the City of Fremantle policy for free use. Hire of the hall for this event at full cost would be \$942.

The purpose of the Business Expo is to showcase products and services of small and micro Fremantle businesses. A significant number of the exhibitors are home based businesses and in the majority of cases they will not have attended an expo before. The expo is to be held on Thursday 3rd November 2005 which is the date for the first of the outdoor markets to be held in Kings Square.

Coastal Business Centre is a not for profit organisation whose main aim in organising the Expo is to encourage as wide a range of small Fremantle businesses to exhibit their products and services. Free use is being sought in order that a subsidised charge can be passed on to those businesses.

If Council agrees to give free use then the City will be shown as a major sponsor of the event on all documentation and publicity.

CONCLUSION

The benefits from agreeing to free use will be passed on to the exhibitors which will encourage more small and micro businesses to exhibit. This is a showcase for small Fremantle businesses and this subsidy will show further support by the City for Fremantle business.

STRATEGIC AND POLICY IMPLICATIONS

This item has connection to the City Plan through encouraging business development and support for Fremantle businesses.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Assistance for local small businesses

Environmental

Nil

Social

Nil

BUDGET IMPLICATIONS

Council will forgo revenue of \$940.00 if the 100% subsidy is approved.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Council fees and charges are determined under section 6.16 of the Local Government Act 1995.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

That Coastal Business Enterprise Centre is granted 100% subsidy on the hire fee, of the Town Hall on 3rd November 2005 for the purposes of holding a small business expo.

Cr G Graham put the amended Recommendation as follows:

That Coastal Business Enterprise Centre is granted 50% subsidy on the hire fee, of the Town Hall on 3rd November 2005 for the purposes of holding a small business expo.

MOVED: Cr G Graham

For	Against
Cr Steve Gorman Cr Geoff Graham Cr Bob Smith	Mayor, Peter Tagliaferri Cr Brad Pettitt Cr Doug Thompson

LOST: 4/3

The Presiding Member used his casting vote AGAINST the recommendation resulting in it being LOST.

COMMITTEE AND OFFICER'S RECOMMENDATION

That Coastal Business Enterprise Centre is granted 100% subsidy on the hire fee, of the Town Hall on 3rd November 2005 for the purposes of holding a small business expo.

MOVED: Mayor, Peter Tagliaferri

For	Against
Mayor, Peter Tagliaferri Cr Steve Gorman Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson	

CARRIED: 6/0**REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION**

Nil

Cr J Strachan moved the following alternative recommendation seconded by Cr S Gorman:

COUNCIL DECISION

That the Coastal Business Enterprise Centre is granted 50% subsidy on the hire fee of the Town Hall on 3rd November 2005 for the purpose of holding a small business expo.

For	Against
Cr John Dowson Cr Steve Gorman Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Bob Smith Cr Jon Strachan Cr Bob Williams	Mayor, Peter Tagliaferri Cr John Alberti Cr Brad Pettitt Cr Doug Thompson

CARRIED: 8/4

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

My reason for changing the Officers Recommendation is to bring the decision in line with Council Policy.

- Officers tell us that the 2004 expo was a great success. They of course paid 50% then as I suggest they do again.
- With the same number of exhibitors as last year this will cost them about \$7 each. I do not think this is onerous in any way.
- I would be happy for Council to assist the Expo with officer time and equipment.
- The Town Hall is a great asset to the City and Fremantle in general; it does us no credit to undersell it. Let's require the modest outlay for the hire of \$471 and offer encouragement to the Expo in other ways.

COUNCIL ITEMS

C0507-9 SOUTH FREMANTLE LANDFILL SITE

DataWorks Reference: 046/010
Disclosure of Interest: Nil
Author: Peter Tagliaferri, Mayor
Actioning Officer: Graeme Mackenzie, Chief Executive Officer
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

This report follows on from an informal Elected Members workshop on Monday 11th July and a meeting with Landcorp CEO and Senior Officers on Friday 15th July and asks council to set a clear direction for the remediation and development of the South Fremantle Tip Site.

EXECUTIVE SUMMARY

At the Elected Members Workshop I suggested that there were alternatives to the Pindan proposal that were economically viable, environmentally and morally responsible that were also far softer and in my view better options for the community in relation to the tip site.

The options involve 'land swapping' by transferring existing facilities to this site and/or capping parts of the site and remediating at a later date when technology may provide better solutions than the disruptive option of digging out the contaminated waste, removing it, and dumping it at another site. It also involves looking at a residential option on Hollis Park and ensuring that a green belt is attained in accordance with Council's policy.

I propose that council not proceed with the Pindan proposal and continue working with Landcorp to develop options for the site based on this item.

BACKGROUND

Last month the council resolved to undertake community consultation to develop a structure plan for the site. The CEO called an informal elected members workshop to clarify what councillors actually wanted from the consultation, and by the end of the workshop it was clear (to me at least) that councillors did not feel comfortable with the Pindan proposal for a variety of reasons.

One of the suggestions from that workshop was to meet with Landcorp to determine whether they were prepared to continue with the MOU in relation to this site, and whether they would seriously consider the land use options I proposed at the workshop.

Landcorp CEO, Ross Holt, confirmed that Landcorp were more than happy to work with council under the terms of the MOU to find triple bottom line solutions to the future use of the site, and have since confirmed that in writing to our CEO.

COMMENT

I am strongly supportive of land use options for the tip site that include relocation of the council depot, relocation of the Gibson Park Netball Courts onto Sandown Park, and possible residential development on the area known as Hollis Park. These land use options provide the council with opportunities to redevelop both the Depot site and the Netball Courts site in High Street. Profits from these developments would allow funds to be allocated to the tip site providing a positive financial return in accordance with council resolution in 2004.

The Daly Street area could be capped and developed as landscaped carparking, serving the local shopping centre and possibly Park 'n' Ride option. Across the whole site a green belt should be maintained in accordance with Council Policy.

It was also clear to me from the discussions at the workshop that the community had already expressed extremely strong views about the risks associated with a 'dig and dump' remediation and that councillors were sympathetic to the community view. In fairness to Pindan, I think it is appropriate to pull away from that proposal now rather than later so that we can move ahead with some certainty.

CONCLUSION

I believe that the Pindan proposal will not be supported by the community, nor the councillors at the end of the day, and therefore think it is a waste of time to continue with the discussion and would distort any further public consultation on this complicated site.

I also believe that Landcorp can provide council with a solution that will provide a better than break-even outcome that would be far more acceptable to the community, both for the remediation and for the future uses of the site. Council has an obligation, I feel, to be involved in the total journey of this tip site and a sell now and shift responsibility to another party is not acceptable.

Therefore I am recommending that council abandon the Pindan proposal now, as this is a far more realistic approach and is fairer to our community and also to Pindan, giving clear direction.

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority

COUNCIL DECISION

That Council advises Pindan that it rejects its proposal for the remediation, sale and development of the South Fremantle Tip Site, and continues working under the Memorandum of Understanding with Landcorp to find appropriate triple bottom line solutions for the future of the site.

MOVED: Mayor, Peter Tagliaferri

SECONDED: Cr J Strachan

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Steve Gorman Cr Alice King Cr Shirley Mackay Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	Cr Les Lauder Cr Brad Pettitt Cr Bob Williams

CARRIED: 9/3

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Nil

THE FOLLOWING ITEM WAS WITHDRAWN FROM THE AGENDA FOR IT IS NO LONGER APPLICABLE:

C0507-10 - RECONSIDERATION OF BUSINESS PLAN FOR SOUTH FREMANTLE

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil.

CONFIDENTIAL MATTERS

Nil.

CLOSURE OF MEETING

THE MAYOR, P TAGLIAFERRI DECLARED THE MEETING CLOSED AT 7.21 PM.

SUMMARY GUIDE TO CITIZEN PARTICIPATION AND CONSULTATION

The Council adopted a Participation Policy in August 2001 to give effect to its commitment to involving citizens in its decision-making processes.

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

Effective participation requires total clarity so that Elected Members, Council officers and citizens fully understand their respective rights and responsibilities as well as the limits of their involvement in relation to any decision to be made by the City.

How consultative processes work at the City of Fremantle	
The City's decision makers	1 The Council, comprised of Elected Members, makes policy, budgetary and key strategic decisions while the CEO, sometimes via on-delegation to other City officers, makes operational decisions.
Various participation opportunities	2 The City provides opportunities for participation in the decision-making process by citizens via its Advisory Committees and Task Forces, its Community Precinct System, and targeted consultation processes in relation to specific issues or decisions.
Objective processes also used	3 The City also seeks to understand the needs and views of the community via scientific and objective processes such as its annual Community Survey.
All decisions are made by Council or the CEO	4 These opportunities afforded to citizens to participate in the decision-making process do not include the capacity to make the decision. Decisions are ultimately always made by Council or the CEO (or his/her delegated nominee).
Precinct focus is primarily local, but also city-wide	5 The Community Precinct System establishes units of geographic community of interest, but provides for input in relation to individual geographic areas as well as on city-wide issues.
All input is of equal value	6 No source of advice or input is more valuable or given more weight by the decision-makers than any other. The relevance and rationality of the advice counts in influencing the views of decision-makers.
Decisions will not necessarily reflect the majority view received	7 Local Government in WA is a representative democracy. Elected Members and the CEO are charged under the Local Government Act with the responsibility to make decisions based on fact and the merits of the issue without fear or favour and are accountable for their actions and decisions under law. Elected Members are accountable to the people via periodic elections. As it is a representative democracy, decisions may not be made in favour of the majority view expressed via consultative processes. Decisions must also be made in accordance with any statute that applies or within the parameters of budgetary considerations. All consultations will clearly outline from the outset any constraints or

How consultative processes work at the City of Fremantle	
	limitations associated with the issue.
Decisions made for the overall good of Fremantle	8 The Local Government Act requires decision-makers to make decisions in the interests of “the good Government of the district”. This means that decision-makers must exercise their judgment about the best interests of Fremantle as a whole as well as about the interests of the immediately affected neighbourhood. This responsibility from time to time puts decision-makers at odds with the expressed views of citizens from the local neighbourhood who may understandably take a narrower view of considerations at hand.
Diversity of view on most issues	9 The City is wary of claiming to speak for the ‘community’ and wary of those who claim to do so. The City recognises how difficult it is to understand what such a diverse community with such a variety of stakeholders thinks about an issue. The City recognises that, on most significant issues, diverse views exist that need to be respected and taken into account by the decision-makers.
City officers must be impartial	10 City officers are charged with the responsibility of being objective, non-political and unbiased. It is the responsibility of the management of the City to ensure that this is the case. It is also recognised that City Officers can find themselves unfairly accused of bias or incompetence by protagonists on certain issues and in these cases it is the responsibility of the City’s management to defend those City officers.
City officers must follow procedures	11 The City’s consultative processes must be clear, transparent, efficient and timely. City officers must ensure that policies and procedures are fully complied with so that citizens are not deprived of their rights to be heard.
Consultation processes have cut-off dates that will be adhered to.	12 As City officers have the responsibility to provide objective, professional advice to decision-makers, they are entitled to an appropriate period of time and resource base to undertake the analysis required and to prepare reports. As a consequence, consultative processes need to have defined and rigorously observed cut-off dates, after which date officers will not include ‘late’ input in their analysis. In such circumstances, the existence of ‘late’ input will be made known to decision-makers. In most cases where citizen input is involved, the Council is the decision-maker and this affords citizens the opportunity to make input after the cut-off date via personal representations to individual Elected Members and via presentations to Committee and

How consultative processes work at the City of Fremantle	
	Council Meetings.
Citizens need to check for any changes to decision making arrangements made	<p>1 The City will take initial responsibility, via 3 'Consultation Process notifications', for making . citizens aware of expected time-frames and decision making processes, including dates of Standing Committee and Council Meetings if relevant. However, as these details can change, it is the citizens responsibility to check for any changes by visiting www.freofocus.com/projects/html/default.cfm, checking the Port City Column in the Fremantle Herald or inquiring at the Service and Information Desk by phone or in-person.</p>
Citizens are entitled to know how their input has been assessed	<p>1 In reporting to decision-makers, City officers will in 4 all cases produce a Schedule of Input received . that summarises comment and recommends whether it should be taken on board, with reasons.</p>
Reasons for decisions must be transparent	<p>1 Decision-makers must provide the reasons for 5 their decisions. .</p>
Decisions posted on www.freofocus.com/projects/html/default.cfm	<p>1 Decisions of the City need to be transparent and 6 easily accessed. For reasons of cost, citizens . making input on an issue will not be individually notified of the outcome, but can access the decision at www.freofocus.com/projects/html/default.cfm or at the City Library or Service and Information counter.</p>

Issues that Council May Treat as Confidential

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

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