

# City of Fremantle

## MINUTES

### Ordinary Meeting of Council

Wednesday, 28 September 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

## TABLE OF CONTENTS

<b>ITEM NO</b>	<b>SUBJECT</b>	<b>PAGE</b>
	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>1</b>
	<b>IN ATTENDANCE</b>	<b>1</b>
	<b>APOLOGIES</b>	<b>1</b>
	<b>LEAVE OF ABSENCE</b>	<b>1</b>
	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>2</b>
	<b>PUBLIC QUESTION TIME</b>	<b>2</b>
	<b>DISCLOSURES OF INTEREST BY MEMBERS</b>	<b>2</b>
	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>2</b>
	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS</b>	<b>2</b>
	<b>CONFIRMATION OF MINUTES</b>	<b>3</b>
	<b>ANNOUNCEMENTS BY THE MAYOR</b>	<b>3</b>
	<b>QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS</b>	<b>3</b>
	<b>TABLED DOCUMENTS</b>	<b>3</b>
	<b>LATE ITEMS NOTED</b>	<b>4</b>
	<b>COMMITTEE REPORTS</b>	<b>4</b>
	<b>PLANNING SERVICES COMMITTEE 21 September 2005</b>	<b>4</b>
PSC0509-75	ADOPTION OF THE HILTON VILLAGE STRUCTURE PLAN (JM) (COUNCIL DECISION)	<b>4</b>
	<b>STRATEGIC AND GENERAL SERVICES COMMITTEE 14 September 2005</b>	<b>15</b>
SGS0509-3	POSTAL ELECTION REPORT - 7 MAY 2005	<b>15</b>

SGS0509-6	ACCEPTANCE OF FUNDING FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT, INDIGENOUS COMMUNITY PARTNERSHIPS FUND, GRANT FOR THE WALYALUP NOONGAR GRAPEVINE PROJECT	19
SGS0509-7	APPLICATION FOR APPROVAL OF BANKWEST SENIORS WEEK GRANT FUNDING	23
SGS0509-11	QUARANTINED BUDGETS - RULE ST TUNNEL AND LIMESTONE CLIFFS	26
SGS0509-14	PROPOSED FORMATION OF GIBSON PARK TRANSPORT TASK FORCE	30
SGS0509-16	ACCEPTANCE OF REQUEST FROM VC FELSTEAD DECEASED ESTATE (ABSOLUTE MAJORITY)	35
SGS0509-17	ON TRACK CYCLES STATUS REPORT (ABSOLUTE MAJORITY)	38
SGS0509-18	SUSTAINABILITY CHECKLIST	43
SGS0509-24	EXPRESSION OF INTEREST FROM FREMANTLE ENVIRONMENTAL RESOURCE NETWORK (FERN) FOR THE FORMER NURSERY SITE - CNR MONTREAL & HIGH STREETS, FREMANTLE	48
SGS0509-1	APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER - POLICY	53
SGS0509-2	REQUEST FOR FREE USE OF THE TOWN HALL HIRE FEE - FREMANTLE SYMPHONY ORCHESTRA (ABSOLUTE MAJORITY)	56
SGS0509-8	REVIEW OF ADVISORY COMMITTEES (ABSOLUTE MAJORITY)	61
SGS0509-15	FREOSTAR PUBLIC TRANSPORT SERVICE - STATUS REPORT (ABSOLUTE MAJORITY)	78
	<b>MOTIONS OF WHICH NOTICE HAS BEEN GIVEN</b>	<b>84</b>
C0509-1	NOTICE OF MOTION BY CR GEOFF GRAHAM	84
	<b>REPORTS BY THE MAYOR OR OFFICERS OF COUNCIL</b>	<b>86</b>
	<b>STATUTORY COUNCIL ITEMS</b>	<b>87</b>
C0509-2	MONTHLY FINANCIAL REPORT AUGUST 2005	87
C0509-3	APPLICATION FOR CROSSOVERS - AUGUST 2005	90

C0509-4	MINUTES OF THE ARTS CULTURE & EVENTS ADVISORY COMMITTEE MEETINGS HELD ON 6 SEPTEMBER 2005	92
C0509-5	MINUTES OF THE FREMANTLE SPORTS RECREATION & YOUTH ADVISORY COMMITTEE MEETINGS HELD ON 29 AUGUST 2005	94
<b>COUNCIL ITEMS</b>		<b>96</b>
C0509-6	TENDER FOR THE SUPPLY OF TYRES AND TYRE SERVICES FCC247/05	96
C0509-7	REQUEST FOR 100% SUBSIDISED USE OF TOWN HALL FROM GREAT GARDENS	100
C0509-8	FREMANTLE MARKETS BUSINESS PLAN (DRAFT) - PROPERTY DISPOSAL BY WAY OF LEASE	103
C0509-9	REQUEST FOR FREE USE OF THE TOWN HALL HIRE FEE - FREMANTLE PRIMARY SCHOOL P & C	107
C0509-11	COMMUNITY LEGAL ADVOCACY CENTRE RENTAL & RATES REQUIREMENT FOR NEXT SIX MONTHS & RELOCATION COSTS	110
C0509-12	TENDER FOR NEW 6X4 REAR LOADING REFUSE COMPACTOR FCC254/05	114
C0509-10	PRECINCT COMMUNITY DISCRETIONARY EXPENDITURE FUND - APPOINTMENT OF PANEL MEMBERS	118
C0509-13	TEMPORARY ACCESS TO SOUTH BEACH DURING SOUTH TERRACE ROAD CONSTRUCTION WORKS	122
<b>CONFIDENTIAL MATTERS</b>		<b>128</b>
SGS0509-22	FREMANTLE ARTILLERY BARRACKS SITE - SIGNAL STATION, NAVAL STORE AND TUCKFIELD STREET RESERVE	129
SGS0509-23	1/13 ESSEX STREET (FAST EDDY'S) SALE - CONFIDENTIAL (ABSOLUTE MAJORITY REQUIRED)	131
<b>CLOSURE OF MEETING</b>		<b>133</b>
<b>Summary Guide to Citizen Participation and Consultation</b>		<b>134</b>
<b>MINUTES ATTACHMENTS</b>		<b>139</b>
<b>CLOSURE OF MEETING</b>		

**ORDINARY MEETING OF COUNCIL**

Minutes of the Ordinary Meeting of Council  
held in the Council Chambers, Fremantle City Council  
on 28 September 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 Geoff Graham	South 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
Mr Graeme Mackenzie	Chief Executive Officer
Mr Glen Dougall	Director Corporate Services
Mr Jayson Miragliotta	Director Urban Management
Mr Ken Posney	Director Cultural and Community Services
Mr Alan Carmichael	Manager Finance and Administration
Mr Jim Duff	Manager Infrastructure Services
Mr Denis Black	Depot Administration Co-Ordinator
Mr Jon Horne	Financial Controller - Urban Management
Mrs Nellene Hill	Minute Secretary

*There were 9 members of the public and 2 members of the press in attendance.*

**APOLOGIES**

Cr Bob Williams                      North Ward

**LEAVE OF ABSENCE**

Cr Steve Gorman                      City Ward

## RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

## PUBLIC QUESTION TIME

### Summary of Comments by Bobby Wilson

Made comments on a non agenda item relating to LandCorp going on site at the end of South Terrace at South Beach Village and spoke of her protest in relation to this issue.

Also made comments on item C0509-13 in relation to the issues of community consultation for this item and also spoke on the petition to delete the road reserve in the park, which was given to Mayor, Peter Tagliaferri to submit to Council.

### Summary of Response from Mayor, Peter Tagliaferri

Your comments have been taken on board and Councillors will take them into consideration when making their decision.

## DISCLOSURES OF INTEREST BY MEMBERS

**Cr J Strachan** declared a impartiality interest in item number C0509-10 Precinct Community Discretionary Expenditure Fund - Appointment of Panel Members.

**Mr Glen Dougall, Director Corporate Services** declared an interest under the Code of Conduct for item number SGS0509-1 Appointment of Acting Chief Executive Officer.

**Mr Jayson Miragliotta, Director Urban Management** declared an interest under the Code of Conduct for item number SGS0509-1 Appointment of Acting Chief Executive Officer.

## APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## PETITIONS / DEPUTATIONS / PRESENTATIONS

**Mayor, Peter Tagliaferri** presented a petition with 65 signatures from the users of Wilson Park South Fremantle requesting "the City of Fremantle to ensure that the road reserve west of the existing road surface of South Terrace be deleted and the land formally incorporated into the recreation use of Wilson Park in line with the traditional use of this land for the last 100 years". This document is to be given to the appropriate Committee.

**Mayor, Peter Tagliaferri** also presented a document entitled "Liquor Amendment (Social Impact Assessments and Licence Fees) regulation 2004", under the New South Wales

Liquor Act 1982, to be forwarded to the appropriate Committee for possible consultation when considering licencing premises issues.

**Deputy Mayor, Cr John Dowson** presented a publication to the Mayor for the City of Fremantle Library entitled "Cooks Tour" by author Mr Roy Norris which Cr John Dowson received whilst representing the Mayor at a recent book launch.

**Cr Shirley Mackay** asked Councillors to join her in congratulating Council Officer, Mr Leigh Davis who co-ordinated the Fremantle Masters Games 2005.

**CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Council dated 24 August 2005 be confirmed as a true and accurate record.

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr J Strachan**

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

**CARRIED: 11/0**

**ANNOUNCEMENTS BY THE MAYOR**

**Mayor, Peter Tagliaferri** advised there will be a function in the future to celebrate the win of the South Fremantle Football Club Premiership for players and senior management and further details will follow.

**QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS**

Nil

**TABLED DOCUMENTS**

1. Correction to Item No. C0509-9 Request for Free Use of the Town Hall Hire Fee - Fremantle Primary School P & C

2. Proposed Alternative Recommendation from Cr Alice King for PSC0509-75 Adoption of the Hilton Village Structure Plan and Proposed Deferral
3. Proposed Alternative Recommendation from Cr Jon Strachan for Item SGS0509-8 Review Of Advisory Committees
4. Proposed Alternative Recommendation from Cr Brad Pettitt for Item SGS0509-8 Review Of Advisory Committees
5. C0509-13 Temporary access to South Beach during South Terrace road construction works - Attachment No. C0509-13
6. Proposed amendment to the Recommendation for Item C0505-11.
7. Petition for Wilson Park presented by Mayor, Peter Tagliaferri.
8. Liquor Amendment (Social Impact Assessments and Licence Fees) Regulation 2004 - New South Wales Liquor Act 1982 - presented by Mayor, Peter Tagliaferri.

### **LATE ITEMS NOTED**

C0509-13 Temporary access to South Beach during South Terrace road construction works.

### **COMMITTEE REPORTS**

#### **PLANNING SERVICES COMMITTEE 21 SEPTEMBER 2005**

Cr Les Lauder asked if any member present at the Planning Services Committee Meeting held on 21 September 2005 foresee any changes to the minutes as printed and presented in tonight's Agenda.

Mayor, Peter Tagliaferri brought to Councils attention a correction to item PSC0509-75 from the Planning Services Committee meeting held on 21 September 2005. Points d and e which were added to the recommendation at the meeting do not appear in tonight's Agenda.

Cr D Thompson entered the chamber at this juncture of the meeting being 6.12 pm.

Cr Alice King brought to Councils attention that the updated version of the attachment for the public comment forwarded out to Elected Members by Mr Jayson Miragliotta does not appear in the additional documentation relating to item PSC0509-75. Also the voting for this item should be recorded 4/3.

#### **PSC0509-75 ADOPTION OF THE HILTON VILLAGE STRUCTURE PLAN (JM) (COUNCIL DECISION)**

**Dataworks Reference:** 115/085  
**Disclosure of Interest:** Nil  
**Author:** Jayson Miragliotta, Director Urban Management  
**Decision Making Authority:** Council  
**PSC Agenda Attachments:** Hilton Village Structure Plan  
Schedule of Submissions  
Hilton Village Structure Plan area

## PURPOSE

Council is requested to adopt the Hilton Village Structure Plan as a guide for future development within the designated area. The approved structure plan will need to be endorsed by the Western Australian Planning Commission under the relevant provisions within City Plan No 4 once gazetted.

## EXECUTIVE SUMMARY

**The Hilton Village Structure Plan has been prepared to stimulate and facilitate the redevelopment of the existing Hilton Shopping Centre and the surrounding residential development as designated within the boundaries of the study area. The objectives of the Structure Plan are to improve the existing building form, development opportunities, commercial viability, housing diversity and community focus.**

**The Hilton Village Structure Plan shall provide a planning framework to guide future development, subdivision layouts and land use zones within the designated study area Council is requested to adopt the Hilton Village Structure Plan and forward the final plan and associated text to the Western Australian Planning Commission for approval.**

## REPORT

### Background

The Hilton Village Structure Plan area is located at the intersection of South and Carrington Streets towards the City of Fremantle's eastern boundary. The Structure Plan area is focused around the existing Hilton Local Centre that straddles either side of South Street and residential land located immediately north of the Local Centre. Commercial development within the area has generally been ad-hoc and disjointed with a mixture of retail, service commercial, restaurants, offices, entertainment, community services, medical and private recreation businesses. Whilst the Structure Plan area includes a number of commercial activities and services supporting the surrounding residential catchment the commercial centre's development is fragmented and provides no meaningful focus or identity for the surrounding community, hence the necessity to prepare an integrated Structure Plan to guide the area's transformation.

In terms of strategic vision for this particular locality, the City is keen to develop an integrated mixed development node centred on the existing Hilton Local Centre, which is intended to support the needs of the surrounding residential catchment. The Structure Plan area provides significant urban renewal opportunities embracing the Liveable Neighbourhood planning and design principles. The redevelopment of the existing Local Centre and introduction of additional residential development within the area will improve its economic viability and social vitality of the area.

The purpose of the Structure Planning process is to provide a strategic framework for future land use development within the designated area and to identify required infrastructure improvements to accommodate future residential and commercial developments.

## **Structure Plan Objectives**

The Hilton Village Structure Plan aims too:

1. To improve both the pedestrian and vehicular linkages between the residential and commercial areas.
2. To provide for a broad range of mixed land uses to strengthen community interaction, economic diversity, consolidated urban population, community amenity, community facilities and urban form;
3. To provide for a broad range of residential densities (R20-R100) and accommodation types (single bedroom accommodation, group dwellings, multi dwellings, family houses and seniors developments);
4. To provide solutions to traffic circulation and management;
5. To improve the design standards of the built form to improve the streetscape appeal;
6. To provide a framework to guide future development and land uses within the Hilton Village Precinct area;
7. To improve the employment opportunities and commercial viability of the Hilton Village Precinct;
8. To develop a distinctive character and identity for the Hilton Village Precinct
9. To provide a development vision and identity for the Hilton Village Precinct area

A copy of the draft Hilton Village Structure Plan is attached. Coloured copies of the Hilton Structure Plan and perspectives will be available in the Elected Member lounge.

## **Consultation**

The draft Hilton Village Structure Plan was advertised for public comment for a period of 5 weeks and affected/nearby landowners advised in writing for in accordance with the relevant provision of Council's Town Planning Scheme/Policy. Both Public and Precinct information sessions were convened during the public advertising period. The draft Structure Plan as also referred to the Department for Planning and Infrastructure and the relevant Servicing Authorities during the advertising period.

Twenty Five (25) submissions were received during the public advertising period and are summarised and attached for Council's consideration. Generally there was support for the revitalisation of the Local Centre and the overall direction of the Structure Plan subject to a number of clarification, minor modifications and editing of the plan and associated documents.

Council Officers have already liaised with several key landowners within the designated Precinct area seeking their input prior to the formulation of the Plan. Preliminary discussions have also been held with the Hilton Precinct convener and the members.

Copies of the submissions have been made available within the Elected Members Lounge for consideration.

The key issues raised by the public submissions are as follows:

### Provision of dedicated on street cycle lanes

Whilst the plan does not clearly detail on street cycle facilities on either South or Carrington Streets it is the intention to include such facilities subject to further detailed road designing in consultation with Main Roads WA. The inclusion of on street cycleway is considered to be a fundamental design aspect for the future planning of the Structure Plan area as an integrated Transport Orientated Development model. The final Hilton Structure Plan and associated text shall be modified to reflect the inclusion and implementation strategies for cycleway facilities.

#### Define Structure Plan area boundaries

The Structure Plan boundaries will only DA 11 as defined in CPS No4, The Local Centre zoned land defined in CPS No 4, The residential area bounded by Carrington, Hughes (both sides) and Victor Streets and the residential lots immediately abutting the Local Centre. A copy of the Structure Plan boundaries plan is attached for Elected Members information. Note that the Hilton Garden Suburb is not included within the Structure Plan boundaries and therefore will not be affected.

#### Protection of Hilton Garden Suburb

As stated above the existing Hilton Garden Suburb will not be included within the Hilton Structure Plan area. All residential development contained within designated boundaries of the Hilton Garden Suburb will be required to comply with the City's adopted Hilton Local Area Planning Policy DGH3 (as detailed in section 2.4 of the draft Hilton Village Precinct Plan text).

#### Proposed Rezoning of Structure Plan area

The Hilton Village Precinct Plan is not an enabling document with respect to changing existing zoning classifications. In this respect the adoption of the Hilton Village Precinct Plan will not change existing zoning classification designated under CPS No 4 or in particular change the current zonings within the Hilton Garden Suburb. It is intended however that the Western Australian Planning Commission be requested to extend DA 11 boundaries to include the Local Centre area and the residential area bounded by Carrington, Hughes (both sides) and Victor Streets in order to facilitate the land use recommendations outlined in the adopted Hilton Village Precinct Plan.

#### Redevelopment of Private Laneways

The private laneways are included in the area bounded by DA 11 under CPS No4, which is subject to a Structure Planning process. The Hilton Village Precinct Plan recommends the upgrading of the undeveloped laneways via the redevelopment (residential infill) process. Ausbrokers Limited the owners of the private right of ways between Victor, Clarke, South Streets and Hines Road have agreed to transfer these portions of land to the City of Fremantle at no cost to facilitate the upgrade of the ROW and redevelopment of the adjoining land. Council is requested to support this option and facilitate the upgrading of the ROW through the redevelopment process (developer contributions)

#### Need for detailed commercial strategy

The City of Fremantle does not have an updated Local Commercial Strategy and relies solely on the WAPC's Commercial Centres Strategy to guide its commercial hierarchy.

In this respect future population growth and changes in demographics profiles are not taken into account when determining the commercial requirements for the Local Centres or required land use composition. An updated Local Commercial Strategy would provide a useful planning tool for Council to review the size, function and land use commission of the Local Centres to respond to the retail needs of the community.

#### Retain Hilton's Architectural Character

The Hilton Garden Suburb has a unique character, which is intended to be reflected within the redevelopment of the designated Hilton Village precinct Plan area. It is acknowledged that the advertised architectural perspectives do not reflect the design intended for the redevelopment of the Local Centre. In this respect it is intended that a working group be formed represented by Council Officers, Elected Member, Community, Urban Designer, Heritage Architect and Landscape Designer to review the architectural plans for the Precinct area. The design guidelines once reviewed to facilitate the desired built form will be adopted by Council as a Local Planning Policy.

#### Road Widening Option for South and Carrington Streets

Several meetings were held with Main Roads WA (MRWA) as part of the formulation of the draft Hilton Village Precinct Plan to review possible road design options and future road widening requirements. At this stage it is keen to retain the existing 5 metre road widening (10m currently reserved) requirement for either side of South Streets adjacent to the Local Centre. Until the upgrade of Stock and High Street has been finalised the existing road widening option shall be preserved.

Notwithstanding MRWA's position regarding the width of the South Street reserve from a traffic design, urban design and pedestrian safety perspective the additional road reserve is considered warranted.

The wider road reserve will accommodate pedestrian medians, vehicle turning pockets, on-street cycleways, on-street parking, landscaped boulevard and wider pedestrian walkways. It is likely that the combination of the above road design features within South and Carrington Streets will evolve over time as the traffic volumes, vehicle speeds and vehicle types change over time.

It is intended that detailed traffic and intersection analysis will be undertaken for South and Carrington Streets as part of the redevelopment process for the Local Centre.

#### Funding streams and responsibilities

The Structure Plan contains a Developer Contribution Scheme and an Implementation Schedule to outline the required funding streams and actions necessary to facilitate the Plan. Generally the majority of the funding required to implement the Plan will be provided by Developers as part of either the pending subdivision or redevelopment process. Additional funding will be sought from the relevant service authorities to upgrade infrastructure to support the development of the broader area. Council is requested to consider aligning its future budget programs to compliment the private development investment in the area.

#### Compliance with DPI Structure Plan requirements

The approved Structure Plan shall be prepared and assessed in accordance with the Department for Planning and Infrastructure Structure Plan Checklist.

### Correct Plan and documents

A number of minor corrections and clarifications have been made to the draft Structure Plan and associated document to address the various points raised in the submissions.

## **CONCLUSION**

The preparation and implementation of the Hilton Village Structure Plan is a key strategic initiative to consolidate and integrate land use development within the eastern entry into Fremantle. Council is requested to adopt the Hilton Village Structure Plan and associated text as a working document to guide the future growth of the commercial node and the surrounding residential fabric.

## **STRATEGIC & POLICY IMPLICATIONS**

A key function of the draft Hilton Village Structure Plan is the consolidation of all relevant Council policies and strategic documents pertaining to the designated Precinct area into a single document. In this respect the implementation of the Structure Plan will ensure that all disciplinary aspects pertaining to the Precinct's development are adequately addressed.

The Hilton Village Structure Plan is a significant document when interfaced with other strategies for Fremantle including the City Plan No 4, Fremantle Planning Strategy Liveable Neighbourhood Principles. It is therefore critical that the redevelopment and evolution of this employment and mixed development node is guided to ensure the highest level of economic, social and environmental benefits can be achieved.

The Hilton Village Structure Plan is intended to be adopted as a Planning Policy under the relevant provisions of CPS No 4 and requires the endorsement of the Western Australian Planning Commission. The Hilton Village Structure Plan provides a planning framework to assess future development, subdivision layouts and land use zones within the designated area.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

The Implementation Schedule contained within Hilton Village Structure Plan document outlines the processes, infrastructure and funding arrangements necessary to implement the plan. Generally new infrastructure will be funded by landowners either as a result of redevelopment and/or subdivision processes. In addition, a Developers Contribution Scheme (refer Part 6 of the text) is proposed to fund the major infrastructure items identified within the designated Precinct area. The Implementation Schedule recommends that Council upgrades its existing dual use path networks, cycleways, street plantings and road networks within the designated Precinct area in order to ensure continuity with the works to be provided on the private land.

## **Environmental**

The redevelopment of the former Service Station site located on the corner of Carrington and Hughes Streets for residential purposes will necessitate the preparation and clearance of the required site contamination investigation reports. Approval from the Department of Environment and the Western Australian Planning Commission will be required prior to the area being subdivided or developed for residential purposes.

## **Social**

The Hilton Village Structure Plan identifies a number of infrastructure and land use improvements designed to address land use conflicts, public accessibility and amenity issues that currently exist within the designated area. Key social objectives of the Plan include an enhanced employment node, improved public access, compatible land uses, improved visual amenity and the development of a consolidated urban node around the Hilton Shopping Centres.

## **BUDGET IMPLICATIONS**

The Hilton Village Precinct Implementation Schedule recommends Council's future infrastructure improvement programme for the locality be coordinated with the private development front. The proposed Developer Contribution Scheme has been designed to facilitate the provision of key infrastructure improvements within the designated Precinct area. The Developer contributions are apportioned on a pro rata basis as part of the subdivision and development approvals process.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

The Hilton Village Structure Plan shall be adopted under Section 6.2 (Development Areas) Council's CPS No 4 once gazetted. The Structure Plan will guide the future development patterns and land uses within the designated area. The Structure Plan may be modified in accordance with the relevant provisions of Council's Scheme.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

The draft Hilton Village Structure Plan was referred to the Hilton Precinct Group and affected landowners for comment during the formal advertising period. An information session was also conducted with the Hilton Precinct Group during the public advertising period.

## **OFFICER'S RECOMMENDATION**

- A) That Council adopt the Hilton Village Structure Plan as a guiding document to facilitate future redevelopment within the designated area, subject to the following modifications being made to the approved Structure Plan and associated text, prior to being forwarded to the Western Australian Planning Commission for endorsement.
  - 1. The various items identified within the Hilton Village Infrastructure Improvement Plan to be costed and apportioned to the affected landowners and applied as part of the pending redevelopment process.

2. The Hilton Village Structure Plan and associated document to be modified to accommodate on streets cycleways in Carrington and South Streets adjacent to the Local Centre in accordance with the Liveable Neighbourhoods designed standards and approved by Main Roads WA.
  3. The boundaries of the Hilton Village Structure Plan area be modified to include all of the area identified as DA 11 under CPS No4
  4. The Western Australian Planning Commission to be requested to modify the boundaries of DA 11 identified under CPS No4 to include the Hilton Local Centre and the residential area bounded by Carrington, Hughes (both sides) and Victor Streets and the residential lots immediately abutting the Local Centre.
  5. A working group be formed represented by Council Officers, Elected Member, Community, Urban Designer, Heritage Architect and Landscape Designer to review the architectural plans for the Hilton Village Structure Plan area
  6. The Hilton Village Structure Plan and associated document to be modified to reflect the above changes and the schedule of submissions.
  7. A detailed traffic and intersection analysis be prepared and approved by Main Roads WA for South and Carrington Streets and the recommendations incorporated into the adopted Hilton Village Structure Plan
  8. Figures 1-16 of the Hilton Village Structure Plan document to be modified to exclude reference the Hilton Garden Suburb and preserve its unique character.
- B) Council note and endorse the schedule of submissions attached and forward to the Western Australian Planning Commission for consideration
- C) The approved Hilton Village Structure Plan and associated document be forwarded to the Western Australian Planning Commission for endorsement to guide the future redevelopment of the designated area.

**Mayor, Peter Tagliaferri moved an amendment to the Officer's Recommendation to include the following wording:**

- D) The amended Hilton Village Structure Plan and Text be referred to Elected Member's for vetting, prior to being forwarded to the Western Australian Planning Commission for final approval.
- E) The owners (Ausbrokers Limited) of the private right of ways as contained within the area defined as DA11 zoned area under CPS No 4 to be advised that the City of Fremantle may consider the transfer of the private right of ways to the City at not cost subject to the Hilton Village Structure Plan and CPS No 4 being approved by the Minister for Planning and Infrastructure.

**MOVED: Mayor, Peter Tagliaferri**

For	Against
Mayor, Peter Tagliaferri Cr John Dowson Cr Les Lauder Cr John Alberti Cr Doug Thompson	Cr Alice King Cr Jon Strachan

**CARRIED: 5/2**

**COMMITTEE RECOMMENDATION**

- A) That Council adopt the Hilton Village Structure Plan as a guiding document to facilitate future redevelopment within the designated area, subject to the following modifications being made to the approved Structure Plan and associated text, prior to being forwarded to the Western Australian Planning Commission for endorsement.
1. The various items identified within the Hilton Village Infrastructure Improvement Plan to be costed and apportioned to the affected landowners and applied as part of the pending redevelopment process.
  1. The Hilton Village Structure Plan and associated document to be modified to accommodate on streets cycleways in Carrington and South Streets adjacent to the Local Centre in accordance with the Liveable Neighbourhoods designed standards and approved by Main Roads WA.
  2. The boundaries of the Hilton Village Structure Plan area be modified to include all of the area identified as DA 11 under CPS No4
  3. The Western Australian Planning Commission to be requested to modify the boundaries of DA 11 identified under CPS No4 to include the Hilton Local Centre and the residential area bounded by Carrington, Hughes (both sides) and Victor Streets and the residential lots immediately abutting the Local Centre.
  4. A working group be formed represented by Council Officers, Elected Member, Community, Urban Designer, Heritage Architect and Landscape Designer to review the architectural plans for the Hilton Village Structure Plan area
  5. The Hilton Village Structure Plan and associated document to be modified to reflect the above changes and the schedule of submissions.
  6. A detailed traffic and intersection analysis be prepared and approved by Main Roads WA for South and Carrington Streets and the recommendations incorporated into the adopted Hilton Village Structure Plan

- 7. Figures 1-16 of the Hilton Village Structure Plan document to be modified to exclude reference the Hilton Garden Suburb and preserve its unique character.
- B) Council note and endorse the schedule of submissions attached and forward to the Western Australian Planning Commission for consideration
- C) The approved Hilton Village Structure Plan and associated document be forwarded to the Western Australian Planning Commission for endorsement to guide the future redevelopment of the designated area.
- D) The amended Hilton Village Structure Plan and Text be referred to Elected Member's for vetting, prior to being forwarded to the Western Australian Planning Commission for final approval.
- E) The owners (Ausbrokers Limited) of the private right of ways as contained within the area defined as DA11 zoned area under CPS No 4 to be advised that the City of Fremantle may consider the transfer of the private right of ways to the City at not cost subject to the Hilton Village Structure Plan and CPS No 4 being approved by the Minister for Planning and Infrastructure.

**MOVED: Cr L Lauder**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Dowson Cr Doug Thompson Cr John Alberti	Cr Alice King Cr Les Lauder Cr Jon Strachan

**CARRIED: 4/2**

**Cr Alice King moved the following alternative recommendation as follows:**

- A) 3. The structure plan boundaries will only include DA11 as defined in CPS No4, The Local Centre zoned land defined in CPS No 4, The residential area bounded by Carrington, Hughes (both sides) and Victor Streets and the residential lots immediately abutting the Local Centre.**
- A) 8. The Hilton Garden Suburb will not be included within the Hilton Structure Plan area. All residential development contained with designated boundaries of the Hilton Garden Suburb will be required to comply with the City's adopted Hilton Local Area Planning Policy DGH3)**

**REASON/S FOR CHANGE**

To better reflect the points raised in the body of the report, which gives consideration to the issues raised by the public in their submissions.

**Cr G Graham moved the following alternative recommendation:**

**COUNCIL DECISION**

**That this item be referred back to the Planning Services Committee for further discussion and corrections to be made to the report.**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

**REASON/S FOR CHANGE TO THE COMMITTEE RECOMMENDATION**

Not all Councillor's received the additional points D and E of the Committee Recommendation and the Committee need to discuss this document in further detail and make corrections to the report before it returns to Council.

**STRATEGIC AND GENERAL SERVICES COMMITTEE 14 SEPTEMBER 2005**

Mr Glen Dougall, Director Corporate Services and Mr Jayson Miragliotta, Director Urban Management declared an interest under the Code of Conduct for the following item and was absent during discussion and voting of this item.

Cr D Thompson moved en bloc recommendations numbered SGS0509-3, SGS0509-6, SGS0509-7, SGS0509-16, SGS0509-17, SGS0509-18, SGS0509-11, SGS0509-14 and SGS0509-24.

**SECONDED: Cr J Strachan**

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

**CARRIED: 11/0**

**SGS0509-3 POSTAL ELECTION REPORT - 7 MAY 2005**

**DataWorks Reference:** 099/010;099/004;099/005  
**Disclosure of Interest:** Nil.  
**Author:** Alan Carmichael, Manager Finance & Administration  
**Actioning Officer:** Alan Carmichael, Manager Finance & Administration  
**Decision Making Authority:** Council  
**Agenda Attachments:** Fremantle Postal Election Report - 7 May 2005  
 State Wide Postal Election Report May 2005

**PURPOSE**

To table reports on the 7 May 2005 City of Fremantle Council elections and the state wide full postal elections.

**EXECUTIVE SUMMARY**

The attached reports provide a comprehensive summary of the City of Fremantle full postal elections and the state wide full postal elections held on 7 May 2005.

## **BACKGROUND**

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

## **COMMENT**

The state wide report shows that with 50.1% participation, Fremantle had the second highest participation rate of a metropolitan council.

The Electoral Commissions final cost for conducting the elections came to \$52,793, which was materially below the lower end of the indicative cost range of \$61,000 to \$68,000 provided in August 2004. In comparison, the May 2003 full postal election cost (WAEC) was approximately \$56,000 and those elections did not include a mayoral election.

With supplementary advertising and other costs incurred by the city for the election, the total direct cost of conducting the elections is estimated at \$55,500.

The officer recommendation only recommends acceptance of the report that relates directly to City of Fremantle. The state wide report was provided for information.

## **CONCLUSION**

From an officer perspective, overall the 7 May 2005 elections went very well and the final cost from the WA Electoral Commission of \$52,793 (exclusive of GST) is a credit to the Commission staff who have worked very hard to address the issue of cost that arose from the May 2003 elections, plus improve the co-ordination and contact with candidates and council officers.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil.

### **Environmental**

Nil.

### **Social**

With a 50% voter turnout for a non-compulsory elections, very good interest and participation has been generated in the community that encourages them to cast a vote.

**BUDGET IMPLICATIONS**

The cost of the May 2005 elections is approximately \$28,000 under budget and that saving will be reflected in the final position for the 2004/2005 Financial Statements. Given the cost blow out on the 2003 elections, the 2005 budget had been conservatively set (refer item C0410-01 of 18 October 2004).

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

That the Western Australian Electoral Commission Postal Election Report for the City of Fremantle 7 May 2005 elections be received.

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

**That the Western Australian Electoral Commission Postal Election Report for the City of Fremantle 7 May 2005 elections be received.**

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson	

Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	
--	--

**CARRIED: 11/0**

The following item number SGS0509-6 was moved and carried en bloc earlier in the meeting.

**SGS0509-6 ACCEPTANCE OF FUNDING FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT, INDIGENOUS COMMUNITY PARTNERSHIPS FUND, GRANT FOR THE WALYALUP NOONGAR GRAPEVINE PROJECT**

**DataWorks Reference:** Dept for Comm Dev, Frem/106/011  
**Disclosure of Interest:** Nil  
**Author:** Ken Posney, Director Community Development  
**Actioning Officer:** Ken Posney, Director Community Development  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

### **PURPOSE**

To accept funding of \$15,000 (excluding GST) from the Department of Community Development, Indigenous Community Partnerships Fund and amend the City of Fremantle's 2005/06 budget.

### **EXECUTIVE SUMMARY**

**Council's Community Development Directorate has been successful in attracting funds of \$15,000 (excluding GST) from the Department of Community Development, Indigenous Community Partnerships Fund for the continuation of publishing a page called the "Walyalup Noongar Grapevine" in the local community newspaper every fortnight featuring positive images of Aboriginal people/interests/issues to help educate the wider community and provide a positive focus for local Indigenous people.**

### **BACKGROUND**

Further to extensive consultation with organisations and community members from Melville, Cockburn and Fremantle, it was decided that the publication of a page in the local community newspaper every fortnight featuring positive images of Aboriginal people/interests/issues would help educate the wider community and provide a positive focus for local Indigenous people.

### **COMMENT**

Most people have little knowledge or understanding of Indigenous culture and issues. They are exposed to negative stereotypes in the media. Their attitudes to Indigenous Australians are often negative and promote divisiveness. Similarly, Indigenous people see few positive public images of themselves and their families, communities, issues.

The project will involve collecting stories, editing material received and preparing and publishing a page in the Community Newspaper each fortnight. The project hopes to achieve changed attitudes, changed attitudes and educating the community.

Funding for the first three (3) issues was made available by the Department of Community Development's Promoting Strong Children, Strong Families, Strong Communities section. This funding of \$15,000 will enable us to continue publishing a page in the Community Newspapers each fortnight for a further period.

## **CONCLUSION**

Council accept the funding of \$15,000 (excluding GST) from DCD's Indigenous Community Partnerships Fund to continue to publish a page in the Community Newspapers each fortnight for a further period.

## **STRATEGIC AND POLICY IMPLICATIONS**

The grant will contribute to the objectives of the City Plan by:-

- Fostering harmony and social justice and providing opportunities for all individuals to maximise their potential and quality of life.
- We are delivering services that meet the needs of the community and result in high levels of community satisfaction.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

The project hopes to achieve changed attitudes and educating the community.

## **BUDGET IMPLICATIONS**

The project does not seek any additional funding from the municipal fund. We submit the following amendment to the City of Fremantle 2005-2006 budget.

Revenue budget for the Community Development Directorate be increased by \$15,000 (excluding GST) and operating expenditure budgets be increased by \$15,000 (excluding GST) to reflect associated expenditure.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

1. That Council accept the grant of \$15,000 (excluding GST) from the Department of Community Development, Indigenous Community Partnerships Fund.
2. That the City of Fremantle 2005/2006 revenue budget for the Community Development Directorate and associated expenditure budgets be increased by \$15,000 (excluding GST).

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

1. That Council accept the grant of \$15,000 (excluding GST) from the Department of Community Development, Indigenous Community Partnerships Fund.
2. That the City of Fremantle 2005/2006 revenue budget for the Community Development Directorate and associated expenditure budgets be increased by \$15,000 (excluding GST).

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

For	Against
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay	

Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	
--	--

**CARRIED: 11/0**

The following item number **SGS0509-7** was moved and carried en bloc earlier in the meeting.

**SGS0509-7 APPLICATION FOR APPROVAL OF BANKWEST SENIORS WEEK GRANT FUNDING**

**DataWorks Reference:** 106/039  
**Disclosure of Interest:** Nil  
**Author:** Kevin Marsh, Librarian, Systems and Adult Services  
**Actioning Officer:** Kevin Marsh, Librarian, Systems and Adult Services  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**PURPOSE**

To gain acceptance of GRANT funding in 2005/2006 budget.

**EXECUTIVE SUMMARY**

**Fremantle City Library successfully applied for a grant from Council on the Ageing (COTA) (WA), to run a BankWest Seniors Week program. A grant of \$511.50 inclusive of GST was approved.**

**BACKGROUND**

Four City of Fremantle business units (Fremantle City Library, The Meeting Place, Fremantle City Legal Centre, and Fremantle Community Care) are jointly coordinating a series of activities and events for BankWest Seniors Week 2005 in Fremantle (23 – 30 October) on the theme of 'celebrating life'. As a means of subsidising the publicity costs each of these business units applied for a grant from COTA (WA) for funds supplied through Lottery West.

**COMMENT**

The Fremantle City Library was successful in its application. The grant will be used to subsidise program publicity costs.

**CONCLUSION**

City of Fremantle's contribution to BankWest Seniors Week 2005 is a valuable program of a week-long series of events and activities throughout the City. It will greatly promote the City's recognition of the contribution seniors make to the community, and it will engage the City's seniors' community in activities organised by the City.

**STRATEGIC AND POLICY IMPLICATIONS**

The grant will contribute to the objectives of the City Plan in honouring Fremantle as A Great People Place by offering a range accessible cultural, recreation and leisure experiences; by promoting healthy lifestyles; by providing opportunity for individuals to

maximise their potential and quality of life; and by engaging the community if lifelong learning.

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Not applicable

**Environmental**

Not applicable.

**Social**

The program of activities and events will contribute to the range of accessible cultural activities as well as promoting the library and local history services.

**BUDGET IMPLICATIONS**

The 2005/2006 Budget will need to be amended to reflect the \$465 grant (exclusive of GST) and associated expenditure.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Not applicable.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

1. That the grant funding from Council On the Ageing (WA) (COTA WA) for \$465 be accepted.
2. That the 2005/2006 Budget be amended to reflect the \$465 revenue and associated expenditure.

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith	

Cr Doug Thompson Cr L Lauder	
---------------------------------	--

**CARRIED: 6/0**

**COUNCIL DECISION**

1. That the grant funding from Council On the Ageing (WA) (COTA WA) for \$465 be accepted.
2. That the 2005/2006 Budget be amended to reflect the \$465 revenue and associated expenditure.

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number **SGS0509-11** was moved and carried en bloc earlier in the meeting.

**SGS0509-11 QUARANTINED BUDGETS - RULE ST TUNNEL AND LIMESTONE CLIFFS**

**DataWorks Reference:** 091/009  
**Disclosure of Interest:** Nil  
**Author:** Jon Horne, Financial controller - Urban Management  
**Actioning Officer:** Jon Horne, Financial controller - Urban Management  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

### **PURPOSE**

For council to endorse the removal of the quarantine status attached to A & I budgets for a portion of the Rule St tunnel project, and the limestone cliffs project works.

### **EXECUTIVE SUMMARY**

**This item reviews some of the A & I budgets which are quarantined, and recommends removal of this status to allow expenditure to be committed to progress works on the Rule St tunnel and the limestone cliffs projects.**

### **BACKGROUND**

The 2005/06 budget includes a number of projects which have been 'quarantined' as part of the budget process. While the budgets have been approved for expenditure, the quarantine status requires that no commitments be made against the budgets until council has considered and adopted further council items, providing clarification and support for the budgets. Two budgets for the Rule St tunnel (\$300,000) and the assessment of the limestone cliffs (\$20,000) are considered for removal of part or all of the quarantine status.

### **COMMENT**

*Rule St tunnel.*

The Rule St tunnel is around 220m in length, originally dug to be about 1.7m high and 1.2m wide. It links the low point in Thompson Road to carry storm water to the outfall at the river side in Rocky Bay, east of Rule St, and just south of the cave area. The history of the tunnel construction remains unclear; however, it is believed to have been originally excavated through limestone in the 19<sup>th</sup> century. More recent upgrades were made some 30 - 60 years ago - the initial 110m leading from the tunnel origins in Thompson St has incorporated the placement of 750mm reinforced concrete pipe, together with timber lined sections extending further towards the river. The eastern portion of the tunnel ending at the river (perhaps one third of the length) is still in its original condition.

Since its construction minor subsidence has been caused through gradual deterioration of the structure and movement of earth surrounding the structure. This has been caused through normal geological activity, but may also have been exacerbated by building activity in the area.

Council staff cannot give a precise prediction for any future failure of the structure. However, against this background of minor subsidence events, it has been recognised as requiring significant and potentially urgent works. It is felt that council needs to progress such works to correct the potential instability and thus limit any liability should the structure fail in the future. In 2004, advice was sought from experienced industry sources as to the feasibility to complete corrective works and the order of cost magnitude. Based on this advice, A & I listed works for completion in 2004/05 for costs in the order of \$300,000. Due to other priorities these have been deferred to 2005/06.

Before pursuing the project works further, it is necessary to conduct a thorough survey of the tunnel and seek consulting input on a detailed method and plans to provide an ongoing solution to the deterioration of the structure. The expected costs for the survey and consulting works are up to \$20,000, and it is therefore proposed to remove the quarantine status for this portion of the budget. After completion of the survey and consultant methodology, a further report will be presented to council to provide expected total project costs and seek removal of the quarantine status from an appropriate balance of the approved budget, or to phase works as needed. At this time, aspects of other potential sources of funding may be examined.

#### *Limestone cliffs assessment*

Expenditure on the limestone cliffs has been identified as a current and future issue for council, and an ongoing budget of \$20,000 has been approved to assist in funding required assessments and actions.

The purpose of the budget is to not only provide ongoing assessment of the cliffs by a geotechnical consultant, but to also allow for minor rectification works to assist in their stability. Based on prior consulting reports, a number of remedial actions have been recommended for the limestone cliffs in South St, Harvest Road, Harvey Beach and at Arthur Head. Specific cliff areas will also require aboriginal consultation prior to implementing any remedial actions.

For 2005/06 it is expected to commence:

- Hazardous limestone block removal and cliff face reinstatement works at the South St and Harvest Road cliff areas
- Consultation in Harvey Beach to cater for future minor remedial works
- Inspections of rock bolting at Arthur Head

While noting that minor remedial works may be able to be accommodated within the limited budget, future major works (where identified and required), will be the subject of separate submissions through the five year planning and budget process.

## **CONCLUSION**

Nil

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has a connection to the City Plan through Strategy 3 (A Beautiful and Accessible Place), key result area 5 (Facilities and Infrastructure)

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

Nil

## **BUDGET IMPLICATIONS**

There are no budget implications as the item only deals with the removal of the quarantine status from approved budget funds.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

While there are no specific considerations, council is under a duty to maintain infrastructure assets to a reasonable level and therefore limit its exposure to liability should the structures fail through neglect.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

That Council approve the removal of the quarantine status from part of the Rule Street tunnel project budget (for \$20,000) and the limestone cliffs assessment budget (\$20,000).

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

**That Council approve the removal of the quarantine status from part of the Rule Street tunnel project budget (for \$20,000) and the limestone cliffs assessment budget (\$20,000).**

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

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

**CARRIED: 11/0**

The following item number **SGS0509-14** was moved and carried en bloc earlier in the meeting.

**SGS0509-14 PROPOSED FORMATION OF GIBSON PARK TRANSPORT TASK FORCE**

**DataWorks Reference:** 165/022  
**Disclosure of Interest:** None  
**Author:** David Nicholson, Transport Planner  
**Actioning Officer:** David Nicholson, Transport Planner  
**Decision Making Authority:** Council  
**Agenda Attachments:** Draft Instrument - Gibson Park Transport Task Force

### **PURPOSE**

For Council to consider the establishment of a task force to address transport issues in the Gibson Park Precinct.

### **EXECUTIVE SUMMARY**

**The establishment of a Task Force has been requested by Cr Thompson to address traffic and freight transport issues in the Gibson Park Precinct. Council endorsement of draft terms of reference (Instrument of Appointment and Delegation) and appointment of an elected member is now sought so that establishment of the Task Force can proceed.**

### **BACKGROUND**

At its 18 April 2005 meeting (Item N0504-01), Council resolved to refer to Committee a proposal from Cr Thompson for the formation of a "Truck and Traffic" Advisory Committee. The purpose of the proposed advisory committee was to provide a forum for Gibson Park residents to develop strategies to reduce the impacts of trucks and traffic in this area now that the ALP state government has been re-elected and the Fremantle Eastern Bypass issue has been "finalised." Cr Thompson suggested that the advisory committee be chaired by a North Ward Councillor, with the Transport Planner as Executive Officer and an unspecified number of community members from Gibson Park Precinct.

At its meeting on 25 May 2005, Council considered a report on the proposed advisory committee and resolved that:

- 1. The Transport Planner seek input on terms of reference for the proposed Truck and Transport Task Force from North Ward Elected Members, Gibson Park Precinct, the Department for Planning and Infrastructure and the Office of the Minister for Planning and Infrastructure.*
- 2. Draft terms of reference for the proposed Truck and Traffic Task Force be prepared for the June cycle of Council meetings.*
- 3. That the proposed Committee be set up under the procedures appropriate for a Task Force and the proposed methodology and process for reporting as set out in this report be endorsed.*

## COMMENT

### Department for Planning and Infrastructure (DPI)

The state government's Local Impacts Committee Discussions has recommended the conduct of a planning study for High Street. The purpose of the study would be to address the LIC's draft recommendations for High Street of, which are:

*"Commence planning study for High Street to consider:*

- recommendations of FEB review to upgrade High St to dual two lane carriageways;*
- other safety improvements such as relocation within road reserve to allow service roads*
- noise walls, possibly in conjunction with service roads;*
- pedestrian improvements*
- possible options for redevelopment of adjacent land;*
- possible improvement of netball centre access and parking."*

The Department for Planning and Infrastructure (DPI) have funding allocated in their 2005/06 budget for the conduct of the planning study but are yet to develop the terms of reference, (including the project timeframe, consultation strategy and steering committee membership). DPI officers are prepared to accept any information and suggestions submitted from a Council appointed task force prior to or during the conduct of the proposed planning study.

### Gibson Park Precinct

Input was sought from the Gibson Park Precinct about the issues that the Task Force might address and the following response was provided by the Precinct Convener:

*"The Traffic areas of concern that have been brought up the most at our Meetings are:*

- 1. Protruding Kerbs along Marmion St. from Carrington St. to Stirling Highway. Many feel that the kerbs are actually dangerous & in some cases unwarranted. One such kerb is on the Corner of Holland & Marmion which makes a left hand turn in Peak times difficult especially for those who wish to turn left into Stirling Highway.*
- 2. Rat Running in Wilkinson & Chudleigh Streets by cars & Trucks trying to avoid lights at Stirling Highway & High St.*
- 3. Forrest St. being used as a Speedway & more so since the Traffic CALMING on Marmion St. Concerns expressed over the intersection of Wilkinson & Forrest St.*
- 4. Gibson Park Netball Courts: Always a problem in the Netball Season & needs to be addressed.*
- 5. More Traffic Calming needed around Parks & Schools in this Precinct.*
- 6. High St: Noise levels taken along High Street have proved to be over the legal limit. The ever increasing TRUCK Traffic is a major problem for residents who have been left in the Dark since the deletion of the Fremantle Eastern bypass.*

*It has increased the occurrence of Rat Running through local Streets to avoid High St.*

7. *High St & Stirling Highway Intersection : Many residents especially those who have homes in the area mentioned are very concerned about the future of their properties & what it proposed for this dangerous intersection.*
8. *Crossing or Tunnel needed for pedestrian traffic over Stirling Highway between High St. & Marmion Street.*

*Your Contact person is Rhona Carlson Ph.9430 7702 e-mail rhona.carlson@ozemail.com.au*

*A Local Taskforce with residents is what the Precinct wants so that Council & Main Roads understands by from talking to the people who LIVE here what the problems are. Councillor Doug Thompson proposed this idea & is the man to talk to about it."*

### North Ward Elected Members

No feedback has been received from the North Ward Elected Members on the draft "Instrument of Appointment and Delegation."

### Task Force

The establishment of a Task Force consisting of elected and community representatives with Council officer support is the appropriate model addressing the transport issues in this area. The City has established standard terms of reference for such task forces and these have been tailored to suit the proposed transport study (refer to Attachment 1).

The proposed Task Force would consist of one North Ward Elected member, the Transport Planner (Executive Officer) and four community representatives from the Gibson Park area. The task force would be restricted to considering transport issues within the area bounded by Stirling Highway, Marmion Street, Carrington Street and High Street. The primary focus of the Task Force would be the safe and efficient management of road use within the study area by all road users, including access to properties and on-street parking. Issues relating to the management of High Street (a Primary Regional Road) would be recorded and forwarded to DPI for consideration as part of the proposed planning study. Recommendations of the Task Force would be reported back to the Strategic and General Services Committee for consideration.

## **CONCLUSION**

The establishment of the Gibson Park Transport Task Force can proceed. This requires Council endorsement of the proposed "Instrument of Appointment and Delegation" (ie the terms of reference), appointment of an elected member to the Task Force, and advertising for and appointment of community representatives.

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has a general connection to the sustainable transport element of City Plan.

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Not applicable - administrative matter.

**Environmental**

Not applicable - administrative matter.

**Social**

Not applicable - administrative matter.

**BUDGET IMPLICATIONS**

Nil.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Input has been sought from the Gibson Park Precinct as this report relates directly to traffic management issues in that area.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

1. That Council endorse the draft "Instrument of Appointment and Delegation" for the Gibson Park Transport Task Force (Attachment 1).
2. That Cr Doug Thompson be appointed to the Task Force.
3. That nominations be sought for the four community representative positions on the Task Force and a recommendation brought back to Council for endorsement.

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

- 1. That Council endorse the draft "Instrument of Appointment and Delegation" for the Gibson Park Transport Task Force (Attachment 1).**
- 2. That Cr Doug Thompson be appointed to the Task Force.**
- 3. That nominations be sought for the four community representative positions on the Task Force and a recommendation brought back to Council for endorsement.**

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number SGS0509-16 was moved and carried en bloc earlier in the meeting.

**SGS0509-16 ACCEPTANCE OF REQUEST FROM VC FELSTEAD DECEASED ESTATE (ABSOLUTE MAJORITY)**

**DataWorks Reference:** 126/002  
**Disclosure of Interest:** Nil  
**Author:** Andre Lipscombe, Curator City of Fremantle Art Collection  
**Actioning Officer:** Andre Lipscombe, Curator City of Fremantle Art Collection  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

## **PURPOSE**

To accept disbursement of funds from the Deceased Estate of Victor Charles Felstead to the City of Fremantle Art Collection for the acquisition of artworks.

## **EXECUTIVE SUMMARY**

**Accept the bequest of funds from the Deceased Estate of VC Felstead in accordance with the conditions of his Last Will and Testament. Funds of \$7,001 have been received. These funds will assist the development of the collection holdings of significant contemporary and historical realist art not represented in the collection.**

## **BACKGROUND**

In 1993 discussions began between Mr V. C. Felstead, Fremantle Arts Centre and the City of Fremantle Art Collection Curator to establish a memorial acquisition fund. The fund initiated by V.C. Felstead, was to recognise the Felstead name and memory of his brother by the acquisition of artworks for the City of Fremantle Art Collection. In 1994, guidelines for the management of the funds were agreed to by Mr Felstead. The guidelines permit the acquisition of realist paintings, drawings and prints at the discretion of the collection Curator with reference to the objectives of the City of Fremantle Art Collection.

In August 2002 Mr V.C. Felstead died and his Deceased Estate was managed by the Public Trustee. In the Last Will and Testament of V.C. Felstead the City of Fremantle was named as a beneficiary and that 32% of the annual Income from the residual estate was to be paid to the City for acquisition of artworks as per Clause (e)(1):

“Pictures by Australian citizens in any medium or mixed media which express in realism (ranging to small degree only of abstraction or symbolism) the essence of light, geology, fauna and flora of the Australian landscape or the settlements and way of life and labour of those who live in the environment. “

**COMMENT**

To progress the expenditure of the V & E Felstead Fund income and to benefit the City of Fremantle Art Collection, a Council decision is required to accept the annual bequest of Funds from the Deceased Estate of V.C. Felstead. These funds will assist the development of the collection holdings of significant contemporary and historical realist art not represented in the collection.

**CONCLUSION**

That the City of Fremantle 2005/06 budget be amended accordingly to reflect the income of \$7,001 and associated expenditure of \$6,365.

**STRATEGIC AND POLICY IMPLICATIONS**

Nil

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Substantially Increase budget for the acquisition of artworks.

**Environmental**

Nil

**Social**

Benefit the representation of Fremantle Artists in the collection.

**BUDGET IMPLICATIONS**

Income and associated expenditure accounts for the City Of Fremantle Art Collection Capital Expenditure account to be increased by \$7001, an amount for GST will be deducted.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

1. That Council accepts the annual bequest of \$7,001 from the Deceased Estate of V.C. Felstead to the City of Fremantle Art Collection.
2. That the City of Fremantle 2005/06 budget for new acquisitions be amended to reflect the bequest of \$7,001 and associated expenditure of \$6,365.

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

1. That Council accepts the annual bequest of \$7,001 from the Deceased Estate of V.C. Felstead to the City of Fremantle Art Collection.
2. That the City of Fremantle 2005/06 budget for new acquisitions be amended to reflect the bequest of \$7,001 and associated expenditure of \$6,365.

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number **SGS0509-17** was moved and carried en bloc earlier in the meeting.

**SGS0509-17 ON TRACK CYCLES STATUS REPORT (ABSOLUTE MAJORITY)**

**DataWorks Reference:** 234/006  
**Disclosure of Interest:** Nil  
**Author:** David Nicholson, Transport Planner  
**Actioning Officer:** David Nicholson, Transport Planner  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**PURPOSE**

To provide an update on progress with the establishment of a secure bicycle parking facility at Fremantle Railway Station and to seek Council approval to re-apply for Regional Partnerships grant funding.

**EXECUTIVE SUMMARY**

**Council has previously supported in principle, and with a modest funding allocation, the development of a secure bicycle parking facility at Fremantle Railway Station. Preparation of a business plan for this facility has indicated that it would only be viable as a staffed facility if supported by external funding. The PTA has therefore offered to operate an un-staffed bicycle storage facility at the station. Additional capital funding is now required to supplement the PTA's contribution so that the facility can proceed to implementation. The City can assist by re-applying for Department of Transport and Regional Services Regional Partnerships grant funding**

**BACKGROUND**

The proposed establishment of a European style secure bicycle parking facility in the old parcels office at Fremantle Railway Station was reported to Council on 13 December 2004 (Item SP0412-95). The establishment of such a facility was recommended in the Fremantle Bicycle Network Plan (2003) to combat high levels of bicycle theft at the railway station. A group of enthusiastic local cyclists subsequently formed "On Track Cycles" (OTC) a not-for-profit organisation with the aim of bringing this facility to fruition. Support for the establishment of the bicycle storage facility was first obtained from the Minister for Planning and Infrastructure and the Public Transport Authority (PTA). OTC's vision for the facility developed to become much more than just secure bicycle storage, including showers and lockers, bicycle repair, bicycle hire, TAFE accredited bicycle maintenance training courses, restoration of old bicycles by work-for-the-dole participants, café and juice bar, information kiosk for TravelSmart and sustainable travel information. The rationale was that these additional activities was that bicycle storage would not generate sufficient revenue to fully offset the cost of employing staff for this activity, so additional revenue streams were necessary. The PTA offered to lease the old parcels office at the railway station (at the northern end of the station building) to the City of Fremantle for a peppercorn rent so that the City could then sub lease it to OTC Inc. The PTA also agreed to contribute approximately

\$100,000 for the restoration of the interior of the parcels office as part of the current railway station refurbishment project, and to project manage this work. Because OTC was not incorporated at the time, the City sought a Regional Partnerships grant of \$40,700 from the Department for Transport and Regional Services (DoTARS) on behalf of OTC. After incorporation, OTC Inc sought and obtained a \$90,000 "Cycle Connect" grant from the federal Department of Environment and Heritage. A contribution of \$2,000 was also obtained from the Cycling Promotion Fund, with "in-kind" contributions from the Department for Planning and Infrastructure, Bicycle Transportation Alliance, Fremantle Bicycle User Group, Chaos Multimedia, Fremantle Volunteer Centre and Jobs West.

A concept plan and cost estimate was then prepared and a development application lodged. The estimated cost to establish the "full scale" facility exceeded the available funds so OTC Inc then sought additional project partners and grant funding (for both capital and recurrent funding) and to identify options to scale back the facility.

Council considered a report on the OTC project on 13 December 2004 (SP0412-95) and resolved that:

1. *Council formally accepts the \$40,700 grant from the Department of Transport and Regional Services and advises the Department accordingly.*
2. *An amount of \$10,000 be allocated to the On Track Cycles project from the Council's 2004/05 Bikeplan implementation budget.*
3. *Council advises the Public Transport Authority and On Track Cycles Inc that it gives in principle support to take the head lease for the old parcels office:*
  - a) *for a peppercorn rental, and then sub-lease it to On Track Cycles, subject to receiving a business plan that demonstrates the commercial viability of the On Track Cycles Facility; and*
  - b) *subject to lease conditions being negotiated that protects the City if On Track Cycles do not meet the conditions of the sub-lease.*

## **COMMENT**

Independent financial advice was obtained as part of the preparation of a business plan and indicated that the OTC facility would only be financially viable as a staffed bicycle storage facility if its operations were subsidised by external funding. Sustained attempts by OTC Inc to obtain sufficient external funding to allow the facility to operate in this way have been unsuccessful. Therefore, the PTA has offered to fund the ongoing operation of an un-staffed secure bicycle storage facility. Details of exactly how the facility would operate, including access and security, are yet to be determined. However, development of the facility must be funded from within the PTA's existing capital budget allocation with any additional capital funding required to come from external funding sources. The role of OTC Inc in this un-staffed facility is also yet to be determined.

As the PTA is going to operate the facility, there is no need for the City to take on a lease for the old parcels office. A business plan is still considered an important strategic document to have, so it is now being re-drafted to reflect operation as an un-staffed facility, with options for the later addition of some of the previously envisaged support activities.

The change in the proposed mode of operation of the facility has no implications for the Cycle Connect grant funding. However, as this grant was only available only during the 2004/05 financial year, only \$75,000 was able to be claimed and the last \$15,000 part payment had to be forfeited. The DoTARS Regional Partnerships grant is a different matter. The timeframe for getting the project up and running and the proposed mode of operation are significantly different from those envisaged at the time the application was made. An officer from the Perth office of DoTARS staff has advised that the offer of grant funding is therefore likely to be withdrawn. Official Ministerial confirmation of this decision is awaited. DoTARS supports the proposed bicycle storage facility and has encouraged the City to make a fresh application for Regional Partnerships funding.

## **CONCLUSION**

There is still a role for the City of Fremantle in supporting this initiative by working with the PTA and OTC Inc to bring to the project to fruition. For the project to proceed to implementation, additional capital funding is required to supplement the PTA's capital contribution. In this regard, the City can assist by re-applying for DOTARS Regional Partnerships grant funding. The project will then remain an initiative of the three levels of government (federal, state and local) and the community. The amount of grant funding sought should be determined as revised plans are prepared for the fit out and operation of the facility.

## **STRATEGIC AND POLICY IMPLICATIONS**

The sustainable transport element of City Plan supports strategies that encourage cycling and use of public transport.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

- Replacement of car trips with public transport and/or cycle trips will reduce air pollution and greenhouse gas emissions.

### **Environmental**

- Replacement of car trips with public transport and/or cycle trips will reduce air pollution and greenhouse gas emissions.

### **Social**

- Cycling is an activity than can be undertaken by any able bodied person, irrespective of age and gender.
- Cycling can be undertaken for transport purposes or for recreation and provides opportunities for social interaction between residents, workers and visitors.
- Regular cycling improves health and fitness.

## **BUDGET IMPLICATIONS**

Of the \$10,000 funding allocated by Council to the project in the 2004/05 financial year, \$5,000 has been carried over to the 2005/06 financial year.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

No applicable.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Not applicable.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

The City of Fremantle re-apply to the Department for Transport and Regional Services for Regional Partnerships grant funding for the On Track Cycles project.

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

**The City of Fremantle re-apply to the Department for Transport and Regional Services for Regional Partnerships grant funding for the On Track Cycles project.**

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number **SGS0509-18** was moved and carried en bloc earlier in the meeting.

### **SGS0509-18 SUSTAINABILITY CHECKLIST**

**DataWorks Reference:** 030/007  
**Disclosure of Interest:** Nil  
**Author:** Aaron Lohman, Senior Planning Officer  
Caroline Raphael, Environmental Planner  
**Actioning Officer:** Aaron Lohman, Senior Planning Officer  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

### **PURPOSE**

For the Council to make comment on the Western Australian Planning Commission's 'Sustainability Checklist' discussion paper.

### **EXECUTIVE SUMMARY**

**The WAPC released their 'Sustainability Checklist' discussion for public comment in June 2005. The discussion paper explores possibilities for incorporating a sustainability checklist into the planning approvals process. The discussion paper has been released in the early stages of the process to involve stakeholders in its development.**

**The discussion paper focuses on large scale residential development however it is intended that initiatives will be developed for both urban and non-urban areas. At this stage the checklist comprises of a group of high level questions and does not specify detailed measures for implementation. These measures though, are expected to be developed later and at this stage a critical assessment of the proposed sustainability assessment tools can be undertaken.**

**Local Government (LG) involvement in the development of the sustainability checklist is critical to ensure desirable outcomes considering it will be likely that LG is responsible for implementing sustainability assessments. Relevant stakeholders should further be involved at the early development stage so information can be shared and debated.**

### **BACKGROUND**

The State Sustainability Strategy, released in September 2003, called for a 'sustainability scorecard' to assess plans, development and buildings. In response to the recommendations of the strategy the WAPC established a Sustainability Committee and the Sustainability Roundtable set up an advisory Sustainable Building and Land Development Partnership Group to assist in the implementation of the strategy. The functions of these groups are to recommend approaches for integrating sustainability into the planning process in conjunction with the WAPC.

Most LGs have prepared sustainability scorecards or checklists to assess development against. Council currently has policy 'Energy Efficient Building Design' and the draft City Planning Scheme No.4 which provides a mechanism to incorporate sustainability in planning and development. According to the WAPC there is a wide variation in sustainability criteria, targets and assessment methodologies throughout LG.

There has been an identified need to provide a consistent approach to sustainability within the planning system considering the number of LGs and diversity of associated approaches. It is expected that the approach being adopted by the State Government will facilitate this.

## **COMMENT**

The development of a sustainability checklist is expected to take some time and as such a staged approach was favoured by the WAPC. The five stages include:

1. Develop and agree on a generally acceptable suite of sustainability criteria.
2. Identify and agree on targets and benchmarks for each criterion.
3. Determine and agree on assessment tools for each criterion.
4. Develop and agree on the complete sustainability scorecard.
5. Incorporate use of the complete sustainability scorecard into the planning, development and building approval system.

It is important that the checklist produced creates measurable criteria that could bring significant changes to the planning approvals system. Though, caution should be exercised in introducing wholesale changes immediately as a staged introduction is favoured. This has been the approach with BASIX in New South Wales (NSW) and it is understood that more and stricter controls are being progressively introduced.

In its current form the checklist is not a comprehensive mechanism for incorporating sustainability in the land and development assessment process. However, as the project is at a preliminary stage it is expected that further development and refinements will provide a more detailed and coordinated approach. Sustainability should be completely incorporated into the land development and planning process with tools integrated at every stage to ensure more sustainable outcomes.

Inconsistency in sustainability assessment approaches need to be circumvented by providing clear guidance on how to apply criteria, clear information on what constitutes current practice, best practice or innovation. There also needs to be a clear acknowledgement that different levels of government have different capabilities and processes that can affect desired outcomes.

As a result of the work undertaken the State Government, in the development of sustainability checklist, a phased review of the Building Sustainability Index (BASIX) and the assessment of opportunities to develop a broader scale tool to assess subdivisions and structures plans (METRIX) was conducted.

BASIX was developed and implemented in NSW as a web based tool designed to assess residential development against targets for water and energy efficiency. So far the WAPC have completed a pre-feasibility study. A feasibility study (phase 2) is currently being undertaken to consider a wide range of issues.

The BASIX model is designed to be applied during the approval process for buildings. The WAPC does not intend to add a new layer of assessment to the development control process. The BASIX model is likely to be implemented at the LG level and as such the WAPC should ensure that LG has the appropriate level of input at the development stage to ensure desirable results. In this respect the Council may choose to register interest in participating in the further development of the BASIX and METRIX models. The Western Australian Local Government Association (WALGA) is expected to provide comment to the WAPC indicating that LG involvement is critical to the ongoing development of the sustainability checklist.

Careful consideration should be given in adopting both the BASIX and METRIX models which are not based on the Western Australia (WA) environment. The urban environment and environmental conditions differ between WA and NSW and it would be inappropriate to adopt standards that do not recognise WA's uniqueness. Though, the use of the BASIX and METRIX models, if adapted to WA conditions, should be supported by Council as it is a significant step in developing more sustainable communities. Moving towards more sustainable outcomes will involve progressively going beyond current planning practice i.e. continuous improvement. BASIX is currently limited to residential development but there is a push to incorporate similar principles for commercial buildings.

## **CONCLUSION**

The development of more sustainable planning practices implemented through the development of a sustainability checklist should be broadly supported by Council. The development and implementation of a sustainability checklist requires input from LGs and Council should encourage the WAPC to actively involve LG participation.

The progress of incorporating sustainability into the planning approvals process needs to be undertaken with a degree of urgency to assist in the conservation and enhancement of the environment.

## **STRATEGIC AND POLICY IMPLICATIONS**

With the development of a sustainability assessment checklist it is feasible that Council's current policies will be superseded by assessment tools developed at the state level as it provides for a uniform approach across all LGs.

Strategically it is expected that sustainability will require exploration and addressing through the local planning framework, such as the Fremantle Planning Strategy, the structure planning process and the Town Planning Scheme.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Once developed it is expected that the sustainability scorecard will broadly facilitate job creation, the retention and establishment of new enterprises and the limitation of operating costs.

### **Environmental**

The sustainability checklist once applied should assist in reducing environmental degradation including reduction of waste disposal to landfill, decrease in potable water consumption and the reduction of greenhouse gas.

### **Social**

Socially the sustainability scorecard should assist in improving community creativity and vitality, reducing urban sprawl and provide more of affordable housing.

### **BUDGET IMPLICATIONS**

Nil

### **LEGISLATIVE AND LEGAL CONSIDERATIONS**

The proposed sustainability assessment tools are expected to be incorporated into the development assessment process and legislative framework.

### **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority required

### **COMMITTEE AND OFFICER'S RECOMMENDATION**

1. That Council advise the Western Australian Planning Commission that:
  - a) The approaches outlined in the 'Sustainable Checklist' are broadly supported by Council.
  - b) It is critically important that Local Governments are invited to participate in the development of the sustainability checklist.
  - c) Council would like to further participate and undertake an active role in the development of the sustainability checklist.
  - d) Council supports a wide ranging consultation process with stakeholders to ensure active exploration and debate of relevant issues.
  - e) Council expects the WAPC to ensure that sustainability is incorporated effectively at the different stages of the property development process to ensure the final urban form is as sustainable as possible.

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

1. That Council advise the Western Australian Planning Commission that:
  - a) The approaches outlined in the ‘Sustainable Checklist’ are broadly supported by Council.
  - b) It is critically important that Local Governments are invited to participate in the development of the sustainability checklist.
  - c) Council would like to further participate and undertake an active role in the development of the sustainability checklist.
  - d) Council supports a wide ranging consultation process with stakeholders to ensure active exploration and debate of relevant issues.
  - e) Council expects the WAPC to ensure that sustainability is incorporated effectively at the different stages of the property development process to ensure the final urban form is as sustainable as possible.

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

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

**CARRIED: 11/0**

The following item number SGS0509-24 was moved and carried en bloc earlier in the meeting.

**SGS0509-24 EXPRESSION OF INTEREST FROM FREMANTLE ENVIRONMENTAL RESOURCE NETWORK (FERN) FOR THE FORMER NURSERY SITE - CNR MONTREAL & HIGH STREETS, FREMANTLE**

**DataWorks Reference:** John Amor; Lease Negotiations; Reserve 6638  
**Disclosure of Interest:** Nil  
**Author:** John Amor - Property Co-ordinator/Ken Posney – Director Community Development  
**Actioning Officer:** John Amor - Property Co-ordinator  
**Decision Making Authority:** Council  
**Agenda Attachments:** Programme Details from FERN

## **PURPOSE**

To seek Council approval to negotiate a short term lease of the former Nursery site at the Cnr Montreal and High Streets, Fremantle, with the Department of Planning & Infrastructure (DPI) approval for use by the Fremantle Environmental Resource Network (FERN).

## **EXECUTIVE SUMMARY**

**Within “A” Class Reserve 6638, which is bordered by High, Montreal, Stevens Street and the Royal Fremantle Golf Club there is an area of 3883m2 approximately which was operated as a community based garden/resource centre by Sustaining Settlements Incorporated.**

**With effect from 17 February 2004 Sustaining Settlements ceased trading as the Board of Management considered the group to be insolvent. At a Sustaining Settlements meeting held on 29 April 2004 Ferrier Hodgson was appointed to wind up the Association.  
Since February 2004 the site has remained unoccupied.**

**The City of Fremantle did in response to an advertised Expression of Interest receive and assess two responses neither of which met all of the nominated criteria.**

**However, after a series of both internal discussions and discussions with DPI a temporary arrangement has been mooted whereby FERN be allowed to utilise the premises for a limited time of three years after which it is intended that FERN be relocated elsewhere within the Booyeembarra Park in Montreal Street, Fremantle.**

## **BACKGROUND**

Care, control and management of this Class “A” Reserve was vested (Gazettal Order 29.3.74 refers) in the City of Fremantle for the purpose of “Recreation”.

The City is empowered to lease that area for any term up to 21 years, subject to approval by the Minister of Lands (now Department of Planning and Infrastructure DPI).

**Past Uses:**

Apart from the community garden operation this area has in the past operated as a Mini Golf Course (those facilities were demolished to make way for Sustaining Settlements).

Prior to the Mini Golf Course the area was not utilized for any specific purpose but was seen as a part of the larger Reserve area.

**Current Situation:**

The area in question is unoccupied.

The improvements on the site include:

1. The entire area is enclosed with a two metre high wire mesh perimeter fence.
2. A central building constructed of concrete floor; brick blocks and iron sheeting walls. Inside is a toilet complex and some wooden display stands.
3. At the rear of the property there are two metal framed shade cloth shade houses; one iron roofed open sided shed; and a small garden variety shed.
4. Along the southern rear boundary there is a 30 metre (approx) iron roofed open sided shelter (supported by rough hewn timber poles) which was used to store bagged fertilizers; mulch; and such garden products.
5. Some in ground fish ponds and linking waterways.
6. An in ground wishing well.
7. Gardens and pathways.
8. The premises are reticulated but its present working condition would be non-existent for there is plenty of uprooted piping at various points around the site.
9. Generally the site is now overgrown and untidy because of scattered rubbish all around the area.

**COMMENT**

FERN is a non-profit community organisation that has the primary aims of demonstrating sustainable lifestyles and practices in the community. The direction for FERN will be driven by a steering committee that draws from membership from the community and universities such as Curtin and Murdoch.

It's primary purpose is to present programmes that will assist in developing a sustainable community and will complement other strategies such as the States' Sustainability Strategy, Fremantle City Plan and the Green Plan. The proposed centre will give the community the direct experience of sustainability in practice and the associated knowledge and tools to achieve it in our communities.

The programme details from FERN are attached.

## **CONCLUSION**

As a fledging organisation FERN's longevity will depend on it's ability to create income streams and provide an on-going management system. As it now stands in the short term it's primary source of income will be fundraising, membership fees and venue hire and in the long term it will be a matter of attracting government funding and programmes. The Management Committee at this stage indicates that it's long term viability will depend on the commitment of these Management Committee members.

To initiate the re-leasing process between the City of Fremantle as Lessor and FERN as Lessee all the while pursuing the prerequisite prior approval of DPI.

The essential Lease Terms are as follows:

Term – three (3) years.

Base Rental – Dollar one (1) peppercorn per annum.

Repairs and Maintenance – FERN is to responsible for all – including structural repairs of any nature.

Establishment – because of the rundown state of the premises FERN agrees that it will undertake all the works necessary to bring the area back to a habitable state. Allb associated costs are to be the sole responsibility of FERN.

Statutory Charges and Building Insurance – the responsibility of FERN.

Insurances – FERN is to ensure that it places adequate insurance cover for such perils as Public Liability; Workers Compensation etc.

Warranty – the City does not give any warranty as to the suitability of the premises for the stated intentions of FERN.

Option Periods – Nil.

## **STRATEGIC AND POLICY IMPLICATIONS**

There is a general connection to the City Plan through Strategy 3 (A Beautiful and Accessible Place).

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Apart from the expected revenue that may flow to the City from rates and taxes there should not be any economic impact for the City.

### **Environmental**

Apart from the expected revenue that may flow to the City from rates and taxes there should not be any economic impact for the City.

**Social**

The anticipated use of these premises by FERN could be expected to provide an environmentally friendly alternative horticultural option for interested customers.

**BUDGET IMPLICATIONS**

As per the economic comments.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

There will be a need for whatever the final outcome may be that it complies with the terms of the Vesting Order whereby the care, control and management of this Reserve has been placed with the City.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

The South Fremantle Precinct has moved a motion to encourage the Fremantle Council to expedite management of this site by an ecologically driven community group.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

Council authorises Delegated Authority for the Chief Executive Officer to negotiate a three year exclusive use lease agreement with Fremantle Environmental Resources Network (FERN) and Department of Planning and Infrastructure (DPI) for a portion of the reserve 6638 on the corner of Montreal & High Street, Fremantle (formally the Nursery Site).

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

**Council authorises Delegated Authority for the Chief Executive Officer to negotiate a three year exclusive use lease agreement with Fremantle Environmental Resources Network (FERN) and Department of Planning and Infrastructure (DPI) for a portion of the reserve 6638 on the corner of Montreal & High Street, Fremantle (formally the Nursery Site).**

**MOVED: Cr D Thompson**

**SECONDED: Cr J Strachan**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

**SGS0509-1 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER - POLICY**

**DataWorks Reference:** 035/005  
**Disclosure of Interest:** Nil.  
**Author:** G McKenzie, Chief Executive Officer  
**Actioning Officer:** G McKenzie, Chief Executive Officer  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**PURPOSE**

For Council to adopt the proposed policy in relation to the appointment of the Acting Chief Executive Officer for periods of leave of employment or absence of the Chief Executive Officer.

**EXECUTIVE SUMMARY**

**Approval is sought for the recommendation to adopt a policy in relation to the appointment of the Director Corporate Services and Director Urban Management in the Acting Chief Executive Officers position during periods of leave from employment or absence of the Chief Executive Officer. This policy would replace the delegated authority that previously existed is to be deleted.**

**BACKGROUND**

The appointment of the Acting Chief Executive Officer during periods of leave or absence from the district by the Chief Executive Officer was previously made by the Chief Executive Officer under delegated authority approved by Council. The appointment of an acting officer has recently become a fine point within local government with the view that this provision is exclusively the power of the local government and not a power that may be delegated. As a policy is determined by the Council it is considered a more appropriate way of choosing the circumstance for an Acting Chief Executive Officer and is consistent with good management practice.

**COMMENT**

The intent of this policy is that the Director Corporate Services and Director Urban Management be appointed as Acting Chief Executive Officer during periods of leave or absence by the Chief Executive Officer. The appointment may occur, generally, on a rotating basis between these officers. This policy is not intended for the appointment to occur for a period of longer than six continuous weeks in any one period without prior Council approval. This policy may only be invoked by written confirmation from the Chief Executive Officer to the Director Corporate Services or Director Urban Management on each occasion that it is required with confirmation of the period to which it will cover.

## **CONCLUSION**

This policy will replace the previous delegation that was in place. The provision of an Acting Chief Executive Officer for periods of leave or absence will enable the City to maintain its executive function and powers during these periods. As the Act states that a person is to be appointed the officer's name must also be used in the policy.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

Nil

## **BUDGET IMPLICATIONS**

Nil

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Section 5.36 of the Local Government Act 1995 provides for a local government to employ a person as Chief Executive Officer of the local government.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

## **COMMITTEE RECOMMENDATION**

Council adopt the following policy in relation to the appointment of an Acting Chief Executive Officer,

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**COUNCIL DECISION**

**Council adopt the following policy in relation to the appointment of an Acting Chief Executive Officer,**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

**SGS0509-2 REQUEST FOR FREE USE OF THE TOWN HALL HIRE FEE -  
FREMANTLE SYMPHONY ORCHESTRA (ABSOLUTE MAJORITY)**

**DataWorks Reference:** 100/001; 042/001  
**Disclosure of Interest:** Nil  
**Author:** Kristy Foot, Manager Service and Information  
**Actioning Officer:** Kristy Foot, Manager Service and Information  
**Decision Making Authority:** Council  
**Agenda Attachments:** Letter from Fremantle Symphony Orchestra 7 Aug 2005  
Letter from Fremantle Symphony Orchestra 28 June 2005

**PURPOSE**

To seek consideration and approval of a request for 100% subsidy (free) use of the Town Hall by the City of Fremantle Symphony Orchestra for four (4) Sundays throughout the year for a period of 5 years.

**EXECUTIVE SUMMARY**

**The City of Fremantle Symphony Orchestra wishes to obtain a 100% subsidy for the hire of the Town Hall. The Fremantle Symphony Orchestra has been receiving free use of the Town Hall since 1993, however, due to the inability to locate any formal agreement or Council direction to formalise the provision of this free use, the Manager Service and Information has directed this to the Council for determination.**

**The application is supported in so far as to provide a 100% subsidy on the hire fee of the Town Hall, however, additional costs associated with the hire of the Town Hall are not supported.**

**BACKGROUND**

The City of Fremantle Symphony Orchestra has been receiving free use of the Fremantle Town Hall since 1993 for public concerts. At this time, the Symphony Orchestra also changed its name to the City of Fremantle Symphony Orchestra and agreed to acknowledge the City of Fremantle in all promotional material associated with events in the Town Hall.

The Town Hall Management Policy has been introduced since this arrangement was put in place. The Policy provides for the Manager Service and Information, under delegated authority, to provide a subsidised hire fee for the Town Hall.

Due to a change in the position holder of the Manager Service and Information, an investigation was undertaken to establish the means by which free use was being provided to the City of Fremantle Symphony Orchestra. The Symphony Orchestra have outlined they have an agreement with the City of Fremantle in their request, however, both parties have been unable to locate any correspondence or Council resolution to confirm this.

The arrangement in place has seen all aspects of the hire of the Town Hall provided at no charge to the Orchestra. The technical fees and piano tuning have been provided free of charge also, however, as these costs are provided by an external consultant the City has been paying approximately \$215.00 for each event that the Orchestra requires technical set up and piano tuning. It is very rare that the piano is required and therefore a more accurate reflection of cost to the City would be \$82.50, plus the \$65.00 non-refundable booking fee, which is also not being paid by the Orchestra.

## COMMENT

The Town Hall Policy allows the Manager Service and Information to provide a subsidy up to 100% on the hire fee for the Town Hall to locally based community groups in accordance with the conditions stated in the Policy. There is no provision within the Policy to waive the booking fee, cleaning charges, insurance costs and equipment that Council is required to hire, or is contracted to be provided. These costs are incurred by the hirer at the full rate specified in the fees and charges scheduled or at the quoted hire fees if provided by an external provider.

The City of Fremantle Symphony Orchestra under the framework of the Policy would be entitled to receive a subsidy up to 50% off the hire fee toward their events. However, in order to receive a 100% waiver of the hire fee, the following conditions of the Policy must be met:-

- 4.4.1 If the booking is to be held on a Monday to Wednesday which would not ordinarily be booked and would not interfere with other major or long term bookings or fully paid events; and
- 4.4.2 The organiser has investigated all other opportunities to raise funds or obtain donations towards the event; and
- 4.4.3 The organiser has investigated all other possible venues in which to hold the event at a lesser cost or for free; and
- 4.4.4 The organiser can show credible proof that the number of persons attending warrants the use of the Town Hall and not a smaller facility.
- 4.4.5 Free use, covers the hire fee ONLY. Bonds, cleaning charges, insurance costs and equipment that Council is required to hire, or is contracted to be provided for the use, being charged at full rate specified in the Fees & Charges Schedule or at the quoted hire rates.

The Fremantle Symphony Orchestra would like Council to consider condition 4.4.1 along with further sponsorship by waiver of the booking fee, cleaning charges, insurance costs and equipment hire costs. The Orchestra has outlined in their letter dated 7 August 2005 the reasons why they seek approval to receive the Town Hall 100% subsidy for their public concerts, which are held on Sundays.

The fees associated with a booking of the Town Hall are as follows:-

- Hire fee                                 \$683.00 (9am to 6pm)
- Booking fee                                 \$65.00
- Technical fee                                 \$165.00 (if required for lighting and stage set up)
- Piano hire                                 \$170.00 (includes tuning)
- Bond   \$510.00
- Key Bond                                     \$30.00

The services provided for technical setup and piano hire, which includes tuning, are undertaken by external contractors and costs are incurred. To waive these fees would be incurring a fee to the City and budget would be required.

The booking fee has been in place for a number of years and is non-refundable. The booking fee has improved the commitment of people making bookings and goes toward the cost incurred in the administration of the bookings for the Town Hall.

## **CONCLUSION**

The City of Fremantle Symphony Orchestra has been sponsored by the City through free use since 1993, and the public concerts bring visitors to the City. The Symphony Orchestra bears the City's name and brings classical orchestral music to the people of Fremantle at a reasonable cost.

The arrangement in 1993 was that the orchestra would provide the City with 25 free tickets for each concert, for distribution to the community.

All fees associated with the hire of the hall have been waived to date. However, since this arrangement was put in place there has been an introduction of a booking fee and the costs associated with hiring the Town Hall in relation to Technical support, hall cleaning and piano hire (including tuning) have increased since 1993 and are now provided by external contractors.

In an effort to support and assist the City of Fremantle Symphony Orchestra, it is considered that waiving the hire fee for the hire of the hall would provide assistance to the Orchestra in delivering a service to our community. The waiving of the booking fee, technical support, piano hire and additional cleaning charges is not supported due to the cost this would incur on the City for each event held by the Symphony Orchestra. The provision of free hire is an in kind support and any further support would require a budget allocation.

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has connection to the City Plan through offering a range of accessible cultural, recreation and leisure experiences.

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Nil

**Environmental**

Nil

**Social**

The public concerts provide a cultural event for the community to experience.

**BUDGET IMPLICATIONS**

Council will forgo revenue of \$683.00 for each concert if the 100% subsidy of the hire fee is approved.

Should Council resolve to sponsor the Orchestra's events further, each concert would see a reduction in revenue of \$868.50 and will cost the City approximately \$120.50.

**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

**COMMITTEE AND OFFICER'S RECOMMENDATION**

That the City of Fremantle Symphony Orchestra is granted 100% subsidy on the hire fee of the Town Hall to hold their public concerts on Sundays for 2005 and for the next four (4) subsequent years.

**MOVED: Cr D Thompson**

For	Against
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**At 6.36 pm Glen Dougall Director Corporate Services and Jayson Miragliotta Director Urban Management returned to the Chamber.**

**COUNCIL DECISION**

That the City of Fremantle Symphony Orchestra is granted 100% subsidy on the hire fee of the Town Hall to hold their public concerts on Sundays for 2005 and for the next four (4) subsequent years.

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

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

**CARRIED: 11/0**

**SGS0509-8 REVIEW OF ADVISORY COMMITTEES (ABSOLUTE MAJORITY)**

<b>DataWorks Reference:</b>	039/035
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	G R Dougall, Director Corporate Services
<b>Actioning Officer:</b>	G R Dougall, Director Corporate Services
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Policy DA14 – Policy for Consultation/Notification for the assessment of significant Development Applications Planning Policy DBH1 – Urban and Design Streetscape Guidelines

**PURPOSE**

At a Special Council Meeting held on 11 May, 2005, it was resolved that a review of representatives to internal and external committees be undertaken by September, 2005. This review has now been undertaken and is provided for consideration.

**EXECUTIVE SUMMARY**

**The review of advisory committee structure has now been undertaken. It is considered that the current committee types are appropriate, elected member and community membership is recommended to be decreased (generally) to seven per committee (2 and 5 respectively), it is recommended that community membership selection criteria be modified to reflect the committee purpose better and two new committees are also recommended.**

**BACKGROUND**

At the Special Council meeting held on 11 May, 2005 the Council adopted the following resolution;

*“That Council adopt the following appointments to internal and external Council Committees to be effective from May 2005 until next Ordinary Elections in 2007, with the exception of those committees which have community membership and those memberships expire on 30 September 2005, and the Director Corporate Services review those committees immediately.”*

The committees with community membership are as follows;

<b>ADVISORY COMMITTEE</b>	<b>MEETING TIME</b>	<b>ELECTED MEMBERS</b>	<b>COMMUNITY MEMBERSHIP</b>	<b>REPORTING TO</b>
Parks & Open Space	At least once every second month	Five elected members, Crs Tagliaferri, Gorman, King, Strachan, and Williams	Eight Members	SGSC

Arts, Culture and Events	At least once every second month	Four elected members, Crs Tagliaferri, Alberti, Strachan, Thompson	Eight members	SGSC
Transport	At least once every second month	Four elected members, Crs Tagliaferri, Gorman, Pettitt, Strachan	Six members	SGSC
Heritage and Special Places	At least once every second month	Five elected members, Crs Tagliaferri, Dowson, Gorman, Graham, Lauder	Eight members	SGSC
Sports, Recreation and Youth	At least once every second month	Five elected members, Crs Tagliaferri, Williams, Graham, Mackay, Alberti	Eight members	SGSC
Library (established under a local law)	At least quarterly	Seven elected members, Crs Tagliaferri, Thompson, Graham, Gorman, Smith, Alberti, Pettitt	Five members with differing expiry dates, including Town of East Fremantle representatives	Council
<b>TASKFORCE</b>				
Booyeembara Park	As required	Three elected members, Crs Tagliaferri, Dowson, Pettitt	Six members	Parks and Open Spaces Advisory Committee
Artworks in Public Places	As required	Four elected members, Crs Tagliaferri, Dowson, Strachan, Pettitt	Four members	Arts, Culture and Events Advisory Committee

Officers are not members of Advisory Committees or Taskforce's, however staff do attend for administrative purposes and to provide advice on context and background information to support the chairperson.

## COMMENT

As mentioned above the advisory committees and taskforce groups are considered appropriate to enable Council to undertake its functions and role in and for the community. Under provisions of the Local Government Act 1995, taskforces are considered the same as committees and therefore memberships must be appointed by Council.

The make up of the current committee memberships is questioned. There is a heavy weighting of elected members on these committees, however these committees may only make recommendations for Council to consider. Council remains the decision making body and elected members have an opportunity to debate any items through the Council process. Whilst it is understood that these advisory committees have been established to assist council in their decision making process, the usual practice is for committees to comprise of a small number to undertake special tasks assigned by Council. The Act stipulates that committee membership must be three members or greater. It is recommended that Council consider refining membership of these committees to a maximum of seven members with a maximum of two elected members, except for the Library Advisory Committee which is established under a local law. This will assist in allowing elected member membership to speak to items that are dealt with by Council and ensure that five outside community representatives may be appointed for wider opinion and advice. When considered necessary the committee may be able to recommend an item be forwarded to a precinct committee for consideration of a general or wider community opinion on a specific issue. Some issues may require Council consideration within a certain timeframe and this option may not always be available.

To assist in ensuring the advisory committee is able to assist Council in determining decisions it is also recommended that committee membership criteria, other than elected members, be modified slightly to better reflect the committee purpose. The criteria may be the same for each of the positions available or may vary between the positions available to ensure the right mix of expertise within the group. The criteria need not be elaborate or complex, but make provision for certain skill or expertise in the field the advisory committee was established for. These criteria will be included with the advertisement calling for interest in memberships.

Minutes of advisory committee meetings are generally presented to the Strategic and General Services Committee by the officer appointed to attend these meetings for administrative purposes. It is recommended that this be modified so that the minutes are presented in an information report to Council. Any actions that are required as a consequence of the advisory committee meeting be put forward as a separate agenda item to the relevant council standing committee by the responsible officer or placed within a relevant report to the appropriate committee. The officer will provide the recommendation of the advisory committee and/or an alternative officer recommendation if considered appropriate by the officer. This will allow information from the committee to be formally considered by Council and allow the elected member representatives to speak to the item and make comment from the advisory committee meeting they see as relevant to the debate. This will also ensure that any recommendations from advisory committees are considered formally by Council and provided within the public forum. A separate item will be forwarded to council to review the standing orders policy of Council to assist with this process.

There are two new committees being recommended as part of this review. The first new committee suggested is an Urban Design Committee to assess significant planning or development submissions for their relevance to the Fremantle landscape in accordance with Planning Policy DA14 - POLICY FOR CONSULTATION / NOTIFICATION FOR THE ASSESSMENT OF SIGNIFICANT DEVELOPMENT APPLICATIONS(SDAs). These significant Development Applications will relate within the Central Business District/Commercial Area, Development Areas, Local Centres and Mixed Use Areas as defined in the City Planning Scheme. Planning Policy DBH1 – Urban Design and Streetscape Guidelines will also be applicable to any development considered significant and referred to this committee.

The Objective of the Urban Design Advisory Committee will be to make recommendations relating to;

- The quality of building form and merit within the local context,
- Assessment of Architectural quality of the proposed building in meeting best practice sustainability design principles, and
- Relevance to the existing streetscape.

It is recommended that this committee meet monthly.

The second new committee is an Aboriginal Advisory Committee. Currently there is a reference group established which meets with Council Officers but has no elected member representation. This committee would establish a more formal connection with Council. The objectives of the committee would be to make recommendations on information referred to the committee and advise on issues affecting reconciliation and indigenous matters.

It is recommended that the committee meet on a monthly basis. There are six active family groups within the current reference group and it is recommended that the membership for this committee would be eight, with six being community members as a representative of each of the family groups.

The current Sports, Recreation and Youth committee is recommended for amendment to remove the youth requirement from the committee. The current committee structure does not provide for any youth input and it is thought appropriate that this be separated to allow for the development of the youth participation. A strategy will be developed in the future for more active engagement with youth in Fremantle and brought back to Council for consideration. At this time it is recommended that the committee be called Sport and Recreation Advisory Committee.

Due to the need to advertise for membership and assess any submissions against an eligibility criteria, it is that the current advisory committee memberships be extended until 31 December 2005. This will provide sufficient time over the next month for advertising to take place and then the next month to verify submissions and forward any recommendations to Council for appointments. The period of appointment will then be applied from 1 January 2006 until the 2007 ordinary elections.

## **CONCLUSION**

The changes suggested in this report will enable the advisory committees to assist Council in delivering its functions and roles to the community in an efficient and effective manner. Eligibility criteria adjustments will ensure that the membership of the committee is qualified in their specific areas to provide sound advice to Council.

## **STRATEGIC AND POLICY IMPLICATIONS**

Advisory committees provides for the Focus on Our Community by allowing participation in decision making, understanding of community needs and recognising leadership in the community.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

Nil

## **BUDGET IMPLICATIONS**

Nil

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Section 5.8 of the Local Government Act 1995 provides that “*a local government may establish committees of three or more to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees*”. A committee of Council may comprise of;

1. Elected members only,
2. Elected members and staff,
3. Elected members, staff and other persons,
4. Elected members and other persons,
5. Staff and other persons, or
6. Other persons only.

All committee appointments must be made by absolute majority. Council members are entitled to be a member of at least one committee. If during the appointment of a committee that has an elected member as a member the mayor informs of the wish to be a member of the committee, the local government is to appoint the mayor to be a member of the committee. The City of Fremantle does not have staff included in membership of any committee, but where committee memberships do include staff the Act allows the Chief Executive Officer or their representative to be appointed where the Chief Executive Officer requests this to occur.

For the purposes of this section of the Act, a taskforce or working group is considered the same as a committee of Council.

Section 5.100 (1) of the Local Government Act states “a person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting”. Section 5.101 (1) states “a committee member who is an employee is not to be paid a fee for attending any committee meeting”.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority required for the first part of the recommended resolution.

**OFFICER'S RECOMMENDATION**

1. Council extend the current membership of the following advisory committees from 30 September , 2005 to 31 December, 2005;

Parks and Open Spaces  
 Arts, culture and Events,  
 Transport,  
 Heritage and Special Places,  
 Sport, Recreation and Youth,  
 Library,  
 Booyeembara Park Taskforce, and  
 Artworks in Public Places Taskforce.

2. a) Council to establish the following advisory committees and committee membership for commencement from 1 January, 2006;

<b>COMMITTEE</b>	<b>FREQUENCY</b>	<b>MEMBERSHIP</b>	<b>REPORTING</b>
Parks & Open Spaces	At least every second month	2 Elected Members 5 Community	Council
Arts, culture and Events	At least every second month	2 Elected Members 5 Community	Council
Transport	At least every	2 Elected Members	Council

	second month	5 Community	
Heritage & Special Places	At least every second month	2 Elected Members 5 Community	Council
Sport & Recreation	At least every second month	2 Elected Members 5 Community	Council
Library	At least Quarterly	As per local law	Council
Aboriginal	At least every second month	2 Elected Members 6 Community	Council
Urban Design	At least every second month	2 Elected Members 5 Community	Council
<b>TASKFORCE</b>			
Booyeembara Park	As required	2 Elected Members 4 Community	Parks & Open Spaces Advisory Committee
Artworks in Public Places	As required	2 Elected Members 4 Community	Arts, Culture & Events Advisory Committee

- b) The instrument of appointment of two new advisory committees provide the following purpose ;

COMMITTEE	PURPOSE
Aboriginal	The purpose of the Aboriginal Advisory Committee is to advise and make recommendations on issues affecting the lives of Aboriginal people in Fremantle.
Urban Design	To advise and make recommendations to items in accordance with Planning Policy DA14 – Significant Development Applications;  The quality of building form and merit within the local context, Assessment of Architectural quality of the proposed building in meeting best practice sustainability design principles, and Relevance to the existing streetscape.

3. The following eligibility criteria for community membership to advisory committees be placed in the instrument of appointments for each relevant advisory committee;

COMMITTEE	ELIGIBILITY CRITERIA
Parks & Open Spaces	Persons should demonstrate relevant knowledge and

	<p>skills relating to objectives of the committee.</p> <p>Preference be given to applications with relevant work experience.</p>
Arts, culture and Events	<p>Positive long standing commitment and involvement in community arts,</p> <p>Relevant skills in the area of artistic programming, or business planning, or community engagement,</p> <p>Quality of networks within art community,</p> <p>Work or live within City of Fremantle.</p>
Transport	<p>Qualifications and/or experience in a transport field</p> <p>Knowledge of transport issues affecting Fremantle</p> <p>Previous experience in a similar group context</p>
Heritage & Special Places	<p>Qualifications or relevant experience in heritage conservation or related field</p> <p>Practical experience in representing community on heritage conservation matters</p> <p>Demonstrated commitment to best practice in heritage conservation.</p>
Sport & Recreation	<p>Relevant past or present experience in a sporting or recreational group,</p> <p>Relevant skills in either sports programming, or club management, or sports management, or business planning or community engagement,</p> <p>Evidence of a long positive commitment or involvement in the Fremantle sports community.</p> <p>Quality of networks within Fremantle sporting community.</p>
Library	As per local law.
Aboriginal	<p>Achieving a cross section of key Fremantle family groups,</p> <p>Work or live in City of Fremantle,</p> <p>Quality of Networks within Nyoongar community, and</p> <p>History of positive involvement in Nyoongar community</p>
Urban Design	<p>Architectural or Urban Design Qualification,</p> <p>At least 4 years experience in Landscape design.</p>

4. All minutes from each meeting must be forwarded to Council for receiving only. Any recommendation from an advisory committee must be forwarded to the appropriate standing committee via an officer's report. If the Officers recommendation differs from the advisory committee recommendation the advisory committee recommendation must be included within the report.
5. Advertisements be placed calling for membership to advisory committees as identified in part 3 of this resolution.

**Cr G Graham moved an amendment to the Officer's Recommendation to include the following wording:**

2. a) Council to establish the following **additional** advisory committees and committee membership for commencement from 1 January, 2006;

<b>COMMITTEE</b>	<b>FREQUENCY</b>	<b>MEMBERSHIP</b>	<b>REPORTING</b>
Parks & Open Spaces	At least every second month	5 Elected Members 8 Community	Council
Arts, culture and Events	At least every second month	4 Elected Members 8 Community	Council
Transport	At least every second month	4 Elected Members 6 Community	Council
Heritage & Special Places	At least every second month	5 Elected Members 8 Community	Council
Sport & Recreation	At least every second month	5 Elected Members 8 Community	Council
Library	At least Quarterly	As per local law	Council
Aboriginal	At least every second month	2 Elected Members 6 Community	Council
Urban Design	At least every second month	2 Elected Members 5 Community	Council
<b>TASKFORCE</b>			
Booyeembara Park	As required	3 Elected Members 6 Community	Parks & Open Spaces Advisory Committee
Artworks in Public Places	As required	4 Elected Members 4 Community	Arts, Culture & Events Advisory Committee

**Cr D Thompson moved an amendment to the Officer's Recommendation to include the following wording:**

4. All minutes from each meeting must be forwarded to Council for receiving only. Recommendation to Council from the advisory committee must be forwarded to the appropriate standing committee with sufficient documentation for the standing committee to understand the reasoning behind the recommendation. The standing committee may refer to the matter on to the appropriate officer for further report. Advisory committee decisions shall not be binding on Council.

**COMMITTEE RECOMMENDATION**

1. Council extend the current membership of the following advisory committees from 30 September , 2005 to 31 December, 2005;

Parks and Open Spaces  
Arts, culture and Events,  
Transport,  
Heritage and Special Places,  
Sport, Recreation and Youth,  
Library,  
Booyeembara Park Taskforce, and  
Artworks in Public Places Taskforce.

2. a) Council to establish the following additional advisory committees and committee membership for commencement from 1 January, 2006;

<b>COMMITTEE</b>	<b>FREQUENCY</b>	<b>MEMBERSHIP</b>	<b>REPORTING</b>
Parks & Open Spaces	At least every second month	5 Elected Members 8 Community	Council
Arts, culture and Events	At least every second month	4 Elected Members 8 Community	Council
Transport	At least every second month	4 Elected Members 6 Community	Council
Heritage & Special Places	At least every second month	5 Elected Members 8 Community	Council
Sport & Recreation	At least every second month	5 Elected Members 8 Community	Council
Library	At least Quarterly	As per local law	Council
Aboriginal	At least every second month	2 Elected Members 6 Community	Council

Urban Design	At least every second month	2 Elected Members 5 Community	Council
<b>TASKFORCE</b>			
Booyeembara Park	As required	3 Elected Members 6 Community	Parks & Open Spaces Advisory Committee
Artworks in Public Places	As required	4 Elected Members 4 Community	Arts, Culture & Events Advisory Committee

c) The instrument of appointment of two new advisory committees provide the following purpose ;

COMMITTEE	PURPOSE
Aboriginal	The purpose of the Aboriginal Advisory Committee is to advise and make recommendations on issues affecting the lives of Aboriginal people in Fremantle.
Urban Design	To advise and make recommendations to items in accordance with Planning Policy DA14 – Significant Development Applications;  The quality of building form and merit within the local context, Assessment of Architectural quality of the proposed building in meeting best practice sustainability design principles, and Relevance to the existing streetscape.

3. The following eligibility criteria for community membership to advisory committees be placed in the instrument of appointments for each relevant advisory committee;

COMMITTEE	ELIGIBILITY CRITERIA
Parks & Open Spaces	Persons should demonstrate relevant knowledge and skills relating to objectives of the committee.  Preference be given to applications with relevant work experience.
Arts, culture and Events	Positive long standing commitment and involvement in community arts,  Relevant skills in the area of artistic programming, or business planning, or community engagement,  Quality of networks within art community,  Work or live within City of Fremantle.

Transport	<p>Qualifications and/or experience in a transport field</p> <p>Knowledge of transport issues affecting Fremantle</p> <p>Previous experience in a similar group context</p>
Heritage & Special Places	<p>Qualifications or relevant experience in heritage conservation or related field</p> <p>Practical experience in representing community on heritage conservation matters</p> <p>Demonstrated commitment to best practice in heritage conservation.</p>
Sport & Recreation	<p>Relevant past or present experience in a sporting or recreational group,</p> <p>Relevant skills in either sports programming, or club management, or sports management, or business planning or community engagement,</p> <p>Evidence of a long positive commitment or involvement in the Fremantle sports community.</p> <p>Quality of networks within Fremantle sporting community.</p>
Library	As per local law.
Aboriginal	<p>Achieving a cross section of key Fremantle family groups,</p> <p>Work or live in City of Fremantle,</p> <p>Quality of Networks within Nyoongar community, and</p> <p>History of positive involvement in Nyoongar community</p>
Urban Design	<p>Architectural or Urban Design Qualification,</p> <p>At least 4 years experience in Landscape design.</p>

4. All minutes from each meeting must be forwarded to Council for receiving only. Recommendation to Council from the advisory committee must be forwarded to the appropriate standing committee with sufficient documentation for the standing committee to understand the reasoning behind the recommendation. The standing committee may refer to the matter on to the appropriate officer for further report. Advisory committee decisions shall not be binding on Council.
5. Advertisements be placed calling for membership to advisory committees as identified in part 3 of this resolution.

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
------------	----------------

Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr Les Lauder	
--	--

**CARRIED: 6/0**

**REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION**

Point 2a of the Officers Recommendation was changed to maintain the membership of current advisory committees at status quo.

Point 4 of the Officers Recommendation was changed to make provision for the advisory committees to provide reasons for their recommendation to standing committees and for the standing committee to request information from the relevant officer if considered appropriate.

**Cr J Strachan moved that the Committee Recommendation is amended in the following way:**

1. **Remove the Urban Design Committee From the list of Committees at 2. a), 2. c) and 3. of the recommendation.**
2. **Defer a decision on the Urban Design Committee to the full Council meeting of the 23<sup>rd</sup> November 2005.**
3. **The CEO is to prepare a new report for the meeting of the 23<sup>rd</sup> November 2005 which better reflects council and Community aspirations for this Committee.**

**MOVED: Cr J Strachan**

**SECONDED: Cr B Pettitt**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

**REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION**

The reason for this is to allow the "Reporting" (page 47) and "Instrument of Delegation" (page 48) to be altered to better reflect the Council and Community.

**Cr B Pettitt moved that the Committee Recommendation is amended in the following way:**

**2. b) The Committee membership outlined below is the maximum (rather than required) membership. Council will work with existing Committees to incrementally decrease their membership towards having 2 Elected Members (plus the Mayor) and 6 community representatives over the medium term. At all times Elected Members should make up no more than one-third of the total membership of each Committee.**

**SECONDED: Cr J Dowson**

<b>For</b>	<b>Against</b>
Cr Alice King	Mayor, Peter Tagliaferri
Cr Les Lauder	Cr John Alberti
Cr Shirley Mackay	Cr John Dowson
Cr Brad Pettitt	Cr Geoff Graham
Cr Jon Strachan	Cr Bob Smith
	Cr Doug Thompson

**LOST: 4/6**

#### **REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION**

The reason for this is help the Advisory Committees to better perform their advisory role and to be less dominated by Elected Members. This should be done incrementally so as to not undermine the healthy function of existing Committees.

#### **COUNCIL DECISION**

- 1. Council extend the current membership of the following advisory committees from 30 September , 2005 to 31 December, 2005;**

**Parks and Open Spaces  
Arts, culture and Events,  
Transport,  
Heritage and Special Places,  
Sport, Recreation and Youth,  
Library,  
Booyeembara Park Taskforce, and  
Artworks in Public Places Taskforce.**

- 2. a) Council to establish the following additional advisory committees and committee membership for commencement from 1 January, 2006;**

COMMITTEE	FREQUENCY	MEMBERSHIP	REPORTING
Parks & Open Spaces	At least every second month	5 Elected Members 8 Community	Council
Arts, culture and Events	At least every second month	4 Elected Members 8 Community	Council
Transport	At least every second month	4 Elected Members 6 Community	Council
Heritage & Special Places	At least every second month	5 Elected Members 8 Community	Council
Sport & Recreation	At least every second month	5 Elected Members 8 Community	Council
Library	At least Quarterly	As per local law	Council
Aboriginal	At least every second month	2 Elected Members 6 Community	Council
<b>TASKFORCE</b>			
Booyeembara Park	As required	3 Elected Members 6 Community	Parks & Open Spaces Advisory Committee
Artworks in Public Places	As required	4 Elected Members 4 Community	Arts, Culture & Events Advisory Committee

c) The instrument of appointment of two new advisory committees provide the following purpose ;

COMMITTEE	PURPOSE
Aboriginal	The purpose of the Aboriginal Advisory Committee is to advise and make recommendations on issues affecting the lives of Aboriginal people in Fremantle.

3. The following eligibility criteria for community membership to advisory committees be placed in the instrument of appointments for each relevant advisory committee;

COMMITTEE	ELIGIBILITY CRITERIA
Parks & Open Spaces	Persons should demonstrate relevant knowledge and skills relating to objectives of the committee.  Preference be given to applications with relevant work experience.

Arts, culture and Events	<p>Positive long standing commitment and involvement in community arts,</p> <p>Relevant skills in the area of artistic programming, or business planning, or community engagement,</p> <p>Quality of networks within art community,</p> <p>Work or live within City of Fremantle.</p>
Transport	<p>Qualifications and/or experience in a transport field</p> <p>Knowledge of transport issues affecting Fremantle</p> <p>Previous experience in a similar group context</p>
Heritage & Special Places	<p>Qualifications or relevant experience in heritage conservation or related field</p> <p>Practical experience in representing community on heritage conservation matters</p> <p>Demonstrated commitment to best practice in heritage conservation.</p>
Sport & Recreation	<p>Relevant past or present experience in a sporting or recreational group,</p> <p>Relevant skills in either sports programming, or club management, or sports management, or business planning or community engagement,</p> <p>Evidence of a long positive commitment or involvement in the Fremantle sports community.</p> <p>Quality of networks within Fremantle sporting community.</p>
Library	As per local law.
Aboriginal	<p>Achieving a cross section of key Fremantle family groups,</p> <p>Work or live in City of Fremantle,</p> <p>Quality of Networks within Nyoongar community, and</p> <p>History of positive involvement in Nyoongar community</p>

4. **All minutes from each meeting must be forwarded to Council for receiving only. Recommendation to Council from the advisory committee must be forwarded to the appropriate standing committee with sufficient documentation for the standing committee to understand the reasoning behind the recommendation. The standing committee may refer to the matter on to the appropriate officer for further report. Advisory committee decisions shall not be binding on Council.**

5. Advertisements be placed calling for membership to advisory committees as identified in part 3 of this resolution.
6. Defer a decision on the Urban Design Committee to the full Council meeting of the 23<sup>rd</sup> November 2005.
7. The CEO is to prepare a new report for the meeting of the 23<sup>rd</sup> November 2005 which better reflects council and Community aspirations for this Committee.

**MOVED: Cr B Pettitt**

**SECONDED: Cr J Dowson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

**SGS0509-15 FREOSTAR PUBLIC TRANSPORT SERVICE - STATUS REPORT  
(ABSOLUTE MAJORITY)**

**DataWorks Reference:** 165/034  
**Disclosure of Interest:** None  
**Author:** David Nicholson, Transport Planner  
**Actioning Officer:** David Nicholson, Transport Planner  
**Decision Making Authority:** Council  
**Agenda Attachments:** History of FreoStar

**PURPOSE**

To seek Council approval to proceed to tender for operation of the FreoStar public transport once state government approval for joint use of Transperth bus stops has been obtained.

**EXECUTIVE SUMMARY**

**Funding for operation of the FreoStar public transport service has been allocated in the 2005/06 budget but quarantined pending a separate decision of Council. The Minister for Transport has advised that the state government does not object to operation of the service as long as it is free to users. However, Transperth approval is required for shared use of their existing bus stops. In order to expedite full scale implementation of the service, development of tender documents could proceed so that tenders can be called as soon as state approval for shared use of bus stops has been obtained.**

**BACKGROUND**

For many years the City of Fremantle has been seeking to improve public transport access to the city centre for its residents. A Free Transit Zone operated from January 1996 to January 1998 and provided Fremantle residents with free travel on Transperth buses and trains for trips within the City of Fremantle. The Fremantle Clipper Service was then introduced on weekends in late 1997 and replaced with the daily Fremantle CAT service in August 2000. The "FreoStar" bus service was first proposed in 1998 and was envisaged as a city centre shuttle bus service for residents of Fremantle's suburbs. It was not pursued at that time due to the high cost and because Transperth was planning and implementing other major bus service improvements in the Fremantle region (ie the Circle Route and the Rockingham Fremantle Transitway).

Interest in a public transport service for the City of Fremantle's suburbs was revived during the 2003 Council elections. This eventually led to a review of the 1998 FreoStar proposal because of changes that had occurred since then - Transperth would no longer fund or operate the proposed service, some residential areas of the City were serviced by the Fremantle CAT, other residential areas were poorly serviced by the originally proposed FreoStar routes and the cost estimates were out of date. A model for operation of the service, including preferred routes, was developed after consultation with elected members and the community. This current proposal for FreoStar includes one small bus (ie a 22 seater) operating on four separate routes with signed bus stops at

about 300 metre intervals along each route, and operation from 9am to 5pm on weekdays, which would allow for one trip about every two hours on each of the four routes (ie four trips per day on each of the four routes).

Transport consultants ARRB Transport Research were engaged to assist in estimating the cost of operation of the service. On the basis of their professional advice, an annual operating budget of budget of \$100,000 was recommended. An additional allocation of \$25,000 is also required in the first year of operation to establish bus stops, print timetables, marketing and pre-launch publicity. During 2005, car parking related revenue based options for generating the funds needed to operate FreoStar were investigated. This led to the most recent of several reports to Council on FreoStar. On 18 April 2005, Council resolved that:

- 1. The proposed FreoStar bus service be funded from general revenue.*
- 2. The CEO continues to pursue approval for operation of the FreoStar bus service from the Minister for Planning and Infrastructure.*
- 3. The Parking Policy Working Group develop an integrated parking strategy for the City of Fremantle by March 2006.*

An allocation of \$125,000 has subsequently been included the City's 2005/06 budget but quarantined pending separate Council approval to proceed.

A summary of the history of the FreoStar service is attached (Attachment 1).

## **COMMENT**

### State Government Approval

The provision of public transport services in WA is regulated under the Transport Coordination Act by the Department for Planning and Infrastructure. State government approval for operation of the FreoStar service was therefore formally requested in a letter to the Minister for Planning and Infrastructure in June 2004. As a decision had not been made, this matter was raised by the Mayor and Chief Executive Officer when they met with the Alannah MacTiernan on 28 April 2005. The Minister indicated that the, if the service was free to users, approval for its operation would not be required. However, she advised approval is required for the shared use of existing Transperth bus stops and a list of the locations where this is proposed should be submitted for consideration and approval. Preparation of this list required the identification of bus stop locations along each of the four bus routes. This was recently completed and submitted to the Minister's office for assessment and approval. A response has yet to be received.

### Funding and Implementation

Council does not have a bus or drivers available that would be able to deliver the FreoStar service. Therefore the service will have to be contracted out via an invitation to tender. A comprehensive tender document will be required and will take some time to prepare. Council approval to implement the service would enable preparation of the tender documents to commence in advance of state government approval for shared use

of bus stops, expediting implementation. The tenders would be evaluated and a recommendation then made to Council.

### Evaluation Criteria

In order to objectively assess the effectiveness of the service, the development of easily measured evaluation criteria is recommended. Feedback will be sought from the Transport Advisory Committee on suitable evaluation criteria.

## **CONCLUSION**

To expedite the implementation process, the preparation of tender documents could proceed whilst approval for the shared use of Transperth bus stops is pending. Evaluation criteria should be developed to enable objective assessment of its performance.

## **STRATEGIC AND POLICY IMPLICATIONS**

The sustainable transport element of City Plan requires the development and implementation of strategies that encourage the use of public transport. It is also an objective of City Plan that *"Private vehicle use in the city centre is not higher than year 2000 levels."*

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Improvement of resident access to the city centre by public transport could generate additional sales revenue for traders.

### **Environmental**

Replacement of car trips by public transport trips can reduce greenhouse gas and vehicle emissions, reduce traffic volumes and reduce road crashes.

### **Social**

Improvement of public transport access to the city centre will increase its accessibility by providing a range of travel options.

Travel by public transport provides an opportunity for social interaction.

## **BUDGET IMPLICATIONS**

The City's 2005/06 budget has a "quarantined" allocation of \$125,000 for operation of the FreoStar bus service. Council approval is now required for FreoStar to proceed to implementation.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

The provision of public transport services in WA is regulated under the Transport Coordination Act by the Department for Planning and Infrastructure. The Minister for

Planning and Infrastructure has advised that the state government has no objection to operation of the service providing it is free to users. However, approval is required for the shared use of existing Transperth bus stops and this has been sought from the Minister.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Community comment on the operation of the proposed FreoStar service was obtained in July/August 2004 when the proposal was released for a six week public comment period. Seventeen submissions were received, including five from precincts. The majority of the submissions indicated support for improving public transport access to the city centre, but did not support the service as proposed. The major concerns expressed were: the likely level of demand for such a service, duplication of Transperth services, low service frequency, limited days and hours of operation and the proposed method of funding. A number of respondents suggested reactivating the former free transit zone or providing passes for existing Transperth services.

A questionnaire was also distributed to a 10% sample of households in areas that would be serviced by the proposed routes to obtain information about possible usage of the service. There were 344 responses to the questionnaire and 86% of respondents supported provision of the proposed service. Supplementary comments made by respondents contained a mixture of support for and concern about the perceived shortcomings of the proposed service.

The proposal has also been discussed on several occasions by the City's Transport Advisory Committee. At the TAC's last meeting on 20 June 2005, it was noted that: *"There was no support for the FreoStar in its currently proposed format. A major concern was duplication of Transperth services. Alternative suggestions included extension of the current CAT service, providing Transperth multi-riders (soon to be smart cards) to residents and a peripheral park'n'ride bus system."*

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority Required

## **OFFICER'S RECOMMENDATION**

1. That the development of tender documents for the operation of FreoStar proceed.
2. That a call for tenders be advertised as soon as possible after approval has been obtained for the shared use of Transperth bus stops.
3. That evaluation criteria be developed in consultation with the Transport Advisory Committee and referred to Council for endorsement prior to commencement of the service.

Cr B Pettitt moved the following alternative recommendation:

#### COMMITTEE RECOMMENDATION

1. Funding for operation of the FreoStar public transport service from the 2005/06 budget NOT be approved.
2. Budget funds from Freostar be set aside for sustainable public transport initiatives that assist residents of Samson, Hilton, Beaconsfield, White Gum Valley, O'Connor and North Fremantle to travel within the City of Fremantle without the use of a car.
3. The City of Fremantle continue to work with Transperth to provide better services to residents and encourage greater use of public transport.
4. The relevant officer further explore sustainable public transport initiatives, in consultation with the Transport Advisory Committee, as a priority.

For	Against
Cr Brad Pettitt Cr Bob Smith Cr L Lauder Cr Geoff Graham	Cr John Alberti Cr Doug Thompson

**CARRIED: 4/2**

#### REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

While Freostar has been created with the best of intentions and has the admirable aim of getting people into the City on public transport, it is, unfortunately, a poorly designed and expensive project that is not considered effective or sustainable use of the City of Fremantle's resources. The City should work with Transperth to find alternative, sustainable transport initiatives.

Mayor, Peter Tagliaferri requested that the Recommendation be moved in 2 parts.

Cr D Thompson moved part 1 of the Recommendation as follows:

1. Funding for operation of the FreoStar public transport service from the 2005/06 budget NOT be approved.

**SECONDED: Cr J Strachan**

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

**CARRIED: 7/4**

**Mayor, Peter Tagliaferri moved part 2, 3 and 4 of the Recommendation as follows:**

- 2. Budget funds from Freostar be set aside for sustainable public transport initiatives that assist residents of Samson, Hilton, Beaconsfield, White Gum Valley, O'Connor and North Fremantle to travel within the City of Fremantle without the use of a car.**
- 3. The City of Fremantle continue to work with Transperth to provide better services to residents and encourage greater use of public transport.**
- 4. The relevant officer further explore sustainable public transport initiatives, particularly for special events and at limited times utilising current in consultation with the Transport Advisory Committee, as a priority.**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Dowson Cr Alice King Cr Les Lauder Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Shirley Mackay Cr Doug Thompson	Mayor, Peter Tagliaferri Cr John Alberti Cr Geoff Graham

**CARRIED: 8/3**

**COUNCIL DECISION**

- 1. Funding for operation of the FreoStar public transport service from the 2005/06 budget NOT be approved.**
- 2. Budget funds from Freostar be set aside for sustainable public transport initiatives that assist residents of Samson, Hilton, Beaconsfield, White Gum Valley, O'Connor and North Fremantle to travel within the City of Fremantle without the use of a car.**
- 3. The City of Fremantle continue to work with Transperth to provide better services to residents and encourage greater use of public transport.**
- 4. The relevant officer further explore sustainable public transport initiatives, particularly for special events and at limited times utilising current in consultation with the Transport Advisory Committee, as a priority.**

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN****C0509-1 NOTICE OF MOTION BY CR GEOFF GRAHAM****Gerovich-French Mark Statue**

The famous John Gerovich mark was taken in the 1956 preliminary final over East Fremantle's Ray French. The photo, taken by Morrie Hammond of 'The West Australian', is a football icon and it would make a superb statue in the classical tradition.

The Gerovich-French Mark is generally recognised as the greatest mark of all time. In the early sixties there was a service station named after it on South Terrace with a large mural of the mark. John Gerovich was an eighteen year old boy from Spearwood when he took the mark and worked as a clerk at Fremantle Hospital for most of his life. He still lives locally and is well known and loved in Fremantle.

The year 2006 commemorates the 50<sup>th</sup> anniversary of the famous mark and it would be fitting to have the statue commissioned to coincide with this anniversary. The Gerovich-French Mark is synonymous with Fremantle's sporting heritage and it should be commemorated where it is most valued and appreciated – in Fremantle.

Council has for a number of years set aside money in the budget to progress this project without success. Again this year (2005/2006) \$15,000 has been set aside in the budget.

This project was considered by the Heritage and Special Places Committee on 13<sup>th</sup> September 2005, which unanimously supported that this project proceeds to commemorate the 50<sup>th</sup> anniversary of the mark.

**RECOMMENDATION****That Council:**

- 1) Support the Gerovich-French Mark Statue and aim for it to be commemorated in 2006 to coincide with its 50th anniversary;**
- 2) Instructs the Mayor and CEO to:**
  - a) Liaise with all interested parties including the WAFC, the South Fremantle Football Club, the Fremantle Football Club, the Fremantle Chamber of Commerce, the Freo Mob, Government agencies and other parties as deemed necessary to progress the project; and**
  - b) Negotiate funding arrangements for the project;**
- 3) Determine the location of the statue, though the Heritage and Special Places preferred location is the Parry/William Street roundabout; and**
- 4) Refer this item to the Sport, Recreation and Youth Advisory Committee and the Artwork in Public Places Taskforce for comment.**

**COMMITTEE DECISION**

- 1) **Support the Gerovich-French Mark Statue and aim for it to be commemorated in 2006 to coincide with its 50th anniversary;**
- 2) **Request the Mayor and CEO to:**
  - a) **Liase with all interested parties including the WAFC, the South Fremantle Football Club, the Fremantle Football Club, the Fremantle Chamber of Commerce, the Freo Mob, Government agencies and other parties as deemed necessary to progress the project; and**
  - b) **Negotiate funding arrangements for the project;**
- 3) **Determine the location of the statue, though the Heritage and Special Places preferred location is the Parry/William Street roundabout; and**
- 4) **Refer this item to the Sport, Recreation and Youth Advisory Committee and the Artwork in Public Places Taskforce for comment.**

**MOVED: Cr G Graham    SECONDED: Cr L Lauder**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

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

**Mayor, Peter Tagliaferri moved en bloc recommendations numbered C0509-2, C0509-3, C0509-4, C0509-5, C0509-6, C0509-7, C0509-8, C0509-9, C0509-11 and C0509-12.**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

## STATUTORY COUNCIL ITEMS

The following item number C0509-2 was moved and carried en bloc earlier in the meeting.

### **C0509-2            MONTHLY FINANCIAL REPORT AUGUST 2005**

**DataWorks Reference:**            087/002  
**Disclosure of Interest:**        Not applicable.  
**Author:**                             Alan Carmichael, Manager Finance & Administration  
**Actioning Officer:**             Alan Carmichael, Manager Finance & Administration  
**Decision Making Authority:**    Council  
**Agenda Attachments:**         Financial Report by Nature for August 2005  
    Comments on Variances in August 2005 Financial  
    Report  
    Staff FTE Report for August 2005

### **PURPOSE**

To present to Council the August 2005 Financial Report and explanation of variances where relevant.

### **EXECUTIVE SUMMARY**

**The tabling of the financial report is a statutory requirement. There are not considered to be any issues of note arising from the report.**

### **BACKGROUND**

Changes to the Financial Management Regulations under the Local Government Act 1995 were proclaimed on 31 March 2005 which required the presentation of a monthly financial report to Council in the attached format. At the ordinary Council meeting of 27 July 2005, Council resolved to receive the financial report in the nature and type format and set \$100,000 as the value for reporting variances. The monthly staff FTE report is also presented as part of the item.

### **COMMENT**

A report on the year to date (YTD) variances greater than \$100,000 is attached.

### **CONCLUSION**

That the information be received.

### **STRATEGIC AND POLICY IMPLICATIONS**

Not applicable.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

The implementation of the budget has economic outcomes; therefore the monthly financial reporting of material variances to the budget should alert Council to any potential positive or negative impacts to those outcomes.

### **Environmental**

The implementation of the budget has environmental outcomes; therefore the monthly financial reporting of material variances to the budget should alert Council to any potential positive or negative impacts to those outcomes.

### **Social**

The implementation of the budget has social outcomes; therefore the monthly financial reporting of material variances to the budget should alert Council to any potential positive or negative impacts to those outcomes.

## **BUDGET IMPLICATIONS**

The item has no direct budget implications, but the reporting of variances will highlight budget issues that might need to be addressed at a later date.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Financial Management Regulation 34 under section 6.4 of the Local Government Act 1995 refers.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

The report has been reviewed by Senior Management Group prior to its inclusion in the agenda.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

That the August 2005 Financial Reports be received.

**COUNCIL DECISION**

**That the August 2005 Financial Reports be received.**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number C0509-3 was moved and carried en bloc earlier in the meeting.

**C0509-3 APPLICATION FOR CROSSOVERS - AUGUST 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 August 2005.

**EXECUTIVE SUMMARY**

**Council has requested that details of crossover construction be reported on a monthly basis. For the month of August 2005 - 4 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.

**OFFICER'S RECOMMENDATION**

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

**COUNCIL DECISION**

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

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number C0509-4 was moved and carried en bloc earlier in the meeting.

**C0509-4            MINUTES OF THE ARTS CULTURE & EVENTS ADVISORY  
COMMITTEE MEETINGS HELD ON 6 SEPTEMBER 2005**

**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 6 Sept 2005  
   Attachment to the Minutes of the Arts Culture & Events  
   Advisory Committee held on 6 Sept 2005

**PURPOSE**

To note the Minutes of the Arts Culture & Events Advisory Committee Meetings held on 6 September 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

**OFFICER'S RECOMMENDATION**

That the Minutes of the Arts Culture & Events 6 September be noted.

**COUNCIL DECISION**

**That the Minutes of the Arts Culture & Events 6 September be noted.**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**



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

**OFFICER'S RECOMMENDATION**

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

**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**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

## COUNCIL ITEMS

The following item number C0509-6 was moved and carried en bloc earlier in the meeting.

### **C0509-6 TENDER FOR THE SUPPLY OF TYRES AND TYRE SERVICES FCC247/05**

**DataWorks Reference:** 135/001  
**Disclosure of Interest:** Nil  
**Author:** Denis Black, Depot Admin Coordinator  
**Actioning Officer:** Ian Goodbody, Manager City Works  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

## PURPOSE

To accept a tender for the supply of tyres and tyre services for the two year period 1<sup>st</sup> October 2005 to 30<sup>th</sup> September 2007.

## EXECUTIVE SUMMARY

**Recommend acceptance of the tender submitted by Bridgestone Australia Ltd.**

## BACKGROUND

The contract to supply tyres and tyre services originally expired on 30<sup>th</sup> June 2004, tenders were called in August 2004 but were rejected because only one company tendered (Beaurepaires) and the price increases requested were not considered to be fair or reasonable.

Discussions were commenced with the W. A. Local Government Association with a view to locating a supplier via their common use contract arrangements. This approach was not successful due in part to the particular on site tyre service requirements of the City of Fremantle. During this period the previous contractor (Bridgestone Australia) continued to provide the service in accordance with the original contract.

The tender was readvertised in the West Australian on Wednesday 24<sup>th</sup> August 2005 and closed on Friday 9<sup>th</sup> September 2005.

Tender documents were received from two (2) tenderers - Bridgestone Australia Ltd and Tyres 4U Pty Ltd.

**COMMENT**

The tender specification required a daily depot visitation for the purpose of repairing or changing tyres and a schedule of prices for the most common tyres used inclusive of the cost of repair and replacement.

A summary of the prices received and their comparison based on estimated annual usage is tabled hereunder:-

TYRE		Est. Annual Usage				BRIDGESTONE			COMPARISON EAU \$	
Recap or New	Size/Type	EAU	TYRESFU			Puncture Repair	Tyre Replacement	Tube	TYRESFU	BRIDGESTONE
			Puncture Repair	Tyre Replacement	Tube					
New	11R22.5	30	33.00	468.00	n/a	27.50	400.09		\$ 14,040	\$ 12,003
New	215/75R17.5	5	33.00	370.00	n/a	27.50	286.03		\$ 1,850	\$ 1,430
New	825R x 16	5	33.00	339.00	18.00	15.40	290.00	23.27	\$ 1,695	\$ 1,450
New	195R14 LT	20	15.00	112.00	10.00	11.00	104.05	11.20	\$ 2,240	\$ 2,081
New	700R x 16	10	19.25	219.25	16.00	15.40	156.66	17.87	\$ 2,193	\$ 1,567
New	750R x 16	5	19.25	194.25	18.00	15.40	189.54	18.60	\$ 971	\$ 948
New	215/60 X 16	20	12.00	124.00	15.00	11.00	132.65		\$ 2,480	\$ 2,653
New	185/65 X 14	20	12.00	103.00	10.00	11.00	88.97		\$ 2,060	\$ 1,779
Stock Caps	11R22.5	100	33.00	336.60	n/a	27.50	213.53		\$ 33,660	\$ 21,353
Stock Caps	185R x 14	10	15.00	81.00	10.00				\$ 810	\$ -
Stock Caps	825R x 16	5	33.00	220.00	18.00	15.40	110.42	23.27	\$ 1,100	\$ 552
Stock Caps	215/75R17.5	10	33.00	236.50	n/a	27.50	120.64		\$ 2,365	\$ 1,206
Stock Caps	700R x 16	5	19.25	167.25	16.00	15.40	97.80	17.87	\$ 836	\$ 489
Stock Caps	750R x 16	5	19.25	178.75	18.00	15.40	103.30	18.60	\$ 894	\$ 517
Totals									<b>\$ 67,194</b>	<b>\$ 48,028</b>

\* Puncture Repair price is fully inclusive (ie: removal, fitting, supply of valve, balancing, etc)

# Tyre Replacement price is fully inclusive (ie: removal, fitting, supply of valve, balancing, etc)

All prices include GST which is recoverable by the Council.

## **CONCLUSION**

Bridgestone Australia Ltd has submitted the most advantageous tender when assessed in accordance with the compliance and qualitative criteria stated in the tender document of 40% experience skill and understanding of tasks, 60% price.

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has a general connection to the City Plan.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

Nil

## **BUDGET IMPLICATIONS**

Nil. Provision is made annually in vehicle maintenance budgets for this expenditure.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Completion of formal agreements is a requirement of the contract documents.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Not applicable

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

That the tender of Bridgestone Australia Ltd to supply tyres and tyre services for the period 1<sup>st</sup> October 2005 to 30<sup>th</sup> September 2007 in accordance with the schedule of prices submitted be accepted as the most advantageous to Council.

**COUNCIL DECISION**

That the tender of Bridgestone Australia Ltd to supply tyres and tyre services for the period 1<sup>st</sup> October 2005 to 30<sup>th</sup> September 2007 in accordance with the schedule of prices submitted be accepted as the most advantageous to Council.

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number C0509-7 was moved and carried en bloc earlier in the meeting.

**C0509-7            REQUEST FOR 100% SUBSIDISED USE OF TOWN HALL FROM GREAT GARDENS**

**DataWorks Reference:**            042/001;100/001  
**Disclosure of Interest:**        Nil  
**Author:**                            John Csendes, Jon Horne; Parks and Gardens Co-ordinator and Financial controller - Urban Management  
**Actioning Officer:**                John Csendes, Parks and Gardens Co -ordinator  
**Decision Making Authority:**    Council  
**Agenda Attachments:**            Nil

### **PURPOSE**

For council to retrospectively approve free use for the Town Hall for the "Great Gardens" free workshop held on 27 September 2005.

### **EXECUTIVE SUMMARY**

**Great Gardens is a State Government initiative, which aims to educate the community on the better use of water, while planning gardens which also meet sound environmental principles. It was established as a result of the need to conserve water use on gardens, which became necessary from the current water restrictions placed on the community by the government.**

**Great Gardens workshops are free to the community, and are held throughout the metropolitan area. Each local government provides support by providing free venue facilities to conduct these workshops. As the workshop provides community based benefits on water use, officers consider it appropriate to provide the City Of Fremantle facilities free of charge.**

### **BACKGROUND**

The last workshop held in Fremantle was conducted in a warehouse next to the Wild Flora nursery on Hampton Road, and over 100 participants from the community attended the workshop. The organisers felt that while this was fairly successful, it would be better served in a central location with suitable facilities, such as the Town Hall.

Officers considered that the Town Hall facilities should be made available freely, as the event is free to the community and strictly provides educational information for community benefit; with no commercial profits being made from this event. Therefore, an interim arrangement was made to allow the organisers to use the Town Hall between 6pm and 9pm on Tuesday 27 September 2005 on a free basis.

### **COMMENT**

The Town hall policy allows council to grant a subsidy of up to 100% of the hire fee to locally based community groups in accordance with the policy conditions. It was noted that the use of the facilities for free did not strictly meet the policy on this occasion. A full

hire fee of \$878 is involved (as stipulated in the Conditions of Town Hall Facilities Hire, current at 17 August 2005).

The CEO and Mayor have agreed for staff to seek comments from elected members to have the fees waived. Comments to date from elected members have indicated that council would be prepared to favourably consider the request, given the nature of the event and the benefits to the community.

## **CONCLUSION**

Council staff believe that the town hall fee should be waived, as:

1. The workshop confers educational benefits to the local community, and consequent better use of water, which is especially relevant, given that proposed water restrictions are set to continue
2. There is no commercial profit to the organisers
3. It provides a consistent approach in support by local government for the State Government initiative

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has a connection to the City Plan through Strategy 3 (A beautiful and Accessible Place), key result area 4 (Environmental Management)

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

Nil

## **BUDGET IMPLICATIONS**

There is no specific budget implication, as the Town hall would not have ordinarily been hired out for this time. However, it is noted that council will forgo revenue of \$878.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Council fee and charges are determined under section 6.16 of the Local Government Act

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**OFFICER'S RECOMMENDATION**

Council retrospectively approve a 100% subsidy on the hire fee for the Town hall for the Great Gardens workshop, held on 27 September 2005

**COUNCIL DECISION**

**Council retrospectively approve a 100% subsidy on the hire fee for the Town hall for the Great Gardens workshop, held on 27 September 2005**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number C0509-8 was moved and carried en bloc earlier in the meeting.

**C0509-8            FREMANTLE MARKETS BUSINESS PLAN (DRAFT) - PROPERTY DISPOSAL BY WAY OF LEASE**

**DataWorks Reference:**            049/008 & 1610255704  
**Disclosure of Interest:**        Nil.  
**Author:**                            Glen Dougall, Director Corporate Services  
**Actioning Officer:**            John Amor, Commercial & Property services Co-Ordinator  
**Decision Making Authority:**    Council  
**Agenda Attachments:**        Fremantle Markets Business Plan (draft)

## **PURPOSE**

For Council to advertise the proposed Business Plan for the disposal of the property known as the Fremantle Markets by way of an exclusive use lease.

## **EXECUTIVE SUMMARY**

**Approval is sought to adopt and advertise the Business Plan (draft) in accordance with the Local Government Act 1995 for six weeks. The Business Plan proposes a major land transaction in providing an exclusive use lease to Fremantle Markets Pty Ltd for the Fremantle Markets for a period of twenty one years.**

## **BACKGROUND**

The Fremantle Markets commenced construction in late 1897 and since this time has developed a unique and vibrant identity. It has established itself in Fremantle's heritage and enjoys great popularity from both residents and tourists alike.

Today the markets hold over 150 stalls and remains an important part of the surrounding precinct which includes the Sail & Anchor Hotel, the Norfolk Hotel, the Warders Cottages and Scots Church. The property is currently under an exclusive use lease since June 1992, which is due to expire on 31 October, 2005. The current lease provides for an extension of a further five years to 2010 and the lessee has advised of their wish to exercise this option. Prior to this lease the current lessee was part of a lease for this property for eighteen years.

The current lessee has approached Council to consider a new lease for a period of twenty one years. The reason for the request is so that the lessee may undertake some improvements to the property by way of an interest free loan to the City. The lessee wishes to upgrade the power transformer feeding electricity to the building, install exhaust fans to the roof of the building, apply reflective paint to the roof and upgrade signage outside the building.

## COMMENT

The power supply to the building is unreliable and during the warmer months often trips-out due to the load required to operate the refrigeration appliances for the food stalls. The exhaust fan and reflective paint is to improve the cooling ability for the building during the warmer months. These modifications are as a result of consultation with stallholders for improved management of conditions. The stallholders were consulted on making additional payment to their rental to support these improvements, however the result was inconclusive for support so the lessee has taken this approach with Council. All up it is anticipated these works will value approximately \$250,000. The lessee is prepared to forgo the five year option and undertake these upgrade works if a new twenty one year lease is approved.

The lease negotiations to date provide that the cost of these works will be deducted from the annual rent for the property by equal instalments for the life of the lease agreement. In general the terms of the proposed lease agreement are as follows;

1. Annual lease of \$380,000 with a review clause providing for CPI increase and market review increase every alternate eighteen month period. This is in line with the current lease arrangement and has seen the rent increase from June 1992 was \$135,000 per annum and is currently \$350,000 per annum. As stated above any improvement works would be deducted from this figure over equal instalments for the term of the lease.
2. Proposed lease term is twenty one years. The lessee has requested a twenty one year lease. The lessee has five years to go on the current lease. This would satisfy the lessee and gives some incentive to undertake the improvement works.
3. Proposed Capital works will be included in the lease formally.
4. Repairs and Maintenance, except for structural maintenance, will be the responsibility of the lessee.
5. Lessee will put up \$3,000 per year for a sponsorship program.

Other conditions will be in accordance with the standard provisions of our lease agreements. The lease is currently being drafted by Council Solicitors and a draft copy will be provided for consideration after the public comment period.

Two Directors of the lessee company are proposing to work full time at the markets over the next 6 months to ensure the capital works are progressed.

## CONCLUSION

To progress the proposed new lease Council is required to forward the proposed business plan for community consultation for a minimum period of six weeks. Council is then required to consider any submissions received in relation to the plan prior to proceeding with the plan. If the plan is significantly modified after the consultation period it must be readvertised for a period of six weeks prior to commencement.

## STRATEGIC AND POLICY IMPLICATIONS

The Fremantle Markets provide a link to all three categories of the City Plan. The Markets has great recognition of a diverse culture and lifestyle, has a heritage and tourism focus and provides great stimulus to the City Centre.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

The Fremantle markets provides opportunity for smaller business operators within the city to provide diversity of retail to the community. There are approximately 300 people directly employed through the operation of the markets.

### **Environmental**

Nil

### **Social**

The markets provide a great social component to the city by way of diverse cultural and tourist experience and a great historical presence.

## **BUDGET IMPLICATIONS**

The proposed lease provides an annual rental of \$380,000 per annum subject to CPI and market reviews. The lease also includes a clause that the lessee will pay reasonable legal costs associated with the lease.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Section 3.59 of the Local Government Act 1995 provides that before a local government enters into a major land transaction it is to prepare a business plan with the following details;

1. its expected effect on provisions of services and facilities by the local government,
2. its expected effect on other persons providing facilities and services in the district,
3. its expected financial effect on the local government,
4. the ability of the local government to manage the undertaking of the transaction, and
5. details of any joint venture arrangement if applicable.

The Local Government is to give statewide and local public notice of the business plan seeking submissions for a period not less than six weeks. The local government is required to make the plan available for members of the public to obtain or inspect during this period. Any submissions received during this period must be considered by the local government prior to resolving to proceed with the plan (by absolute majority). If the plan is to be significantly altered the local government must readvertise the altered plan prior to proceeding.

Regulation 7 of the Local Government (Functions and General) Regulations 1996 provide a major land transaction as being worth more than either \$1,000,000 or 10% of operating expenditure in the municipal budget in the last completed financial year. The determined value of this agreement would be greater than this figure when applying the annual rent by the number of years of the agreement.

Section 3.58 of the Local Government Act 1995 provides that a local government can only dispose of property by tender or auction, unless it gives local public notice of the disposition for a period not less than two weeks, then considers submissions received before progressing. Public advertising would require the names of all parties concerned to be provided, the value of the consideration and the market value ascertained within the previous six months. These details have been included in the Business Plan to satisfy this section of the Act, otherwise Council would be required to call tenders to dispose of the markets.

A market valuation is currently being sought and will be available at the meeting. A valuation was last sought in 2003.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**OFFICER'S RECOMMENDATION**

Council approves advertising of the Fremantle Markets Business Plan in accordance with section 3.59 of the Local Government Act 1995.

**COUNCIL DECISION**

**Council approves advertising of the Fremantle Markets Business Plan in accordance with section 3.59 of the Local Government Act 1995.**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

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

**CARRIED: 11/0**

The following item number C0509-9 was moved and carried en bloc earlier in the meeting.

**C0509-9            REQUEST FOR FREE USE OF THE TOWN HALL HIRE FEE -  
FREMANTLE PRIMARY SCHOOL P & C**

**DataWorks Reference:**            100/001; 042/001  
**Disclosure of Interest:**        Nil  
**Author:**                            Ken Posney, Director Community Development  
**Actioning Officer:**            Ken Posney, Director Community Development  
**Decision Making Authority:**    Council  
**Agenda Attachments:**        Letter from Fremantle Primary for 100% Subsidy for  
Town Hall

### **PURPOSE**

To seek consideration and approval of a request for 100% subsidy (free) use of the Town Hall by the Fremantle Primary School P & C for Friday, 14 October 2005.

### **EXECUTIVE SUMMARY**

**The Fremantle Primary School P & C wishes to obtain a 100% subsidy for the hire of the Town Hall for a fundraising Fashion Parade on Friday, 14 October 2005.**

**The application is supported in so far as to provide a 100% subsidy on the hire fee of the Town Hall, however additional costs associated with the hire of the Town Hall are not supported.**

### **BACKGROUND**

The Fremantle Primary School P & C is holding their annual fundraising fashion parade "The Hall of Fashion" on Friday, 14 October 2005 in the Fremantle Town Hall. The objective of the Hall of Fashion show is to gain support for their school and to promote and unite a wide range of Fremantle's local businesses. Any funds raised will be used for the school grounds development including improvements that will be generally be accessible to the local community. Visuals will also feature Fremantle's most prominent landmarks and businesses in Fremantle. They also intend to showcase the talents of Fremantle's own performing artists.

### **COMMENT**

Council retains the discretion to grant a subsidy of up to 100% of the HIRE FEE to locally based community groups and schools when the following conditions are met:

- If the booking is to be held on a Monday to Wednesday which would not ordinarily be booked and would not interfere with other major or long term bookings or fully paid events; and

- The organiser has investigated all other opportunities to raise funds or obtain donations towards the event; and
- The organiser has investigated all other possible venues in which to hold the event at a lesser cost or for free; and
- The organiser can show credible proof that the number of persons attending warrants the use of the Town Hall and not a smaller facility.
- Free use, covers the hire fee ONLY. Bonds, cleaning charges, insurance costs and equipment that Council is required to hire, or is contracted to be provided for the use, being charged at full rate specified in the Fees & Charges Schedule or at the quoted hire rates.

The only condition that the P & C does not meet is that the fundraising event is being held on a Saturday. However, considering the nature of the event and the positive outcomes to the community I would still strong recommend that Council grant a 100% subsidy of the hire fee.

## **CONCLUSION**

That Council support the Fremantle Primary School P & C in granting them the 100% subsidy of the hire fee.

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has connection to the City Plan through offering a range of accessible cultural, recreation and leisure experiences.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

Nil

### **Social**

A fashion show would provide a cultural event for the community to experience.

## **BUDGET IMPLICATIONS**

Council will forgo revenue of \$683.00 if the 100% subsidy of the hire fees 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 the Fremantle Primary School P & C is granted 100% subsidy on the hire fee of the Town Hall to hold their fundraising fashion parade on Friday, 14 October 2005.

**COUNCIL DECISION**

**That the Fremantle Primary School P & C is granted 100% subsidy on the hire fee of the Town Hall to hold their fundraising fashion parade on Friday, 14 October 2005.**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Alice King Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 11/0**

The following item number C0509-11 was moved and carried en bloc earlier in the meeting.

**C0509-11 COMMUNITY LEGAL ADVOCACY CENTRE RENTAL & RATES  
REQUIREMENT FOR NEXT SIX MONTHS & RELOCATION COSTS**

**DataWorks Reference:** 049/004  
**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 a budget allocation for rent and rates for the Community Legal and Advocacy Centre (CLAC). This allocation to cover the period from date of settlement on the Birmingham Centre up to a maximum of six months. In addition a budget allocation is required to cover relocation costs of CLAC.

### **EXECUTIVE SUMMARY**

**Council has resolved to sell part of Lot 44, 27 Parry Street (Birmingham Centre). The intention is to relocate the Community Legal and Advocacy Centre (CLAC) to new premises in Queensgate. It is however expected that the logistics of relocation may take up to six months to complete. CLAC therefore needs to remain in the Birmingham Centre until their new premises in Queensgate are ready for occupation. The new owners require that a nominal rental is paid for the continued period of occupancy of the Birmingham Centre and therefore Council needs to allocated funds for this purpose. Since the premises will no longer be owned by the City of Fremantle Council rates will be required to be paid. In addition to relocating CLAC to Queensgate it has been identified that the relocation of Fremantle Community Care to Queensgate is also desirable. A budget allocation of \$135,000 is required to cover the costs of relocation to Queensgate and quotes for this are currently being sought.**

### **BACKGROUND**

Council received an offer to purchase the Birmingham Centre from a consortium who wish to build a Medical Centre on the site. Council resolved to sell the property and to relocate the current tenants (CLAC). Alternative premises in Queensgate (which is owned by the City) have been identified (old hearing services and hairdresser's salon on ground floor) and a project plan for relocation is currently being developed. It is estimated that it will take up to another six months to have the premises ready for occupation by CLAC. Previous estimates placed this cost at \$120,000, as mentioned above quotes are now being sourced. When these quotes have been finalised an item will be brought back to Council for consideration.

Negotiations with the purchaser, of the Birmingham Centre, have resulted in the purchaser offering to lease to the City the premises for use by CLAC for a period of up to

six months after date of settlement. The purchaser has requested a rental of \$400 per week which is approximately \$300 less than the amount which would be expected as a full commercial rental. CLAC currently pay no rent but do pay variable outgoings which are budgeted for. As the purchaser will be rated from the time of purchase, it would also be appropriate to allow a budget allocation for rates. No Gross Rateable Value has yet been set for the sub divided Lot, however it is known that the current Gross Rateable Value and Fire Services Levy for the whole block is approximately \$4,000. Therefore for a six month period for the new Lot an allocation of \$1,500 should be sufficient. The cost of utilities is already being paid, therefore that should not change.

While Council has previously resolved that settlement is to take place by 27 September 2005 it cannot legally take place until subdivision is complete and titles are available for dealing. It is expected that this process will be complete by mid October 2005 when settlement will take place at the earliest available opportunity.

## **COMMENT**

It would be unreasonable to expect CLAC to remain in the building rent free for any period of time after ownership has changed hands. The amount being asked in rental equates to \$74 per square metre which is considerably less than the City would expect to pay as a commercial tenant. A lease will be entered into which will enable the City to give 30 days notice to quit the building.

Sale of the property will result in a financial gain to the City of \$1,284,000 exclusive of GST.

In addition to the CLAC staff, it is also proposed to relocate Fremantle Community Care staff, excluding Meals on Wheels staff, from the Stan Reilly Centre into the Queensgate Office.

## **CONCLUSION**

It is expected that the relocation of CLAC will be completed well within the six month period of the lease however a budget allocation for rent and rates in order to cover the potential six month period needs to be made. Since it is the intention to relocate CLAC at the earliest opportunity it is expected that the actual amount required for rent and rates would be less than the budget allocation.

The relocation costs are for a standard fit out and are considered to be realistic based on discussions with companies who specialise in the area.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

**Environmental**

Nil

**Social**

Nil

**BUDGET IMPLICATIONS**

Funds will be required for rental of premises whilst relocation work takes place for the amount of \$10,400, and this will be funded from the sale. The cost of relocation to Queensgate will also be funded from the sale of the property.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION**

1. That \$10,400 is allocated from the 2005/06 budget to cover Community and Legal Advocacy rental requirements for six months from date of settlement of the Birmingham Centre;
2. That \$1,500 is allocated from the 2005/06 budget to cover Community and Legal Advocacy rates requirements for six months from date of settlement of the Birmingham Centre;
3. These funds be drawn from the proceeds of sale of (parts 1 and 2), the Birmingham Centre.

**NOTE:** The following Council Decision was amended at the Ordinary Meeting of Council held on the 23 August 2006, item number C0608-5, to include Point 3.

### COUNCIL DECISION

**MOVED:** Mayor, Peter Tagliaferri

1. That \$10,400 is allocated from the 2005/06 budget to cover Community and Legal Advocacy rental requirements for six months from date of settlement of the Birmingham Centre;
2. That \$1,500 is allocated from the 2005/06 budget to cover Community and Legal Advocacy rates requirements for six months from date of settlement of the Birmingham Centre;
3. That \$200,000 is allocated from the 2005/06 budget to cover relocation costs of Fremantle Community Legal Centre and Fremantle Community Care to the Queensgate Building.
4. These funds be drawn from the proceeds of sale of (parts 1, 2 and 3), the Birmingham Centre.

**SECONDED:** Cr Doug Thompson, Cr Jon Strachan, Cr Bob Smith and Cr John Dowson

**CARRIED:** 10/0

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

The following item number C0509-12 was moved and carried en bloc earlier in the meeting.

**C0509-12 TENDER FOR NEW 6X4 REAR LOADING REFUSE COMPACTOR FCC254/05**

**DataWorks Reference:** 135/001  
**Disclosure of Interest:** Nil  
**Author:** Denis Black, Depot Admin Coordinator  
**Actioning Officer:** Ian Goodbody, Manager City Works  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

## PURPOSE

To accept a tender for the supply of one (1) new refuse truck fitted with a 19 m3 rear loading compactor body and universal bin lifters, with the trade in or outright sale of fleet No 72091 International Acco 2350G compactor 1AIN160.

## EXECUTIVE SUMMARY

**Recommend acceptance of the tender submitted by WA Hino Sales and Service**

## BACKGROUND

The tender was advertised in the West Australian on Wednesday 24<sup>th</sup> August 2005 and closed on Friday 9<sup>th</sup> September 2005.

## COMMENT

Tender documents were received from five (5) tenderer's.

- WA Hino, Skipper Trucks and Major Motors for the supply of a new compactor truck.
- Smith Broughton and Sons for the purchase of the trade in vehicle only.
- Macdonald Johnston for the supply of a compactor body only.

The specification provided for the fitting of a natural gas engine instead of diesel - none of the suppliers provided this option.

A summary of the prices received is tabled hereunder. All prices include GST which is recoverable by the Council.

COMPANY	VEHICLE	PRICE INC GST	TRADE 1AIN160	NETT	COMMENTS
WA Hino Sales & Service	Hino Ranger Pro 14	\$273,141	\$45,000	\$228,141	191kw. 9.179 tonne payload. Del 20wks

Skipper Trucks	Acco F 2350G	\$292,061	\$55,000	\$237,061	194kw. 10.025 tonne payload. Del 26wks
Major Motors Pty Ltd	Isuzu FVZ1400	\$282,249	\$46,000	\$236,249	206kw. 9.162 tonne payload. Del 8wks
Smith Broughton			\$50,347		Purchase trade in only
Mc Donald Johnston					\$133920 Compactor body only

Evaluation of the tenders was required to be 40% on qualitative criteria and 60% on price.

The tender submitted by Macdonald Johnston for a compactor body only was excluded from further consideration and the outright purchase price offered by Smith Broughton was substituted for the trade in price where that price exceeded the trade in price.

The resultant nett prices in order of preference is tabled hereunder.

COMPANY	VEHICLE	PRICE INC GST	TRADE 1AIN160	NETT	COMMENTS
WA Hino Sales & Service	Hino Ranger Pro 14	\$273,141	\$50,347	\$222,794	191kw. 9.179 tonne payload. Del 20wks
Major Motors Pty Ltd	Isuzu FVZ1400	\$282,249	\$50,347	\$231,902	206kw. 9.162 tonne payload. Del 8wks
Skipper Trucks	Acco F 2350G	\$292,061	\$55,000	\$237,061	194kw. 10.025 tonne payload. Del 26wks
Smith Broughton			\$50,347		Purchase trade in only

Assessment of the qualitative criteria marked the Hino vehicle down because of the lesser payload, lower spec gearbox and lower torque engine.

COMPANY	60% PRICE	40% SPEC.	TOTAL
WA Hino Sales & Service	60%	37%	97%
Major Motors Pty Ltd	58%	38%	96%
Skipper Trucks	56%	40%	96%

## CONCLUSION

The tender submitted by WA Hino Sales and Service is the most advantageous to Council when considered together with the outright sale of the trade in vehicle to Smith Broughton and Sons.

## STRATEGIC AND POLICY IMPLICATIONS

This item has a general connection to the City Plan.

The motor vehicle policy of Council has a stated preference for alternative fuelled vehicles where available and subject to a whole of life cost increase not exceeding 10%.

An alternative fuelled replacement for this vehicle is not available at present, the vehicle recommended for purchase is intended to be converted to alternative fuel at a later date dependant on the availability of a suitable fuel and the refuelling infrastructure.

### **TRIPLE BOTTOM LINE IMPLICATIONS**

#### **Economic**

Nil

#### **Environmental**

Nil

#### **Social**

Nil

### **BUDGET IMPLICATIONS**

Funds totalling \$155,000 (exclusive of GST) for the replacement and trade in applicable to this unit have been budgeted for and approved in the Heavy Plant replacement program for the 2005 - 2006 financial year. Although this vehicle is \$47540 (\$273141 less \$24831 GST and trade of \$50347 less \$4577 GST) above the allocation within the program it is anticipated that the difference will be made up either by the deletion of other items from the replacement program for 2005 - 2006 or the transfer of additional funds.

### **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Completion of formal agreements is a requirement of the contract documents.

### **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Not applicable

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

### **OFFICER'S RECOMMENDATION**

1. That Council accept the tender of Smith Broughton and Sons for the outright purchase of the used International Acco compactor 1AIN160 for the sum of \$50,347.00 gst inclusive subject to the delivery of a replacement compactor.
2. That Council accept the tender of WA Hino Sales and Service for the supply of a Hino Ranger Pro 14 compactor truck in accordance with tender specifications for the sum of \$273,141.00 gst inclusive as being the most advantageous.

**COUNCIL DECISION**

1. That Council accept the tender of Smith Broughton and Sons for the outright purchase of the used International Acco compactor 1AIN160 for the sum of \$50,347.00 gst inclusive subject to the delivery of a replacement compactor.
2. That Council accept the tender of WA Hino Sales and Service for the supply of a Hino Ranger Pro 14 compactor truck in accordance with tender specifications for the sum of \$273,141.00 gst inclusive as being the most advantageous.

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

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

**CARRIED: 11/0**

**C0509-10           PRECINCT COMMUNITY DISCRETIONARY EXPENDITURE FUND -  
APPOINTMENT OF PANEL MEMBERS**

**DataWorks Reference:**           039/017  
**Disclosure of Interest:**        Nil  
**Author:**                         Jennifer Valesini, Precinct Officer  
**Actioning Officer:**             Jennifer Valesini & Steve Grant, Precinct Officers  
**Decision Making Authority:**   Council  
**Agenda Attachments:**         Nil

**PURPOSE**

To extend the appointment of precinct members selected to be on the Precinct Community Discretionary Expenditure Fund (PCDEF) Panel in 2004-05.

A nomination from a Ward Councillor to be appointed to the Panel is also sought.

**EXECUTIVE SUMMARY**

The PCDEF Panel evaluates applications to the Precinct Community Discretionary Expenditure Fund and makes recommendations to Council on the most appropriate allocation of funds.

This item seeks to retain the precinct members most recently appointed to the panel for a further term, so that the fund may be administered more efficiently.

**BACKGROUND**

The PCDEF Panel is comprised of a maximum of five members made up as follows:

- 3 x Precinct Members, nominated by precinct members;
- 1 x Ward Councillor, nominated by Council;
- 1 x Precinct Officer.

The selection process for precinct members involves inviting precincts to nominate members. Each nominee is asked to state why they want to be on the panel and what skills and experience they will bring to the role. This information is then circulated to precincts, who are asked to rate the nominees in order of preference. The three most preferred members are recommended to Council for appointment to the panel.

The most recent appointment of precinct members to the PCDEF Panel was made by Council on 9 August 2004 (item C0408-03 refers) and includes:

Patricia Wallace-Bell	O'Connor Precinct
Cathy Hall	South Fremantle Precinct
Catherine Hammond	Hilton Precinct

The appointment was for a term expiring on 30 April 2005.

**COMMENT**

To maintain the continuity and expertise of panel members, approval is sought to extend their appointment for a second term.

This will expedite the administration of grants as the precinct selection process is quite lengthy. It will also allow precincts more time to complete their projects, which must be finalised before 30 June 2006.

**CONCLUSION**

Patricia Wallace-Bell, Cathy Hall and Catherine Hammond have indicated their willingness to be involved in the PCDEF Panel for another term.

All made a valuable contribution to the panel and the administration of the fund will benefit from their continuing involvement.

**STRATEGIC AND POLICY IMPLICATIONS**

Nil

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Nil

**Environmental**

Nil

**Social**

Nil

**BUDGET IMPLICATIONS**

Since membership of the Panel does not involve remuneration and it is serviced by the City of Fremantle staff and other resources there is no budget implication.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

The period of appointment for panel members should be considered in the context of a proposed amendment to the Local Government Act.

In previous years the period of appointment has been made to 30 April to coincide with the Local Government election cycle.

The Minister for Local Government has recently announced that there will be an amendment to the Act to change the election cycle to October every second year.

In line with the proposed amendment, it is recommended that the period of appointment be made to the next ordinary election in 2007. This is most likely to be held in October 2007.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Precinct convenors and committee members were asked to comment on the proposal to extend the appointment of the 2004/05 precinct panel members.

The majority were in favour of this.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority

## **OFFICER'S RECOMMENDATION**

1. That the following precinct members – Cathy Hall (South Fremantle), Catherine Hammond (Hilton) and Pat Wallace-Bell (O'Connor) be appointed to the PCDEF Panel for a period expiring on the next ordinary election day in 2007.
2. That Council appoint a Ward Councillor to the PCDEF Panel for a period expiring on the next ordinary election day in 2007.

**At 7.36 pm Cr J Strachan declared a impartiality interest in item number C0509-10 Precinct Community Discretionary Expenditure Fund - Appointment of Panel Members and was absent during discussion and voting of this item.**

**COUNCIL DECISION**

1. That the following precinct members – Cathy Hall (South Fremantle), Catherine Hammond (Hilton) and Pat Wallace-Bell (O’Connor) be appointed to the PCDEF Panel for a period expiring on the next ordinary election day in 2007.
2. That Council appoint a Ward Councillor to the PCDEF Panel for a period expiring on the next ordinary election day in 2007.

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

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

**CARRIED: 10/0**

**C0509-13          TEMPORARY ACCESS TO SOUTH BEACH DURING SOUTH TERRACE ROAD CONSTRUCTION WORKS**

**DataWorks Reference:** 161/005, Roadway South Terrace  
**Disclosure of Interest:** Nil  
**Author:** Jim Duff and Jon Horne, Manager – Assets and Infrastructure; and Financial Controller - Urban Management  
**Actioning Officer:** Jim Duff, Manager - Assets and Infrastructure  
**Decision Making Authority:** Council  
**Agenda Attachments:** **Attachment No. C0509-13**

**PURPOSE**

For council to consider the results of a public consultation exercise undertaken to determine the construction management technique to be adopted for upgrading of South Terrace. Furthermore, to reassess council's previous adopted recommendation endorsing the provision of a temporary construction access road within the road reserve of South Terrace adjacent to the eastern verge of Wilson Park.

**EXECUTIVE SUMMARY**

**In December 2004 council adopted an option for the reconstruction of South Terrace (Douro Road to Ocean Road) which included the provision of a temporary road within the road reserve of South Terrace adjacent to Wilson Park. This enabled access to South Beach to be maintained during the works. While not included in the adopted recommendation, comment was noted which also provided an endorsement for LandCorp to liaise with council officers to "discuss the options for staging the project to maintain vehicle access to the beach during the construction process".**

**Consequently, separate opinion surveys have been conducted by LandCorp and council officers to consider the preferred options in relation to traffic management during the construction phase. The findings of the surveys along with an additional submission are presented, and council is requested to consider these and confirm its direction based on the survey results.**

**BACKGROUND**

The South Beach Village Structure Plan was approved by council at its meeting of 12 August 2002 (item C256 refers). A subdivision plan generally reflecting the design principles of the approved Structure Plan was adopted by council in item DAC0309-78 of 22 September 2003. An integral part of the plan was the upgrade of the road linkage along South Terrace (Douro Road to Ocean Road) and the new development.

The road upgrade options prepared by LandCorp (option 1 - Staggered T - Ocean Road intersection; and option 2 - Roundabout - Ocean Road intersection), together with a third option developed by local residents (option 3 - Delete Ocean Road linkage), all three

were presented to council in item SDRCP0411-126 of 13 December 2004. Option 1 was formally adopted (as modified to accommodate parts of option 3), *and this specifically included the provision of a temporary construction access road located within Wilson Park.*

While not formally adopted as a recommendation, the December 2004 council item also made comment about the proposed temporary construction access road within the body of the report. Note 5 included in the comments section was as follows:

*"The developers have requested that a temporary construction access road be provided on the eastern boundary of Wilson Park to facilitate the upgrade of South Terrace. Submitters have raised concerns regarding the potential damage to Wilson Park, access to the park, dust management and traffic management. Whilst these issues are legitimate they can be adequately addressed through the implementation of a construction management plan to be approved by Council. Notwithstanding the above, it is considered that the provision of the temporary access road is not necessary as the South Terrace upgrade project could be implemented within the confines of the existing road reserve. It is recommended that LandCorp liaise with Council officers to discuss the options for staging the project to maintain vehicle access to the beach during the construction process".*

## COMMENT

As part of the subsequent investigations to establish the preferred option for construction traffic management, LandCorp has conducted an opinion survey with local residents (refer attachment). Three options have been presented for traffic management as follows:

- Option 1 Allowing a temporary access road across Wilson Park
- Option 2 Re-directing traffic down Hickory St to South Beach
- Option 3 Restricting traffic to one way down half the road not under construction

The LandCorp survey noted that "55% of residents invited to comment elected option 1 as their preferred treatment for the works. 22% chose option 2 and just 0.07% chose option 3. 15% didn't mind option 1 or 2". Based on these findings, LandCorp have requested approval to construct a temporary access road within the road reserve of South Terrace and to allow minimal encroachment onto Wilson Park if necessary, noting agreement for reinstatement of the park after completion of the works.

Council officers have separately sought opinions on the options for traffic management from the local residents. The same three options for traffic management were presented in a covering letter to 79 local residents and ratepayers, with the selection of the area for survey being based on those people most likely to be affected by the road construction works. This selection essentially covered the area bounded by South Terrace (south of Douro) and Hickory St. The period of consultation ran from 12 September to 26 September 2005.

The consultation closed with 22 replies from the invited survey. Of the 22 replies, 9 (41%) have indicated a preference for option 1, 8 (36%) for option 3 and 4 (18%) for option 2. The remaining one allowed for either option 1 or 3.

In addition to the 22 submissions received, a separate submission was received from B Wilson, incorporating 46 further submissions in favour of option 3. The submissions were based on the distribution of a community newsletter (refer attachment) in favour of option

3. The newsletter indicates: "This issue was part of a major consultation completed last year and decided with a motion through Council which was based on the 70 submissions by community members which favoured Option Three - a community proposal that amalgamated many issues. The community option three very clearly stated that **there was to be no temporary road through Wilson Park of Hickory Street for diverting traffic during the road works**".

The newsletter is correct in noting that option 3 of the design did not incorporate a temporary construction access road in Wilson Park; *however*, the formal council decision in December 2004 approved option 1 of the design, as noted above.

The newsletter appears to have created some confusion within the community which reflects in the consistency of the respondent's answers when analysed. The decision made by council in December 2004 relates to the design features for the road (option 1 as modified by some requirements of option 3); this also included provision for allowance of a temporary access road located within Wilson Park. The current consultation relates only to the traffic management techniques to be implemented during the construction works required as a result of the adoption of option 1.

It should be noted that the extent of public consultation was specifically targeted to residents and ratepayers most likely to be impacted by the works. Should council wish to consider the additional submission presented by B Wilson (incorporating 46 individual submissions) there would need to be careful consideration to the validity of the results given 33 submissions do not relate to the targeted area. Of the remaining 13 submissions, confusion is evident among households, with 2 households of the same address noting a preference for option 3, while also indicating a preference for option 1 and 2 in the council survey. Another household indicates the preference for option 3 "based on the fact that this was the option previously agreed to be the community", in clear reference to the earlier council decision reported on by the newsletter.

Taking account of the additional submissions included above does result in the indication of a community preference to option 3; although this finding may have to be tempered.

## CONCLUSION

In following up the comments noted on traffic management proposals for the construction works from the previous council item of 13 December 2004, two surveys of residents have been undertaken to assess community opinion. The council survey itself (excluding the B Wilson submission) provides an indication of a preference for option 1 for traffic management during construction works, although this is not as clear cut as the survey conducted through LandCorp. If council is to take account of the extra submissions received through B Wilson the survey results give an indication that option 3 is the preferred traffic management method, although there is still some diversity of opinion in whichever option is considered.

## STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the City Plan through Strategy 3 (A Beautiful and Accessible Place), key result area 5 (Facilities and Infrastructure)

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Previous economic implications on the proposed upgrading of the portion of South Terrace have been specified in the December 2004 council item. This item only deals with the traffic management during the course of the upgrading works.

### **Environmental**

Previous environmental implications on the proposed upgrading of the portion of South Terrace have been specified in the December 2004 council item. This item only deals with the construction traffic management during the upgrading works. It is recognised that there will be a short term impact on the Wilson park environment, however, potential damage to the park and dust problems with the temporary access road will be managed by LandCorp and council officers during and after the upgrading works in South Terrace.

### **Social**

Previous social implications on the proposed upgrading of the portion of South Terrace have been specified in the December 2004 council item. This item only deals with the construction traffic management during the course of the upgrading works.

## **BUDGET IMPLICATIONS**

There are expected to be no budget implications with the adoption of the options, as any costs in implementation and remedial actions will be borne by LandCorp.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

There is no specific legislative requirements to be considered, however, it is noted that council has previously approved the option for upgrading of the portion of South Terrace, including the establishment of a temporary access road within the Road Reserve of South Terrace adjacent to Wilson Park for such construction activities.

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Not applicable.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority required

## **OFFICER'S RECOMMENDATION**

1. Council re-affirm its previous decision to allow the provision of a temporary construction access road with minor encroachment on the eastern edge of Wilson Park to maintain access to South Beach during construction upgrading works of South Terrace (Douro to Ocean Road); with the temporary access road to be

constructed and maintained so that any damage, or inconvenience to residents is minimised, with the park area affected to be fully reinstated by LandCorp at the conclusion of such construction upgrading works.

2. Alternative recommendation: Council adopt the option 3 being proposed, which allows for traffic management to restrict traffic to one way down the section of road not under construction, recognising this will result in a lengthier construction period and unavoidable inconvenience.

**Cr J Strachan moved an amendment to the Officer's Recommendation to include the following wording:**

1. **That the Construction Management Plan required by Council on 13 December 2004 be expanded to include two additional conditions:**
  - i) **Precluding work from starting before 7.30 am or being programmed for Saturdays or Sundays.**
  - ii) **Work is not to be programmed for Summer (the exact period at the discretion of the CEO in consultation with the South Ward Councillors) or any periods including public holidays or times of high beach use (such as the Kite Festival on 20 November).**

**SECONDED: Cr Brad Pettitt**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan	Cr Doug Thompson Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Les Lauder

**CARRIED: 6/5**

**COUNCIL DECISION**

1. **Council re-affirm its previous decision to allow the provision of a temporary construction access road with minor encroachment on the eastern edge of Wilson Park to maintain access to South Beach during construction upgrading works of South Terrace (Douro to Ocean Road); with the temporary access road to be constructed and maintained so that any damage, or inconvenience to residents is minimised, with the park area affected to be fully reinstated by LandCorp at the conclusion of such construction upgrading works.**

**2. That the Construction Management Plan required by Council on 13 December 2004 be expanded to include two additional conditions:**

- i) Precluding work from starting before 7.30 am or being programmed for Saturdays or Sundays.**
- ii) Work is not to be programmed for summer (the exact period at the discretion of the CEO in consultation with the South Ward Councillors) or any periods including public holidays or times of high beach use (such as the Kite Festival on 20 November).**

**MOVED: Mayor, Peter Tagliaferri      SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Bob Smith Cr Doug Thompson	Cr Jon Strachan Cr Les Lauder Cr Brad Pettitt Cr Shirley Mackay Cr Alice King

**CARRIED:7/5**

**CONFIDENTIAL MATTERS**

**Mayor, Peter Tagliaferri moved that item SGS0509-22 and SGS0509-23 be made confidential and closed to members of the public in accordance with Section 5.23(2) of the Local Government Act.1995.**

**SECONDED: Cr D Thompson**

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

**CARRIED: 11/0**

**At 7.56 pm Mayor, Peter Tagliaferri requested the public to vacate the chamber to allow discussion on item SGS0509-22 and SGS0509-23, which was deemed to be confidential.**

**Members of the staff also vacated the Chamber with the exception of the Chief Executive Officer, Mr Graeme Mackenzie, Director Urban Management, Mr Jayson Miragliotta, Director Corporate Services, Mr Glen Dougall, Director Cultural and Community Services, Mr Ken Posney, Manager Finance and Administration, Mr Alan Carmichael and the Minute Secretary, Mrs Nellene Hill.**

**SGS0509-22 FREMANTLE ARTILLERY BARRACKS SITE - SIGNAL STATION,  
NAVAL STORE AND TUCKFIELD STREET RESERVE**

**DataWorks Reference:** 115/004; 2 Burt Street  
**Disclosure of Interest:** Nil  
**Author:** Graeme Mackenzie, CEO  
**Actioning Officer:** Graeme Mackenzie, CEO  
**Decision Making Authority:** Council  
**Agenda Attachments:** Policy DGF 30 - Artillery Barracks Policy  
 Letter to Parliamentary Secretary for Defence - Subject offer to purchase areas 2, 5 and 7 as defined under the policy DGF 30.

**REASON FOR CONFIDENTIALITY**

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

- (e) a matter that if disclosed, would reveal -
- (i) a trade secret;
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

That Council support the approach to the Commonwealth Parliamentary Secretary for Defence seeking a priority sale of the areas 2, 5 and 7 of the Fremantle Artillery Barracks site, as detailed in the CEO's letter dated 7 September 2005.

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Alberti Cr Geoff Graham Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	

**CARRIED: 6/0**

**Cr A King vacated the chamber at 7.58 pm.**

**COUNCIL DECISION**

**That Council support the approach to the Commonwealth Parliamentary Secretary for Defence seeking a priority sale of the areas 2, 5 and 7 of the Fremantle Artillery Barracks site, as detailed in the CEO's letter dated 7 September 2005.**

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri Cr John Alberti Cr John Dowson Cr Geoff Graham Cr Les Lauder Cr Shirley Mackay Cr Brad Pettitt Cr Bob Smith Cr Jon Strachan Cr Doug Thompson	

**CARRIED: 10/0**

**SGS0509-23 1/13 ESSEX STREET (FAST EDDY'S) SALE - CONFIDENTIAL  
(ABSOLUTE MAJORITY REQUIRED)**

**DataWorks Reference:** Property Working Group 039/030  
**Disclosure of Interest:** None  
**Author:** David Duncanson, Economic Development Officer  
**Actioning Officer:** David Duncanson, Economic Development Officer  
**Decision Making Authority:** Council  
**Agenda Attachments:** None

**REASON FOR CONFIDENTIALITY**

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

- (e) a matter that if disclosed, would reveal -
  - (i) a trade secret;
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute Majority

**COMMITTEE AND OFFICER'S RECOMMENDATION**

1. That 1/13 Essex Street be sold;
2. That in accordance with the Local Government Act the sale is classified as a Major Land Transaction and therefore a business plan be produced and the sale be advertised statewide. Any comments received to be reported back to Council along with a recommended method of sale and a reserve price.

**MOVED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Cr John Alberti Cr Brad Pettitt Cr Bob Smith Cr Doug Thompson Cr L Lauder	Cr Geoff Graham

**CARRIED: 5/1**

**Cr A King returned to the meeting at 7.59 pm.**

**COUNCIL DECISION**

1. That 1/13 Essex Street be sold;
2. That in accordance with the Local Government Act the sale is classified as a Major Land Transaction and therefore a business plan be produced and the sale be advertised statewide. Any comments received to be reported back to Council along with a recommended method of sale and a reserve price.

**MOVED: Mayor, Peter Tagliaferri**

**SECONDED: Cr D Thompson**

<b>For</b>	<b>Against</b>
Mayor, Peter Tagliaferri 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 Doug Thompson	Cr Geoff Graham

**CARRIED: 10/1**

**CLOSURE OF MEETING**

**THE MAYOR, P TAGLIAFERRI DECLARED THE MEETING CLOSED AT 7.59 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.

<b>How consultative processes work at the City of Fremantle</b>	
<b>The City's decision makers</b>	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.
<b>Various participation opportunities</b>	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.
<b>Objective processes also used</b>	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.
<b>All decisions are made by Council or the CEO</b>	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).
<b>Precinct focus is primarily local, but also city-wide</b>	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.
<b>All input is of equal value</b>	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.
<b>Decisions will not necessarily reflect the majority view received</b>	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

<b>How consultative processes work at the City of Fremantle</b>	
	clearly outline from the outset any constraints or limitations associated with the issue.
<b>Decisions made for the overall good of Fremantle</b>	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.
<b>Diversity of view on most issues</b>	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.
<b>City officers must be impartial</b>	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.
<b>City officers must follow procedures</b>	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.
<b>Consultation processes have cut-off dates that will be adhered to.</b>	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

<b>How consultative processes work at the City of Fremantle</b>	
	personal representations to individual Elected Members and via presentations to Committee and Council Meetings.
<b>Citizens need to check for any changes to decision making arrangements made</b>	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 <b><a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b> , checking the Port City Column in the Fremantle Herald or inquiring at the Service and Information Desk by phone or in-person.
<b>Citizens are entitled to know how their input has been assessed</b>	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.
<b>Reasons for decisions must be transparent</b>	1 Decision-makers must provide the reasons for 5 their decisions. .
<b>Decisions posted on <a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b>	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 <b><a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b> or at the City Library or Service and Information counter.

### 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.



**City of Fremantle**

**MINUTES ATTACHMENTS**

**Ordinary Meeting of Council**

**Wednesday, 28 September 2005**



