



City of Fremantle

MINUTES

Strategic and General Services Committee

Wednesday, 14 January 2009
6.00 pm

COMMITTEE MEMBERS

Mayor Peter Tagliaferri
Cr Shirley Mackay
Cr Georgie Adeane
Cr Donna Haney
Cr Brad Pettitt
Cr Alice King
Cr Doug Thompson

Beaconsfield Ward
South Ward
City Ward
East Ward
Hilton Ward
North Ward

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STRATEGIC AND GENERAL SERVICES COMMITTEE

Minutes of the Strategic and General Services Committee
held in the Council Chambers, Fremantle City Council
on 14 January 2009 at 6.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.01 pm.

NYOONGAR ACKNOWLEDGEMENT STATEMENT

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

IN ATTENDANCE

Cr Shirley Mackay	Deputy Presiding Member / Beaconsfield Ward
Peter Tagliaferri	Mayor
Cr Doug Thompson	North Ward
Cr Donna Haney	City Ward
Cr Alice King	Hilton Ward
Mr Graeme Mackenzie	Chief Executive Officer
Mr Ken Posney	Director Cultural and Community Services
Mr Philip Gale	Acting Director Technical Services
Mrs Jan Bayman	Acting Manager Community Services
Mr John Amor	Property Coordinator
Mrs Mia Zaknich	Minute Secretary

There were 0 members of the public and 1 member of the press in attendance.

APOLOGIES

Cr Georgie Adeane	Presiding Member / South Ward
Cr Brad Pettitt	East Ward

LEAVE OF ABSENCE

Cr Donna Haney requested that it be noted in the minutes that she will be applying to Council for a leave of absence for 3 months from 23 January 2009 - 24 April 2009.

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Nil

DEPUTATIONS / PRESENTATIONS

Mayor Peter Tagliaferri advised the Committee that today he had attended the funeral of Mr Hugh Mellor, past owner of Shepherd's Newsagency in Fremantle. Mr Mellor was a very active member of the community with his business, a Fremantle Chamber of Commerce Life Member and was very active in volunteer work. Mr Mellor's passing is a very sad loss for the Fremantle Community.

Cr Doug Thompson requested a report outlining the likely rates increases for 2009. The Chief Executive Officer, Graeme Mackenzie advised that a CPI increase would be likely but would be discussed further at the upcoming budget discussions in February 2009.

DISCLOSURES OF INTEREST BY MEMBERS

Nil

LATE ITEMS NOTED

Item number SGS0901-9 was noted and accepted into the agenda for consideration.

CONFIRMATION OF MINUTES**MOVED: Cr S Mackay**

That the Minutes of the Strategic and General Services Committee dated 10 December 2008 as listed in the Council Agenda dated 17 December 2008 be confirmed.

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

TABLED DOCUMENTS

Nil

REPORTS BY OFFICERS (COMMITTEE DELEGATION)

The following items are subject to clause 1.1 and 2.1 of the City of Fremantle Delegated Authority Register

Nil.

REPORTS BY OFFICERS (COUNCIL DECISION)

SGS0901-1 CONSIDERATION OF FULL POSTAL ELECTIONS FOR 2009

DataWorks Reference: 099/010, 099/011
Disclosure of Interest: Nil
Previous Item: SGS0605-4 of 24 May 2006
Responsible Officer: Alan Carmichael, Manager Finance & Administration
Actioning Officer: Alan Carmichael, Manager Finance & Administration
Decision Making Authority: Council

PURPOSE

To confirm that Council wishes the 2009 elections to be conducted as full postal elections.

EXECUTIVE SUMMARY

The Western Australian Electoral Commissioner has agreed to undertake the 2009 elections as full postal elections; therefore it now requires Council to resolve for the elections to be held as postal elections.

BACKGROUND

The Local Government Act 1995 only permits the Western Australian Electoral Commissioner to conduct full postal elections for local government. At its meeting of 15 December 2003, Council resolved that future elections be conducted as full postal subject to:-

- Confirmation by Council prior to the election
- Confirmation of costs.

COMMENT

The Electoral Commissioner has confirmed in writing that he his willing to undertake the elections as full postal.

The estimated cost to conduct the 2009 elections provided by the Electoral Commission is \$60,000 excluding non statutory advertising and the provision of a staff member on Election Day. That estimate has been based on 18,700 electors, a response rate of approximately 50%, 7 vacancies and the count to be conducted at the premises of the City. The estimated costs are consistent with the 2005 elections when the last mayoral election occurred. The Commission is required by the Local Government Act 1995 to conduct local government elections on a full cost recovery and recent experience has demonstrated that the Commission final costs are within their estimate.

The next ordinary elections are due in October 2009. The recommendation provides for the Electoral Commissioner to be responsible for the ordinary and any other elections in 2009, which means if any extraordinary vacancies should arise, the approvals are in place to proceed with those elections as full postal.

Council has now conducted full postal elections since 2003 with very good levels of voter participation compared to other local authorities.

CONCLUSION

That Council should conduct the 2009 elections as full postal elections and appoint the Electoral Commissioner to conduct the elections.

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Full postal elections have provided a greater level of community participation in the electoral process.

BUDGET IMPLICATIONS

The Electoral Commissions estimate of \$60,000 will be included in the draft 2009/2010 Budget.

LEGISLATIVE AND LEGAL CONSIDERATIONS

The Local Government Act requires a two part process. Firstly Council must resolve under section 4.20(4) of the Local Government Act 1995 to request the Electoral Commissioner to undertake a full postal election on its behalf. Secondly, under section

4.61(2) of the Local Government Act 1995 upon receipt of written agreement of the Electoral Commissioner, which has been received, the Council must then by an Absolute Majority declare that the elections will be postal.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. That in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 2009 ordinary elections together with any other elections which may be required; and
2. That in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the elections will be as postal elections.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

1. That in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 2009 ordinary elections together with any other elections which may be required; and
2. That in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the elections will be as postal elections.

CARRIED: 4/1

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Shirley Mackay Cr Doug Thompson	Cr Alice King

SGS0901-2 Amendment to Schedule of Fees and Charges for Planning and Development Fees

DataWorks Reference:	091/008
Disclosure of Interest:	Nil
Previous Item:	Nil
Responsible Officer:	Kathy Bonus, Manager Development Services
Actioning Officer:	Paul Garbett, Manager Planning Projects and Policy
Decision Making Authority:	Council
Agenda Attachments:	Table – Comparison of Current Proposed Fees

PURPOSE

The purpose of this item is to request that Council amend its schedule of Fees and Charges with regard to planning and development fees in line with fee increases under the *Planning and Development (Local Government Planning Fees) Regulations 2000* gazetted on 10 October 2008.

EXECUTIVE SUMMARY

The regulations provide a framework for local government fees and charges for planning services and include details of the fees that may be levied. The fees prescribed under the Regulations are a maximum fee and local governments may choose to levy a lesser fee.

BACKGROUND

The regulations were gazetted in 2000 however were not reviewed until 2007 with planning and development fees remaining unchanged during this time. The fee schedule has been reviewed again in late 2008 with the fees adjusted to reflect CPI increases and the correction of some anomalies identified in 2007 has also occurred.

COMMENT

The system of fees is based on the guiding principles of establishing a maximum fee structure that enables local governments to charge the maximum fee, a lesser fee or not charge at all and also gives local government the capacity to charge a higher fee than the specified maximum or charge when and where there are exceptional circumstances beyond what is normally undertaken by most local governments. This might include such applications that require specific assessment (eg environmental assessment studies); extensive consultation procedures (eg for exceptionally large, unusual or complicated proposals); technical resources and equipment (eg computer modelling); and/or specialist skills (eg heritage conservation). The City of Fremantle has previously levied its planning and development fees in accordance with the schedule within the Regulations.

The maximum fees specified under the Regulations are not sufficient to cover costs expended by local governments in the assessment of planning applications and are not intended to be set as a cost recovery. The majority of local governments set their planning fees at the maximum amount indicated under the Regulations for this reason.

The regulations were amended to increase 2007/08 fees by the Consumer Price Index (CPI) rate of 3.4 per cent as advised by WA Treasury. Attachment 1 shows the current fees and charges as adopted for planning and development applications in column 1 with a comparison of the amended fee in column 2.

CONCLUSION

It is recommended that Council amend its schedule of Fees and Charges with regard to planning and development fees to reflect the maximum fee prescribed under the *Planning and Development (Local Government Planning Fees) Regulations 2000*.

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Nil

BUDGET IMPLICATIONS

The adoption of the increased fees may represent a slight increase overall in the income derived from planning applications.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Planning and development fees are levied in accordance with the *Planning and Development (Local Government Planning Fees) Regulations 2000* and subsequent amendments.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Not necessary for this report.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

That the City of Fremantle's Fees and Charges Schedule for 2007/08 be amended as follows:

PLANNING APPLICATION FEES <i>As per Planning and Development (Local Government Planning Fees) Regulations 2000 as amended.</i>	Fee
Change of Use or Extension or Change of a Non-Conforming Use	\$254 if the change of use or the alteration or extension or change of the non-conforming use has commenced, an additional amount of \$508 by way of penalty
Home Occupation	\$191 and, if the home occupation has commenced, an additional amount of \$382 by way of penalty
Extractive Industry	\$635 and, if the development has commenced or been carried out, an additional amount of \$1,270 by way of penalty
Subdivision Clearances (including Survey Strata)	
1-5 Lots	\$64/lot
More than 5 lots but not more than 195 lots	\$64/lot for the first 5 lots and then \$32/lot
More than 195 lots	\$6,400
Specific Applications Fees to ALL other Forms of Development where the value of proposed development is:	
\$0 - \$50,000	\$127
\$50,001 - \$500,000	(cost of dev) x 0.29%
\$500,001 - \$2,500,000	\$1,450 + 0.23% for every \$1 in excess of \$500,000
\$2,500,001 - \$5,000,000	\$6,050 + 0.19% for every \$1 in excess of \$2.5 million
\$5,000,001 - \$21,500,000	\$10,800 + 0.12% for every \$1 in excess of \$5 million
\$21,500,000 +	\$30,600
If the development has commenced or been carried out (retrospective application)	No change
Amendment of a planning approval (conditions or plans) under cl 8.3 of LPS4	No change
Extension of the term of planning approval under cl 10.5 of LPS4	No change
Miscellaneous	
Written Planning Advice	\$64
Zoning Certificate	\$64

Reply to a property settlement questionnaire	\$64
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COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

That the City of Fremantle's Fees and Charges Schedule for 2007/08 be amended as follows:

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\$2,500,001 - \$5,000,000	\$6,050 + 0.19% for every \$1 in excess of \$2.5 million
\$5,000,001 - \$21,500,000	\$10,800 + 0.12% for every \$1 in excess of \$5 million
\$21,500,000 +	\$30,600
If the development has commenced or been carried out (retrospective application)	No change
Amendment of a planning approval (conditions or plans) under cl 8.3 of LPS4	No change
Extension of the term of planning approval under cl 10.5 of LPS4	No change

Miscellaneous	
Written Planning Advice	\$64
Zoning Certificate	\$64
Reply to a property settlement questionnaire	\$64

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

SGS0901-3 FUNDING FOR NORTH FREMANTLE BOWLS, TENNIS AND COMMUNITY CENTRE AND ADJACENT PARK RESERVE WORKS

DataWorks Reference: 091/003; Gordon Dedman Reserve
Disclosure of Interest: Nil
Previous Item: SGS 0809-3 of 24 September 2008
SGS0810-4 of 8 October 2008
Responsible Officer: Philip Gale, Acting Director Technical Services
Actioning Officer: Jon Horne, Financial Controller Technical Services
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To seek Council approval to amend budgets to allow for the completion of playground equipment/access and electrical wiring project works at the North Fremantle Bowls, Tennis and Community Centre (NFBTCC) and adjacent park reserve to be funded out of cash in lieu funds and part of the quarantined portion of the Streets Vision budget.

EXECUTIVE SUMMARY

Council officers have obtained approval for the use of cash in lieu funding to complete playground equipment and access upgrade works in the reserve adjacent to the NFBTCC (Gordon Dedman Reserve). It is proposed to amend the budget for the approval of the use of \$23,465.00 to allow for these upgrade works.

Budgeted works for the upgrade to the electrical distribution board at the NFBTCC have been determined to be insufficient; and it is also proposed to fund the shortfall of \$15,000.00 out of the partial release of funds from the remaining portion of the Streets Vision budget which is currently subject to quarantine.

BACKGROUND

Following requests from the NFBTCC for assistance with various works required to the centre's facilities, Council officers sought approval in April 2008 from the Western Australian Planning Commission (WAPC) for the use of \$50,000.00 from the Council's ICI cash in lieu funds to assist with the completion of a new entrance for the centre and realignment of electrical wiring (upgrade to distribution board) to deliver power to the switch gear for the bore and adjacent lighting. The new entrance works included disabled parking facilities, a disabled access path and ramp serving the club and playground area as well as the installation of disabled playground equipment.

The request for approval to the WAPC was complicated by the nature of the facilities offered at the location (being partly related to the centre facilities) which do not provide unrestricted access to the general public at all times. The provision of unfettered access to the general public forms part of the guidelines issued by WAPC which are used as the basis to determine whether approval can be given to local government for use of cash in lieu funds under the relevant legislation.

The WAPC has now confirmed its position with regard to the request for approval of the use of cash in lieu funds for these works:

- Works relating to the car park upgrade, disabled ramp access to the car park, relocation of the electrical switch gear and disabled gate for access to the centre facilities have been refused on the basis of restricted access to the public or not falling within the definition of how cash in lieu is to be used for open space areas. These works total \$26,535.00 out of the \$50,000.00 requested.
- Works relating to the installation of disabled playground equipment and upgrading the access to the playground have been approved. These works total \$23,465.00 out of the \$50,000.00 requested.

In recognising the difficulty faced by the request to gain approval for all of the works covered by the submission to WAPC, a separate budget for the electrical upgrade works at the NFBTCC was approved through the allocation of part of the overall major building maintenance budget for 2008/09. Item SGS0809-3 of 24 September 2008 approved the allocation of \$20,000.00 from the budget to complete the upgrade works for the relocation of the electrical distribution board (with a fall back option for use on other works should the request succeed). Council officers have now completed detailed scoping and costing for the project, however, the works have proven to be more complex than originally envisioned and a current shortfall of \$15,000.00 has been identified to complete the project.

COMMENT

With the approval from WAPC for the use of cash in lieu funds it is proposed to amend the budget by \$23,465.00 to allow for the completion of disabled playground equipment installation and improvement of path access to the playground area.

Item SGS0810-4 of 8 October 2008 approved the use of \$202,000.00 from the existing Streets Vision budget of \$358,000.00 to complete works at the Roundhouse and for a consultancy to assess the remainder of the ongoing Streets Vision program. The remaining \$156,000.00 has been placed into quarantine pending further consideration of the program for street lighting.

The shortfall of \$15,000.00 in costs identified for the electrical works at NFBTCC as noted above cannot be accommodated within existing budgets. While not strictly related to the issue of street lighting, it is proposed to release part of the funds which have been put in quarantine for the remainder of the Streets Vision budget to allow these electrical/centre lighting works to be finalised. This should not significantly impact on the overall scope of the Streets Vision program should it be continued into the future.

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Strategy 3 (A Beautiful and Accessible Place), key result area 6 (Facilities and Infrastructure)

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

Nil

Social

Potential social benefits may result from improvements to recreational facilities within reserve and centre areas.

BUDGET IMPLICATIONS

There are no net municipal contribution implications involved with the approval of budgeted funds to the proposed upgrade works as funds will be sourced from the cash in lieu reserve or part of the quarantined budget for Streets Vision, however, because the level of project cost and matching income has increased, Council needs to approve the net changes.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority required

OFFICER'S RECOMMENDATION

1. Council approve a budget of \$23,465 for the installation of disabled playground equipment and upgrade to access to the playground area, to be funded from cash in lieu funds for the ICI site.
2. Council approve an increase of \$15,000 in the budget for the electrical upgrade works at the NFBTCC, to be funded from a partial release and allocation of the budget currently quarantined for the Streets Vision program.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

- Council approve a budget of \$23,465 for the installation of disabled playground equipment and upgrade to access to the playground area, to be funded from cash in lieu funds for the ICI site.**

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

- Council approve an increase of \$15,000 in the budget for the electrical upgrade works at the NFBTCC, to be funded from a partial release and allocation of the budget currently quarantined for the Streets Vision program.**

CARRIED: 3/2

For	Against
Mayor Peter Tagliaferri Cr Shirley Mackay Cr Doug Thompson	Cr Donna Haney Cr Alice King

REASON/S FOR CHANGE TO OFFICER'S RECOMMENDATION

Whilst the recommendation did not change, Cr Donna Haney requested that the two parts of the recommendation be voted on separately as she did not support Part 2 of the recommendation.

SGS0901-4 ACCEPTANCE OF INTERPRETATION GRANT FUNDING FROM LOTTERYWEST FOR THE CITY OF FREMANTLE ART COLLECTION

DataWorks Reference: 106/004
Disclosure of Interest: Nil
Previous Item: Nil
Responsible Officer: Ken Posney, Director Community Development
Actioning Officer: Andre Lipscombe, Curator Collections
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To accept an interpretation grant for touring exhibition audio equipment for Fertile Soil: 50 Years of the City of Fremantle Art Collection totalling \$11,318.00 (GST exclusive) from Lotterywest.

EXECUTIVE SUMMARY

The City of Fremantle Art Collection has successfully applied for a grant for audio exhibition equipment \$11,318 (GST exclusive) to be applied to delivery of an audio interpretation guide in support of a touring exhibition.

BACKGROUND

The City of Fremantle Art Collection has modest funds to commit to its exhibition program. A 50 Year Anniversary exhibition of 25 artworks from the City's collection titled Fertile Soil, is funded to tour Western Australia 2009 -10. This exhibition will include a groundbreaking audio exhibition guide to accompany the interpretation of the exhibition at each regional gallery. Funding has been sourced from Lotterywest to purchase 25 infra-red MP3 audio players and headphone sets to present the audio interpretation.

COMMENT

The Lotterywest grant will cover some of the costs associated with the delivery of the City's major Anniversary exhibition of the City's Art Collection to regional Western Australia 2009 -10.

CONCLUSION

Acceptance of this Lotterywest grant will assist in the delivery of current and future exhibitions of artworks conducted by the City of Fremantle Art Collection.

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS**Economic**

Improve equipment assets/values of the City of Fremantle Art Collection.

Environmental

Nil

Social

Provision of an informative and easy to use exhibition audio guide to accompany a City of Fremantle exhibition will improve public access to the Collection and the ideas and materials employed by artists represented in the Collection.

BUDGET IMPLICATIONS

This Lotterywest grant will reduce the cost to the development of interpretive exhibition materials.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. That Council accept the Interpretation of Cultural Heritage grant of \$11,318 (GST exclusive) from Lotterywest for the purchase of audio equipment to deliver an audio interpretation of the art collection.
2. That the City of Fremantle 2008-2009 revenue and expenditure budgets be amended by \$11,318.00 (GST exclusive) to reflect the grant.

Account Number	Description	(Revenue)/Expenditure
4204230	Lotteries Commission Grant- Art Collection	(\$11,318)
4201641	Cap Exp Furn,Equip,Plant,Lease Imp-Art Collection	\$11,318
	Net Budget Variation	Nil

COMMITTEE AND OFFICER'S RECOMMENDATION**MOVED: Cr S Mackay**

1. That Council accept the Interpretation of Cultural Heritage grant of \$11,318 (GST exclusive) from Lotterywest for the purchase of audio equipment to deliver an audio interpretation of the art collection.
2. That the City of Fremantle 2008-2009 revenue and expenditure budgets be amended by \$11,318.00 (GST exclusive) to reflect the grant.

Account Number	Description	(Revenue)/Expenditure
4204230	Lotteries Commission Grant- Art Collection	(\$11,318)
4201641	Cap Exp Furn,Equip,Plant,Lease Imp-Art Collection	\$11,318
	Net Budget Variation	Nil

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

SGS0901-5 SWAN RIVER TRUST RIVERBANK GRANT ACCEPTANCE

DataWorks Reference:	106/029
Disclosure of Interest:	Nil
Previous Item:	Nil
Responsible Officer:	Lionel Nicholson, Manager City Works
Actioning Officer:	Colin Keen, Coordinator Parks and Landscape
Decision Making Authority:	Council
Agenda Attachments:	Nil

PURPOSE

For Council to approve acceptance of grant funding for river bank stabilisation and associated works at Prawn Bay and the allocation of funding to complete these works.

EXECUTIVE SUMMARY

Council officers have succeeded in obtaining grant funding under the 2008/09 Swan River Trust Riverbank Grants Scheme for the provision of bank stabilisation and supplemental planting at Prawn Bay. The grant of \$20,000.00 is joint funded (using existing available funds) and the budget will be spent during the 2008/09 financial year.

It is recommended to accept the offer of \$20,000.00 and allocate this grant funding to complete the project works.

BACKGROUND

The Swan River Trust Riverbank Grant Funding is provided through the Swan River Trust to assist municipalities that manage river foreshores. The latest round of offers has been recently received and is now due for acceptance.

It is noted that the matching funds will be provided through the allocated 2008/09 Annual Budget for Prawn Bay. In addition, in-kind funds will be provided through voluntary activities with minimal effect on budget costs for the project. Any officer supervision is also covered as an effective in-kind cost.

COMMENT

The grant funding offered by the Swan River Trust requires formal acceptance from Council, together with adjustments to the Council Budget to reflect the additional income and related expenditure.

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Strategy 3 (A Beautiful and Accessible Place), key result area 6 (Facilities and Infrastructure)

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Nil

Environmental

The project provides assistance in dune stabilisation of the river foreshore, management of invasive weeds, retention of sediment, supplemental planting of the reserve and enhancement of the foreshore facilities within the municipality.

Social

Potential social benefits may result from improved foreshore facilities and providing a more pristine environment.

BUDGET IMPLICATIONS

The acceptance of the extra grant and approval of associated project works will involve an increase of \$20,000.00 in Council income, with this funding to be allocated against the project budget.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. Council approve acceptance of the grant of \$20,000.00 from the Swan River Trust Riverbank grant scheme.
2. Council approve an increase of \$20,000.00 in the 2008/09 Prawn Bay foreshore stabilisation maintenance budget, to be directed to works associated with the grant.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

- 1. Council approve acceptance of the grant of \$20,000.00 from the Swan River Trust Riverbank grant scheme.**
- 2. Council approve an increase of \$20,000.00 in the 2008/09 Prawn Bay foreshore stabilisation maintenance budget, to be directed to works associated with the grant.**

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

SGS0901-6 INFORMATION REPORT FOR JANUARY 2009**STREET LIGHTING CONTRACT**

DataWorks Reference: 106/051
Author: Philip Gale, Acting Director Technical Services
Agenda Attachments: Nil

Synergy has given initial indications that the cost of the street lighting contract is going to rise by at least 25% in the 2009/10 financial year. This is being attributed to the need to bring power charges more into line with the true cost of energy. It represents an increase in the order of \$96,000 on the current contract price, and will need to be factored into the 2009/10 budget.

WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION FINAL SYSTEMIC SUSTAINABILITY STUDY ADOPTED REPORT

DataWorks Reference: 030/007
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 1 - SSS Report - Shaping the Future of Local Government in WA

The Western Australian Local Government Association has released the final copy of the Systemic Sustainability Study (SSS) Report adopted by State Council in September 2008. This report includes the initiatives approved on how to ensure the long term viability of local government and has been presented to the Minister for Local Government and Regional Development. The Minister has put together a Task Force to review the document and provide a report outlining a timeframe to implement the recommendations from this report. This Task Force is due to report in early 2009. The Minister has already commented on Elected Member remuneration which is included within the report. This report will be presented as a separate appendix to the agenda for your review.

SOUTHERN METROPOLITAN REGIONAL COUNCIL GLOBAL FINANCIAL CRISIS REPORT

DataWorks Reference: 038/012
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 2 - SMRC Global Financial Crisis Report

The Southern Metropolitan Regional Council (SMRC) has provided a report adopted by the SMRC at its meeting held on 27 November, 2008. The SMRC report that the global economic downturn is affecting their recycling contracts to the point that they will need to review the anticipated revenue estimates contained within their adopted budget.

When the SMRC adopted its budget it planned for improving rates in the recycling contracts, based on market rates at the time and prior to the global crisis, and allowed for a surplus to be transferred into a reserve of \$1 million and a discount on gate fees of \$857,000 back to member council's. The discount would be in the form of a payback arrangement during the year.

SMRC have advised that the global financial crisis has seen the market for mixed paper, mixed plastic, aluminium and steel drop off and as a result revenue streams are likely to fall below budget estimates. As a result the SMRC has approved a review of recycling income estimates by \$1.6 million to \$5.5 million. This will be covered by the removal of the transfer of surpluses to the reserve and by withholding any refund of discount to member council's. The SMRC will now wait until balance date at 30 June, 2009 to consider whether any surpluses exist which may be refunded to member councils.

In the report the SMRC also note that an insurance claim for a fire in October 2008 has not been approved as yet. This claim is for \$1 million and if it is not fully covered by insurance may also impact on the end of year result for the SMRC.

FREMANTLE MARKETS WORKING GROUP MINUTES

DataWorks Reference: L074, 049/008
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment 3 – Minutes of 11 December, 2008
Attachment 4 – Minutes of 8 January, 2009

The Working Group is moving forward on ensuring the requirements of the Head Lease are being fulfilled. Fremantle Markets Pty Ltd have presented the marketing plan to the Group, this presentation will also be made to Elected Member at the February Informal meeting.

36 stallholders have signed up for new leases/licences, 29 casuals are now working under new agreements and the next batch of 25 offers will be released next week. Of all the offers for new agreements provided, FMPL advise 100% have accepted.

A meeting will be arranged in the near future to discuss the conservation works and the City is currently calling tenders to oversee the development of the plan and undertake the structural and environmental assessments. Once these assessments are completed the estimates for costs to undertake the urgent works can be finalised and used to seek commonwealth funding support.

OFFICER'S RECOMMENDATION

The information report for January 2009 be received.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

The information report for January 2009 be received.

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

SGS0901-7 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM (RLCIP)

DataWorks Reference: 091/003
Disclosure of Interest: Nil
Previous Item: Nil
Responsible Officer: Philip Gale, Acting Director Technical Services
Actioning Officer: Philip Gale, Acting Director Technical Services
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To nominate appropriate project works to use grant funds made available by the Federal Government under the RLCIP and progress these works in line with the scheme requirements. It is proposed to nominate the Esplanade Reserve playground project and in addition to using the funds under the RLCIP, Council endorsement is also sought to allow Council Officers to pursue extra external funds and other sources of funding to increase the available budget to complete the overall scope for the playground upgrade works.

EXECUTIVE SUMMARY

The Federal Government has made \$300 million available in grant funding to local governments for the RLCIP as part of its response to the current global economic downturn. The first component of the program allows for \$250 million in funding spread across the entire Local Government spectrum (with the second component of \$50 million being intended to be awarded on a competitive basis to large projects nominated by Local Governments). The City of Fremantle has been awarded a \$174,000.00 share of Part 1 to the program and will need to nominate the proposed works by 30 January 2009 to secure funding.

Suitable projects were suggested in December 2008 and Elected Members canvassed to provide input for the selection. Based on the list of projects presented and Elected Member response, it is proposed to spend the funding on the upgrade to the Esplanade Reserve playground.

Council has currently approved a budget of \$140,000.00 to complete the playground replacement project at Esplanade Reserve, however, to install facilities beyond a basic level of playground equipment and more in keeping with a regional park such as the Esplanade, significant extra funding is required. It is felt that funding in excess of \$500,000.00 is required to provide sufficient budget to allow Council to deliver a much higher standard and scope of playground, in line with one of the premier parks of Fremantle.

To make up the shortfall in funding and subject to Council approval; officers will not only apply the \$174,000.00 in RLCIP grant funding available, but also seek to access additional funding from Lotterywest (together with cash-in-lieu of public open space funds) to provide a more adequate budget for a new playground area and equipment. These RLCIP funds will therefore form part of the overall budget needed to complete a suitable playground replacement for the existing facilities and formal Council approval is sought to amend the budget and nominate the works for the RLCIP.

It is noted that the intention will be to combine all avenues of funds to provide a more substantial budget which can be used for the major upgrade to playground facilities, however, it is also noted that the availability of the total funds will still be subject to receipt of a Lotterywest grant. While officers are reasonably confident that funding can be made available through this source, the introduction of the RLCIP funding does allow Council to adopt a fall back position where it will be able to secure a minimum of \$390,000.00 in funding. This is considered to at least offer significantly better options in the provision of upgraded equipment than the current funding allows.

BACKGROUND

With the current economic downturn, the Federal Government has introduced a number of packages to stimulate national demand. Part of this includes \$300 million in funding to local government under the RLCIP to promote improvements to community infrastructure. The first component includes \$250 million to all Local Governments (with a base award of \$100,000.00 to compensate for the relative size of Local Government populations) of which the City of Fremantle has been awarded \$174,000.00.

The funding criteria for Part 1 allows for expenditure on new construction or major renovations of community infrastructure assets, such as:

- Social and cultural infrastructure (e.g. art spaces, gardens)
- Recreational facilities (e.g. swimming pools, playgrounds, sports stadiums)
- Tourism infrastructure (e.g. walkways, tourism information centres)
- Children, youth and senior facilities (e.g. playgroup centres, senior citizens' centres)
- Access facilities (e.g. boat ramps, footbridges)
- Environmental initiatives (e.g. drain and sewerage upgrades, recycling plants)

Funding may be used for construction and fit out activities or associated works such as engineering studies, surveys and project management costs. Roads are specifically excluded from the scope of funding.

Councils need to provide details of the projects by 30 January 2009 and have spent the money by 30 September 2009 (unless specifically agreed at Ministerial level). Final reporting is due by 30 November 2009.

It should be noted that the City of Fremantle has also made a submission to attract funding under the \$50 million component of the RLCIP, with a nomination of the Hilton PCYC project. If successful, Council will be advised further on this project.

COMMENT

There are a number of projects that may qualify for funding under the RLCIP and a selection of these were presented for Elected Member response in early December 2008.

Based on the list of projects nominated and comments received it is considered that the most suitable eligible project for recommendation is the upgrade to the Esplanade Reserve playground.

The replacement of the Esplanade Reserve playground has been listed on the program of works for completion this year (with a budget of \$140,000.00). The modest facilities provided in the current playground are acceptable in smaller parks which do not attract the level of visitors that the Esplanade Reserve attracts, however, with the attraction of the larger number of visitors, it is recognised that the existing playground installation is inadequate for a regional park.

Larger scale upgraded playground facilities to cater for higher visitor numbers are expensive, with some regional park playground facilities being installed where significant costs are involved. Examples of such park playground facilities include:

- Heathcote (City of Melville) - installation costs \$750,000.00 – completed in 1998
- Wanneroo Rotary Park (City of Wanneroo) – installation costs \$2,400,000.00 – completed in 2008
- Faulkner Park (City of Belmont) – installation costs \$2,300,000.00 – completed in 2008 in three stages

While it is not proposed to emulate the magnitude and particularly high standard of the abovementioned facilities, it is considered that the current budget allocation is inadequate to allow for a base level of suitable regional playground features.

To offer a larger scale of playground facilities which would be more suitable, a budget in excess of \$500,000.00 would provide sufficient funding to allow for installation of a larger play area with a higher level of accessibility for children with varying abilities. The playground would aim to provide experiences for explorative, solo, collaborative, adventurous and parallel play. Off the shelf equipment such as a rope space net, climbing frames, swings and slides for differing abilities would be supplemented by components specially designed to add to the sensory experiences.

Funding

Outside of the intended use of \$174,000.00 in RLCIP funding, the lack of current budget is proposed to be addressed through two other potential sources of funding:

Lotterywest grant

Initial discussions with Lotterywest have indicated that it would be prepared to contribute significant funding towards the playground upgrade in regional parks, providing the Local Government is committed to the project financially and subject to approvals of design and costs. It is expected that up to \$250,000.00 may be available on an equal contribution basis.

Cash-in-lieu (public open space) funds

To make available sufficient funding and attract Lotterywest grant money, it is also proposed to use cash-in-lieu funds from the Hampton Road (Nurses Quarters) subdivision. The original \$170,000.00 received in 1992 has been partly used on improvement works to the Arnotts site (approved and spent in 1995) and South Terrace Primary school site (approved in 1999 and spent over the following year); with \$78,236.00 remaining in cash-in-lieu funds.

As noted in previous items relating to the use of cash-in-lieu funds, the purpose of expenditure and the proximity to the original subdivision are important factors in gaining Western Australian Planning Commission (WAPC) and Ministerial approval for the use of such funds. In both respects, this option for the use of funds for this subdivision is expected to qualify for approval under the appropriate guidelines.

Based on the use of the existing budget of \$140,000.00 and applying the remaining portion of the cash-in-lieu funds of \$78,236.00 (both being municipally funded and not derived from other external grant funds), it could be reasonably expected to generate another \$228,000.00 under Lotterywest funding on an equal contribution basis. This would provide an overall total of around \$450,000.00.

The total possible available funding therefore may reach around \$620,000.00 from all sources, however, while the likelihood of obtaining Lotterywest funding is realistic, it is also not guaranteed. As a consequence, the funding from the other three sources will only reach about \$390,000.00 if the Lotterywest funding is not secured. While this is not ideal for the overall development of the upgraded facilities, it does provide sufficient scope for a much improved play area for the Esplanade Reserve.

Staging of works

Finalisation of designs, consultation and approvals required from Lotterywest for grant funding and the Minister of Planning and Infrastructure for use of cash-in-lieu funding may take a number of months. In the meantime, to improve the existing facilities as an initial stage, it is proposed to proceed with the installation of a play net close to the existing playground area (including pole removal), with the creation of a soft fall (mulched) area in line with Australian standards for playgrounds. The provision of the play net also has a lead time of around four months.

Other improvements can be added to the scope of the playground upgrade to ensure that (as a minimum) the RLCIP funds are spent by the deadline of 30 September 2009, bearing in mind that the total availability of funds may not be determined at the time of making initial commitments for equipment (and that this will therefore impact on the total level of changes which may be achieved).

It is therefore necessary to ensure that improvements are staged so that the level of funding is accommodated, as well as providing a balanced staging of equipment to accommodate children of different age groups.

CONCLUSION

Nil

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Strategy 3 (A Beautiful and Accessible Place), Key Result Area 6 (Facilities and Infrastructure)

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

There are potential economic benefits with improved playground facilities being installed, with a possible increase to park visitors.

Environmental

Nil

Social

There are potential social benefits with improved playground facilities being installed.

BUDGET IMPLICATIONS

The adoption and use of the RLCIP funding will require changes to the capital project budget for the current year.

For the funding sources that have yet to be determined in relation to cash-in-lieu funds and Lotterywest grants, there are no proposed changes to the current financial year budget, however, Council approval is sought to access additional funding through the use of cash-in-lieu funds and external grant funds to progress the staging of improvement works. This will have an effect on the 2009/10 budget, which will need to be factored into Council budget deliberations for that year.

In addition, the upgrade of facilities will require higher maintenance costs which will have an impact for the 2009/10 financial year and future years. It is expected that an additional \$10,000.00 per year will be required to cover higher maintenance costs for the upgrade; as well as increased future replacement costs.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Options for the use of funding have been presented through email to Councillors in December 2008.

With regard to the Esplanade Reserve, there has been a substantial consultation process undertaken with the Esplanade Reserve Master Plan process. Comments specific to the issue of the playground are noted as follows:

- Sport and Recreation Advisory Committee: Playground to accommodate diversity and inclusion;
- Lance Holt School: Support playground upgrade including possible nautical theme and co locate café and play area for parental supervision (Master Plan anticipated that a small toddler play area would be provided adjacent to relocated café)
- Lance Holt School students: Upgrade existing playground rather than replacing it with a new playground. Alternatively, support has also been made for a new playground as the current one is always being repaired and the new playground with a nautical theme is encouraged.
- West End resident: Does not support relocation of play area away from trees. Encourages interest and a level of risk for users of the playground.

No comments were received from the Department for Planning and Infrastructure or the Heritage Council of WA within the time frame given for comments or submissions on the Master Plan. Subsequent comment was received from the Heritage Council but this did not impact on the playground areas.

It is not expected to receive comment on the plan from the Department for Planning and Infrastructure and therefore there should be no impact on the proposals being considered in this item.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. That Council approve an increase of \$174,000.00 in the budget for the upgrade of playground facilities at the Esplanade Reserve, to be funded out of grants available under the Federal government RLCIP
2. That Council approve staging of the Esplanade Reserve playground replacement project into the 2009/10 financial year with the first stage for 2008/09 being the installation of an additional play net and soft fall area using part of the existing budget and other staged improvements as necessary

3. That Council endorse the use of the remaining \$78,236.00 in cash-in-lieu funds from the Hampton Road (Nurses Quarters) subdivision to apply towards the playground upgrade project with officers to seek appropriate approval from the Western Australian Planning Commission and the Minister of Planning and Infrastructure
4. That Council endorse seeking extra grant funding from Lotterywest to supplement the existing budget and proposed cash-in-lieu funds
5. That a further report be brought back to Council once the available cash-in-lieu and grant funds have been determined

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

6. That Council approve a budget of \$50,000.00 in the budget for the installation of photovoltaic (PV) panels on suitable Council owned buildings, to be funded out of grants available under the Federal government RLCIP to be spent by September 2009.

COMMITTEE RECOMMENDATION

MOVED: Cr S Mackay

LOST: 2/3

For	Against
Mayor Peter Tagliaferri Cr Alice King	Cr Donna Haney Cr Shirley Mackay Cr Doug Thompson

COMMITTEE AND OFFICER'S RECOMMENDATION

1. That Council approve an increase of \$174,000.00 in the budget for the upgrade of playground facilities at the Esplanade Reserve, to be funded out of grants available under the Federal government RLCIP

MOVED: Cr S Mackay

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Alice King Cr Donna Haney Cr Shirley Mackay Cr Doug Thompson	

COMMITTEE AND OFFICER'S RECOMMENDATION

2. That Council approve staging of the Esplanade Reserve playground replacement project into the 2009/10 financial year with the first stage for 2008/09 being the installation of an additional play net and soft fall area using part of the existing budget and other staged improvements as necessary

MOVED: Cr S Mackay

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Alice King Cr Donna Haney Cr Shirley Mackay Cr Doug Thompson	

COMMITTEE AND OFFICER'S RECOMMENDATION

3. That Council endorse the use of the remaining \$78,236.00 in cash-in-lieu funds from the Hampton Road (Nurses Quarters) subdivision to apply towards the playground upgrade project with officers to seek appropriate approval from the Western Australian Planning Commission and the Minister of Planning and Infrastructure

MOVED: Cr S Mackay

LOST: 2/3

For	Against
Cr Alice King Cr Doug Thompson	Mayor Peter Tagliaferri Cr Donna Haney Cr Shirley Mackay

COMMITTEE AND OFFICER'S RECOMMENDATION

- 4. That Council endorse seeking extra grant funding from Lotterywest to supplement the existing budget and proposed cash-in-lieu funds**

MOVED: Cr S Mackay

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Alice King Cr Donna Haney Cr Shirley Mackay Cr Doug Thompson	

COMMITTEE RECOMMENDATION

- 5. That a further report be brought back to Council once the available cash-in-lieu and grant funds have been determined**

MOVED: Cr S Mackay

LOST: 0/5

For	Against
	Mayor Peter Tagliaferri Cr Alice King Cr Donna Haney Cr Shirley Mackay Cr Doug Thompson

SGS0901-8 REQUEST FROM DECKCHAIR THEATRE FOR REIMBURSEMENT OF HIRE FEES AND WAIVER OF RENTAL DUE TO CITY'S RESTORATION WORKS

DataWorks Reference: LO72 – Lease – Deckchair Theatre
Disclosure of Interest: Nil
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: John Amor, Property Coordinator
Decision Making Authority: Council
Agenda Attachments: Nil

PURPOSE

To consider the expectation of Deckchair Theatre that the City of Fremantle pay the costs incurred by Deckchair Theatre to hire the Hoyts Cinema Theatre in Adelaide Street, Fremantle to conduct a theatre production in the Hoyts Theatre because of the unavailability of the Victoria Hall premises due to the City's restoration programme of Victoria Hall.

To approve the waiver of the rental of Victoria Hall whilst the City's restoration works are in progress.

EXECUTIVE SUMMARY

Given that Deckchair Theatre is the current tenant of the Victoria Hall in High Street, Fremantle, it is entitled to occupation of these premises during the Lease term without interruption or disturbance from the Lessor. However the City's restoration programme for this heritage building has rendered the complex unusable both as a performing theatre and as an administrative office for the theatre personnel.

As an interim measure the City has relocated the Theatre's administration functions and officers to the Stan Riley Lodge premises in South Terrace, Fremantle.

As the tenant has been deprived of its leased premises, it has sought a waiver of its rental commitment from 1st July 2008 until it is able to return to Victoria Hall expected to be in February or March 2009. The annual rental is \$20,960.76 gross plus GST or \$1,746.73 plus GST per calendar month.

Also, given that it was too late to cancel the theatre production planned for December 2008 the City did suggest that Deckchair consult Hoyts to see if the Port Cineaste Theatre would be a suitable alternative. In the end the production did proceed at the Port Cineaste Complex.

Accordingly, in the expectation that the City will pay the hire fee, Deckchair has passed on Hoyts Theatre tax invoice no: INV62QUE0000309 in the sum of \$3,500.00 (Inc GST) and dated 10th December 2008.

BACKGROUND

By virtue of a Lease Deckchair Theatre occupies the Victoria Hall Theatres complex at a current annual rental of \$20,960.76 plus GST (there is a CPI rent review effective from 1st January 2009.) The Lease is due to expire on 31st December 2010 without there being any options available beyond that date. The permitted use is “music hall, theatre and meeting facilities...”

After some delays the restoration works for Victoria Hall commenced in mid July 2008. (As at the time of preparing this report it seems that the likely completion date will be towards February/March 2009.)

Unfortunately communication between the City and Deckchair around the works and the unavoidable impact on Deckchair’s operations was not properly addressed, with the result that Deckchair had to be relocated with only minimal pre-warning.

Additionally, little or no consideration was paid to the Theatre’s committed production programme with the result that Deckchair was forced to find an alternate venue to stage its programmed production. To that end Deckchair did negotiate with the Hoyts Corporation to hire the Port Cineaste Theatre Complex in Adelaide Street, Fremantle at a cost of \$3,500.00 which Deckchair now expects the City to pay.

COMMENT

Given the lack of adequate consultation with Deckchair around the planning, timing and execution of the restoration works, the Tenant has reasonable grounds to look towards the City to pay the Hoyts charge, as well as to a rental waiver. The Tenant’s right to quiet enjoyment of these premises as set down in the Lease has been taken away by the restoration works. This aspect should have received greater attention in the planning stages so that perhaps the costs now being paid by the City around Deckchair’s necessary relocation might have been better managed and contained.

CONCLUSION

Given that Deckchair has, through no fault of its own, been put to unplanned expenditure as a direct result of the Landlord’s restoration works, then its request that the City pay the charge under consideration is reasonable and justifiable as it is the request for a rental abatement.

STRATEGIC AND POLICY IMPLICATIONS

Nil

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Deckchair Theatre is a long established part of Fremantle's identity, and contributes to the local employment scene as well as drawing theatre patrons and tourists to Fremantle.

Environmental

Nil

Social

Deckchair Theatre is well recognised as a key component of Fremantle's cultural identity. The theatre restoration works when completed will enhance the City's theatre options.

BUDGET IMPLICATIONS

The Port Cineaste Theatre hire costs are an unplanned item.

The waiver of the rental will of necessity reduce the rental income.

LEGISLATIVE AND LEGAL CONSIDERATIONS

The tenant could argue because of Lease obligations, that there are reasonable legal grounds that the City should pay the costs in question, and allow a rental reabatement.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. That the City of Fremantle pay in full the Hoyts Corporation tax invoice no: INV62QUE0000309 in the sum of \$3,500.00 (Inc GST) and dated 10th December 2008.
2. That the City of Fremantle allow Deckchair Theatre rental abatement in respect of its Lease of Victoria Hall from the 1st July 2008 until Deckchair resume occupation.

COMMITTEE AND OFFICER'S RECOMMENDATION**MOVED: Cr S Mackay**

1. That the City of Fremantle pay in full the Hoyts Corporation tax invoice no: INV62QUE0000309 in the sum of \$3,500.00 (Inc GST) and dated 10th December 2008.
2. That the City of Fremantle allow Deckchair Theatre rental abatement in respect of its Lease of Victoria Hall from the 1st July 2008 until Deckchair resume occupation.

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

**SGS0901-9 TRANSFER OF PROPERTY MANAGEMENT FOR YOUTH SERVICES
CRISIS ACCOMODATION**

Dataworks Reference: 023/008
Disclosure of Interest: Nil
Previous Item: SGS0707-3
Responsible Officer: Jan Bayman, Acting Manager Community Services
Actioning Officer: Michelle Champion, Coordinator Youth and Children's Services
Decision Making Authority: Council
Agenda Attachments: Letter from Department of Housing and Works requesting lease return
Itemised maintenance required by property and cost estimate

PURPOSE

To secure Council approval to transfer property management function of Youth services existing 10 Crisis Accommodation properties to Access Housing.

To rescind existing Youth services Crisis accommodation property leases and return to the Department of Housing and Works (DHW).

To approve additional maintenance expenditure to bring all 10 properties up to the required standard prior to returning to Department of Housing and Works (DHW).

EXECUTIVE SUMMARY

The City of Fremantle's Youth Services are seeking to secure Council approval to transfer Property Management responsibilities and corresponding income and expenditure to Access Housing association. This requires existing leases to be rescinded to Department of Housing and Works (DHW) who in turn will lease these properties to Access Housing.

BACKGROUND

Youth Services have managed both the property management and support roles of the Crisis Accommodation Properties for 'At Risk' young people and young families for at least the last 20 years. Over this time, demand for supported accommodation has increased, however, the continual wear and tear and general maintenance required on this ageing stock has dramatically increased. Access to skilled maintenance contractors has reduced and associated costs have increased markedly. Over the past three years alone, maintenance contractor's costs have risen 40%. While Youth Services have introduced measures such as Centerpay to maximise rental return, this has not been sufficient.

Youth Services have approached Community Housing on two previous occasions seeking to have a better skilled organisation take on the property management function. They have declined due to the cost involved in bringing our existing properties up to an acceptable standard.

The proposal includes the transfer of property management and all related revenue (rent and bond) and expenditure.

In order for Youth Services to progress this initiative, we have operated with reduced staffing since March 2007. This has resulted in staff establishment savings of \$26,577.72 to the end of the 2008/09 financial year inclusive. Youth services also anticipate being awarded bond reimbursement to the value of \$6,351.88 this financial year which will contribute to the cost of repairs to bring these properties up to the required standard.

Council contributes in the vicinity of \$10,000 - \$15,000 per annum, over and above the rental income received towards maintenance of these properties.

The DHW and Fremantle Community Youth Service representatives have recently completed joint detailed inspections of all properties and have estimated the total cost to bring all properties up to an adequate standard to be \$53,000.

Department of Child Protection the SAAP grant administrator for the crisis Accommodation properties have been made aware of this proposal.

COMMENT

Nil

CONCLUSION

This proposal, if supported, will result in long term savings to Council by reducing the Council contribution to Youth Services. The transfer of properties to Access Housing will also free up youth worker time which can be applied to supporting at risk young people. By transferring the property management function to a locally based organisation whose core business is property management, with a much larger housing stock, it is anticipated economies of scale will reduce the cost of maintenance and management.

The proposal is that Youth Services will maintain the allocation of these properties to 'At Risk young people' and will continue to provide support to clients housed in these premises. This will be outlined in a formal MOU between the City and Access Housing.

STRATEGIC AND POLICY IMPLICATIONS

Strategic Plan 3.6.4

Maximise the value of City owned property through effective management and maintenance programs

Strategic plan 2.3.1

Seek strategic alliances to build knowledge, attract investment, support growth and deliver services.

Strategic Plan 2.2 (1-4inclusive)

Regional Centre

Strategic Plan 1.1.5

Ensure the provision of diverse housing options in Fremantle and to maintain the current ratio of public housing in diverse locations through CPS4 and partnerships with providers of public and private housing.

TRIPLE BOTTOM LINE IMPLICATIONS

Economic

Savings to Council of between \$10,000 to \$15,000 per annum from the bottom line of Council's contribution to Youth Services.

Environmental

Nil

Social

This initiative will allow Youth Services support staff to focus on providing one on one support to clients and redirect the property management to the experts.

BUDGET IMPLICATIONS

Approximately \$53,000 will need to be paid directly to DHW this financial year to cover the required maintenance to bring all 10 properties up to the agreed standard to return properties to DHW.

Currently there remains \$20,000 unspent in Youth Services property maintenance account which leaves a shortfall of \$33,000.

This item seeks an additional \$33,000 from council in this current financial year's budget.

LEGISLATIVE AND LEGAL CONSIDERATIONS

Nil

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required.

OFFICER'S RECOMMENDATION

1. Council supports the proposal to transfer property management of City of Fremantle Youth Services existing 10 Crisis accommodation properties to Access Housing.
2. Council supports the proposal to rescind existing leases on Youth Services 10 Crisis Accommodation properties and the return of properties to Department of Housing and Works as vacancies arise.
3. Council approves an additional \$33,000 expenditure for Youth Services property maintenance account to bring the Crisis Accommodation properties up to the required standard during the 2008/2009 financial year, to ensure all 10 properties are transferred to the Department of Housing and Works by 30 June 2009.

COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr S Mackay

1. Council supports the proposal to transfer property management of City of Fremantle Youth Services existing 10 Crisis accommodation properties to Access Housing.
2. Council supports the proposal to rescind existing leases on Youth Services 10 Crisis Accommodation properties and the return of properties to Department of Housing and Works as vacancies arise.
3. Council approves an additional \$33,000 expenditure for Youth Services property maintenance account to bring the Crisis Accommodation properties up to the required standard during the 2008/2009 financial year, to ensure all 10 properties are transferred to the Department of Housing and Works by 30 June 2009.

CARRIED: 5/0

For	Against
Mayor Peter Tagliaferri Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Doug Thompson	

CONFIDENTIAL MATTERS

Nil.

CLOSURE OF MEETING

THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 7.13 PM.