

**City of Fremantle**

# **MINUTES**

## **Strategic and General Services Committee**

Wednesday, 12 August 2009  
6.00 pm

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### **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

## TABLE OF CONTENTS

<b>ITEM NO</b>	<b>SUBJECT</b>	<b>PAGE</b>
	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>3</b>
	<b>NYOONGAR ACKNOWLEDGEMENT STATEMENT</b>	<b>3</b>
	<b>IN ATTENDANCE</b>	<b>3</b>
	<b>APOLOGIES</b>	<b>3</b>
	<b>LEAVE OF ABSENCE</b>	<b>3</b>
	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>4</b>
	<b>PUBLIC QUESTION TIME</b>	<b>4</b>
	<b>DEPUTATIONS / PRESENTATIONS</b>	<b>5</b>
	<b>DISCLOSURES OF INTEREST BY MEMBERS</b>	<b>5</b>
	<b>LATE ITEMS NOTED</b>	<b>5</b>
	<b>CONFIRMATION OF MINUTES</b>	<b>5</b>
	<b>TABLED DOCUMENTS</b>	<b>5</b>
	<b>REPORTS BY OFFICERS (committee delegation)</b>	<b>6</b>
SGS0908-1	CURTIN AVENUE - CARPARK UPGRADE	6
	<b>REPORTS BY OFFICERS (council decision)</b>	<b>10</b>
SGS0908-2	ELECTED MEMBER WORKSHOP ON SOUTHERN METROPOLITAN REGIONAL COUNCIL	10
SGS0908-3	FREMANTLE CHAMBER OF COMMERCE – MEMORANDUM OF UNDERSTANDING	14
SGS0908-4	CITY MARKETING BUDGET	17

SGS0908-5	2010/2011 BLACK SPOT PROGRAM SUBMISSIONS STANDARD REPORT	23
SGS0908-6	KIM BEAZLEY SCHOOL SITE	31
SGS0908-7	SEASCAPE HOLDINGS PTY LTD	38
SGS0908-8	APPOINTMENT OF AUTHORISE OFFICERS - TECHNICAL SERVICES	43
SGS0908-9	INFORMATION REPORT FOR AUGUST 2009	46
SGS0908-10	ADOPTION OF COUNCIL AND COMMITTEE MEETING SCHEDULE FOR OCTOBER 2009 TO SEPTEMBER 2010	48
SGS0908-11	HILTON COMMUNITY GARDEN PROPOSAL	50
SGS0908-13	NOTICE OF MOTION - 31 WILUNA STREET, WHITE GUM VALLEY	59
	<b>CONFIDENTIAL MATTERS</b>	<b>60</b>
SGS0908-12	FREMANTLE MARKETS DISPUTE - INDEPENDENT RENT REVIEW REPORT	60
	<b>CLOSURE OF MEETING</b>	<b>61</b>
	<b>Summary Guide to Citizen Participation and Consultation</b>	<b>62</b>
	<b>CLOSURE OF MEETING</b>	

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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 12 August 2009 at 6.00 pm.

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### DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.08pm.

### 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 Georgie Adeane	Presiding Member / South Ward
Cr Shirley Mackay	Deputy Presiding Member / Beaconsfield Ward
Cr Donna Haney	City Ward
Cr Brad Pettitt	East Ward
Cr Alice King	Hilton Ward
Cr Doug Thompson	North Ward
Mr Graeme Mackenzie	Chief Executive Officer
Mr Glen Dougall	Director Corporate Services
Ms Marisa Spaziani	Director Cultural and Community Services
Mr Peter Pikor	Director Technical Services
Mr Philip Gale	Manager Infrastructure Services
Mr Paul Garbett	Manager Planning Projects
Mrs Mia Zaknich	Minute Secretary

*There were 2 members of the public and 0 members of the press in attendance.*

### APOLOGIES

Peter Tagliaferri                      Mayor

### LEAVE OF ABSENCE

Nil

## RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

## PUBLIC QUESTION TIME

June Hutchison of 50 Attfield Street, Fremantle spoke in support of item SGS0908-5, 20/10/2011 Black Spot Program Submissions. The following questions were asked;

1. Given that South City Precinct members and local business owners have been trying to get something done about traffic calming in Wray Avenue and South Terrace for about 6 years, we would like to talk to Council Officers now about some aspects of the current plan and about further improvements to make this area a safer and more pedestrian friendly place. I take it that the plan is not yet finalised and that we would have an opportunity to discuss it with Council staff?

**Response: Philip Gale, Manager Infrastructure Services responded by saying that while he had already spoken to Ms Hutchison on this matter, he is happy to discuss further. He clarified that this submission is just for the Wray Avenue/South Terrace intersectional works.**

2. We are also concerned about parking provision and inspection. I have been told that the frequency of which parking inspectors can monitor the area from the hospital south towards the residential area, depends on staff levels. My question is then, are staffing levels adequate at present to make possible regular checking of vehicles parked in streets where limits are imposed?

**Response: Glen Dougall, Director Corporate Services responded that parking inspection is divided up into areas based on the capacity of officers to walk around that area. His understanding is that there are 12 designated areas around the CBD area and we should be adequately resourced to deal with that issue. Any particular concerns can be communicated to him for follow up by officers.**

3. The third question is on behalf of John Reeves-Burton from the Flower Factory. His question was 'Where did the funding for the works on South Terrace (south of Wray Avenue) come from, and how much was it'?

**Response: Philip Gale, Manager Infrastructure Services responded by saying that the funding came from several sources over the last couple of years. The main sources included the Metropolitan Regional Road Group Funding, Main Roads WA, City of Fremantle Municipal Funds and Bike Plan funds for the cycle ways. Approximately \$580,000 was spent on the project.**

Peter Nolin, Chief Executive Officer of the Fremantle Chamber of Commerce spoke in support of item SGS0908-5, Fremantle Chamber of Commerce - Memorandum of Understanding and gave the Committee members the opportunity to ask him questions in relation to the MOU.

Mr Nolin also spoke on behalf of the Economic Marketing Advisory Committee to item SGS0908-4, City Marketing Budget and recommended that the recommendation put forward by the Economic Marketing Advisory Committee be the one that be endorsed.

**DEPUTATIONS / PRESENTATIONS**

Nil

**DISCLOSURES OF INTEREST BY MEMBERS**

Nil

**LATE ITEMS NOTED**

SGS0908-13 Notice of Motion - 31 Wiluna Ave, White Gum Valley

**CONFIRMATION OF MINUTES**

**MOVED: Cr G Adeane**

**That the Minutes of the Strategic and General Services Committee dated 8 July 2009 as listed in the Council Agenda dated 22 July 2009 be confirmed.**

**CARRIED: 6/0**

For	Against
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt 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

**SGS0908-1 CURTIN AVENUE - CARPARK UPGRADE**

<b>DataWorks Reference:</b>	159/006
<b>Disclosure of Interest:</b>	NIL
<b>Previous Item:</b>	NIL
<b>Responsible Officer:</b>	Peter Pikor, Director Technical Services
<b>Actioning Officer:</b>	Frank Squadrito, Design/Traffic Co-ordinator
<b>Decision Making Authority:</b>	Committee
<b>Agenda Attachments:</b>	Attachment 1 – Locality Plan Attachment 2 – Preliminary Detailed Design (Drg No 393-0905-CP)

**PURPOSE**

Council adopt the preliminary detailed design plan (Drg No 393-0905-CP01) to upgrade on-street car parking along Curtin Avenue opposite the PTA (Public Transport Authority) overpass.

**EXECUTIVE SUMMARY**

**As part of the proposed current financial year budget process, an amount of \$230,000 has been allocated to upgrade car parking facilities on the western side of Curtin Avenue located between the City's northern municipal boundary with the Town of Mosman Park and the Leighton Beach Subdivision.**

**The Curtin Avenue road reserve is currently controlled by Main Roads WA, the car parks fall within both the Leighton Beach foreshore reserve which is maintained and controlled by the City of Fremantle and the MRS road reserve. Curtin Avenue is considered as a primary road providing vital connectivity to Fremantle and is of high importance with respect to entry statements.**

**Due to the poor condition of the pavement and safety concerns raised by the community this area has been identified for road improvements and is currently in an unacceptable condition.**

**BACKGROUND**

Development of Leighton Beach and its regional parklands has prompted a need to review the parking, enhance the streetscape and improve safety for all road users. Approximately 4.0 hectares of the Leighton Beach Marshalling yards have been set aside for commercial use and for housing with an estimated 550 housing units. Additionally 13 hectare's has been allocated for regional parks, recreation for public purposes with the reservation forming the Leighton Oceanside Parklands.

Recreational use of the beach environment is considered very high during the summer months with parking at critical levels as development increases. The existing pavement in the car parks is currently uneven and poorly deteriorated requiring maintenance on a regular basis. As parking is not formalised with linemarking motorists tend to manoeuvre into unmarked bays in adverse arrangements which can compromise safety, disadvantage other users and minimise the availability of space. Furthermore enforcement by our Parking and Ranger Services is consistently difficult to police at this location.

## **COMMENT**

To upgrade on-street parking to a satisfactory standard reconstruction of the existing bays is required. Additionally to improve pedestrian facilities across Curtain Avenue from the PTA Bridge landing a raised median island is proposed to be constructed thus giving pedestrians a safe crossing point to the foreshore reserve.

Parking on the East side of Curtain Avenue is envisaged as a future stage but will not be included in the overall construction this financial year. This works will include additional planting adjacent the railway corridor, construction of new car bays, retaining wall which will improve the overall aesthetics of the streetscape.

The carpark works are proposed so that they align with Stage 1 works of the Leighton Oceanside Parklands Masterplan which includes;

- Upgrading of the Fremantle Surf Life saving Club and development of the Café
- Installation of car parking
- Installation of picnic areas including BBQ's, shelters and picnic tables
- Installation of Lighting
- Installation of pathways including steps, ramps and decking
- Installation of drainage swales
- Installation of turf and planting
- Installation of irrigation:
- Upgrading of beach access tracks and dune fencing
- Installation of Beach showers drinking fountains, bins and street furniture

## **CONCLUSION**

The new parking arrangement will provide the community with approximately 42 formalised parking bays with a mix of 45 and 30 degree parking that conform to Australian Standards AS2890.5 guidelines. Additionally there will be added benefits of providing pedestrian links for enhanced connectivity and a new 2.5m realigned dual use path for cyclist along the foreshore reserve.

## **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 increased recreational activities.

### **Environmental**

As most of the parking matches within existing locations and the dual use path follows a similar alignment removal of coastal vegetation will be minimised. Disturbed areas will be replanted with coastal species.

### **Social**

This project provides safer road/path facilities for the community accessing the beachside recreational opportunities.

## **BUDGET IMPLICATIONS**

The budget consideration for Capital Works has been included in the 2009/2010 financial year. Future maintenance funds will be required but as this is an asset renewal and upgrade project the level of funding required in the median term will be minimal.

As part of the project Technical Services will be requesting Main Roads contribute 100% to the lighting upgrade which is estimated at 85K. If agreed funding may be made available in the 2010/2011 financial year.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

NIL

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

NIL

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE DECISION**

**MOVED: Cr G Adeane**

**That Council adopt the attached preliminary detailed design plan (Drawing No: 393-0905-CP01) to upgrade and formalise on-street car parking along Curtain Avenue, North of the existing Leighton Beach Subdivision subject to Main Roads WA Approval.**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

**REPORTS BY OFFICERS (COUNCIL DECISION)****SGS0908-2 ELECTED MEMBER WORKSHOP ON SOUTHERN METROPOLITAN REGIONAL COUNCIL**

**DataWorks Reference:** 097/004  
**Disclosure of Interest:** Nil  
**Previous Item:** SGS0907-12  
**Responsible Officer:** Graeme Mackenzie, Chief Executive Officer  
**Actioning Officer:** Glen Dougall, Director Corporate Services  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil.

**PURPOSE**

To approve the format and dates to hold workshops in relation to waste, recycling and the SMRC.

**EXECUTIVE SUMMARY**

**To allow the City to deal with the three issues for consideration it is recommended that the workshop be broken into the categories of odour, financial management and recycling alternatives. The odour issue will be a workshop on its own with the financial management and recycling alternatives making up a second workshop.**

**The workshop on odour be held on Wednesday 30<sup>th</sup> September, 2009. This workshop will incorporate presentations from Southern Metropolitan Regional Council, Department of Environment and Conservation, Department of Health, City of Canning and representatives of the Community Odour Action Group.**

**The second workshop be held after the local government elections in October. In the meantime the City request its current auditor to review the original business plan written by Deloitte Touche Tomatsu for the RRRRC in the context of current known issues such as the Global Financial Crisis, the withdrawal of one participant, the redrawing of loans and shortened repayment timeframe and costs for landfill. The City will also research alternatives for recycling during this period to present to the second workshop.**

**BACKGROUND**

At the July Council meeting a notice of motion from Cr Dowson in relation to issues at the SMRC was considered. Council resolved as follows;

*The City shall hold a workshop on waste, recycling and the SMRC to examine the options for dealing with waste and recycling going into the future. The workshop shall look at but not be limited to an examination of the governance structure, odour management, and long-term financial outlook of the SMRC.*

*The workshop should also discuss the expansion of commercial recycling services in the City of Fremantle and how the about to be replaced Materials Recovery Facility (MRF) might best meet this need.*

*The City shall invite representatives from the SMRC to address the workshop.*

*The workshop shall form the basis of a report and recommendation to come back to Council through the Strategic and General Services Committee.*

## **COMMENT**

Officers set a meeting for last Saturday, 8<sup>th</sup> August, however this did not allow all the parties involved enough time to prepare and due to other external issues, such as the Western Australian Local Government Association Conference also being held this day it was decided to defer the workshop for another time.

Of the issues raised for consideration in the workshop it is considered that the odour issue is the most important to review in the first instance. There has been some debate as to the evidence and requirements of the community, regulators and the SMRC itself on this issue. Rather than continuing to have this information received “second hand” it is recommended that stakeholders be invited to present to elected members the issues as they see it first hand. This way the City of Fremantle is able to evaluate all the issues for consideration without having to rely on sources being quoted.

The workshop date will allow all external parties to the City of Fremantle time to prepare the information they want to present, if they choose to attend. Wednesday 30<sup>th</sup> September was chosen as officers of the City will be available and it is the fifth Wednesday of the month and therefore no other council meetings will be held this day.

The second workshop will consider the financial issues and recycling alternatives. It is recommended that a review of the original financial business plan will provide better analysis of the current financial information rather than an audit of the financial statements. The original plan was developed by Deloitte Touche Tomatsu in November 1998. It was reviewed by Bird Cameron Accountants in 2006. Since then a number of economic and cost issues have arisen and a review of the original projection against the current situation will provide better understanding of where the financial issues sit and whether there are issues to address as a result. The original Plan did not envisage the SMRC participants purchasing the recycling plant, it considered the loan funds to be repaid over a 23 year period and did not envisage the global financial crisis. The loan portfolio remains around \$48 million and the plan period has 14 years remaining.

## **CONCLUSION**

By separating the issues being considered into separate workshops the information can be provided without being limited by time and it will allow council to receive advice and information from third parties. These third parties are either affected by the issues or are part of dealing with the issues and need to be heard.

## **STRATEGIC AND POLICY IMPLICATIONS**

As per the RRRC participants agreement.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

As per the RRRC Business Plan.

### **Environmental**

As per the Zero Waste Strategy.

### **Social**

As per the Waste Management Strategy of the SMRC.

## **BUDGET IMPLICATIONS**

No direct cost to hold these workshops.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Local Government Act 1995, RRRC Participants Agreement.

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

Nil.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr G Adeane**

**Council agree to conduct the Workshop for resolution SGS0907-12 in relation to the SMRC in two stages;**

- a) A workshop to be held on Wednesday 30<sup>th</sup> September, 2009 to consider odour issues and invite relevant stakeholders as mentioned in this report; and**
- b) A second workshop to be held after the October local government elections to deal with the financial and recycling alternative matters.**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

**SGS0908-3      FREMANTLE CHAMBER OF COMMERCE – MEMORANDUM OF UNDERSTANDING**

**DataWorks Reference:**  
**Disclosure of Interest:** Nil  
**Previous Item:** Nil  
**Responsible Officer:** Graeme Mackenzie, Chief Executive Officer  
**Actioning Officer:** Graeme Mackenzie, Chief Executive Officer  
**Decision Making Authority:** Council  
**Agenda Attachments:** Attachment 1 - Draft MOU

**PURPOSE**

This report is submitted for Council to consider the adoption of a Memorandum of Understanding between the City and the Fremantle chamber of Commerce.

**EXECUTIVE SUMMARY**

**The Fremantle Chamber of Commerce has indicated an interest in entering into a more formal relationship with the City of Fremantle. The CEO of the Chamber and the City of Fremantle CEO have been meeting regularly for many years and the City is a member of the Chamber.**

**Since July last year the city has ceased funding the Fremantle First marketing program through the Chamber opting instead to do so in-house. That has now completed its first year under the new arrangements and council has been briefed on the achievements to date.**

**The Chamber, as a result of this has had an opportunity to refocus its efforts to the economic prosperity of the city and its businesses and wishes to have greater involvement and input in decisions that affect the city.**

**The proposed MOU provides the framework for formalising and building and the existing good relations between the city and the Chamber.**

**BACKGROUND**

The Fremantle Chamber of Commerce had, until the end of the 2007/8 financial year been responsible for marketing the city through the Fremantle First program. The City of Fremantle contributed financially to that program.

From July 1<sup>st</sup> 2008 the city brought that responsibility in-house with funding provided from the general rates that was previously provided to the Fremantle First program and a further funding from a differential rate levied against the business sector.

This latter funding arrangement, together with the fact that the Chamber no longer had responsibility for city wide marketing, has allowed the Chamber to refocus on business development in Fremantle.

In doing that, the Chamber wishes to engage the City in a way that ensures it has input into matters of strategic importance to the economic vitality of the city.

In discussions between the CEO's of the organisations it was agreed that the best way to formalise an arrangement was through a MOU.

## **COMMENT**

The draft MOU is attached for consideration. The City already has a MOU with a number of key stakeholders – University of Notre Dame, Landcorp, and the RSL. The Fremantle Chamber of Commerce is a key stakeholder, and as noted in the draft document approximately 50% of the city's rates come from the non-residential sector. It is therefore appropriate to work collaboratively with the Chamber as the peak body representing that non residential sector of our community.

## **CONCLUSION**

Engagement of key stakeholders in the city's strategic direction is a critical part of a successful local government. The Fremantle Chamber of commerce is one of those key stakeholders and formalising how we work together is appropriate.

## **STRATEGIC AND POLICY IMPLICATIONS**

Working together with key stakeholders in the shaping the city for success ensures the city optimises its opportunities.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

The Strategic Plan identifies the business community as integral to the economic viability of Fremantle. Working with the peak body to optimise outcomes is important to the economic future of the city.

### **Environmental**

Working together with the business community can help achieve key environmental objectives.

### **Social**

Working together with the business community can help achieve key social objectives..



**BUDGET IMPLICATIONS**

There are no direct budget implications in the adoption of this memorandum of understanding.

**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**

**MOVED: Cr G Adeane**

**That Council adopts the attached Memorandum of Understanding with the Fremantle Chamber of Commerce.**

**CARRIED: 4/2**

<b>For</b>	<b>Against</b>
Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	Cr Georgie Adeane Cr Donna Haney

**SGS0908-4 CITY MARKETING BUDGET**

<b>DataWorks Reference:</b>	068/004
<b>Disclosure of Interest:</b>	Nil
<b>Previous Item:</b>	Nil
<b>Responsible Officer:</b>	David Duncanson, Manager Economic Development & Marketing
<b>Actioning Officer:</b>	David Duncanson, Manager Economic Development & Marketing
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Nil

**PURPOSE**

To advise Council of the recommended City Marketing budget expenditure for the current financial year.

**EXECUTIVE SUMMARY**

**Allocation of the City Marketing budget needs to be agreed in order for projects and initiatives in the current financial year to be progressed. A budget was prepared by the Manager of City Marketing and subsequently Council's Economic Development & Marketing Advisory Committee has developed an alternative budget. Both budgets are given for Council consideration.**

**BACKGROUND**

A total of \$500,000 is allocated as funding for City Marketing for the promotion and marketing of Fremantle. 50% of the funding comes from general revenue and 50% from a differential rate paid by businesses located in the Fremantle Central Business District. These funds were first allocated in July 2008 following Council's decision to cease funding the Fremantle Chamber of Commerce to deliver marketing and promotional activities under the Fremantle First brand.

In July 2008 Council formed the Economic Development and Marketing Advisory Committee that endorsed a Marketing Plan which was presented to Council in August 2008 which detailed how the funds would be allocated and the strategies which were to be supported.

Based on business input, local knowledge and Council's adopted Marketing Plan the Manager of Economic Development and Marketing developed a budget for the current financial year. The recommended budget also meets a number of strategies in Council's adopted Economic Development Strategy whilst delivering a well balanced set of actionable programs to meet Council's objectives. The Economic Development & Marketing Advisory Committee have discussed the proposed budget and wish to submit an alternative budget to Council.

## COMMENT

The Manager Economic Development & Marketing's proposed budget is given below.

Purpose	Allocation	Project/Actions
Branding	\$25,000	
Research	\$30,000	
Retail Programs	\$75,000	
Tourism programs	\$110,000	
Sponsorship/Partnerships	\$80,000	
Business communications/Forums/meetings/functions	\$12,000	
MICE/Conferences	\$28,000	
Admin	\$80,000	
Major destination projects	\$60,000	
	\$500,000	

### Comment on allocations

Branding – Over the past year the Fremantle First brand has been dropped and the slogan Find Yourself in Fremantle adopted. However considerable work needs to be done in developing the slogan into a brand and at the very minimum a style guide needs to be developed to control the visual use of the slogan. This allocation is the very minimum that it is considered will be effective. Also included in this allocation is a project to have positive messages displayed in vacant shop windows and maintenance of the Electronic sign at the old traffic bridge.

Research – Considerable effort has been made over the past year to undertake meaningful research to provide information on which to make informed decisions. In the past little research has been undertaken and therefore decisions have been taken which are not based on factual information. It is also important with research to be consistent and to undertake it over a long period of time in order to identify trends.

Retail programs – The name retail programs may be slightly misleading as the initiatives proposed in this program are designed to promote Fremantle the place and attract people not just for shopping but for the whole range of activities that Fremantle offers. For example \$50,000 of this allocation is for the development and promotion of School Holiday Programs with the long term aim being to get Fremantle recognised as the best place in the Perth metropolitan area to bring your kids during school holidays. This will only be achieved by consistently providing exciting and innovative activities and promoting those activities widely. The spin off from this is that the children and their parents will go shopping and to local restaurants. Other retail programs will include promotions in regional Western Australia and seasonal activities. These programs will be linked to competitions and ways in which the success of the program can be measured. Also included in the retail program will be funds to promote any change in retail trading hours which may be introduced later in 2009.

Tourism Programs – Tourism is obviously a significant sector driving the local economy however like retail initiatives these will bring people who undertake all kinds of activities in Fremantle not just tourism. Funding in the tourism program is allocated for items such as providing transport to bring cruise ship passengers into the centre of the city, joint promotional activities with Experience Perth, running the volunteer guides and the visit Fremantle website, brochure/map production and distribution.

Sponsorships/Partnerships – These funds are used to attract new and innovative events to Fremantle. In the past financial year \$4 of additional sponsorship has been attracted as a direct result of every dollar given in sponsorship by City Marketing. This leverage of funds has been a major success of sponsorship allocations in the past year.

Business communications/Forums/meetings/functions – Communication with the business community is crucial to the success of the marketing program and funds have been allocated accordingly.

MICE/Conferences – The attraction of conferences to Fremantle brings high spending individuals and significantly boosts the local economy. A priority for the coming year is the development of conference packages.

Admin – Staffing costs

Contingency – Like all budgets there needs to be a degree of flexibility and the contingency allocation allows for this.

The budget presented by the Economic Development & Marketing Advisory Committee is as follows:

Administration & Contingency	\$100,000
Brochures/Research/Database	\$ 25,000
Events/Sponsorship	\$ 75,000
Major destination projects	\$ 85,000
MICE/conferences	\$ 30,000
Retail	\$ 95,000
Tourism	\$ 90,000
Total	\$500,000

There are a number of key differences between the two proposals.

While acknowledging the importance of the school holiday program the committee considers that this is a project which should at least in part be funded out of the City's community development budget. Community development projects are primarily aimed at providing services and events for Fremantle ratepayers and therefore would not be used for the City's school holiday program which is aimed at attracting people to Fremantle from throughout the metropolitan Perth. A small part of the marketing budget is used to provide the activities but the majority is used for promotion of Fremantle during school holidays. If the advisory committee's budget is adopted then there will be no school holiday program promotion.

The committee decided to drop the branding, database and forums funding. These are all extremely important to the overall marketing program. While the slogan “find yourself in Fremantle” has been adopted there is a very long way to go before this can be developed into a brand. As a very minimum graphic design guidelines need to be developed which requires funding. Continued communication with all Fremantle businesses is important and funds are required to maintain a database of businesses as with holding forums for business input into the overall program.

The advisory committee are of the view that funds should be allocated to Major destination projects which would be projects that promote Fremantle through a high profile activity such as a treasure hunt that gains maximum media coverage. While this is a very commendable suggestion and one that is supported by the writer it is the total allocation of \$85,000 that presents an issue. This type of promotion should not be undertaken on too regular a basis otherwise it will lose its impact and therefore it is suggested that a maximum of two of these initiatives be undertaken in any one year.

## **CONCLUSION**

It should be noted that on the face of it the major difference is the allocation of funds for the major destination project.

It should also be noted that the delivery of a sustainable marketing program is not just about the allocation of funding it is also equally about having the human resources to deliver the program. The current staffing arrangements do not allow for the delivery of more than two destination projects and even with two considerable assistance and support will be needed from the business community.

In order to accommodate a desire to undertake major destination marketing while at the same time retaining the school holiday program, branding, database and forums funding it is suggested that the following takes place. The \$30,000 allocated in the retail expenditure budget for the major regional campaign and the \$30,000 contingency be allocated to undertaking two Major destination projects in the coming financial year.

## **STRATEGIC AND POLICY IMPLICATIONS**

This item has connections to the Strategic Plan, Economic Development Strategy and Marketing plan.

**TRIPLE BOTTOM LINE IMPLICATIONS****Economic**

Implementation of the City Marketing budget will have a significant positive impact on the local economy through attracting additional visitors.

**Environmental**

Nil

**Social**

The City Marketing budget is designed to attract visitors to Fremantle adding to its vibrancy and culture.

**BUDGET IMPLICATIONS**

Nil the overall funding has already been allocated in the Council's adopted budget.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil

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

Economic development & Advisory Committee's recommended budget is presented in this item.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**OFFICER'S RECOMMENDATION**

That Council adopt the officers recommended budget with \$30,000 from retail expenditure and \$30,000 from contingency being allocated to two major destinational marketing projects;

Administration & Contingency	\$100,000
Brochures/Research/Database	\$ 25,000
Events/Sponsorship	\$ 75,000
Major destination projects	\$ 85,000
MICE/conferences	\$ 30,000
Retail	\$ 95,000
Tourism	\$ 90,000
Total	\$500,000

**COMMITTEE RECOMMENDATION**

**MOVED: Cr G Adeane**

**That Council adopt the officers recommended budget with \$30,000 from retail expenditure and \$30,000 from contingency being allocated to two major destinational marketing projects;**

<b>Purpose</b>	<b>Allocation</b>	<b>Project/Actions</b>
<b>Branding</b>	<b>\$25,000</b>	
<b>Research</b>	<b>\$30,000</b>	
<b>Retail Programs</b>	<b>\$75,000</b>	
<b>Tourism programs</b>	<b>\$110,000</b>	
<b>Sponsorship/Partnerships</b>	<b>\$80,000</b>	
<b>Business communications/Forums/meetings/functions</b>	<b>\$12,000</b>	
<b>MICE/Conferences</b>	<b>\$28,000</b>	
<b>Admin</b>	<b>\$80,000</b>	
<b>Major destination projects</b>	<b>\$60,000</b>	
	<b>\$500,000</b>	

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

**NOTE: Due to an administrative error, the wrong table was displayed in the Officer's Recommendation in the agenda. This was amended and the Committee Recommendation displays the correct budget breakdown.**

**SGS0908-5 2010/2011 BLACK SPOT PROGRAM SUBMISSIONS STANDARD REPORT**

<b>DataWorks Reference:</b>	106/050, 159/009, Roadway Ellen, Roadway McCombe, Roadway Ord, Roadway South Street (Samson), Roadway South Terrace (Fremantle), Roadway Winterfold, Roadway Wray, Main Roads WA
<b>Disclosure of Interest:</b>	Nil
<b>Previous Item:</b>	SGS0905-8 Traffic Management of Winterfold Road (May 2009)
<b>Responsible Officer:</b>	Peter Pikor, Director Technical Services
<b>Actioning Officer:</b>	Frank Squadrito, Design Team Leader
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Attachment 1 – South St / McCombe Ave intersection concept plan. Attachment 2 – South Tce / Wray Ave intersection concept plan. Attachment 3 – Ord St / Ellen St intersection concept plan. Attachment 4 – Winterfold Rd, Samson concept plan.

**PURPOSE**

To seek Council endorsement of funding submissions made to the 2010/2011 AusLink and State Black Spot Programs.

**EXECUTIVE SUMMARY**

The State and AusLink Black Spot Programs (BSP) are annual funding assistance programs that provide the opportunity for road authorities such as Main Roads Western Australia (MRWA) and Local Government Authorities (LGAs) to obtain funding to reduce road trauma by improving road safety at sites with a reported crash history. Both programs are administered by MRWA in this state. Full project funding for approved projects is provided by the AusLink BSP and up to <sup>2</sup>/<sub>3</sub> project funding is provided by the State BSP.



The projects that were submitted to the 2010/2011 Black Spot Programs are:

<b>South St / McCombe Ave, Samson</b> Install traffic signals.	<b>\$300,000</b>
<b>South Tce / Wray Ave / Howard St, Fremantle</b> Install roundabout	<b>\$250,000</b>
<b>Ord St / Ellen St, Fremantle</b> Provide protected right-turn lane on Ord St (southbound) and ban right-turn and crossing movements on Ellen St	<b>\$90,000</b>
<b>Winterfold Rd, Samson / Coolbellup (Stock Rd - Lockett St)</b> Install roundabout at Letchford St / Lockett St, widen road to provide 2 x westbound through lanes and 1 x left-turn lane	<b>\$350,000</b>
<b>Total</b>	<b>\$990,000</b>

The City’s anticipated funding commitment to these road safety projects is \$241,668.

**BACKGROUND**

To assist the Black Spot Program investigation and evaluation process, MRWA provide each LGA with lists of sites that meet the criteria for the State BSP (5 crashes in 5 years) and the AusLink Program (3 Casualty crashes in 5 years). Many of the sites identified in Fremantle were reviewed and the following four specific locations were identified for road safety treatments:

1. South Street / McCombe, Samson
2. South Terrace / Wray Avenue / Howard Street / Little Howard Street, Fremantle
3. Ord Street / Ellen Street, Fremantle
4. Winterfold Road, Samson / Coolbellup (Stock Road to Lockett Street)

**COMMENT**

The following is a description of the road safety problem at each of the four locations and the proposed countermeasure:

1. South Street / McCombe Avenue

This intersection was identified in the Strategic Plan 2006-2010 in the following action:

- Investigate safer connections across South Street (McCombe Avenue)

South Street carries a significant volume of traffic and it is difficult for road users to turn in and out of McCombe Avenue safely, particularly during the AM and PM peak hours. The average weekday traffic, west of North Lake Road, is approximately 33,000 vehicles per day (vpd) and the peak hour volume is approximately 3,000 vehicles per hour (vph).

This is an important treatment because McCombe Avenue is the main, and one of only two, vehicle access points to/from South Street for the suburb of Samson. It is also an important crossing location for pedestrians because of the well patronised bus services that operate along South Street and the presence of the commercial premises on the north side of South Street.

The predominant crash types at this location are right-angle crashes involving vehicles turning right from McCombe Avenue, which is a significantly over-represented crash type in comparison to the road network average, and rear-end crashes involving vehicles turning left out of McCombe Avenue. All of the right-turn crashes resulted in motorists being injured. These types of crashes and the severity can be attributed to the difficult motorist's face entering or crossing the high volume/high speed traffic stream on South Street.

The proposed road safety countermeasure involves the installation of traffic signals to safely control vehicle turning movements in and out of McCombe Avenue and allow pedestrians to safely cross at the intersection. MRWA agreement 'in-principle' for the installation of the traffic signals was granted on 26 November 2008.

As part of this project, the point that South Street merges from three to two westbound lanes will need to be moved further east beyond Plane Tree Grove for safety. The project, which has an estimated cost of \$300,000 and a Benefit/Cost ratio of 2.28, has been submitted on the basis that right-turns from South Street into McCombe Avenue would be signal controlled (i.e. no filter permitted) during the weekday peak hour periods of 7-9 am and 3-6pm.

When this project was considered by the Council last November the following recommendation was adopted:

*"That the proposed installation of traffic signals at the South Street / McCombe Avenue intersection be resubmitted to the 2010-2011 Black Spot Programs."*

*A copy of the concept plan for this treatment is included at Attachment 1.*

2. South Terrace / Wray Avenue / Howard Street / Little Howard Street

This intersection is a 5-leg intersection with Wray Avenue intersecting South Terrace at approximately 45 degrees. The Howard Street and Little Howard Street legs of the intersection are one way departure legs only. The average weekday traffic on South Terrace is approximately 13,500 vpd and the peak hour volume is approximately 1,500 vph.

There have been 14 crashes at this intersection in the 5-year period to the end of 2008, with 3 of those crashes resulting in injury. Right-angle crashes are significantly over-represented at this intersection and predominantly involve southbound vehicles. The high volume, and therefore limited safe gaps, on traffic on South Terrace and the limited sightlines along South Terrace to the north would be contributing factors in this crash problem.

The installation of a roundabout will help reduce the frequency and severity of crashes at the intersection and reduce the speed of traffic entering the high activity local shopping precincts on both roads.

*A copy of the concept plan for this treatment is included at Attachment 2.*

3. Ord Street / Ellen Street, Fremantle

There have been 22 crashes reported at this intersection in the last 5-years with 4 of those crashes resulting in road users being injured. Again, right-angle crashes are significantly over-represented at this intersection and the high volume of traffic on Ord Street would be a factor in these crashes. Ord Street has an average weekday traffic volume of approximately 11,000 vpd and Ellen Street has an average weekday traffic volume of approximately 2,400 vpd.

To address the crash history it is proposed to install a protected right-turn lane in the median on Ord Street to allow southbound motorists to store safely whilst they wait to turn. The right-turn into Ellen Street from the south will be physically banned, as will the crossing movements and right-turns out of Ellen Street. These turning restrictions are considered reasonable as Ellen Street is a minor road and parallel alternative access routes such as High Street are available in the immediate vicinity and can be safely accessed via signalised intersections. This treatment would also minimise Ellen Street being used as a 'rat-run' past the John Curtin College of Performing Arts and Christian Brothers College.

*A copy of the concept plan for this treatment is included at Attachment 3.*

4. Winterfold Road, Samson

This project relates to the section of Winterfold Road from Stock Road to just east of Lockett Street, and particularly the Winterfold Road / Letchford Street intersection. The average weekday traffic on Winterfold Road is approximately 9,000 vpd and the peak hour volume is approximately 1,400 vph.

There have been 4 right-angle crashes in this section of road in the last 5-years (3 at Letchford Street and 1 at Lockett Street) and 2 of those crashes resulted in road users being injured. The reported crash history is not significant but from lengthy observations made of this section of road whilst conducting AM and PM peak hour turning movement surveys the road is clearly hazardous during those times, particularly at the start and end of the school day.

As noted in a report to the Council in May 2009 (refer Item SGS0905-8 Traffic Management of Winterfold Road) it was observed that there are safety and amenity problems at the intersection, particularly involving motorists wanting to turn right into and out of Letchford Street. These problems exist because of a combination of:

- the high volume of traffic travelling along Winterfold Rd in the peak hours and the resulting limited safe gaps in the traffic flow;
- the high proportion of traffic wanting to turn right into and out of Letchford Street;

- the lack of an adequate median island to provide adequate and safe storage facilities for traffic turning right out of Letchford Street;
- the presence of a crest in the vertical alignment of Winterfold Road approximately 100 metres to the east of Letchford Street, and;
- the speed of traffic travelling along Winterfold Road.

A particular irregular behaviour was noticed during these surveys. Due to the delays that can be experienced by motorists wanting to turn right out of Letchford Street and the hazards involved in doing that a significant volume of school related traffic was observed to turn left out of Letchford Street, rather than right, and then immediately cross to a right-turn lane on Winterfold Road that provides access into Lockett Street, Coolbellup. Most of those motorists then performed a U-turn to travel west back along Winterfold Road, and a small number continued into Lockett Street to possibly access Stock Road further south via Counsel Road.

The installation of a roundabout at Letchford Street would improve safety as it would allow all turning movements to be made more conveniently and safely; it would slow traffic in the vicinity of the intersection; and it would create an entry statement at the western end of the dual carriageway section of Winterfold Road that would complement the planned LATM treatment. This would also create the opportunity to provide a connection to Lockett Street at the roundabout, which would allow the then redundant access point to the east on Winterfold Road to be closed. The benefit of doing that is that potential conflict points along the road are rationalised and the traffic turning into and out of Coolbellup at the intersection would help create gaps at the roundabout for other turning traffic. City of Cockburn officers were consulted about this project as Winterfold Road is a shared boundary road. They support the concept of a 4-leg roundabout and it is expected that a 50:50 funding arrangement for the proposed treatment would be initiated with the City of Cockburn, which would require them to contribute \$58,333 of the Local Government contribution to the project if it is funded from the State BSP.

When the report about Winterfold Road traffic management was considered by the Council, the following recommendation was adopted:

*“That the installation of a roundabout at the intersection of Winterfold Road and Letchford Street be pursued as a 2010/2011 Black Spot Program project.”*

This matter was investigated further by engaging an independent road safety auditor to perform an Existing Road Review of the section of Winterfold Road in question. The recommendations from that review included:

*“Undertake a study to determine alternative access and egress arrangements for the College, including:*

- a) investigating the feasibility of a seagull island and extend the raised central median at the expense of the painted median;*
- b) restricting the number and types of turning movements (taking into account alternative access arrangements given the intention to install a roundabout at the Winterfold Road/McCombe Avenue/Rocke Street intersection to the east of Letchford Street); and/or*

- c) *introducing positive intersection controls such as a roundabout. This could include creating a four arm roundabout incorporating an access to Lockett Street. The exact location of such an options (either at Letchford Street or Hollis Street needs careful consideration with respect to forward visibility on the westbound approach and queuing distance."*

The latter option is the preferred treatment to improve safety because it can maintain efficient connectivity to the local road network, and particularly for access to the Seton Catholic College, whilst improving road safety. In addition to the roundabout construction, the BSP submission includes widening the westbound traffic lane of Winterfold Road to provide two separate traffic lanes and extension of the left-turn lane into Stock Road. These additional road safety measures will provide addition road capacity for traffic at the Stock Road traffic signals, which was another issue identified in the road safety review, and minimise the likelihood of traffic queuing back to the proposed roundabout.

A copy of the concept plan for this treatment is included at Attachment 4.

## **CONCLUSION**

Each of the submitted projects will result in road safety improvements that achieve the objective of reducing road trauma. It is recommended that the projects are adopted for implementation.

## **STRATEGIC AND POLICY IMPLICATIONS**

The City Plan 2006-2010 includes the strategy to *"Improve safety and access for all road users (the needs of one road user should not be sacrificed to meet the needs of another)."*

One of the actions listed to achieve this is to *"Investigate safer connections across South Street (McCombe Avenue)".*

A number of strategies and actions in the Fremantle Transport Strategy 2003-2007, Fremantle at the Crossroads, are relevant to these projects including:

- *"Redirect through traffic away from residential neighbourhoods.*
- *Identify accident Black Spot locations and apply for Federal/State funding to implement countermeasures."*

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

The City's participation in the Black Spot Program is a very efficient way to maximise available funding resources as the approved projects are either fully funded by the AusLink program or  $\frac{2}{3}$  funded by the State program. In this instance, if the submissions are successful then the City will be able to complete four road safety projects worth an estimated total cost of \$990,000 with an expenditure of \$241,668.

**Environmental**

None of the submitted projects will have a significantly greater environmental impact than is present at these existing intersections.

**Social**

The nominated projects will all reduce road trauma by improving road safety.

**BUDGET IMPLICATIONS**

In the case of some of the projects it is possible that they could be funded by either the State or AusLink BSP if they satisfy the criteria for both programs. A number of factors are involved including the number of casualty crashes that have occurred at the site, the Benefit-Cost ratio of the project, and the number of other projects competing for the same funding. All submitted BSP projects will be audited and subsequently considered by the Metropolitan Regional Road Group. Based on their recommendations as to what projects are supported the anticipated funding arrangement for these projects is:

Intersection	Estimated cost	Funding source			
		Fremantle	Cockburn	State Govt.	AusLink
South St / McCombe Ave	\$300,000	\$100,000	\$0	\$200,000	\$0
South Tce / Wray Ave	\$250,000	\$83,334	\$0	\$166,666	\$0
Ord St / Ellen St	\$90,000	\$0	\$0	\$0	\$90,000
Winterfold Rd, Samson	\$350,000	\$58,334	\$58,333	\$233,333	\$0
<b>Total</b>	<b>\$990,000</b>	<b>\$241,668</b>	<b>\$58,333</b>	<b>\$599,999</b>	<b>\$90,000</b>

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil

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

City of Cockburn officers were consulted about this project as Winterfold Road is a shared boundary road. They support the concept of a 4-leg roundabout and it is expected that a 50:50 funding arrangement for the proposed treatment would be initiated with the City of Cockburn.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr G Adeane**

**1. That the Council endorse the following projects for the 2010-2011 Black Spot Program and that funding for these projects, where required, be considered in the City's 2010/2011 budget:**

- a) South Street / McCombe Avenue - install traffic signals (\$100,000 Council funding required).**
- b) South Terrace / Wray Avenue - install roundabout (\$83,334 Council funding required);**
- c) Ord Street / Ellen Street – install protected right-turn lane and turning restrictions;**
- d) Winterfold Road, Samson - install 4-leg roundabout at Letchford St, widen road west of roundabout and close existing Lockett St access (\$58,334 Council funding required).**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

**SGS0908-6 KIM BEAZLEY SCHOOL SITE**

<b>DataWorks Reference:</b>	217/013 and 044/002
<b>Disclosure of Interest:</b>	None
<b>Previous Item:</b>	None
<b>Responsible Officer:</b>	Director Planning and Development Services and Director Technical Services
<b>Actioning Officer:</b>	Manager Planning Projects and Policy and Manager Infrastructure Assets
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Nil

**PURPOSE**

To obtain direction from Council on the preferred option for the future of community facilities currently located at 2-4 Nannine Avenue (Sullivan Hall) and 6-8 Nannine Avenue (the Pigeon Club Hall).

**EXECUTIVE SUMMARY**

The Kim Beazley Primary School in Stevens Street, White Gum Valley closed in 2008. LandCorp is acting on behalf of the Department of Education & Training (DET) in progressing planning for the redevelopment of the site. Landcorp is seeking the City's advice on preferred development options for the above site, particularly in relation to the retention or otherwise of Sullivan Hall at 2-4 Nannine Avenue and the Pigeon Club Hall at 6-8 Nannine Avenue.

From a strategic asset management viewpoint, disposal of these assets (the two halls) and relocation of the services to more appropriate facilities at another location is recommended as the best benefit cost outcome, having regard to the condition of the assets and the likely cost of major upgrade works.

From a planning point of view, redevelopment of the Kim Beazley site for residential purposes would trigger a requirement for public open space, which in certain circumstances could be met in the form of a cash-in-lieu payment rather than on-site provision. Therefore in this instance there may be the option of seeking cash-in-lieu to contribute towards some of the costs of constructing replacement facilities for the existing halls. However, the appropriate process through which the City can determine the preferred planning outcome for the site will be the assessment of a structure plan prepared on behalf of the site's owners, and it is recommended that the final form of public open space requirements be determined by Council at a future date as part of this process.



## **BACKGROUND**

The Kim Beazley Primary School in Stevens Street, White Gum Valley closed in 2008. LandCorp is acting on behalf of the Department of Education & Training (DET) in progressing planning for the redevelopment of the site. Landcorp is seeking the City's advice on preferred development options for the above site, particularly in respect of the form of public open space (POS) provision and the retention or otherwise of Sullivan Hall at 2-4 Nannine Avenue and the Pigeon Club Hall at 6-8 Nannine Avenue. Although the land on which the two halls are situated was sold by the City of Fremantle to the then State Public Works Department in 1971, the buildings themselves remain the property of the City.

Extensive community consultation was undertaken in 2003-2004 in association with a proposed (but uncompleted) rezoning of the site under the former Town Planning Scheme No. 3. Conceptual development options prepared as part of this process included options for retention of the two halls within on-site POS, and removal of the halls and total development of the site with no on-site open space. The latter option would require cash-in-lieu of on-site POS, if it was considered acceptable on planning grounds by the City and the Western Australian Planning Committee (WAPC). Through this consultation process the local community indicated a preference for retention of the two halls in their current location, incorporated within an area of POS to meet the normal 10% POS requirement under WAPC policy for a new residential subdivision. This position was reiterated in discussions between Technical Services/Community Development officers and community group representatives in late 2008.

A condition survey of both halls commissioned by the Director Technical Services in late 2008 indicates that both buildings, whilst in a functional condition would not meet current building codes for their specified uses and require repair/maintenance work. Certainly as soon as any upgrade works are attempted considerable costs can be expected to ensure that the buildings are appropriate for their use. No cost estimates were provided for such works. Technical Services officers consider the condition survey probably underestimates the extent of works required. The consultants also evaluated the feasibility and cost of relocating the buildings to another site. They seriously questioned the practical and 'value for money' benefits of relocation. Technical Services officers are concerned that in addition to the direct costs of relocation (estimated by the consultants at approximately \$270,000 plus professional fees) there would be significant costs in dealing with potential asbestos removal and inevitable repairs that would be necessary as a consequence of relocation, plus routine repair/maintenance costs. These could result in overall costs for a relocation option of around \$500,000.

## **COMMENT**

The potential redevelopment of the site of the current Sullivan Hall and Pigeon Club Hall facilities in conjunction with the Kim Beazley School site presents a number of issues for the City.

## Planning Issues

The site is now zoned Development Area under Local Planning Scheme No. 4 which requires a structure plan to be prepared by the developer and adopted by the City to guide future subdivision and development. The structure plan would also require approval by the WAPC after adoption by the City. Provision of 10% of the site area as on-site POS is the standard planning requirement within a structure plan for residential subdivision. However in certain circumstances WAPC policy allows for payment of cash-in-lieu of on-site POS provision, including situations where there may be sufficient POS already in the locality.

In the case of the Kim Beazley School site there are reasonable grounds to consider there is already sufficient POS in the locality, particularly in view of the site's proximity to Booyeembara Park. The following open space exists near to the site:

Booyeembara Park – approx. 15.5ha within 400m of the site.

Valley Park (corner of Watkins Street and Nannine Avenue) – 4400 sq m within 300m of the site.

Council has already supported a similar position in respect of the Knutsford Street East Structure Plan area to the west of Booyeembara Park. Consequently from a purely planning point of view either on-site POS or cash-in-lieu would meet the City's requirements under LPS4 for residential redevelopment of the site.

However even if Council supported the cash-in-lieu option it should be noted that:

- a) Use of cash-in-lieu requires approval by the WAPC as well as the City;
- b) Expenditure of cash-in-lieu funds on improvement or development of other POS in the locality is subject to approval by the Minister for Planning; and
- c) WAPC policy states that acceptable items on which to expend cash-in-lieu funds include earthworks, landscaping, car parking, lighting, fencing, etc but NOT community halls.

Therefore cash-in-lieu funds could be used to meet some of the costs associated with construction of replacement facilities for the existing halls within another area of POS (e.g. earthworks, car parking, landscaping) but not the direct costs of constructing new community halls.

Should Council wish to retain the two halls in their current location, a third option (not suggested by Landcorp) could be to retain the two halls in situ within a smaller 'community purposes' reserve and require a cash-in-lieu sum for the POS balance (i.e. the value of 10% of the total site area minus the area of the 'community purposes' reserve) for expenditure on POS elsewhere.

The appropriate process through which the City can determine the preferred planning outcome for the site will be the assessment of a structure plan prepared on behalf of the site's owners.

## **Strategic Asset Management Issues**

From a strategic asset management viewpoint there is a good case to dispose of these assets and provide more appropriate facilities at another location. As stated above the facilities that are used by the community often grow in to a use pattern and facility configuration without reference to a planned approach and over time outgrow their initial level of service as demand increases or foci of use change.

The facilities also become out dated through the change of building codes for public facilities and as such the buildings offer below par levels of service and in some instances may not comply with basic safety and environmental criteria.

A full assessment has not been undertaken on the two buildings on the Kim Beazley School site with regard to these specific issues however through previous experiences there is a strong possibility that major upgrade works to utilities and building services would be necessary to retain the buildings in their current state and location.

The advisability of spending money on upgrading facilities that provide only basic community use functionality is considered to be highly questionable.

Disposal of these assets and relocation of the services is considered the best benefit cost outcome in this instance.

## **CONCLUSION**

The key decision required at this stage in order to give some direction to Landcorp and the DET in progressing redevelopment plans for the site is whether or not the City wishes to retain Sullivan Hall and the Pigeon Club Hall in their current location. As stated in the Planning Issues section of this report, on purely planning grounds an acceptable form of public open space provision as required for residential redevelopment could be achieved with or without retention of the existing halls.

Consequently the decision whether or not to retain the existing halls should be based primarily on the asset management implications of their retention and the extent to which community needs can be met by the existing facilities compared to alternative existing or new facilities. For the reasons outlined in the Strategic Asset Management Issues section of this report it is recommended that the halls should not be retained.

## **STRATEGIC AND POLICY IMPLICATIONS**

Strategic Plan

Outcome 1.1 – Diversity of People and Lifestyles

Action 1.1.1 – Plan, facilitate and provide services and facilities that address Fremantle's diverse social and cultural needs.

Outcome 3.2 – Distinctive Built Environments

Action 3.2.1 – Develop and deliver the City's planning schemes and policies.

Action 3.5.1 – Maintain City Assets in accordance with industry best practice.

Action 3.5.3 – Provide high quality public facilities, infrastructure and maintenance.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

Nil

### **Environmental**

The different redevelopment options have different implications for the effective use of public and private infrastructure. Public open space provision that meets State and Local Government planning policy requirements could be achieved through each option.

### **Social**

The existing halls are used for a range of community purposes and are regarded as a valuable asset by the local community.

## **BUDGET IMPLICATIONS**

There is a significant budget implication in deciding upon which option to pursue. In keeping the buildings in their present location the City should renew all services to the buildings and upgrade the facilities so that they comply with the Building Code of Australia. Previously the buildings have been seen as “owned” by someone else and have not had any maintenance program or funds spent on them. This would need to change and the Council would therefore be undertaking ownership of a significant liability.

Ultimately if new facilities are to be provided these may be funded in part from the cash in lieu that may accrue should this option be favoured but at least in this instance the facilities developed are new and in the appropriate condition to meet the needs of their tenants and other users.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Nil

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

Previous community consultation has indicated a preference for retention of the existing halls in their current location.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required.

## **OFFICER'S RECOMMENDATION**

That Council:

1. Supports the removal of Sullivan Hall at 2 – 4 Nannine Avenue and the Pigeon Club Hall at 6 – 8 Nannine Avenue and the relocation of current uses of these halls to appropriate alternative premises as part of the future redevelopment of the adjacent Kim Beazley School site;
2. Defers determination of public open space requirements associated with redevelopment of the Kim Beazley School site, including possible payment of cash-in-lieu of on-site provision of open space, until a Structure Plan is submitted in accordance with the requirements of the City of Fremantle Local Planning Scheme No. 4, to ensure that all material planning considerations can be comprehensively assessed; and
3. Advises LandCorp and the Department of Education and Training of (1) and (2) above.

### **Cr B Pettitt moved the following alternative recommendation:**

That Council:

1. Supports the RETENTION of Sullivan Hall at 2-4 Nannine Avenue and the Pigeon Club Hall at 6-8 Nannine Avenue and the RETENTION of current uses of these halls as part of the future redevelopment of the adjacent Kim Beazley School site.
2. Defers determination of public open space requirements associated with redevelopment of the Kim Beazley School site, including possible payment of cash-in-lieu of on-site provision of open space, until a Structure Plan is submitted in accordance with the requirements of the City of Fremantle Local Planning Scheme No. 4, to ensure that all material planning considerations can be comprehensively assessed; and
3. Supports a community consultation (that builds on the 2004 consultation report) being undertaken and the results fed into any future planning process at the site.
4. Advises Landcorp and the Department of Education and Training of (1), (2) and (3) above.

**COMMITTEE RECOMMENDATION**

**MOVED: Cr B Pettitt**

**That Council:**

- 1. Supports the RETENTION of Sullivan Hall at 2-4 Nannine Avenue and the Pigeon Club Hall at 6-8 Nannine Avenue and the RETENTION of current uses of these halls as part of the future redevelopment of the adjacent Kim Beazley School site.**
- 2. Defers determination of public open space requirements associated with redevelopment of the Kim Beazley School site, including possible payment of cash-in-lieu of on-site provision of open space, until a Structure Plan is submitted in accordance with the requirements of the City of Fremantle Local Planning Scheme No. 4, to ensure that all material planning considerations can be comprehensively assessed; and**
- 3. Supports a community consultation (that builds on the 2004 consultation report) being undertaken and the results fed into any future planning process at the site.**
- 4. Advises Landcorp and the Department of Education and Training of (1), (2) and (3) above.**

**CARRIED: 5/1**

<b>For</b>	<b>Against</b>
Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	Cr Georgie Adeane

**Note: The alternative recommendation seeks to retain the Sullivan Hall and the Pigeon Club Hall.**

**SGS0908-7 SEASCAPE HOLDINGS PTY LTD**

**DataWorks Reference:** LO35  
**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 a leasing proposal from McGrathnicol, receivers and managers appointed to Seascope Holdings Pty Ltd, the former Lessee of the restaurant complex at the junction of Tydeman and Port Beach Roads, Fremantle.

**EXECUTIVE SUMMARY**

McGrathnicol has expressed an interest in negotiating either an extension or a new Lease for the land on which this restaurant complex is sited.

The current Land Lease is due to expire on the 30<sup>th</sup> November 2010 without any options being available beyond that date.

The restaurant sits on Crown Reserve 43311 with the primary interest holder being the City of Fremantle. The Land is vested to the City for the purpose of Foreshore Management. The Management Order allows the City to lease for any term not exceeding twenty one years subject to the consent of the Minister for Lands.

It is pointed out that this is a Land Lease rental only for the premises were built by the original tenant and the ownership of the premises rests with the tenant (ie. Now McGrathnicol).

McGrathnicol has listed the following terms which they see as essential in any new Lease arrangement;

<b>Lease Term:</b>	<b>Twenty (20) years fixed term or an initial term and options for simular period.</b>
<b>Commencing Rental:</b>	<b>Agreed market rental for a ground Lease applicable to this site.</b>
<b>Outgoings:</b>	<b>Payable by the Lessee</b>
<b>Rent Reviews:</b>	<b>Every three (3) years</b>
<b>Other Terms &amp; Conditions</b>	<b>Generally as per current Commercial Lease arrangements.</b>

## **BACKGROUND**

The background to this matter is that the Surf Club Café (“the Café”) now trading as “Salt” is located on Reserve 43311 (“The Reserve”) which was originally vested in the Fremantle Port Authority (“The Authority”). IN 1990 the Authority leased two portions of the Reserve (known as Lots N2 and N3) (“the Land”) under separate leases to Seascope Holdings Pty Ltd (“the Head Lessee”). Under the leases the Head Lessee was obligated to build a restaurant and kiosk on the Land. There were originally some differences between the two Leases, in particular with regard to the length of their terms, but in 1993 the two Leases were effectively ‘merged’ into one Lease.

In 1995 the Authority agreed to vest the Land in the City, and a deed was prepared between the Authority, the Head Lessee, the Sublessee and the City to transfer the Authority’s rights and obligations under the lease and sublease to the City, and the rights and obligations of the Head Lessee and the Sublessee to the Authority, to the City (“the Deed”). The Sublease has been assigned three times since then and is now held by Seascope Holdings Pty Ltd.

The relevant terms of the Lease are:

- The Land is leased by the City of Fremantle to Seascope Holdings Pty Ltd for 21 years, expiring on 30<sup>th</sup> November 2010.
- Seascope Holdings Pty Ltd was obligated to develop a restaurant and kiosk on that land in accordance with plans and specifications agreed at the time of entry into the Lease.
- Seascope Holdings Pty Ltd cannot undertake any other development on the Land without the Lessor’s permission.
- Seascope Holdings Pty Ltd is entitled to remove the improvements made to the land, subject to certain conditions, prior to the termination of the Lease.
- Seascope Holdings Pty Ltd is permitted to undertake further development of the land within the last ten years of the lease, and if it does not remove its improvements prior to termination, and is not granted a new lease, the City of Fremantle is obligated to pay to Seascope Holdings Pty Ltd the depreciated value of those improvements.
- The City of Fremantle is not to object to an application by Seascope Holdings Pty Ltd for restaurant licence or function permit under the Licensing Act pertaining to the restaurant area.
- Seascope Holdings Pty Ltd is not permitted, without the City’s written consent, to apply for any other kind of licence under the Act or to change or vary an approved restaurant licence.



Seascope Holdings Pty Ltd, through the sublease and the subsequent assignments of the sublease, has taken on all of the above rights and obligations of the Head Lessee and is, therefore, required to have the Lessor's consent to carry out any development on the land, other than the development that was agreed to when the lease was executed. The City is now the Lessor. Consequently, Seascope Holdings Pty Ltd must have the City's consent as Lessor to any new development on the land, and the City has no obligation to sign Seascope Holdings Pty Ltd's development application as "owner" of the land if it does not wish to give Seascope Holdings Pty Ltd that consent.

### **The Department of Planning & Infrastructure (DPI)**

The Land has been placed under the care, control and management of the City under the Land Administrations Act 1997 ("The Land Act") for the purpose of foreshore management, with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister of Lands ("The Minister"). The lease, and the transfer of its obligations to the City, commenced prior to the introduction of the Land Act but under the transitional provisions of that Act, such interests created prior to the commencement of the Act continue.

For clarity's sake, set out below is the current lease structure:

Ultimate Owner:	State of Western Australia
Head Landlord:	City of Fremantle
Sub – Landlord:	Seascope Holdings Pty Ltd
Sub – Tenant:	Red Rock Consolidated Pty Ltd

### **COMMENT**

Back in 2006 Seascope Holdings Pty Ltd (Warren Mead) did approach the City with a development proposal for these premises and a new Lease.

Whilst the McGrathnicol leasing submission does not carry any development plans it needs to be remembered that back in 2006 DPI were stating that any new Lease will require the land to be excised out of Reserve 43311 and that DPI would then Lease that area to the City of Fremantle giving the City power to Lease for periods of up to 21 years.

However, in keeping with the Minister's direction that the state, given its ownership of the land, should receive a return from the rental from commercial operations on Crown Reserves, DPI did propose:

- The revenue from the proposed lease to be retained by the City for a period of ten years. At the completion of the initial period the situation will be reviewed taking into account any changes to the status of the reserve.
- The new area will need to take into account the service and access requirements of the site.
- All costs associated with this process would be the responsibility of the City/Lessee.

The above comments are offered because it is anticipated that DPI, whose consent will be required for any new lease with McGrathnicol, will want to follow the same course as proposed in 2006.

In fact advice from DPI is that these processes will be applied to the Leighton Beach Development and the need for new Leases for the Surf Club and the Kiosk at that locality.

*Officer's Comment*

McGrathnicol acknowledge that the above terms are broad in nature and would need to be fleshed out, but they do confirm a willingness to enter into a new arrangement on commercial terms.

## **CONCLUSION**

The City is not obliged to accept these terms and can negotiate different terms altogether. Given the closeness of the current Lease expiry date it is important for the City to address the long term leasing issues for the property so as to continue the viable operation of this business operation and further investment in the property.

## **STRATEGIC AND POLICY IMPLICATIONS**

The Leasing of this complex has relevance to the City's current Strategic Plan at the following points:

- 2.1 A vibrant and diverse economy
- 2.3 Attractive and welcoming to visitors and tourists.
- 3.4 A beautiful and accessible place
  - 3.4.1 Maintain strong visual connections with, and access to, river and ocean waterfronts.
  - 3.4.3 Ensure appropriate infrastructure and facilities for foreshore recreation.

## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

The anticipated rental revenue from any lease will be retained by the City for a ten year period before the state revenue sharing arrangement could kick in.

### **Environmental**

All normal services are already available to the land.

### **Social**

The restaurant is an attractive venue for private dining and corporate function.

**BUDGET IMPLICATIONS**

The current land rental is \$78,000 pa (rounded figures). But because of the long term uncertainty around the leasing of this property this figure is out of date and would need to be reviewed and a new commencing rental agreed before the adoption of any new lease.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

The land would need to be leased out in accordance with Local Government legislative requirements.

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

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr G Adeane**

**That the City does further investigate the indicative leasing proposal from McGrathnicol and that a further report be brought back for consideration.**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

The following item number **SGS0908-8** was moved and carried en bloc earlier in the meeting.

**SGS0908-8 APPOINTMENT OF AUTHORISE OFFICERS - TECHNICAL SERVICES**

**DataWorks Reference:** 035/005  
**Disclosure of Interest:** Nil  
**Previous Item:** SGS0611-6  
**Responsible Officer:** Peter Pikor, Director Technical Services  
**Actioning Officer:** Mia Zaknich, Administration Officer Technical Services  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**PURPOSE**

To appoint persons as Authorised Officers to enforce provisions of the City of Fremantle's 'Activities in Thoroughfares and Public Places and Trading Local Law.'

**EXECUTIVE SUMMARY**

**The Activities in Thoroughfares and Public Places and Trading Local Law was gazetted in 2005 and a number of new staff appointments have subsequently been made. It is therefore necessary for Council to make new appointments in order that the provisions of the Local Law can be enforced.**

**BACKGROUND**

The Activities in Thoroughfares and Public Places and Trading Local Law was gazetted in 2005 and regulates the conduct of activities on road reserves and on public places under the care and control of the City of Fremantle.

**COMMENT**

From time to time new local laws are gazetted, officers change duties or new appointments are made and it therefore becomes necessary to review the authorisations under a range of different legislation.

**CONCLUSION**

The recommended appointments should be confirmed as soon as possible to enable enforcement to be carried out when necessary.

**STRATEGIC AND POLICY IMPLICATIONS**

The authorisations are required in accordance with the City of Fremantle's Activities in Thoroughfares and Public Places and Trading Local Law.

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Nil

**Environmental**

Nil

**Social**

Nil

**BUDGET IMPLICATIONS**

There could be an adverse impact on the budget if legal action is delayed or is compromised due to appropriate staff not being authorised by Council.

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

There is a legislative requirement under the Local Government Act and the Activities in Thoroughfares and Public Places and Trading Local Law for Council Officers to be authorised to perform certain duties.

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

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr G Adeane**

**That Council confirm the following persons are authorised by the City of Fremantle, pursuant to section 3.39 and section 9.10 of the Local Government Act 1995 to perform the functions of an authorised person under the City of Fremantle Activities in Thoroughfares and Public Places and Trading Local Law:**

- **Mr Peter Pikor – Director Technical Services**
- **Mr Philip Gale – Manager Infrastructure Services**
- **Mr Lionel Nicholson – Manager City Works**
- **Mr Damien Furey – Compliance Officer**
- **Mr Frank Squadrito – Design Team Leader**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

The following item number **SGS0908-9** was moved and carried en bloc earlier in the meeting.

**SGS0908-9 INFORMATION REPORT FOR AUGUST 2009**

**ECONOMIC DEVELOPMENT & MARKETING ADVISORY COMMITTEE – 9 JULY 2009 MEETING**

**DataWorks Reference:** 038/024  
**Author:** David Duncanson, Manager City Marketing  
**Agenda Attachments:** Attachment 1- EDMAC Minutes from meeting 9 July 2009 – City Marketing

The regular Economic Development & Marketing Advisory Committee met on 9 July at the Fremantle Football Club to discuss the Draft Tourism Strategy Recommendations and proposed City Marketing Budget for 2009/2010. A copy of the minutes is attached.

**ECONOMIC DEVELOPMENT & MARKETING ADVISORY COMMITTEE – 16 JULY 2009 MEETING**

**DataWorks Reference:** 038/024  
**Author:** David Duncanson, Manager City Marketing  
**Agenda Attachments:** Attachment 2 – EDMAC Minutes from meeting 16 July 2009 – City Marketing

An additional Economic Development & Marketing Advisory Committee meeting was held on 16 July at Fremantle Ports to discuss the proposed City Marketing budget for 2009/2010 and to make recommendations on budget changes. A copy of the minutes is attached.

**MINUTES OF HERITAGE & SPECIAL PLACES COMMITTEE 8 JULY 09**

**DataWorks Reference:** Heritage & Special Places Committee; 039/004  
**Author:** Vanessa Collins, Heritage Planner  
**Agenda Attachments:** Attachment 3 – Minutes of H&SPC meeting 7 July 2009

The meeting of the Heritage and Special Places Committee (the Committee) for 7 July 2009 are attached. The committee advises Council through the Strategic Planning Committee on strategy, policy, development referrals and other relevant matters relating to heritage.

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr G Adeane**

**That the Strategic and General Services Committee Information Report for August 2009 be received.**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	



The following item number **SGS0908-10** was moved and carried en bloc earlier in the meeting.

**SGS0908-10 ADOPTION OF COUNCIL AND COMMITTEE MEETING SCHEDULE FOR OCTOBER 2009 TO SEPTEMBER 2010**

**DataWorks Reference:** 096/009  
**Disclosure of Interest:** Nil  
**Previous Item:** Nil  
**Responsible Officer:** Graeme Mackenzie, Chief Executive Officer  
**Actioning Officer:** Graeme Mackenzie, Chief Executive Officer  
**Decision Making Authority:** Council  
**Agenda Attachments:** Council and Committee Meeting Schedule from October 2009 to September 2010

**PURPOSE**

To formally adopt the Council meeting schedule for the period of 7 October 2009 to 22 September 2010.

**EXECUTIVE SUMMARY**

The new schedule provides a monthly cycle of meeting dates for the Planning Services Committee meeting to be held on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month, the Library Advisory Committee meeting to be held on Wednesday every quarter, the Strategic and General Services Committee meeting to be held every 2<sup>nd</sup> Wednesday of each month and the Ordinary Meeting of Council to be held every 4<sup>th</sup> Wednesday of each month. In December the cycle has been reduced to three weeks by the deletion of the second planning services meeting so that the business for the month is completed prior to Christmas.

**BACKGROUND**

The Local Government Act 1995 (Section 5.25 (g)) requires that meetings be advertised in advance.

**COMMENT**

Each year Council is requested to approve the meeting dates prior to being advertised in accordance with the Act. Meeting dates proposed are in accordance with current schedules.

**CONCLUSION**

As per comment

**STRATEGIC AND POLICY IMPLICATIONS**

Nil

**TRIPLE BOTTOM LINE IMPLICATIONS**

**Economic**

Nil

**Environmental**

Nil

**Social**

Nil

**BUDGET IMPLICATIONS**

Nil

**LEGISLATIVE AND LEGAL CONSIDERATIONS**

Section 5.25 (g) of the Local Government Act 1995 and Regulation 12 of the Local Government (Administration) Regulations 1996 require that local public notice of meeting dates are to be advertised in advance.

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

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION**

**MOVED: Cr G Adeane**

**That the meeting schedule for October 2009 to September 2010 as attached to this agenda be adopted.**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

## SGS0908-11 HILTON COMMUNITY GARDEN PROPOSAL

<b>DataWorks Reference:</b>	078/019
<b>Disclosure of Interest:</b>	Nil
<b>Previous Item:</b>	Nil
<b>Responsible Officer:</b>	Paul Garbett, Manager Planning Projects and Policy
<b>Actioning Officer:</b>	Alex Hyndman, Sustainability Coordinator
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	1. Petition of support for Hilton Harvest Community Garden Proposal 2. Hilton Harvest Community Garden Proposal and draft Management Plan

### PURPOSE

To present a proposal from a community group to establish a community garden in Hilton and to recommend that Council provide support to this initiative.

### EXECUTIVE SUMMARY

The City has received a proposal from *Hilton Harvest*, a Hilton-based community group, who want to start a community garden on an area of Public Open Space or similar land within Hilton. Community gardens provide many triple bottom line benefits that align well with the City's Strategic Plan. The community group that has made this proposal appears well organised. It is recommended that the City provide support to the group in their efforts to establish a community garden in Hilton through provision of suitable land and limited infrastructure such as water supply and fencing, subject to the group agreeing to appropriate management arrangements for the project.

### BACKGROUND

The City of Fremantle has received a proposal from *Hilton Harvest*, a Hilton-based community group (the Proponents), who want to start a community garden on an area of Public Open Space or similar land within the suburb of Hilton. The Proponents have provided supporting documentation regarding the proposed project, including evidence of local support in the form of letters from residents of various streets in Hilton. Additionally, a petition bearing 147 signatures supporting the proposal was presented to the Ordinary Meeting of Council on 22 July 2009 (see Attachment 1).

The petition states:

*"We the undersigned local residents of the City of Fremantle request that the Council supports and approve the development of a community garden in Hilton.*

*We believe a community garden in Hilton will enhance the suburb by providing a space for people to come together and promoting a stronger sense of community by building social networks between all ages and cultures.*

*A formal proposal was submitted to the Council earlier this year and we now ask that this proposal be approved as soon as possible so we can commence planning and planting while the conditions are ideal.”*

A copy of the proposal and a draft management plan for the group is included in Attachment 2.

Community gardens are areas of shared land in which members of a community participate in the cultivation of food and other plants. The two archetypical community garden models are based around either individual allotments or large communal garden ‘patches’. The Proponents’ proposal combines elements of both community garden styles.

City officers have undertaken a review of the potential costs, benefits and issues associated with the request for Council to support the proposal. These are outlined below.

### **Potential benefits**

Community gardens bring many benefits. Those that best align with the City’s Strategic Plan are:

- *1.4 Sense of Community.* Community gardens are inherently social locations, where people from different backgrounds can come together and actively work towards common, positive goals.
- *1.5 Community Participation and Knowledge.* Knowledge of local food production methods, suitable species to plant, planting times etc.
- *1.6 Healthy and Active Community.* Local organic food is inherently fresher than any purchased food, resulting in healthier people and communities. Gardening is a cross-generational form of physical activity that can increase an individual’s well being.
- *3.7 Environment and Resource Management.* Community gardens tend to be places of resource efficiency and ingenuity. They take waste streams such as organic material and turn them into valuable food.

### **Potential issues**

Some issues that would need to be considered when implementing any community garden would be:

- **Animal husbandry.** Animals such as chickens, ducks or bees have symbiotic benefits with growing fruit and vegetables. However there are odour, health and safety issues relating to the upkeep of these animals and consequently careful consideration needs to be given to whether or not any animals should be permitted to be kept at a community garden.
- **Theft or vandalism.** Many community gardeners become extremely dedicated to their plots, so issues can arise if some of their produce is pilfered or the site is damaged.

- Organic farming methods support biodiversity, some of which will be unwanted – such as rats, rabbits and foxes.
- Deterring theft, vandalism and/or unwanted attention by wild or domestic animals may give rise to the need for fencing of a community garden.
- Water. Efficient water management strategies are increasingly important. To ensure that this resource is used as effectively as possible, appropriate procedures and infrastructure need to be put in place at the outset.
- Ensuring no adverse impact on the amenities of nearby residents as a result of development and use of the community garden, e.g. site appearance, traffic generation and parking, noise disturbance from gathering of large numbers of people.

### **Potential costs**

Potential costs that could be incurred by the City if Council decided to support the project could include the following:

- Staff time in supporting the set-up and ongoing management of the project, liaison with the Proponent, etc.
- Capital costs of constructing and equipping the community garden, e.g. fencing, garden beds, reticulation infrastructure.
- Ongoing costs of maintenance e.g. cost of water, fencing maintenance and repairs.

### **COMMENT**

Having regard to the potential benefits of the development of a community garden in Hilton, and the evidence supplied of significant local community support for the proposal, officers consider that it would be appropriate for the City to support the project.

Several options have been considered for the level and form of support that the City might offer, having regard to resource implications and other issues associated with the project as outlined above. These options involve some or all of the following forms of support:

- Permission to use land controlled by the City of Fremantle, or facilitating an agreement to use land in other ownership.
- Use of the City's bores, pipes or other water resources.
- Insurance coverage for public liability.
- Staff time and expertise to assist with site planning, statutory approvals, garden design and construction.

- Funding for infrastructure such as fencing, sheds, composting facilities, etc.
- Direct financial support for the operation of the project.

An important aspect of the proposal is that it is a community-initiated project. To ensure that the community retains a sense of ownership of the project, and to ensure that the project can be financially self-sustaining and does not place large demands upon the City's limited financial and other resources which are already under pressure and facing competing demands, it is recommended that the City should adopt a 'remove barriers' approach to support for the project. This aims to provide support by overcoming significant obstacles to start-up of the project, without stifling initiative or consuming large amounts of City resources.

Part of the reason for this recommendation is that it is easy to replicate. If the Hilton Harvest project is a success, then there may well be requests from other groups in Fremantle for similar types of support. If Council decides to support this proposal, then having a model form of support that can be replicated in a manner that is sustainable in terms of demands upon City resources will be useful.

If Council accepts the recommendation to support the proposal in principle, the next steps would be to:

1. Agree the most appropriate site;
2. Consult with immediate neighbours and other relevant stakeholders
3. Develop any necessary legal agreements (e.g. Memorandum of Understanding, lease, etc.) required to deal with use of the identified site as a community garden and to define management and governance arrangements between the City and the proponents regarding the project.

The key item that is required from the City is the provision of land on which to construct the garden. Officers have considered a number of potential sites and discussed them informally with representatives of the proponents and other relevant agencies. Two sites are considered potentially suitable:

1. Part of Griffiths Park, between Griffiths Place and Nicholas Crescent.
2. Part of the grounds of Hilton Primary School, adjacent to the rear (eastern) boundary of the Hilton PCYC premises.

In both cases the area of land required for a viable community garden (approximately 1000 sq m) could be provided. Griffiths Park is Crown land vested in the City of Fremantle for public open space purposes, and the Management Order would permit use of a portion as a community garden. Parks and Landscape officers are satisfied that an area towards the southern end of Griffiths Park would be suitable given the open nature of the area, its distance from the existing playground in the park and the ability to retain sufficient area for other recreational pastimes. The park is separated from the nearest residential properties by roads on all sides. The School site would require agreement to its use from the Department of Education and Training. It is an area of the school grounds which is currently non-irrigated. Although some officer level discussion has taken place regarding the proposal, at this time Education Department officers have not expressed support for use of this site. Nevertheless, if Education department support could be secured, this site would offer the opportunity to form part of a 'hub' of community-focussed facilities and activities together with the development of the PCYC site. Consequently it is recommended that Council supports the use of either site in principle, and delegates to the Chief Executive Officer the authority to determine the final site selection following further discussion with the Department of Education and Training and representatives of the project proponents.

Following final site selection, it is recommended that the City undertake consultation with immediate neighbours of the relevant site to seek their views on the proposal prior to entering into a formal agreement with the proponents regarding utilisation of the land in question. In the event of a significant level of objection being raised to the proposal by neighbouring landowners, the matter would be reported back to Council for further consideration prior to any formal agreement being signed.

The final nature of the formal agreement required between the City and the proponents will depend to some extent upon the site selected, and therefore it is recommended that the preparation and completion of this agreement should be delegated to the Chief Executive Officer. However, the agreement should be based on the following principles:

- Clearly defining the roles and responsibilities of both organisations and how they will work together, and in particular defining the limits of the City's support for the project based on the principle that the City's role is one of facilitation of the project in its start-up phase and is not a role of providing ongoing financial or in-kind support;
- The proponents must register as an incorporated body, as indicated in their project proposal, prior to entering into any formal agreement with the City;
- Protocols must be included in the agreement for dealing with any specific land use issues, such as obtaining approvals for the erection of any garden sheds or other structures, any proposed use of the community garden for organised community events and prohibition of use of the site for the commercial sale of produce or as a growers' market;
- Protocols must be included in the agreement for dealing with complaints from the community gardening members and from other members of the public;

- The use of the site should be for a fixed duration to be defined, with appropriate review, renewal and termination provisions.

Another element of support for start-up of the project which the City could provide is the provision of infrastructure, in particular access to water for reticulation of garden beds and possibly also provision of fencing for security purposes. The estimated cost of providing access to an existing water supply, but with a dedicated meter, is approximately \$3,000. The estimated cost of fencing a 1000 sq m site, subject to confirmation of an appropriate design, would be approximately \$10,000. No specific provision for this project has been included within the City's 2009 - 10 budget. Providing water for small gardens is best served via scheme water installations.

There are 2 scheme water meters within the general area proposed for the area in Griffiths Park. Funding would need to be allocated to provide water to the exact site of the garden. The proponents of the community garden would be responsible for paying water use.

Allowing \$13,000 to provide the appropriate infrastructure to water the garden and fence off the site is considered adequate.

## **CONCLUSION**

The community garden proposal is considered to have merit in principle and would complement a number of the City's strategic objectives as expressed in the Strategic Plan. An appropriate form of support for the City to offer to the project is considered to be assistance with the provision of suitable land and other limited financial and technical support for start-up of the project, without stifling community initiative or consuming large amounts of City resources.

## **STRATEGIC AND POLICY IMPLICATIONS**

A number of benefits of community gardening align with the City's Strategic Plan as follows:

- *1.4 Sense of Community.* Community gardens are inherently social locations, where people from different backgrounds can come together and actively work towards common, positive goals.
- *1.5 Community Participation and Knowledge.* Knowledge of local food production methods, suitable species to plant, planting times etc.
- *1.6 Healthy and Active Community.* Local organic food is inherently fresher than any purchased food, resulting in healthier people and communities. Gardening is a cross-generational form of physical activity that can increase an individual's well being.
- *3.7 Environment and Resource Management.* Community gardens tend to be places of resource efficiency and ingenuity. They take waste streams such as organic material and turn them into valuable food.

Other links to the Strategic Plan are included in the Business Case (refer Attachment 3)



## **TRIPLE BOTTOM LINE IMPLICATIONS**

### **Economic**

For some people, growing their own food is an important part of their household economy. Providing a facility to do this will assist these people.

### **Environmental**

Community gardens provide significantly more biodiversity than the grass that it is proposed to replace. They also inspire recycling and resource efficiency.

### **Social**

A major benefit that a community garden can provide is in creating a space for people to meet and interact. It can be particularly beneficial in including disadvantaged segments of society.

## **BUDGET IMPLICATIONS**

No specific provision for this project has been included in the City's 2009-10 budget, however, the community group have already raised some funds and will be actively seeking sponsorship to help them develop their project. It would be appropriate to allow the community to proceed with their works and determine additional funding should it be required as the project is developed.

This could be addressed at a later stage during a budget review.

## **LEGISLATIVE AND LEGAL CONSIDERATIONS**

Legal agreements will need to be prepared to define the relationship between the City and the community gardening group.

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

The Hilton Harvest group is separate to the Hilton Precinct. The Hilton Precinct has however discussed the possibility of a community garden. It is concerned that vandalism will be an issue, but feel that a community garden would be positive.

A number of independent letters and a petition have been presented to the City supporting this proposal (Attachment 1). To date, no negative correspondence has been received.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE AND OFFICER'S RECOMMENDATION****MOVED: Cr G Adeane**

- 1) That Council support the principle of establishment of a community garden in Hilton at either of the following locations:
  - a) Griffiths Park**
  - b) Part of the grounds of Hilton Primary School****
- 2) That the Chief Executive Officer be authorised to determine the final site selection from 1 (a) or (b) above following further discussion with the Department of Education and Training and representatives of the community garden project proponents.**
- 3) That following determination of the preferred site as referred to in (1) and (2) above, consultation should be undertaken with immediate neighbours of the relevant site to seek their views on the proposal prior to the City of Fremantle entering into a formal agreement with the proponents of the community garden project regrading utilisation of the land in question. In the event of a significant level of objection being raised to the proposal by neighbouring landowners, the matter would be reported back to Council for further consideration prior to any agreement being signed.**
- 4) That the Chief Executive Officer be authorised to prepare an appropriate agreement between the City of Fremantle and the project proponents (and the responsible body for the preferred site if that body is not the City) to govern the operation of the community garden project. The agreement should be based upon the following principles:
  - Clearly defining the roles and responsibilities of parties to the agreement and how they will work together, and in particular defining the limits of the City's support for the project based upon the principle that the City's role is one of facilitation of the project in its start-up phase and is not a role of providing ongoing financial or in-kind support;**
  - The proponents must register as an incorporated body, as indicated in their project proposal, prior to entering into any formal agreement with the City;**
  - Protocols must be included in the agreement for dealing with any specific land use issues, such as obtaining approvals for the erection of any garden sheds or other structures, any proposed use of the community garden for organised community events and prohibition of use of the site for the commercial sale of produce or as a growers' market;**
  - Protocols must be included in the agreement for dealing with complaints from the community garden members and from other members of the public;****

- The use of the site should be for a fixed duration to be defined in the agreement, with appropriate review, renewal and termination provisions.
- 5) That the petition of support for the Hilton Community Garden proposal presented to Council on 22 July 2009, and various individual letters expressing support which have been sent to the City, be received and noted.
  - 6) That Council consider a budget allocation at a mid year budget review for the Hilton Community Garden Project should additional funds be required.

**CARRIED: 6/0**

For	Against
Cr Georgie Adeane Cr Donna Haney Cr Alice King Cr Shirley Mackay Cr Brad Pettitt Cr Doug Thompson	

**SGS0908-13 NOTICE OF MOTION - 31 WILUNA STREET, WHITE GUM VALLEY**

**DataWorks Reference:** 165/003  
**Disclosure of Interest:** Nil  
**Author:** Cr Brad Pettitt  
**Decision Making Authority:** Council  
**Agenda Attachments:** South Street MRS Road Reserve map

**BACKGROUND**

South Street (west of Carrington Street to Wood Street) has a wide road reserve to allow the possible widening of South Street to accommodate eastern traffic flow onto and off the Fremantle Eastern Bypass (FEB).

Now that the FEB has been deleted, this wider road reserve is no longer required.

This Motion asks that the City seek to have the wider road reservation deleted as the road reserve is creating uncertainty for affected property owners, both private owners and the WAPC (who own some of the land merely because of its MRS Primary Regional Road reservation status) adjacent to South Street.

The lack of a final decision by Main Roads as to whether or not widening will ever proceed is causing ‘planning blight’ unnecessarily.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**COMMITTEE RECOMMENDATION**

**MOVED: Cr G Adeane**

**That Council resolve to draw the wide road reserve along South Street (west of Carrington Street to Wood Street) to the attention of the Minister for Transport to seek the Minister for Transport’s involvement to secure a final decision by the Government to abandon the widening proposals and adjustment of the width of the MRS Road reservation accordingly.**

**CARRIED: 6/0**

<b>For</b>	<b>Against</b>
Cr Georgie Adeane Cr Donna Haney Cr Brad Pettitt Cr Doug Thompson	Cr Alice King Cr Shirley Mackay

## CONFIDENTIAL MATTERS

### SGS0908-12 **FREMANTLE MARKETS DISPUTE - INDEPENDENT RENT REVIEW REPORT**

**DataWorks Reference:** 049/008, L074  
**Disclosure of Interest:** Nil.  
**Previous Item:** SC0903-1, C0904-9  
**Responsible Officer:** Graeme Mackenzie, Chief Executive Officer  
**Actioning Officer:** Glen Dougall, Director Corporate Services  
**Decision Making Authority:** Council  
**Agenda Attachments:** Rent Assessment Report from Graham Kennedy (30 June 2009).  
Letter from City to Graham Kennedy (20 July, 2009)

### 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:

- (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

### PURPOSE

To receive the independent reports from the consultant appointed to review the rent valuations for the Fremantle Markets.

**CLOSURE OF MEETING**

**THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 7.40PM.**

**SUMMARY GUIDE TO CITIZEN PARTICIPATION AND CONSULTATION**

**SUMMARY GUIDE TO CITIZEN PARTICIPATION & 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.

<b>How consultative processes work at the City of Fremantle</b>	
	Decisions must also be made in accordance with any statute that applies or within the parameters of budgetary considerations. All consultations will clearly outline from the outset any constraints or 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 personal representations to individual Elected



How consultative processes work at the City of Fremantle	
	Members and via presentations to Committee and Council Meetings.
<b>Citizens need to check for any changes to decision making arrangements made</b>	<p>1 The City will take initial responsibility, via</p> <p>3 'Consultation Process notifications', for making</p> <p>. 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 <a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a>, checking the Port City Column in the Fremantle Herald or inquiring at the Service and Information Desk by phone or in-person.</p>
<b>Citizens are entitled to know how their input has been assessed</b>	<p>1 In reporting to decision-makers, City officers will in</p> <p>4 all cases produce a Schedule of Input received</p> <p>. that summarises comment and recommends whether it should be taken on board, with reasons.</p>
<b>Reasons for decisions must be transparent</b>	<p>1 Decision-makers must provide the reasons for</p> <p>5 their decisions.</p> <p>.</p>
<b>Decisions posted on <a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b>	<p>1 Decisions of the City need to be transparent and</p> <p>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 <a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a> or at the City Library or Service and Information counter.</p> <p>.</p>

## Issues that Council May Treat as Confidential

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

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