

City of Fremantle

AGENDA

Strategic and General Services Committee

Wednesday, 12 May 2010
6.00 pm

COMMITTEE MEMBERS

Mayor Brad Pettitt
Cr John Alberti
Cr Georgie Adeane
Cr Donna Haney
Cr Dave Coggin
Cr Sam Wainwright
Cr Doug Thompson

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

CITY OF FREMANTLE
NOTICE OF A STRATEGIC AND GENERAL SERVICES
COMMITTEE MEETING

Elected Members

A Strategic and General Services Committee Meeting of the City of Fremantle will be held on Wednesday, 12 May 2010 in the Council Chamber, Town Hall Centre, 8 William Street, Fremantle (access via stairs, opposite Myer) commencing at 6.00 pm.

Glen Dougall
DIRECTOR CORPORATE SERVICES

7 May 2010

STRATEGIC AND GENERAL SERVICES COMMITTEE

AGENDA

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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."

ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

PUBLIC QUESTION TIME

DEPUTATIONS / PRESENTATIONS

DISCLOSURES OF INTEREST BY MEMBERS

LATE ITEMS NOTED

CONFIRMATION OF MINUTES

That the Minutes of the Strategic and General Services Committee dated 14 April 2010 be confirmed as a true and accurate record.

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CLOSURE OF MEETING		

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

SGS1005-1 LEIGHTON BEACH NORTH FREMANTLE - NEW LEASES

DataWorks Reference: Nil
Disclosure of Interest: Nil
Meeting Date: 12th May 2010
Previous Item: Nil
Responsible Officer: Glen Dougall, Director of Corporate Services
Actioning Officer: John Amor, Property Coordinator
Decision Making Authority: Committee
Agenda Attachments: Nil

EXECUTIVE SUMMARY

The Purpose of this report is to approve of and agree to enter into new leases for the redeveloped Leighton Beach area, in particular the leases around the Fremantle Surf Lifesaving Club.

The Leighton Oceanside Parkland Master Plan which was endorsed in September 2007, identified a need to upgrade the current Fremantle Surf Life Saving Club (FSLSC) to improve the availability of active and passive recreational facilities in the area. The existing FSLSC facility is not fit-for-purpose, with the most modern part of the building suffering erosion and the gym, storage, training and venue hire facilities being inadequate to provide sufficient revenue to maintain the facility. The Master Plan indicated that “a number of options relating to the location of the surf lifesaving club were investigated during the design process”, however, it was determined that the club should be relocated and rebuilt within the southern section of Leighton Oceanside Parklands.

The cost of rebuilding the surf club facility is estimated at \$3.8 million. The FSLSC does not have the financial capacity to service a loan of that size and has negotiated funding arrangements with a number of stakeholders including State Government contributions as well as significant support from a key developer, Mirvac. Mirvac has developed designs for both the new surf club and the nearby kiosk and change rooms which are managed by the City of Fremantle. The City has responsibility for funding the redevelopment of the kiosk and change rooms and Mirvac has provided designs and indicated that simultaneous development of the surf club, kiosk and change rooms could realise economies of scale and minimise disruption to the community.

The proposed facilities are situated in the area designated as Stage One of the Leighton Oceanside Parklands Master Plan and as such, the West Australian Planning Commission has approved the redevelopment of this facility. The new developments require new leases to be put in place and Ministerial approval for these leasing arrangements has now been obtained.

The Ministerial approval advised that the area required for the proposed new Surf Life Saving Club will be excised out of the existing foreshore Reserve 43311 and that there will be a direct new lease for that area between the State of Western Australia and the City of Fremantle.

The basic terms and conditions of that lease are:

Term:	Twenty One (21) years
Annual Rental:	Nil
Permitted Use:	Removal of the existing Surf Club premises; construction of new Surf Club premises for use by the Surf Life Saving Club as its Club premises and use of part of the new Club house as a café.

Council's solicitor has reviewed the draft lease, which is a standard Crown Land Lease and commented that the document does not contain anything that the City needs to be concerned about.

The Mirvac contribution towards the new Surf Club premises is predicated upon the arrangement that the FSLSC will sublease (at a peppercorn rental) to Mirvac, an upstairs area in the new premises for the purposes of a licensed café for a period of twenty (20) years, at which time, those premises will revert to the Surf Club. The Ministerial approval cited above noted and approved these café arrangements.

In summary, this item seeks approval for the City to enter into a new lease between the City of Fremantle and the Minister for Lands.

In addition, the City will sublease its interest to the Fremantle Surf Life Saving Club and finally, the Surf Club will Lease to Mirvac the upstairs area for use as a café.

BACKGROUND

The current Surf Life Saving facilities located at Leighton Beach provided by Fremantle Surf Life Saving Club (FSLSC) are substandard and do not meet current service delivery needs and significantly limit the expansion of the surf life saving operations due to the age and condition of the facilities. In addition the facilities do not currently comply with workplace safety regulations.

The location of the clubrooms is significant to the Leighton Oceanside Parklands Master Plan and the facilities are identified as high priority for redevelopment to meet the requirement for increased community access and use of facilities in the area.

In early 2006, FSLSC and Mirvac sought support from the City of Fremantle for a commercial partnership to provide new community surf life saving clubrooms. The ongoing discussions identified that the redevelopment of the clubrooms presented significant opportunity for improved delivery and over all quality of surf life saving services along with greatly improved community access and amenities.

To progress the land planning process, a working group of stakeholders from the Department of Planning and Infrastructure, Land Corp, State Land Services, Mirvac and the City of Fremantle was established. In order to proceed with the redevelopment of FSLSC and the neighbouring kiosk and change rooms, Ministerial endorsement was required for the funding arrangements and to allow City of Fremantle to secure management control (power to lease) of the sites.

FSLSC needs modern new facilities to meet increased demand from a greater number of beach goers and cater for the growing membership. The new facilities will also become available for other community groups and commercial ventures to hire and undertake expanded services.

FSLSC has collaborated with a key property developer, Mirvac, since 2006. This arrangement has provided concept designs and cost estimates at no charge to FSLSC. The proposed new facilities require an increase in the lease footprint from 2244m² to 2600m² to allow for the predicted growth in membership and requirements for the use of the facilities by the community particular those in the immediate vicinity. As a result of this increased space, and a review of the needs of the membership and the community, it is anticipated that the new surf club will include the following, to enable delivery of the Surf Life Saving vision of saving lives and building stronger communities:

- Five training rooms, including a wet-area training room to allow FSLSC to continue to provide excellent in training facilities for our club members and the wider community,
- Improved First Aid facilities include street access to the First Aid bay by ambulances necessary for the transportation of patients to hospital,
- A secure area for the storage of high value equipment including 4WD patrol vehicles and hazardous materials,
- An observation tower to enable better coverage of service to Port and Mosman beaches, and;
- A more attractive façade in keeping with plans to develop the current area, and the Master Plan.

The proposed design, methodology and timing provided by Mirvac enables the surf club, kiosk and change rooms to be redeveloped simultaneously whilst still enabling operations at the surf club to continue.

A side issue to the leases under consideration in this item is that the existing toilets and change rooms are in very poor repair and not in keeping with the proposed Master Plan or the new developments. It is proposed that they be redeveloped at the same time as the surf club. Mirvac has already produced designs at no charge for this area. In addition new kiosk facilities are proposed to cater for an increase in beach goers and to provide a more efficient kiosk operation.

COMMENT

The Leighton Beach redevelopment including the new fit for purpose Surf Life Saving Club premises will provide a sustainable safe beach and aquatic environment. These renewed facilities will benefit not only the Surf Club but also local residents and visitors.

RISK IMPLICATIONS

Financial

The leases are a key development in the Leighton Beach Master Plan. The facilities will contribute significantly to the sense of place and overall operation of services in the foreshore area. The facilities will also attract increased use from the new residents and regionally as Leighton is well positioned as the key community beach hub. The redevelopment will allow greater expansion of life saving services to prevent deaths and injuries in the water and will offer increased commercial opportunities within the first floor café area of the proposed new surf club.

The Surf Club leases will not have any impact on the City's budget. All property maintenance will revert to the Surf Club.

Legal

There will be a requirement to enter into formal lease documents with both the Fremantle Surf Life Saving Club and the State of Western Australia.

Operational

The project is consistent with the Master Plan which has undergone relevant environmental impact assessments.

The completion of this project will provide much needed community facilities through improved fit for purpose surf life saving club rooms. The new facility will have increased capacity to train future life savers and expand much-needed first aid operations. It also allows greater public access to improved health and fitness facilities as well as the delivery of a commercial operation which is to be a café which could be enjoyed by local and regional community members.

Organisational

Nil

CONCLUSION

The new Leases are an essential element within the Leighton Beach Ocean Side Parklands Master Plan which has amongst its objectives the provision of a safe beach environment.

STRATEGIC AND POLICY IMPLICATIONS

The leases under consideration have relevance to the City's strategic plan at the following points:

- Healthy and active community – provision of leisure and recreational facilities
- A beautiful and accessible place – maintain and optimise Reserves, Open spaces
- Connections to water – Protect and manage Fremantle's beach and river foreshore. Ensure appropriate infrastructure and facilities provision for foreshore recreation.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

As part of the development of the Leighton Beach Master Plan the following stakeholders were consulted:

- Fremantle Surf Life Saving Club
- Adjacent site owners – Mirvac
- Department of Planning and Infrastructure
- Leighton Action Coalition

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That the City of Fremantle;

- 1. Enters into a twenty one (21) year lease with the State of Western Australia acting through the Minister for Lands for land at Leighton Beach which is to be used for Fremantle Surf Life Saving Club premises.**
- 2. Enters into a twenty (20) years, eleven (11) months and 30 days sublease with the Fremantle Surf Life Saving Club for those same premises.**
- 3. Approves, under the terms of the lease, the Fremantle Surf Life Saving Club entering into a sub-lease arrangement with Mirvac for a 20 year lease for the upstairs area, subject to planning and other statutory approval requirements being met.**

REPORTS BY OFFICERS (COUNCIL DECISION)

SGS1005-2 SOUTH FREMANTLE LANDFILL SITE - PERIMETER FENCE SITE PLAN

DataWorks Reference:	079/006, 079/003
Disclosure of Interest:	Nil
Meeting Date:	SGSC – 12 May 2010, Council – 26 May 2010
Previous Item:	PSC0809-290
Responsible Officer:	Matthew Piggott, Acting Manager Development Services
Actioning Officer:	Matthew Piggott, Acting Manager Development Services
Decision Making Authority:	Council
Agenda Attachments:	Proposed Perimeter Fencing Site Plan

EXECUTIVE SUMMARY

The former South Fremantle Landfill Site is classified as “Contaminated – Remediation required” by the Department of Environment and Conservation (DEC). The City of Fremantle has a duty of care to restrict public access to the site.

In October 2008, Council resolved to approve the installation of a security fence around the South Fremantle Landfill Site.

A perimeter fence site plan was drafted and presented to the *South Fremantle Community Precinct Group* for comment. Following opposition to the closure of the dual use pedestrian/cycle path between Cockburn Road and Daly Street an amended perimeter fence site plan was drafted (Attachment 1).

The amended perimeter fence site plan received the support of the *South Fremantle Community Precinct Group*.

In April 2010, the City of Fremantle received a written response from the Department of Environment and Conservation (DEC) indicating no objection to amended perimeter fence site plan for the South Fremantle Landfill Site.

It is recommended that Council endorse the perimeter fence site plan for the South Fremantle Landfill Site.

BACKGROUND

In 2008, the State Government’s Contaminated Sites Committee determined that the City of Fremantle is responsible for remediation of the South Fremantle Landfill Site, notwithstanding that for some periods during the operational life of the landfill the City was not fully in control of operations on the site.

Advice obtained from the City's legal advisors in 2007 stated it would be prudent for the City to take interim measures to restrict public access to the site and to limit exposure to potentially hazardous materials.

In October 2008, at an Ordinary Meeting of Council, the City of Fremantle's Elected Members resolved to approve the installation of a security fence around the South Fremantle Landfill Site.

A budget allocation has been set aside to put this resolution into effect in 2009/10.

In November 2009, officers from the City commenced a community consultation process and presented a proposed perimeter fence site plan to the *South Fremantle Community Precinct Group*.

The City received a submission from the *South Fremantle Community Precinct Group*, a petition containing 278 signatures and 39 emails opposing the perimeter fence site plan as it sought to close the existing dual use pedestrian/cycle path between Cockburn Road and Daly Street.

In response to community concern about the loss of the dual use path an alternate perimeter fence site plan was devised that incorporates the *South Fremantle Community Precinct Group* recommendations.

In November 2009 a submission was received from the Co-convenor of the *South Fremantle Community Precinct Group* stating:

"We note the production of *OPTION 2 – Path open to the Public* by the City of Fremantle officers. We whole heartedly support this new proposal, taking into account our suggestions for changes in positioning."

COMMENT

Between November 2009 and February 2010, the City sought approval from the DEC to maintain public access to the dual use path and, for public safety reasons, clearly defined sections of land surrounding the path.

The City also proposed to set the fence back, away from the road, in the south western section of Daly Street. In the northern section of Hollis Park, the proposed fence line was set back behind existing trees on the southern side of the dual use path between Daly Street and Thomas Street.

To justify the amended perimeter fence site plan on public health grounds, Environmental Site Assessment reports on the South Fremantle Landfill Site were reviewed and a selection of information was extracted and forwarded to the DEC to support the City of Fremantle's proposal.

In April 2010, the City of Fremantle received a written response from the DEC and DOH indicating no objection to the amended perimeter fence site plan. A copy of the plan is attached (Attachment 1).

RISK IMPLICATIONS

Financial

A budget allocation has been set aside to install a perimeter fence at the South Fremantle Landfill Site in 2009/10. There is no financial risk anticipated.

Legal

The City of Fremantle will fulfil its duty of care to restrict public access to the site by installing a perimeter fence. It is encouraging to note that the DEC has no objection to the perimeter fence site plan.

Operational

The City proposes to engage contractors to install the perimeter fence. Maintenance of the fence will be required from time to time in the future and financial resources will need to be dedicated to this task.

Organisational

This proposal forms part of the ongoing management of the South Fremantle Landfill Site and does not prejudice future land use planning processes for the site.

CONCLUSION

It is recommended that Council endorse the perimeter fence site plan for the South Fremantle Landfill Site.

STRATEGIC AND POLICY IMPLICATIONS

The officer's recommendation is consistent with the City of Fremantle Strategic Plan 2006-2010.

1.3 Safe Community: Fremantle is a safe place where the community is actively involved in public safety initiatives.

3.7 Environment and Resources Management: Effectively manage contaminated sites.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

In November 2009 a submission was received from the Co-convenor of the *South Fremantle Community Precinct Group* stating:

"We note the production of *OPTION 2 – Path open to the Public* by the City of Fremantle officers. We whole heartedly support this new proposal, taking into account our suggestions for changes in positioning."

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

Council endorse the perimeter fence site plan for the South Fremantle Landfill Site.

SGS1005-3 NOTICE OF MOTION - MAYORS FOR PEACE - NUCLEAR WEAPONS ABOLITION (MAYOR PETTITT)

DataWorks Reference: 078/010
Disclosure of Interest: Nil
Decision Making Authority: Council

BACKGROUND

In September 2009, a Federal Parliamentary Inquiry resulted in unanimous cross-party support for Australia to play a leading role in ridding the world of nuclear weapons. A report issued by the Joint Standing Committee on Treaties (JSCOT), following its examination of nuclear disarmament and non-proliferation treaties, made the following unanimous recommendations;

- Recommendation 8: The Committee recommends that the Australian Government make clear in international fora its support for the adoption of a Nuclear Weapons Convention.
- Recommendation 9: The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.
- Recommendation 21: The Committee recommends that the Parliament adopt a resolution on the Parliament's commitment to the abolition of nuclear weapons.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That the City of Fremantle supports the abolition of the use of nuclear weapons and support recommendations 8, 9 and 21 of the Joint Standing Committee on Treaties report, being;

- **Recommendation 8: The Committee recommends that the Australian Government make clear in international fora its support for the adoption of a Nuclear Weapons Convention.**
- **Recommendation 9: The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.**
- **Recommendation 21: The Committee recommends that the Parliament adopt a resolution on the Parliament's commitment to the abolition of nuclear weapons.**

SGS1005-4 NOTICE OF MOTION - PHASE OUT OF THE LIVE ANIMAL EXPORT TRADE (MAYOR PETTITT AND CR JOSH WILSON)

DataWorks Reference: 097/004
Disclosure of Interest: Nil
Decision Making Authority: Council

BACKGROUND

More than 80 per cent of the nearly 4 million Australian sheep exported in 2006 were loaded in Western Australia, predominantly through the port of Fremantle. (ABARE Feb 2008). The transportation of animals causes stress, trauma, injuries, disease, pain, suffering and death. In 2008, 35,000 sheep died due to starvation, stress and disease. Australian animals are exported to countries that have no animal welfare laws or provisions. Investigations by Animals Australia undertaken in five Middle Eastern countries revealed extreme cruelty inflicted during transportation, holding, handling and slaughter. For every live animal exported, a number of Australian jobs in the meat industry and downstream processing are also exported. Many of these jobs are in rural areas where there are few employment alternatives.

There is the opportunity for the City of Fremantle to take a leadership role calling for the phase out of this trade and working with other spheres of Government, industry and the community to develop strategies to support this policy. This is not about shifting the trade from the port of Fremantle to another location. This is about ending the live export trade and replacing it with chilled meat product.

A recent report commissioned by the World Society for the Protection of Animals show that an additional 2000 jobs would be created if sheep were processed in WA and also that a sheep processed in WA is worth about \$20 more to gross State product than a sheep sent overseas for slaughter. This reports shows that Halal meat exports are a viable alternative to the live trade; the current value of chilled/frozen sheep meat to many Muslim countries exceeds the value of live sheep exported from Australia.

In addition trade distortions in foreign countries benefit the live export trade over the domestic meat processing industry. The import of live Australian sheep is heavily subsidised by some Middle Eastern governments, whilst frozen sheep meat attracts a 5% tariff in most major Australian live sheep importing countries. Within Australia distortions also apply. A WA Ministerial Taskforce commissioned in 2004 to examine the concerns of the cattle and sheep meat processing sectors in the Western Australia found that, "the growth in live exports, at the expense of meat processing firms, is at least partly due to a lack of competitive neutrality and an apparent bias in Government support for the live export trade, while meat processing is disadvantaged by additional costs that are not imposed on exporters". A report commissioned by the Australian Meat Processor Corporation in 2001 concluded that the 'live export trade could be costing Australia around \$1.5 billion in lost GDP, around \$270 million in household income, and around 10,500 lost jobs.'

The growth in live exports has contributed to a decline in the meat-processing sector in some regions of Australia. The Australasian Meat Industry Employees Union (AMIEU) reported that in the last 30 years, the meat processing industry has suffered the loss of 40,000 jobs and 150 processing plants. The meat processing industry blames the string of recent abattoir closures on low stock supply because of the drought, and a high Australian dollar. The union representing meat workers says live exports are to blame. AMIEU federal secretary Brian Crawford says 10,000 people have lost their jobs over the past several decades because of live animal exports. (<http://www.abc.net.au/rural/vic/content/2010/02/s2810247.htm>)

A report, commissioned by the Royal Society for the Prevention of Cruelty to Animals (RSPCA), explored the value of live sheep exports from WA. The report concluded that the adjustment costs and the impact on farmers would be modest if the trade is phased out over 5 years and a transferable quote system is implemented to manage the gradual reduction in the number of sheep available for live export over that period.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That the City of Fremantle;

- 1. Support steps towards the immediate phase out of the live animal export trade**
- 2. Makes representations to the relevant State and Commonwealth Ministers in support of a clear plan and timetable for making the transition away from live export in favour of an onshore processing industry**
- 3. Call on the Commonwealth Government to;**
 - a) Pursue, as part of trade negotiations, the elimination of policies of foreign governments, such as subsidies and tariffs, that distort competitive neutrality between the meat processing and the live export industries**
 - b) Take an interim action to ‘level the playing field’ to correct the distorting effects of its policies on the competitive neutrality between the meat processing sector and the live export sector**
 - c) Assist industry to expand domestic processing capacity by increasing investment in domestic infrastructure to support a trade in chilled and frozen meat**
 - d) Work with industry and importing countries to promote the trade in chilled meat from animals humanely transported and slaughtered in Australia and;**
 - e) Promote Australian chilled and frozen meat in potential new markets through intensive international promotional campaigns.**
- 4. Request the West Australian Minister for Local Government be called on to immediately reinstate the inspectorial positions within the Animal Welfare Branch within the Department of Local Government.**
- 5. Participate in and support a symposium with representation from the live export industry, the chilled meat trade, relevant unions, animal welfare groups and the State and Federal Government to develop an action plan to phase out the trade whilst ensuring that Australian jobs and regional communities are not disadvantaged.**

SGS1005-5 PROPOSED RAIL CROSSING - FISHING BOAT HARBOUR

DataWorks Reference:	039/059; 161/004
Disclosure of Interest:	Nil
Meeting Date:	12 May 2010
Previous Item:	Nil
Responsible Officer:	Peter Pikor, Director Technical Services
Actioning Officer:	Philip Gale, Manager Infrastructure Services
Decision Making Authority:	Council
Agenda Attachments:	Proposed road development - Mews Road to Marine Terrace - <i>UNDER SEPARATE COVER</i>

EXECUTIVE SUMMARY

This report is provided for information. The forthcoming World Sailing championships will create some unique challenges for logistical and transport planners. One of the transport challenges is to move pedestrians and vehicles in and around the west end of the City and across the rail line into the fishing boat harbour. Currently there is a project being developed to look at the feasibility of opening a permanent vehicle crossing from Mews Road to Marine Terrace at the western end Esplanade Park abutting car park number 2.

BACKGROUND

The Sailing Championships are to be held in and around Fremantle in December 2011 and will attract over 1,400 competitors and many thousands of visitors and support crew for the event.

In 2009, the Department of Planning approached the City to query whether there was any support for improved access to the Fishing Boat Harbour as part of the transport planning for the sailing event.

As there had been some support by the City for the structural planning process undertaken by Harbour management in 2003 which included a suggested opening of the western end of Mews road into the CBD, the development of concepts and schematic layouts has been progressed.

The rationale behind the new crossing is to provide a better flow of traffic out of the harbour area. By developing a one way, out only, access point significantly improves risk management for business and visitors to the harbour facilities. This provides an alternative exit from the harbour which at the present time is only accessible from the rail crossing at Arundel Street.

One of the important questions that a proposal such as this new access way raises is the extent to which such a development will impact upon traffic within the City CBD.

To investigate this potential impact it has been agreed between the City, the Department of Planning and the Perth Transit Authority to fund a traffic modelling project.

This has now commenced with consultants being employed to develop a traffic model of the CBD using a computer simulation modelling software program. This project is equally funded by the three parties mentioned above.

The advantage to the City of this project is that there will be a legacy model that can be periodically updated to provide traffic modelling for other future developments.

The crossing point will be a three metre wide road created in the current reserve number 40766 which is vested crown land, set aside for the purpose of parking. The crossing is shown as left in only from Mews Road thus in general only traffic that has accessed facilities to the west and south of the car park at Char Char Bull restaurant will have need to use the exit, however, in busy periods, such as during major events, this provides a safety relief valve for vehicles in this area and better access for emergency vehicles should there be an incident requiring their presence. This will relieve some of the traffic pressures that can occur at the current rail crossing.

In addition to the vehicle crossing the two pedestrian crossings currently accessed via traversing the Esplanade Park will be closed and moved to a new and improved location, one on either side of the new vehicle crossing. These pedestrian crossings will be of the highest standard for safety and accessibility, both being 3 meters wide with closing gates, warning lights and audible devices.

The current estimate to construct the crossing is about one million dollars and to date whilst the initial design work and the traffic modelling has been funded there is no firm commitment of funds to undertake construction. During the design development meetings it has been made very clear that if this project does go ahead the City of Fremantle will not be responsible for providing any major funding apart from ancillary works such as paths and possible park rehabilitation following pedestrian crossing closures.

COMMENT

The design work so far undertaken shows that the access crossing can be located within a site that will cause no impact on the Esplanade Park. Unfortunately other sites further to the north along the rail line are not appropriate as they provide inadequate sight lines whilst crossing the tracks and there a significant utility issues with building in this location.

Further design work is currently being developed but there is an expectation that no formal approach to the council will be made until after the traffic modelling is complete. This would be expected some time in July or August.

RISK IMPLICATIONS

Financial

Nil

Legal

Nil

Operational

The main area of risk is the potential traffic flows into the CBD streets. There will obviously not be more traffic in total but there will be some redistribution of the traffic flows. However on the positive side this is risk mitigation strategy and will add to the commerce viability of the Harbour businesses.

Organisational

Nil

CONCLUSION

The report presented is for information at this stage with a further report to be presented when more data and design work is to hand.

STRATEGIC AND POLICY IMPLICATIONS

This is a significant strategic transport development for the west end of the city and the traders within the Fishing Boat Harbour precinct. By providing improved pedestrian and vehicle infrastructure there is potentially improved commercial advantages for the traders and visitors to the area.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Precinct groups have not been consulted as yet but this will need to occur once more data is to hand.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That the report on the planning for a new rail crossing to the Fishing Boat Harbour be noted.

SGS1005-6 ADVERTISING OF OBJECTS AND REASONS FOR DIFFERENTIAL RATES 2010/2011

DataWorks Reference: 091/003
Disclosure of Interest: Nil
Meeting Date: 26 May 2010
Previous Item: SC0908-1 of 6 August 2009
Responsible Officer: Alan Carmichael, Manager Finance & Administration
Actioning Officer: David Nicholson, Rates Coordinator
Decision Making Authority: Council
Agenda Attachments: Objects and Reasons for Differential Rates 2010/2011

EXECUTIVE SUMMARY

The differential rates proposed are for exactly the same purposes as 2009/2010 with the rates in the dollar and minimum rates to be advertised increased by 5.5% to reflect the predicted WALGA cost index increase for 2010/2011 along with provision for other cost increases or increased service levels.

Legislation requires the objects and reasons to be advertised before a differential rate can be adopted in the annual budget; however Council does have the discretion to vary the rate in the dollar and minimum rate without further public advertising when it adopts its annual budget.

BACKGROUND

In 2008/009 Council introduced a differential rate to fund 50% of the previously named 'Fremantle First', which is now titled 'Fremantle City Marketing'. The differential rate applying to the remaining properties was then referred to as the "general differential" rate and applied to all those properties not being levied for Fremantle City Marketing.

COMMENT

Apart from the term Fremantle First being replaced by Fremantle City Marketing in 2009, the objectives and reasons for the activity remain unchanged from when Council started directly undertaking the activity on 1 July 2008.

For advertising purposes a 5.5% increase has been factored in when compared to the equivalent rates for 2009/2010. The increase is based on 3.5% for cost increases using the WALGA cost index for 2010/2011 which predicts increases in a range of 3.3% to 3.7% plus allowance for other cost increases and or increased service levels. Using 5.5% for the purpose of public advertising does not bind Council to this increase in rates when Council adopts the 2010/2011 Budget, as Council still has the option to vary the rates in the dollar and minimum rate up or down to that advertised.

Electors or ratepayers will have 21 days from the date of public advertising to make submissions in respect of the proposed rate or minimum payment and any related matter. The city is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

RISK IMPLICATIONS

Financial

The city must advertise the objects and reasons for differential rates in order to be able to levy differential rates in 2010/2011.

Legal

The local Government Act specifies a process that the city must follow in order to levy differential rates when setting the annual budget. This requires advertising for a period of 21 days prior to adopting rates through the budget process.

Operational

If advertising is approved, the City will be able to adopt the budget in July 2010. Arrangements will be made for advertising and collating any comments received in relation to this notice when considering the 2010/11 budget.

Organisational

Not considered to be any risks.

CONCLUSION

Essentially the only variation to what was advertised last year is in the rates in the dollar to allow for inflationary and other cost increases. As commented on above, the figures advertised are not binding on Council, therefore the document is recommended for public advertising.

STRATEGIC AND POLICY IMPLICATIONS

Differential rates represent a strategic approach to rating, but no changes are being recommended to the currently approved approach.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That in accordance with section 6.36 of the Local Government Act 1995 the City:-

- 1. Advertise the Objects and Reasons for Differential Rates 2010/2011 as per Attachment 1 and**
- 2. Make available for public inspection the Objects and Reasons for Differential Rates 2010/2011 as per Attachment 1.**

SGS1005-7 INFORMATION REPORT FOR MAY 2010

COMMERCIAL PROPERTY UPDATE

DataWorks Reference: 049/008
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Confidential Property Report

Attached is the Commercial Property Report detailing lease contracts for the City of Fremantle Commercial Properties and any pertinent information relating to current issues in relation to these leases. This report is for information to keep council informed as to the status of these leases.

FREMANTLE MARKETS WORKING GROUP MINUTES

DataWorks Reference: L074 & 049/008
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Attachment Minutes of the Working Group for March and February 2010.

The Working Group has allocated monthly meeting times for 2010 and is now holding regular monthly meetings again. Attached are copies of the first two meetings for the year for committee information.

OFFICER'S RECOMMENDATION

That the information report for May 2010 be received.

SGS1005-8 FUTURE OF THE FREMANTLE VISITORS CENTRE

DataWorks Reference:	068/027
Disclosure of Interest:	Nil
Meeting Date:	12 May 2010
Previous Item:	SGS0906-1, 24 th June 2009 & SGS0906-1, 27 th January 2010
Responsible Officer:	Wendy Filsell, Acting Manager City Marketing
Actioning Officer:	Wendy Filsell, Acting Manager City Marketing
Decision Making Authority:	Council
Agenda Attachments:	Visitors Centre Report

EXECUTIVE SUMMARY

The draft Tourism Strategy contains a total of 149 recommendations and was recently put out for public consultation.

However, in the short term the resourcing of the Fremantle Visitor Centre was one of key issues that needed to be reviewed.

This report highlights that the current level of funding per visitor by the City was considerably less than other local governments. However, to undertake either of the options set out in the consultants report would require a significant funding increase of between \$120,000 and \$350,000 per year.

BACKGROUND

During budget deliberations in June 2008, Council identified the need to allocate funds to undertake the development of a Tourism Strategy for Fremantle to act as a guiding document for this important sector.

A draft Tourism Strategy was developed and presented to Council at its meeting on 24th June 2009. Council agreed to release the draft strategy for public comment. A second report was presented to Council on 27th January 2010 with an update of public comments.

Two issues were identified in that report that needed further consideration in the short term. Firstly, for officers to produce a report on the two options for the future of the Fremantle Visitor Centre and that Council support the inclusion of a specific discussion for the funding of a tourism officer in the 2010/2011 budget considerations.

This report covers the options for the future of the Fremantle Visitor Centre.

COMMENT

The draft Tourism Strategy contains a total of 149 individual recommendations split between the following headings:

- Infrastructure
- Visitor Servicing
- Strategies, Studies and Planning Positions
- Council's role & responsibilities for Perth 2011
- Destination development

During the initial 2009 (Evolve Solutions) consultants discussions with stakeholders it became apparent that visitor servicing was an area which needed to be addressed in the short term. There are a number of issues in regard to the current situation including:

- Inadequate Council funding for the current private sector operated model
- Location of the centre is seen as being inappropriate
- Performance of current operator does not relate to any key performance indicators
- Opening hours restricted due to lack of resources.

In the January 2010 report Council was presented with two options: firstly to adequately fund the current private operator to enable them to extend opening hours and to offer a level of service expected of a Level one accredited Visitor Centre. The second option is for Council to abandon the current model and fully fund a Council operated Visitor Centre. This would be a major expense for Council but one which has been shown to have worked elsewhere in WA.

The latest report highlighted that the current level of funding per visitor by the City was considerably less than other local governments. The City currently subsidises the Visitor Centre with a \$15,000 annual grant and expects in return a level of service in keeping with a level 1 accredited Visitor Centre. For Option A, it is estimated that the subsidy for the current operator should be \$135,000 per annum based on providing a level of service which would be expected from a Visitor Centre at a major tourist destination.

Some other Visitor Centres are operated by local governments using their own staff and premises. There are clearly advantages in this model in maintaining standards and consistency, but traditionally the cost of a local government operated centre is considerably higher due to the award wages that have to be paid to staff. It is estimated that for Option B, the City of Fremantle to operate its own centre would cost in the region of \$350,000 per annum.

Council should introduce key performance indicators so that it can benchmark and measure success. The Centre needs to be open on public holidays and extended hours for special occasions such as cruise ship visits and major festivals, these matters should form part of a new agreement if the private operator is the chosen model.

RISK IMPLICATIONS

Financial

Implementation of some of the recommendations contained within the strategy has budget implications.

Legal

Nil

CONCLUSION

The draft tourism strategy indicates that Fremantle has a strong tourism offering although it faces a number of challenges to preserve and enhance its destination appeal.

The Fremantle Visitor Centre servicing needs to be also assessed against some other recent studies and Council's draft Strategic Plan 2010-2015.

To be noted is the March 2010 Tourism Western Australia – Tourism Development Priorities 2010 – 2015 which places Fremantle's current performance as High in terms of Access, Medium for Accommodation; High for Attractions/Activities and High for Amenities.

In Council's draft Strategic Plan 2010-2015 the area of accommodation is identified as a key plan/project, the plan addresses access issues through environmental transport solutions; builds on the attraction/activity issues by developing a 3 year coordinated plan to strengthen Fremantle's status as a "Festival City" and some of the Amenity issues will be enhanced through Fremantle's role in ISAF (Perth) 2011.

Also, recently Fremantle's tourism zone has also been expanded.

It would seem that Fremantle's position in the Tourism market is quite strong and Council has identified a number of plans/projects that will maintain or increase its position.

However, given the significant funds required (as set out as options) to further develop Fremantle Visitor Centre servicing, Council may want to undertake an interim step that identifies the costs of opening on public holidays and extended hours for special occasions such as cruise ship visits and major festivals. This may also put into place an ongoing evaluation of visitor servicing and satisfaction leading up to ISAF (Perth) 2011.

Given the significant investment options of Fremantle Visitor Centre servicing, Council refer these options to the 5 year budget plan for consideration.

STRATEGIC AND POLICY IMPLICATIONS

Tourism is identified in the City's strategic plan as being a significant contributor to having a vibrant local economy.

PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

The draft Tourism Strategy was advertised for public comment and also sent to Precincts for comment.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That

- 1. Officers produce a report on the costs of the Fremantle Visitor Centre opening on public holidays and extended hours for special occasions such as cruise ship visits and major festivals.**
- 2. That options A and B be referred to the 3 year budget for consideration.**

CONFIDENTIAL MATTERS

Nil

SUMMARY GUIDE TO CITIZEN PARTICIPATION AND CONSULTATION

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

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

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

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

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

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

Issues that Council May Treat as Confidential

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

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