



AGENDA

Strategic & General Services Committee

Wednesday, 14 November 2012, 6.00pm

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, 14 November 2012 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

9 November 2012

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 10 October 2012 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

SGS1211-1 SUPPLY AND LAYING OF ASPHALT WFCC05/12

DataWorks Reference:	135/10
Disclosure of Interest:	Nil
Meeting Date:	14 November 2012
Previous Item:	Nil
Responsible Officer:	Peter Pikor, Director Technical Services
Actioning Officer:	Lionel Nicholson, Manager City Works
Decision Making Authority:	Strategic & General Services Committee
Agenda Attachments:	Annexure 1 – Price Schedule

EXECUTIVE SUMMARY

The implementation and delivery of the City's annual works programs requires the provision of supply and lay of asphalt services on various projects. Tenders were called for this service and following an evaluation of submissions the City's internal major procurement approval panel has endorsed the recommendation that the tender submitted by Roads 2000 be accepted for the supply and lay of asphalt. The tenderer has the necessary experience and resources to perform the works complying with tender specifications.

As the estimated total cost of the contract over the two year period will exceed the Chief executive Officer's delegated authority, this tender is submitted for Council's endorsement.

BACKGROUND

The City is required to engage contractors for various works associated with the completion of the annual capital and operations works programs. In order to meet the requirements of the Local Government Act, City policies and to simplify the procedure of procuring such services, tenders were called for suitably qualified contractors to provide the service of supply and laying of asphalt surfacing through the WALGA preferred suppliers list.

The tender was advertised on the WALGA Tender Link e-Tendering Portal on 13 September 2012.

COMMENT

Tender documents were received from four tenderers; Fulton Hogan, Asphaltech, Downer Australia West and Roads 2000.

Tender submissions were assessed against the selection criteria set out in the specifications. Tenderers were required to address all the selection criteria in detail in order to demonstrate their qualifications and experience. The selection criteria were

- a) Methodology.
- b) Skills and experience of key personnel.
- c) Resources.
- d) References
- e) Tender price.

The pricing assessment was based on historical data of the quantities of asphalt supplied and laid on the previous annual work program.

Past experience has demonstrated that at times contractors are not able to meet required timelines due to the overall industry demand for the service across the metropolitan area with all local governments pursuing the completion of their works programs. If this occurs it is therefore considered that provided the reasonable notice has been given as per the contract conditions the work will be offered in succession to the next highest scoring tenderer.

RISK AND OTHER IMPLICATIONS

Financial

The City expended \$476,287 in the previous financial year on the supply and laying of asphalt and budget is available in operational and capital work projects.

Legal

The obligations of Local Governments in regard to tenders for providing goods or services; Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996.

Operational

The City completes its annual construction program projects by deploying a mix of in-house construction teams and resources including the engagement of contractors who provide specialist services.

Organisational

The employment of the tenderer for the provision of the specified services is available to the whole of organisation.

CONCLUSION

Roads 2000 and Asphaltech ranked equally first in the tender evaluation criteria, however Roads 2000 offers real savings for the City as their pricing was the lowest overall. Ultimately price determined the recommendation of Roads 2000 progressing as the preferred contractor.

In the event a contractor is unable to meet a reasonable notice and deliver the service to the required schedule the next highest ranked tenderer will be offered the work.

STRATEGIC AND POLICY IMPLICATIONS

This item has a connection to the Strategic Plan through Urban Renewal & Integration by providing a great place to live, work and play, through growth and renewal.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

The Strategic and General services Committee accepts the tender of Roads 2000 for tender WFCC 05/12 Supply and Lay of Asphalt for a two year period 1 December 2012 to 30 November 2012.

SGS1211-2 INFORMATION REPORT - STRATEGIC AND GENERAL SERVICES COMMITTEE - NOVEMBER 2012

ACCEPTANCE OF TENDERS FOR SEPTEMBER AND OCTOBER 2012

DataWorks Reference: 039/073
Author: Glen Dougall, Director Corporate Services
Agenda Attachments: Nil

The following tenders were accepted by the CEO at the recommendation of the Major Procurement Approval Panel (MPAP);

City of Fremantle Tenders

Name of Tender	Amount	Company Awarded Tender
Car park guidance system (FCC382/12)	\$203,056.46 Inc GST	Wilson Technology Solutions
Construction of instu concrete footpath (FCC387/1)	\$405,000.00 Ex GST	Awarded to a panel of contractors BT Concrete Contractors, G & G Di Martino Concrete and Nextside Pty Ltd for the period 1st October 2012 to 30th September 2014.
Specialised cleaning of roads and footpaths (FCC389/12)	\$487,000.00 inc GST for two years with inclusion of CPI for the second year	Spots All Surface Cleaning
Verge waste collection (FCC386/12)	\$493,000.00 Ex GST	Steann Pty Ltd for the period 1st October 2012 to 30th September 2014

WALGA Tenders

Name of Tender	Amount	Tender Awarded to:
New road sweeper (WFCC03/12)	\$339,000.00 Inc GST	Rosmech Scarab Mistral
Extruded concrete kerbing (WFCC04/12)	\$70,000.00 ex GST per year plus CPI for the 2nd year and the remainder of the 3rd year of the contract	L D Total for the period 1st October 2012 to 30th June 2015

Note: The MPAP is comprised of the Director Corporate Services, the Director Community Development, the Director Technical Services and the Director Planning and Development Services or their delegate (the delegate must be an operational manager not involved as a requestor or evaluator), and one operational manager or coordinator who is independent to the area from which the contract or tender relates.

OFFICER'S RECOMMENDATION

The information report for November 2012 be received.

SGS1211-3 DRAFT CLIMATE CHANGE ADAPTATION PLAN

DataWorks Reference: 036/069
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: C1111-3
Responsible Officer: Peter Pikor, Director Technical Services
Actioning Officer: Alex Hyndman, Sustainability Officer
Decision Making Authority: Committee
Agenda Attachments: Draft Climate Change Adaptation Plan

EXECUTIVE SUMMARY

The Climate Change Adaptation Working Group has prepared a draft Climate Change Adaptation Plan. This identifies a number of actions across the themes of rising sea level, increased temperature, decreased rainfall and increased storm intensity. The draft plan allocates a responsible directorate, a timeline and stipulates the level of influence that the City has over each action. This item also provides preliminary budget estimates for the actions over the next 2 years. It is recommended that the plan be released for public consultation.

BACKGROUND

The City reappointed the Climate Change Working Group in November 2011, in order to develop the climate change adaptation plan. The Working Group has met many times in the intervening period, considered many sources of information and has prepared the attached draft Climate Change Adaptation Plan.

COMMENT

The working group identified four major impacts that the City needs to adjust for: rising sea level, increased temperatures, decreased rainfall and increased storm intensity.

It is important to acknowledge that the City is already undertaking a lot of climate change adaptation action. Planting 1000 trees each year, hydrozoning of Fremantle Park and participation in the Cockburn Coastal Alliance sea level rise impact study are all examples of steps that has been undertaken that will help the City adapt to climate change. Each theme of the draft plan includes a section explaining what has been done to date.

The working group relied heavily on research conducted by two students. Jessica Lisle attended several meetings of the working group and reviewed the cascade of impacts from her Master's thesis to be applicable for Fremantle. These tables provide a good understanding of the quantum of change expected to be caused by climate change and the flow on effects of each of these changes.

Lauren Mackaway was one of Dr Brad Pettitt's honours students who conducted a broad literature review including a review of adaptation plans developed for similar local governments using international, national and Western Australian case studies. This provided a starting point for deciding which actions were appropriate for the City.

With a strong understanding of the impacts and potential adaptation actions to take, the working group reviewed each action to determine its applicability to Fremantle. Key actions were also discussed with relevant officers to test their practicality. To aid accountability, the working group has allocated actions to the relevant directorate and suggested a timeline to complete each action. The following definitions were used when defining this timeline:

- Short term – to be completed in the 2013/14 financial year
- Medium term – to be completed in the 2014/15 financial year
- Long term – to be completed beyond the 2014/15 financial year.

Climate change adaptation will require responses from many parts of our society. The City though, has limited resources and also limited jurisdiction. So many of the actions that were identified and reviewed by the working group cannot be implemented by the City on its own. To provide some context of the City's level of influence over each action, all actions were categorised as either:

- Corporate actions – those that the City has the most control over. These generally involve the City's infrastructure and don't usually require significant input from any other person or agency
- Community actions – actions that the City can undertake to assist the community to adapt – including things that the City can do to regulate community behaviour
- Advocacy and communication – things that are clearly outside the City's jurisdiction, but that the working group felt should not be forgotten. The City's role with these actions is to try and influence or work with other agencies.

Sea level rise impact study

As a coastal district sea level rise is a higher profile risk for part of the City. Having acknowledged this some time ago, the City has joined the Cockburn Sound Coastal Alliance on a study on sea level rise impacts. This alliance is facilitated by the City of Cockburn, but also includes the Cities of Rockingham and Kwinana as well as the Cockburn Sound Management Council and the Department of Defence. This modelling is currently being conducted and is expected to be completed this financial year. This will provide another key information source and begin to quantify the risks for the sea level rise actions.

RISK AND OTHER IMPLICATIONS

Financial

Implementation of this plan will have large costs on the City's budgets over at least the next 3 years. Reliable budgets are yet to be sourced, but the following tables list all of the actions in the plan and also give indicative cost estimates.

Short term (2013/14) actions

Action	Responsible Directorate	Budget
Develop a planning policy dealing with sea level rise for existing development (ie where roads and infrastructure are already in place). This will need to consider conflicting priorities, such as streetscape impacts and heritage requirements. Prepare a town planning scheme amendment and/or a local law depending on the most appropriate means to implement this policy	Planning	Officer time
Develop a planning policy which ensures that proposed new development considers and mitigates the risks from projected sea level rise	Planning	Officer time
Review level of risk to existing coastal infrastructure and prioritise protection/upgrades/relocation	Technical Services	\$40,000
Review and implement options to address both sea water incursion and rising ground water salinity levels in the West End heritage precinct and the damage that is being done to these buildings.	Planning	Actions probably already captured elsewhere
Address the urban heat island effect by trialling the use of lighter and more heat reflective bitumen on roads and use permeable / vegetated surfaces where possible. Measure and report on the impact of this trial.	Technical Services	\$30,000
Plant trees based on future climate – eg water tolerant local/WA species	Technical Services	\$150,000pa
Develop an action plan to divert storm water from the ocean to the fresh water table. Consider bioretention swales and other passive means of achieving this within the limits of the City's jurisdiction	Technical Services	\$30,000
Reuse water from outdoor / public showers at beaches for grass reticulation (starting with pilot at Leighton Beach)	Technical services	\$100,000
Investigate whether the costs associated with disaster recovery can and should be insured against	Corporate Services	Officer time
Ensure the City's insurance policies adequately treat climate change risks	Corporate Services	Officer time
Review the storm water system for adequacy. Consider ways to maximise storm water diversion to the water table, or to directly productive uses such as irrigation or swimming pool top up	Technical Services	\$35,000
Prepare and distribute educational materials	Planning	\$15,000
2013/14 total		\$400,000

Medium term (2014/15) actions

Action	Responsible Directorate	Budget
Provide more outdoor drinking facilities	Technical Services	\$10,000 per year
Identify planning measures (possibly amendment to local planning scheme, or local planning policy) to limit heat absorption and energy consumption associated with new development including outdoor areas.	Planning	Officer time
Assess and manage trees in high storm risk areas	Technical Services	\$30,000 per year
Implement the above plan to divert storm water from the oceans to the fresh water table.	Technical Services	TBC
2014/15 total		\$40,000 (each year ongoing)

Long term (2015/16 or beyond) actions

Action	Responsible Directorate	Budget
Review and amend standards to provide future protection of coastal infrastructure	Technical Services	TBA
Work with relevant state agencies to model impacts on marine environments and subsequent impacts on marine and tourist industries	Economic Development and Marketing	TBA
Increase the availability of relevant City services to assist people to deal with increased temperatures. Consider discounting leisure centre access for vulnerable groups and extending opening hours of facilities such as the library and Hilton community centre	Community Development	TBA
Partner with the Water Corp and Water Department for aquifer recharge and alternative supply technologies	Technical Services	TBA
Consider forming ground water management programs with other councils, such as through the South West Group	Technical Services	TBA
Request that building codes be updated to accommodate high risk storms and flooding zones	Planning	Officer time
Research modelling that identifies likely paths and impacts of severe storms through Fremantle.	Technical Services	TBA

Legal

WALGA has commissioned legal advice pertaining to the risks of action and inaction regarding climate change adaptation for local governments. This has particular impact on the City in regards to: its role as a planning regulator, infrastructure and asset management, water and environmental management and governance. This will need to be reviewed in more detail as the actions are implemented – especially development of planning policies and changes to the planning scheme.

Operational

Implementation of this plan will place a workload on the City's staff. This will need to be managed by the City and additional resources may also be required to complete all of the actions within the suggested timeframe.

Organisational

Nil

CONCLUSION

The City has taken a proactive step in establishing a Climate Change Adaptation Working Group to develop a Draft Climate Change Adaptation Plan. This draft plan includes a number of actions, most of which are the responsibility of the Technical Service Directorate and are scheduled to be completed in the next 2 years. The next stage for finalising this plan, is to release it for public comment. The comments would then be summarised by the City's officers and presented to Council for formal adoption along with any recommended amendments to the plan.

STRATEGIC AND POLICY IMPLICATIONS

Preparation of this Climate Change Adaptation Plan is a requirement of the City's 2010-15 Strategic Plan.

COMMUNITY ENGAGEMENT

The draft report has been prepared by a Working Group, which had expert community members present for part of the deliberation. This item recommends that more formal community consultation is undertaken as the next step.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER'S RECOMMENDATION

That Strategic and General Services Committee acting under delegation authorises the attached draft Climate Change Adaptation Plan be released for public comment and that a report be presented to Council with summary of the community consultation and any amendments recommended by the City's officers.

REPORTS BY OFFICERS (COUNCIL DECISION)

SGS1211-4 FINES ENFORCEMENT REGISTRY (FER) WRITE-OFFS AND CATEGORY CHANGE AND UNRESOLVED INFRINGEMENTS WRITE OFFS ISSUED TO VEHICLES NOT REGISTERED IN WESTERN AUSTRALIA

DataWorks Reference: 122/003
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: Nil
Responsible Officer: Glen Dougall, Director Corporate Services
Actioning Officer: Cameron Bartkowski, Manager Community Safety & Parking
Decision Making Authority: Council
Agenda Attachment: (FER) List of Write-offs (Confidential Attachment)

EXECUTIVE SUMMARY

From 1 July to 31 October of the financial year 2012-2013, the Fines Enforcement Registry is advising its intention to write-off \$8,569.97 of unpaid fines and collection costs, dating back to some matters registered in year 2004. Of this amount, approximately \$1,567.77 is associated with the cost of registering the case for enforcement, the remainder is the original modified penalty of the infringement notice, plus statutory fees chargeable by City of Fremantle during the statutory enforcement process. The amount for write-off represents approximately 2 per cent of the amount received by City of Fremantle from the Registry for recovered fines during the same period. This item is to enable the formal resolution of the write-off.

These matters are regarded by the Registry as unenforceable, due to factors including death, uneconomical to enforce due to amount owing, insufficient details, time elapsed since registration.

The Registry operates pursuant to the *Fines Penalties and Infringement Notices Enforcement Act 1994*. By this statute, the Registry is the sole provider of the service enabled under this legislation.

BACKGROUND

City of Fremantle uses the Fines Enforcement Registry to assist in recovery of unpaid parking fines. This Registry is the sole provider of a service which is able to cancel driver and vehicle licences and undertake recovery action. This service comes at a cost which can be greater than the fine itself, and these costs are also recoverable once the alleged offender is located. City of Fremantle received recovery payments from the Registry to the value of \$376,550.67 from 1 July to 31 October of the financial year 2012-2013. The amount sought to be written-off represents approximately 2 per cent of that amount, over the same period.

Each year the Registry identifies those registrations for which it has exhausted all avenues of enforcement, removing those records from the Registry. Consequently, writing-off by the Registry ends further recovery on those records.

City of Fremantle uses data provided by the Department of Transport to identify the registered owner of vehicles when enforcing unpaid modified penalties. This data is used to provide written notification to owners, using regulatory Final Demand notices and subsequent registration with Fines Enforcement Registry to assist in recovery of unpaid parking fines. There continue to be moves by Western Australia Local Government Association to seek additional information from Department of Transport so as to minimise the number of records found to be unenforceable due to insufficient details.

COMMENT

The Fines Enforcement Registry has advised that \$10,797.97 is to be written-off as unrecoverable. Of this amount, approximately \$1,567.77 is associated with the cost of registering the case for enforcement, the remainder is the original modified penalty of the infringement notice, plus statutory fees chargeable by City of Fremantle during the statutory enforcement process. These registrations date back to year 2004.

City of Fremantle received recovery payments from the Registry to the value of \$376,550.67 from 1 July to 31 October of the financial year 2012-2013. The amount being considered for write-off in this item represents approximately 2 per cent of the collections over this period.

The Registry has exhausted all avenues of recovery for these registered infringement notices for which writing-off is advised.

The list of affected records is not attached to this item, being a public document, having regard to privacy considerations.

RISK AND OTHER IMPLICATIONS

Financial

The amounts stated in the advice from Fines Enforcement Registry are not included on Council's balance sheet as debtors. The City records any monies recovered as revenue in the year it is recovered and as a result no impact will be made upon Council's financial statements.

Legal

The operation of the Fines Enforcement Registry is provided for by *Fines Penalties and Infringement Notices Enforcement Act 1994*.

Operational

Nil

Organisational

Nil

CONCLUSION

It is recommended that City of Fremantle supports the advice from Fines Enforcement Registry.

STRATEGIC AND POLICY IMPLICATIONS

As the actions listed at the Registry represent a write-off of debt for the City, it is necessary for Council to formally recognise this write-off.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

That City of Fremantle resolves to write-off \$10,797.97 in unpaid fines and associated recovery costs with the Department of Attorney General's Fines Enforcement Registry as advised by the Registry in its e-mail dated 23 October 2012 being schedules 41750 and 41320.

**SGS1211-5 TO CONSIDER A REQUEST TO PERMIT GILBERT FRASER OVAL
TO BECOME A DOG OFF LEASH EXERCISE AREA EXCEPT WHEN
THERE IS ORGANISED SPORTING ACTIVITY**

DataWorks Reference: 035/001
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: Nil
Responsible Officer: Glen Dougall, Director, Corporate Services
Actioning Officer: Cameron Bartkowski, Manager Community and Parking
Decision Making Authority: Council
Agenda Attachments: Draft amendment *City of Fremantle Dog (Exercise Areas) Amendment Local Law 2012*
Email Jane Page

EXECUTIVE SUMMARY

On 28 March 2012 Council was handed a petition asking that Council consider a request to permit Gilbert Fraser Oval to become a Dog off leash exercise area except when there is organised sporting activity.

A letter from the North Fremantle Associated Sports Clubs was also included.

On the 9 May 2012, the Strategic and General Services Committee recommended that Council instruct City officers to make an amendment to the Dog Control Local Law to provided back to Council for consideration for advertising.

On the 8 August 2012, the Strategic and General Services Committee recommended that Council instruct City officers to make the amendment to the Dog Control Local Law advertised to the community as per the Local Government Act 1995 when changing a Local Law. Of which there was one submission in favour of the change, Jane Page 21 Rule St North Fremantle.

BACKGROUND

Council Rates records reveal that there are 12,613 residential properties in the City of Fremantle. There are 8,363 dogs registered within the City of Fremantle. Of which there are 2,539 dogs registered in the Post Codes of 6160 and 6162.

The City has 18 dog exercise areas for the 8,363 City of Fremantle registered dogs and an unknown number of dogs from other areas.

The current status for this reserve is that dogs must be on a leash at all times.

The letter requesting the change and attached to the Agenda was submitted by Lou Cunningham and Yvonne Barron convenors of the North Fremantle Dog Owners.

Mr Cunningham resides at 1 Rule Street North Fremantle and Ms Barron resides at 43 Corkhill Street North Fremantle.

The petition requests Council to “change the status of Gilbert Fraser Reserve to an Official dog (off-leash) exercise area except when sporting fixtures or training are in progress”.

The request outlined in the petition requires approval from Council.

COMMENT

As stated above, Gilbert Fraser Oval is subject to a single lease to the North Fremantle Associated Clubs this lease expires 29 June 2015.

There is a small section of Gilbert Fraser Reserve that is on the other side of Johanna Street that is leased by Apace Aid this section is not included in this request.

It is only the Oval that the request is made for.

Under the existing Local Law the current status for this oval is that dogs must be on a leash at all times.

The Gilbert Fraser Oval is a large open area which will be of benefit to dog owners in that they will have unrestricted observation of their dogs under this amendment.

RISK AND OTHER IMPLICATIONS

Financial

The adoption of the proposed amendment will not have a direct immediate financial impact on the current budget other than alteration to signage if change is supported.

Legal

The Dog Act 1976 enables the City a degree of flexibility in making effective Local Laws which can be amended at anytime by Council.

Operational

Nil

Organisational

Nil

CONCLUSION

The options for Council are to either to retain the existing restriction or agree to the request to allow dogs off leash on this reserve except when organised sporting activities are in progress, at such times dogs must be on a leash.

If Council resolves to agree to the request outlined in the petition an amendment will be necessary to the *City of Fremantle Local Law Relating to Dogs*.

The following is the text of the proposed amendment to the Seventh Schedule of the *City of Fremantle Local Law Relating to Dogs*:

After the entry relating to Stevens Street Reserve, in the left hand column titled "Reserve" add a new item as follows –

"Gilbert Fraser Reserve, bounded by John Street, Johannah Street, and the western side of Reserve 36420 (being Fremantle Town Lot number 300), except during an organised sporting activity upon the Reserve";

and in the right hand column, titled "Lot No.", opposite, add the numerals "478".

If Council resolves to adopt the proposed amendment, and it is subsequently adopted by Council, the proposed amendment will become part of the *City of Fremantle Local Law Relating to Dogs*. The process for amending the Local Law is outlined below:

- Notice of the summary of the Purpose and Effect of the Local Law to be provided to the Council meeting. [THIS PARTICULAR ACTION WOULD BE NECESSARY BY COUNCIL WHEN CONSIDERING THIS ITEM SHOULD THE COMMITTEE RECOMMEND THIS PROPOSAL]
- Local Government gives Local Law and notice to Minister(s).
- Local Government receives and considers public submissions.
- If significant amendments are necessary, the procedure must be recommenced.
- Local Government makes Local Law.
- Local Government prepares Explanatory Memorandum for Committee.
- Local Government publishes Local Law in Gazette and gives a copy of Local Law to Minister(s).
- Local Government gives Statewide notice of Local Law and publicises Local Law in district.
- Parliamentary Counsel tables Local Law in both Houses of Parliament within 6 signing days of Gazettal.
- Local Government sends 10 copies of Local Law and Explanatory Memorandum to the Joint Standing Committee on Delegated Legislation.

PURPOSE AND EFFECT OF THE PROPOSED AMENDMENT:

The purpose and effect of the proposed amendment to the *City of Fremantle Local Law Relating to Dogs* is to provide for a convenient area for the exercise of dogs off leash.

STRATEGIC AND POLICY IMPLICATIONS

The Community Safety and Crime Prevention Plan, is an integral component of the Community Safety commitment of the City's Strategic Plan.

COMMUNITY ENGAGEMENT

Advisements of the intent to change the Local Law were placed in Fremantle News of the Fremantle Gazette, The Weekend West and the City's Web Page. Six weeks was given for people to make comments only one in favour comment has been received.

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

That the Strategic and General Services Committee recommend Council to:-

- 1. Adopt the proposed use of Gilbert Fraser Reserve as a dog off leash exercise area except during an organised sporting activity upon the Reserve.**
- 2. By the authority of this resolution of the Council that the Common Seal of the City of Fremantle be affixed to the new Local Law in the presence of Mayor and Chief Executive Officer and to be signed by such persons.**

**SGS1211-6 ACCEPTANCE OF FUNDING FROM LOTTERYWEST AND
DEPARTMENT OF SPORT AND RECREATION**

DataWorks Reference: 106/066; 106/004;
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: Nil
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Helen Emery, Manager Community Development
Decision Making Authority: Council
Agenda Attachments: Nil

EXECUTIVE SUMMARY

The Department of Sport and Recreation has approved a grant of \$25,000 to the City for the provision of a Sport 4 All - Kidsport program during 2012/13.

BACKGROUND

The Sport 4 All - Kidsport program provides funding for children and youth aged 5 to 18 years, from financially disadvantaged families to assist towards the payment of club fees. Payment is made directly to the registered Kidsport clubs.

COMMENT

The DSR funding will be delivered directly to clubs to increase participation from children and youth who may not have been able to participate in sport due to financial hardship.

The City successfully applied for funding of \$12,500 in the 2011/12 financial year. The amount requested in 2011/13 financial year was increased to \$25,000 to cater for increased demand from the community and local clubs.

RISK AND OTHER IMPLICATIONS

Financial

DSR will provide funding to the amount of \$25,000 to the City for distribution.

Legal

Nil

Operational

The DSR funding will be distributed by Community Development project staff.

Organisational

Nil

CONCLUSION

The funding of \$25,000 DSR Kidsport program (exclusive of GST) is additional to the City's youth sporting grants programme. The budgets will need to be amended accordingly.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

1. The City accepts the funding of \$25,000 (exclusive of GST) from DSR for the Kidsport program.
2. The 2012 - 2013 revenue and associated expenditure budgets be amended as summarised below.

Revenue				
DSR Kidsport	0	(25,000)	(25,000)	32.32100.4311.00.00.18030
Total Funding	0	(25,000)	(25,000)	
Expenditure				
Sponsorships	0	25,000	25,000	32.32100.5961.00.00.18030
Total Expenditure	0	25,000	25,000	
Net Variation to Budget – Deficit/(Surplus)		Nil	Nil	

SGS1211-7 OP24 DRAFT DISASTER RELIEF DONATIONS POLICY

DataWorks Reference: 013/001
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: 16.12.2002 (SDRCP334)
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Marisa Spaziani, Director Community Development
Decision Making Authority: Council
Agenda Attachments: Attachment - 1 OP24 Donations to Disaster Relief Appeals
Attachment - 2 Draft Donations Policy

EXECUTIVE SUMMARY

The policy **OP24 Donations to Disaster Relief Appeals** has been updated and the scope of the policy broadened to include small donations (up to \$300) to community groups and schools given the requests through the Mayor and/or City officers for small donations.

BACKGROUND

The City currently has a donations policy that only covers donations to disaster relief appeals. Donations are defined as sums of money provided with no benefit to the donor required. The City has a community development funding programme that provides medium to large lump funds for a range of purposes (up to \$10,000), with benefit to the City and requires an application and acquittal process.

The donations policy currently only requires a resolution of council.

COMMENT

The Mayor and Chief Executive Officer (CEO) are subject to numerous requests for small donations from local voluntary groups or schools for either cash or prizes. There is currently no policy that covers these types of requests.

To enable positive responses to reasonable requests for small donations the current Donations to Disaster Relief Appeals policy has been updated to broaden the scope of the donations policy to include small donations (less than \$300) that could be made to local groups and/or schools. Examples are requests for prizes for a local group or school quiz night, requests for donations for local charities.

The current donations budget is \$10,000.

RISK AND OTHER IMPLICATIONS

Financial

Budget to be set at budget time annually.

Legal

Nil

Operational

The donation would need to be invoiced by the recipient.

Organisational

Budget sits in the governance area.

CONCLUSION

The request for a donation would be made to the CEO (the delegate) for approval. The amount available in the donations budget to be set by council each year at budget time. A quarterly report of all donations provided, would be made available to council through an information report to the council round of meetings.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

The updated draft Donations Policy OP24 be adopted for implementation in the 2013/2014 financial year.

SGS1211-8 MANAGEMENT OF ARTHUR HEAD CITY PROPOSAL

DataWorks Reference: 046/004
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: SGS1206-2
Responsible Officer: Marisa Spaziani Director Community Development,
Actioning Officer: Marisa Spaziani Director Community Development,
Decision Making Authority: Council
Agenda Attachments: Attachment 1 - Management brief Request for Proposals
Attachment 2 - Arthur Head Implementation Plan

EXECUTIVE SUMMARY

The City developed a management brief (Attachment 1) and called for proposals for the management of Arthur Head in line with the vision and principles set by Council. Two proposals were received, however the assessment panel did not consider that either of the proposals met the criteria and they were judged not suitable. The City has subsequently developed an implementation plan for the management of Arthur Head in line with the June 2012 council resolution.

BACKGROUND

At its June 2012 round of meetings Council resolved:

- 1. The City develop a management brief, and call for proposals for managing the uses, activities and strategic priorities of the buildings and urban environment of Arthur Head in line with the vision and principles set by the City. In the event of no suitable submission under the expressions of interest, the City to develop a proposal for in house management of the area.*
- 2. Existing lease arrangements will be honoured by the City, however, future leasing arrangements with current and future tenants will be managed by the management contractor once appointed.*
- 3. As of 1 July 2012 income from existing tenancies and any future leasing payments be set aside for maintenance and management of the Arthur Head site.*
- 4. Enterprises and individuals that have artistic endeavours as their core business will not be excluded from holding leases in the subject properties.*

A request for proposal was developed (Attachment 1) and advertised for a 4 week period. A panel comprising City of Fremantle staff, as well as two elected members, Crs Wilson and Pemberton met to assess the proposals.

COMMENT

Two proposals were received. The panel met to assess and discuss the proposals and it was unanimously recommended that neither proponent satisfied the panel to a point that a decision to appoint a management body could be made.

Given the outcome of the panel decision, the City will now manage the area. It is proposed that a number of steps be taken to progress the project that includes (not in any priority order):

- Call for and implement a management committee (paid expert group that has no conflict of interest), chaired by the City to recommend tenants, use of spaces, assist in the development of tenancy agreements, setting of performance criteria.
- Existing tenants who do not comply with arts uses will not have leases renewed but will be given reasonable notice period.
- Developing a template for new tenancy agreements.
- Developing and implementing improvements to the public space.
- Auditing current buildings and deciding upon uses for these properties.
- Developing a maintenance plan based on the condition audit of all buildings.
- Advertise and select new tenancies (by selection committee).
- Overseeing the development and implementation of performance criteria for new tenants going forward.
- Developing an Arthur Head/Bathers Beach tenants working group to advise and support the activation of the space.
- Community Engagement Plan.

A project team of City staff from parks, technical services, heritage, property and community development has been formed to ensure that all aspects of the site as a whole are considered in both planning and practical implementation of any plans for the area. This team has considered and had input into the practical steps that the City would need to implement as per the attached implementation plan. It is understood that the time that any one space remains vacant should be kept to a minimum, whilst any maintenance works are completed.

It is considered that the role of the management committee, made up of people experienced in arts, property management or similar and without a conflict of interest, would recommend to the City, tenants and uses for spaces as well as performance criteria. The management committee would be a time limited group, after a number of initial actions are completed and may only need to be reconvened to recommend applicants for tenancies when vacancies occur. The day to day decisions and planning for the area as a whole will be overseen and managed by City staff.

An implementation plan (Attachment 2) has been developed based upon these steps and to be implemented by the City in line with budgets for the area.

RISK AND OTHER IMPLICATIONS

Financial

The Arthur Head project has \$150,000 allocated in the 2012/2013 budget. There is an additional \$75,000 allocated for trails and pathways.

Legal

Tenancy agreements once developed will require legal advice.

Operational

The Community Development Directorate will be responsible for the management of Arthur Head in line with the vision and principles set by the City.

Organisational

A project team has been formed that includes staff with responsibilities across all directorates.

CONCLUSION

Managing the overall development of the Arthur Head site in line with the principles and vision as set by Council will be undertaken by City staff. This will require both expert input and engagement with current tenants to ensure that changes are implemented in a considered, staged approach.

STRATEGIC AND POLICY IMPLICATIONS

An action of the Cultural Development Strategy.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

The City undertake the management of uses, activities and strategic priorities of the buildings and urban environment of Arthur Head in line with the vision and principles set by Council and in line with the attached implementation plan.

SGS1211-9 FREDERICK WRIGHT MEMORIAL HOMES TRANSFER TO ACCESS HOUSING

DataWorks Reference: 023/006;038/036;Frederick Wright Memorial Homes; Access Housing
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: 10 October 2012
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Kerry Wood, Lands Administration Officer
Decision Making Authority: Council
Agenda Attachments: Attachment 1 – Legal Advice

EXECUTIVE SUMMARY

Access Housing submitted a proposal to the City in relation to the redevelopment of the Frederick Wright Memorial Homes (FWMH). The proposal considered by council at its October 2012 meeting, involved transferring FWMH land to Access Housing to redevelop the site for seniors affordable housing. Legal advice has been received and there is no impediment to the City seeking approval from State Lands for the transfer.

BACKGROUND

In October 2012, Council resolved:

1. *To seek legal advice on the transfer of vesting for Frederick Wright Homes to Access Housing.*
2. *Subject to the legal advice in 1 above being in agreement, make application to the Minister for Lands for the transfer of the vesting for Lot 2999 Rennie Crescent to Access Housing. To seek legal advice on the transfer of vesting for Frederick Wright Homes to Access Housing.*

Frederick Wright Memorial Homes is an affordable housing site for low income seniors in Rennie Crescent, Hilton. The complex was built approximately 40 years ago and there are 19 one bedroom units in the complex. The City directly provides affordable housing to seniors at the Frederick Wright site with tenants leasing under the Residential Tenancies Act. The site is 3,067m² and the City owns the Title in freehold, however, it is encumbered by the Crown Grant, Trust Conditions. The Title is held as a Crown Grant in Trust for the purpose of "Aged Persons Accommodation".

COMMENT

The legal advice obtained (Attachment - 1) indicates that the City:

... obtain the approval of the Minister for Lands to the proposed transfer of the FWMH land to Access Housing. As Access Housing intends to use the land for the purpose of aged persons accommodation, it is unlikely that approval would be refused.

The City should ensure that any contract for sale of the FWMH land is conditional upon the approval of the Minister being obtained.

It also suggests that the City could sell the land to Access Housing, however, this option was not part of the proposal received and when canvassed with Access Housing informally, they considered this would make the project unviable.

Advice received from the State Lands Metropolitan on 17 September 2012 with regard to the City's proposed transfer of FWMH to Access Housing (in part) states the following;

"Lot 2999 and 3086 are currently held on Certificate of Title Volume 1957 Folio 32 by the City of Fremantle in Trust for 'Aged Persons Accommodation'.

The City of Fremantle could, subject to the approval of the Minister for Lands under section 75(5) of the Land Administration Act 1997 (LAA) (which is delegated to the Manager, State Lands-Metropolitan), transfer one or both of the Lots to Access housing being a not for profit organisation. In this case, the land would be held in Trust (conditional freehold title) by Access (Housing) Australia with the land to be utilised for 'Aged Persons Accommodation' purposes only."

In the option the Crown Grant conditions remain unchanged for the purpose of "Aged Persons Accommodation" only.

Access Housing has also requested that the City exempt Access Housing from rates on the property until the redevelopment is completed. It is estimated that the redevelopment would commence in the 2013/2014 financial year.

It is also understood that on transfer, Access Housing would take on the management of the site including the rental agreements to tenants. Access Housing has agreed that current tenants would receive first option to relocate back to the redeveloped FWMH site.

RISK AND OTHER IMPLICATIONS

Financial

Legal costs involved in the preparation of a statutory declaration and a transfer of land document. Landgate Statutory charges may apply in relation to a request for a "New Title Balance" currently charged at \$160.00.

Legal

Legal advice as attached (Attachment - 1).

Operational

The City would no longer be involved in the tenancies at FWMH.

Organisational

Nil

CONCLUSION

The transfer of land to Access Housing, together with the sale of the Tapper Street property as resolved by the Trust, will enable Access Housing to redevelop both Tapper Street and FWMH's sites to offer a greater yield of high quality affordable seniors housing options to the City of Fremantle. The City is not in a position to redevelop one or either site and this proposal does offer current tenants and future eligible tenants improved access to affordable housing options.

STRATEGIC AND POLICY IMPLICATIONS

More affordable and diverse (mixed use) housing for a changing and growing population.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

- 1. Proceed with the transfer of Lot 2995 (only as described on Certificate of Title Volume 1957 Folio 32 located at 83 Rennie Crescent, Hilton and known as the Frederick Wright Memorial Homes (FWMH) to Access Housing Australia Ltd to be held in trust (conditional freehold title) for the purpose of Aged Persons Accommodation subject to the approval of the Minister for Lands under section 75(5) of the Land Administration Act 1997.**
- 2a. To exempt Access Housing from rates levied upon 83 Rennie Crescent, Hilton (FWMH) for 2012/13, and**
- 2b. Future rating exemptions may be provided during the period of redevelopment and will be considered by Council when setting future budgets**

SGS1211-10 REQUEST FOR SPONSORSHIP FOTOFREO AND DISMANTLE

DataWorks Reference: 013/001; FotoFreo; Dismantle
Disclosure of Interest: Nil
Meeting Date: 14 November 2012
Previous Item: Nil
Responsible Officer: Marisa Spaziani, Director Community Development
Actioning Officer: Marisa Spaziani, Director Community Development
Decision Making Authority: Council
Agenda Attachments: Attachment 1 - FotoFreo request for funding.
Attachment 2 - Dismantle request for Funding.

EXECUTIVE SUMMARY

\$75,000 of funds in the Community Development budget has historically been allocated at budget time to community projects, operated by not for profit community groups through a request directly to Council. Historically, the intent of these funds were for seed funding projects. Both FotoFreo and Dismantle have requested funding in the 2012/2013 year, with \$25,000 of unallocated funds available.

BACKGROUND

The Community Development budget has funds that have historically been allocated to community organisations that request ongoing sponsorship and/or seed funding for projects over multiple years. This is additional to the Community Development Funding Programme - an annual funding programme. The amount available is \$75,000 per annum and these funds are decided by Council at budget time. For the past 4 years, the monies have been allocated to the Men's Shed at \$50,000 per annum and FotoFreo currently at \$25,000 cash per annum. FotoFreo is also allocated \$25,000 in kind support at the time of the festival. There is no application process other than a request direct to council. This funding is not advertised to the community so there is no competitive process. FotoFreo has a sponsorship contract, Men's Shed does not. Historically, the funds have been set aside for assisting organisations who may require short term assistance to continue trading until they become sustainable or seed fund for a worthwhile project.

FotoFreo was first funded in 2005, primarily for seed funding to assist the FotoFreo festival get established. This funding has continued through a number of contracts to a total of \$215,000 over 7 years. FotoFreo has been a very successful festival growing from a relatively modest festival to a festival that goes beyond Fremantle and attracts significant sponsorship. The current FotoFreo contract ends in December 2012.

The Men's Shed is also a successful community service, providing programs to people in Fremantle. Its budgets are modest and their access to other levels of government funding is minimal.

COMMENT

In the 2012/2013 budget, \$50,000 of the \$75,000 available has been allocated to the Men's Shed. The remaining \$25,000 was not allocated. The City has received two direct written requests for which these funds could be allocated. FotoFreo has requested a new funding contract with the City comprising:

- A total of \$75,000 cash over two years.
- Use of the exhibition facilities (\$25,000 in kind).
- Full-time use of an office at the Fremantle Arts Centre rent free. This space at the Arts Centre is not currently rent free. It equates to \$10,000 per annum.

For this, the City would retain the naming rights for the event along with the other usual benefits.

It is proposed by FotoFreo that \$25,000 be paid in the current financial year and the remaining \$50,000 (in two parts) in the 2013-2014 financial year (Attachment - 1).

Dismantle has also approached the City for assistance over a two year period, at \$25,000 per year to assist with their community bike recycling workshop project at the Esplanade Reserve (Attachment - 2). Dismantle believe that this seed funding will help them develop this project into a sustainable project into the future. The project would be adjacent to the new Skate Park planned for the Esplanade Reserve.

It is not possible to make judgements about allocation of funds on project value as each project is very different in nature, type and scope and worthy in its own right. Access to these funds by community groups is not currently equitable and has been allocated on either history or direct lobbying of elected members. If allocation of funds is to continue in this manner then the request from Dismantle is new and is for seed funding. It is recommended that funding for community projects should be time limited.

Many projects require seed funding that spans more than 1 year as demonstrated by both FotoFreo and Men's Shed, so an allocation that spans more than a year can be helpful. It is recommended that funding should be time limited, through the issue of a funding contract, specifying timeframe and all community organisations should be eligible to apply for project seed funding to ensure equity of access to City funds.

RISK AND OTHER IMPLICATIONS

Financial

The amount available in the 2012/2013 budget is \$25,000. An agreement with FotoFreo commits the City to support over a 2 year period and would reduce the amount available for the Men's Shed to \$25,000 in 2013/2014, given the current budget allocations. The request from Dismantle fits within the budgetary parameters currently allocated.

Legal

Nil

Operational

Nil

Organisational

It is recommended that all funding to community not for profit organisations is through a contract specifying the sponsorship and benefits to the City.

CONCLUSION

Both FotoFreo and Dismantle offer valuable services to the community. FotoFreo has received a number of years of funding, both cash and in kind (has a monetary value) from the City in relation to the festival. The benefits of the FotoFreo project to the City of Fremantle is large and is outlined in the reports received from FotoFreo.

Dismantle has not had prior funding support for this project. Outcomes from this project are still to be realised.

If the original intention of these funds was to seed fund worthwhile community projects, and that intent is to continue, then Foto Freo no longer fits the purpose of seed funding. The Dismantle request does fit this intention.

STRATEGIC AND POLICY IMPLICATIONS

Character: Sustain and grow arts and culture and preserve the importance of our social capital, built heritage and history.

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

- 1. The unallocated \$25,000 in the 2012/2013 Community Development budget be allocated through a contract agreement to Dismantle as seed funding, with a further consideration of \$25,000 in the 2013/2014 budget, for the community bike recycling project at the Esplanade Reserve.**
- 2. Commencing in the 2013/2014 budget year the available funds be advertised to the community and be allocated through an application process that provides equity and access to these funds by all community groups.**

**SGS1211-11 RATE CONCESSION SUBMISSION - 15F SEAVIEW STREET
BEACONSFIELD - SCOTTI S & KIRKHAM L**

DataWorks Reference: ROW 100 15F Seaview Street Beaconsfield
Disclosure of Interest: Nil
Meeting Date: SGS Committee 14 November 2012
Previous Item: SGS1109-10 28 September 2011
Responsible Officer: A Carmichael, Manager Finance
Actioning Officer: D Nicholson, Rates Coordinator
Decision Making Authority: Council
Agenda Attachments: Request for rate concession extension
WAPC approval letter

EXECUTIVE SUMMARY

It is recommended that City rates levied on the right of way (ROW) at 15F Seaview Street Beaconsfield be waived for the 2012/2013 financial period to allow the owners time to finalise the combining of the ROW with the their residential property title.

BACKGROUND

In 2004 15 Seaview Street Beaconsfield was strata titled into a two lots resulting in an original front residence plus a new rear vacant block.

Access to this rear block was via an adjoining right of way (ROW) which was owned by the then strata title applicants.

This ROW in addition to being the rear block's only access was also utilised by adjoining properties for access to the rear of their properties.

In 2006 a new residence was constructed on the rear block with the ROW being upgraded as a driveway for this new residence.

In September 2010 both the rear residence plus the ROW were sold to the current owners, the ROW for \$1.00, resulting in the ROW being rated for the first time.

Prior to settlement the purchaser's agent was informed of the intended rating of the ROW with interim rates issuing effectively from 1st October 2010.

Annually this ROW is subject to the City's minimum rate, which for 2012-2013 totalled \$1,050.00, plus the emergency services levy.

Requests to Land Valuation Services for the ROW to be valued "Contiguously" with the rear lot, thereby alleviating these rates and levy have been unsuccessful.

This is due to the ROW and the rear lot having differing legal descriptions and the neighbouring properties right's of access.

Council at its meeting in September 2011 approved the waiver of the 2011-2012 rates whilst the existing owners amalgamated the ROW and residential lots.

Such procedures have been undertaken with the WA Planning Commission granting conditional approval on the 3rd September 2012 for the amalgamation of the lot's.

COMMENT

The owners of the ROW are seeking a further rating concession from the City whilst they fulfil the WAPC conditions and finalise the amalgamation of the lots.

As this ROW is the rear residences driveway and its only form of access, a further concession is considered appropriate.

RISK AND OTHER IMPLICATIONS

Financial

Loss of revenue was \$1,014.00 in 2011-2012 and will be \$1,050.00 for 2012-2013.

Legal

Nil

Operational

Nil

Organisational

The City should consider compiling and implementing a policy on privately owned rights of ways management.

CONCLUSION

As the owners of the ROW have undertaken costly procedures to amalgamate the lots and in view of the ROW's overall purpose, it is considered that the \$1,050.00 2012-2013 rates be waived as a final concession.

STRATEGIC AND POLICY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

OFFICER'S RECOMMENDATION

That the 2012-2013 rates levied on the right of way at 15F Seaview Street Beaconsfield totalling \$1,050.00 be waived with the owners being informed that this is the City's final concession with rates to definitely apply for future financial periods where the ROW remains rateable.

CONFIDENTIAL MATTERS

Nil.

CITY OF FREMANTLE

SUMMARY GUIDE TO CITIZEN PARTICIPATION & CONSULTATION

The Council adopted a Community Engagement Policy in December 2010 to give effect to its commitment to involving citizens in its decision-making processes.

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

Effective community engagement 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 council appointed working groups, its community precinct system, and targeted community engagement 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 bi-ennial 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

How consultative processes work at the City of Fremantle

	decision-makers.
Decisions will not necessarily reflect the majority view received	<p>7. Local Government in WA is a representative democracy. Elected Members and the CEO are charged under the Local Government Act with the responsibility to make decisions based on fact and the merits of the issue without fear or favour and are accountable for their actions and decisions under law. Elected Members are accountable to the people via periodic elections. As it is a representative democracy, decisions may not be made in favour of the majority view expressed via consultative processes. Decisions must also be made in accordance with any statute that applies or within the parameters of budgetary considerations. All consultations will clearly outline from the outset any constraints or limitations associated with the issue.</p>
Decisions made for the overall good of Fremantle	<p>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.</p>
Diversity of view on most issues	<p>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</p>

How consultative processes work at the City of Fremantle

	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 policy and procedures	11. The City's community engagement policy identifies nine principles that apply to all community engagement processes, including a commitment to be clear, transparent, responsive, inclusive, accountable and timely. City officers are responsible for ensuring that the policy and any other relevant procedure is fully complied with so that citizens are not deprived of their rights to be heard.
Community engagement 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, community engagement 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 community input is involved, the Council is the decision-maker and this affords community members the opportunity to make input after the cut-off date via personal representations to individual Elected Members and via presentations to Committee and Council Meetings.

How consultative processes work at the City of Fremantle

<p>Citizens need to check for any changes to decision making arrangements made</p>	<p>13. The City will take initial responsibility 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 the City's website, checking the Fremantle News in the Fremantle Gazette or inquiring at the Customer Service Centre by phone, email or in-person.</p>
<p>Citizens are entitled to know how their input has been assessed</p>	<p>14. In reporting to decision-makers, City officers will in all cases produce a community engagement outcomes report that summarises comment and recommends whether it should be taken on board, with reasons.</p>
<p>Reasons for decisions must be transparent</p>	<p>15. Decision-makers must provide the reasons for their decisions.</p>
<p>Decisions posted on the City's website</p>	<p>16. Decisions of the City need to be transparent and 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 the City's website under 'community engagement' or at the City Library or Service and Information Centre.</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.



AGENDA ATTACHMENTS

Strategic & General Services Committee

Wednesday, 14 November 2012, 6.00 pm

SGS1211-1 SUPPLY AND LAYING OF ASPHALT WFCC05/12
ATTACHMENT 1

Annexure 1 - Price Schedule Table

EVALUATION SUPPLY & DELIVERY OF ASPHALT SURFACING				JOB SIZE (TONNES)							
Tenderers Name	Mix Type	Marshall Blow	Price Type	0-25	25-50	50-100 Mix Used by CoF	100-200 Mix Used by CoF	200-300	300-400	400 +	All Tonnages (0 +)
Fulton Hogan Industries Pty Ltd	SMA10	50	Fixed	825	490	340	250	230	230	230	250
Downer Australia West				706	413	297	237	226	223	222	332
Roads 2000				474.10	311.30	272.80	210.10	205.70	201.30	201.30	210.10
Asphaltech Pty Ltd				409	348	283	239	222	221	220	244
Fulton Hogan Industries Pty Ltd	AC20	50	Fixed	770	460	310	220	200	200	200	220
Downer Australia West				667	374	259	198	187	185	184	293
Roads 2000				441.10	278.30	239.80	177.10	172.70	168.30	168.30	177.10
Asphaltech Pty Ltd				373	312	246	202	186	186	184	207
Fulton Hogan Industries Pty Ltd	AC20	75	Fixed	770	460	310	220	200	200	200	220
Downer Australia West				667	374	259	198	187	185	184	293
Roads 2000				440	277.20	238.70	176.00	171.60	167.20	167.20	176.00
Asphaltech Pty Ltd				372	31	251	201	185	184	183	206
Fulton Hogan Industries Pty Ltd	AC14	50	Fixed	770	460	310	220	200	200	200	220
Downer Australia West				669	376	261	200	189	187	186	295
Roads 2000				441.10	278.30	239.80	177.10	172.70	168.30	168.30	177.10
Asphaltech Pty Ltd				374	313	248	204	187	186	185	209
Fulton Hogan Industries Pty Ltd	AC14	75	Fixed	770	460	310	220	200	200	200	220
Downer Australia West				669	376	261	200	189	187	186	295
Roads 2000				440	277.20	238.70	176.00	171.60	167.20	167.20	176.00
Asphaltech Pty Ltd				373	312	247	202	186	185	184	207
Fulton Hogan Industries Pty Ltd	AC10	35	Fixed	775	465	312.5	225.5	202.5	202.5	202.5	225.5
Downer Australia West				674	381	265	205	193	191	190	300
Roads 2000				444.40	281.60	243.10	180.40	176.00	171.60	171.60	180.40
Asphaltech Pty Ltd				376	316	250	206	189	188	187	211
Fulton Hogan Industries Pty Ltd	AC10	50	Fixed	770	460	310	220	200	200	200	220
Downer Australia West				674	381	265	205	193	191	190	300
Roads 2000				443.3	280.5	242	179.3	174.9	170.5	170.5	179.3
Asphaltech Pty Ltd				375	315	249	205	188	187	186	210
Fulton Hogan Industries Pty Ltd	AC10	75	Fixed	770	460	310	220	200	200	200	220
Downer Australia West				674	381	265	205	193	191	190	300
Roads 2000				442.2	279.4	240.9	178.2	173.8	169.4	169.4	178.2
Asphaltech Pty Ltd				374	313	247	204	187	186	185	209
Fulton Hogan Industries Pty Ltd	AC7	35	Fixed	775	465	312.5	225.5	202.5	202.5	202.5	225.5
Downer Australia West				684	391	275	214	204	200	199	310
Roads 2000				446.6	283.8	245.3	182.6	178.2	173.8	173.8	182.6
Asphaltech Pty Ltd				377	317	251	207	196	195	194	212
Fulton Hogan Industries Pty Ltd	AC7	50	Fixed	775	465	312.5	225.5	202.5	202.5	202.5	225.5
Downer Australia West				684	391	275	214	204	200	199	310
Roads 2000				445.5	282.7	244.2	181.5	177.1	172.7	172.7	181.5
Asphaltech Pty Ltd				376	315	250	206	189	188	187	211
Fulton Hogan Industries Pty Ltd	AC5	50	Fixed	775	465	312.5	225.5	202.5	202.5	202.5	225.5
Downer Australia West		(Handwork)		500	309	235					
Roads 2000				445.5	445.5	445.5					
Asphaltech Pty Ltd				473	457	435					
Fulton Hogan Industries Pty Ltd	Weekend Opening Fee		6,600.00								
Downer Australia West			1,800.00								
Roads 2000			2,530.00								
Asphaltech Pty Ltd			3,810.00								

**SGS1211-3 DRAFT CLIMATE CHANGE ADAPTATION PLAN
ATTACHMENT 1**

City of Fremantle Climate Change Adaptation Plan

Background

The City of Fremantle has been a climate change mitigation leader for some time. We became the first carbon neutral local government in WA in 2009, the first locality outside the Perth CBD to establish a CAT bus and we recently introduced a small secondary dwelling scheme amendment which will encourage more resource efficient infill development in our suburbs – something that is notoriously difficult to achieve.

In 2011, the City adopted the Low Carbon City Plan. This set out the steps that the City will take towards its 40% corporate greenhouse gas reduction targets by 2020 as well as what the City will do to help the community take action to reduce its emissions.

The next stage of the climate change journey is to begin adapting to both the existing and inevitable climate changes. This document sets out the scientific basis behind the key climate change impacts, scenarios that have been considered when choosing our actions and a prioritised list of actions that the City will take to adapt to each impact.

Like the Low Carbon City Plan, the Climate Change Adaptation Plan is broken up into key themes and the actions are further prioritised into:

- Corporate actions – what the City will do with its own resources and assets
- Community actions - what the City will do to influence its residents' behaviour
- Advocacy and communication – an important action that is outside the City's jurisdiction to directly implement.

When deciding what the City should do, it also needs to understand what it can do. Parts of the storm water system, for example, are owned and operated by the Water Corporation, so the City only has minimal influence over it.

It should also be acknowledged that this report has relied heavily on work by others. A broad literature review of both the science and potential adaptation options was conducted by one of Mayor Brad Pettitt's honours students – Lauren Mackaway. Jessica Lisle also adapted her Master's thesis to present the cascade of impacts from each climate change theme. The City should also acknowledge the work of other local governments which is informing the broader discussion about how to adapt to Climate Change – in particular the City of Mandurah and the Town of Cottesloe, who have been leaders in WA local government.

The actions through this document have been prioritised as short, medium or long term. Short term is intended to be completed in the 2013/14 budget cycle. 2014/15 is intended to be completed in the 2014/15 budget cycle and long term is beyond that. It should be noted that a lot of the short term actions proposed in this plan, depend on the results of detailed sea level rise modelling that the City has commissioned as part of the Cockburn Sound Coastal Alliance. As such these actions are less specific than the Working Group would have liked them to have been.

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Sea Level Rise

Science and Design Scenarios

The latest IPCC modelling, indicates the sea level will rise by 18-59 cm by 2100, plus sea level rise due to some types of ice flow that have not yet been properly modelled.

The Australian government has released a bucket-fill model, which shows how the shoreline would move if the sea level rose with no change to topography. This ignores accretion and erosion, which is likely to have a large impact on eventual shorelines. As such the modelling is just to be used as a starting point and further modelling is currently being conducted. The following images show selected changes to the shore line from this bucket-fill model with a 1m sea level rise.



Publicly available source (with 1.2, 1.4 & 1.8m sea level rise scenarios):
http://www.ozcoasts.gov.au/climate/Map_images/Perth/mapLevel2_North.jsp

Until the more detailed modelling has been completed, the City needs to base its decisions on these maps, which will become the best available science.

More information: <http://www.realclimate.org/index.php/archives/2007/03/the-ipcc-sea-level-numbers/>

Consequences of Sea Level Rise

Table 1: Synthesis of climate change impacts resulting from sea level rise

Primary Impacts	Secondary Impacts	Tertiary Impacts	Quaternary Impacts
Sea level Rise: Globally sea levels could rise 0.59m by 2100 on average. The degree of sea level rise is subjective to the geographic location. (This does not including the volume of water from the melting of the ice sheet) (IPCC 2007, p. 45)	Modification of coastal ecosystems (IPCC 2007, p. 48).	Impact on the livelihood of coastal fisheries and productivity of marine ecosystems (IPCC 2007, p. 54).	Economic loss (IPCC 2007, pp. 48, 53).
		Decline in natural biodiversity (Prato 2009, p. 923; IPCC 2007, p. 48).	Impacts on tourism and recreation activities along the coast (SMEC 2009, p. 10).
			Encourage competition with exotic species (Wilby and Perry 2006, p. 76).
	Salt-water inundation in low-lying regions (IPCC 2007, p. 48, 53).	Threat to the water supply of low-lying areas (IPCC 2007, p. 53).	Water shortages for irrigation and drinking purposes (IPCC 2007, p. 48).
			Modifications in ecosystems and threat to biodiversity (Prato 2009, p. 923; IPCC 2007, p. 48).
		Impacts on tourism and recreation activities along the coast (SMEC 2009, p. 10).	Economic loss (IPCC 2007, pp. 48, 53).
	Coastal erosion and inundation in low-lying regions (IPCC 2007, p. 48).	Damage to coastal infrastructure (specifically recreational infrastructure) (SMEC 2009, p. 10).	Impacts on tourism and recreation activities along the coast (SMEC 2009, p. 10).
		Loss of existing public space in coastal areas (SMEC 2009, p. 10).	
		Loss of beach width (SMEC 2009, p. 11).	
		Spread of water-borne disease (IPCC 2007, pp. 48, 53).	Pressures on health and emergency services (IPCC 2007, p. 48).
			Beach closures, eg. Due to E.coli levels after storms (SMEC 2009 p. 10).

Action to Date

The City has commenced a detailed modelling exercise of sea level rise. This is being done through the Cockburn Sound Coastal Alliance which comprises of the local governments of Fremantle, Cockburn, Rockingham, Kwinana as well as the Department of Defence and the Cockburn Sound Management Council. The study aims to conduct detailed weather and sea level modelling to quantify the impact on the shorelines. It will also conduct a risk assessment and begin on detailed adaptation planning. This is expected to be completed by the middle of 2013, which neatly aligns with the City's budget cycle and will allow further work to be completed by the City in 2013/14.

Prioritised Actions to Adapt to Sea Level Rise

As with any risk based problem, the response to sea level rise will depend on the severity of the potential consequence.

The bucket fill mapping identify that a sea level rise of 1m will result in localised flooding in North Fremantle along Johannah St and some inundation through fishing boat harbour. The more rigorous modelling that is currently being undertaken by the Cockburn Sound Coastal Alliance may paint a more or less severe consequence, which would likewise affect the City's response. Until this is confirmed, actions need to stay at the strategic level.

Corporate actions

Action	Directorate	Priority
Develop a planning policy dealing with sea level rise for existing development (ie where roads and infrastructure are already in place). This will need to consider conflicting priorities, such as streetscape impacts and heritage requirements. Prepare a town planning scheme amendment and/or a local law depending on the most appropriate means to implement this policy	Planning	Short term
Develop a planning policy which ensures that proposed new development considers and mitigates the risks from projected sea level rise	Planning	Short term
Review level of risk to existing coastal infrastructure and prioritise protection/upgrades/relocation	Technical Services	Short term
Review and implement options to address both sea water incursion and rising ground water salinity levels in the West End heritage precinct and the damage that is being done to these buildings.	Planning	Short term
Review and amend standards to provide future protection of coastal infrastructure	Technical Services	Long term
Source funding including external opportunities to implement prioritised works and measures	Technical Services	As appropriate

Advocacy and communication actions

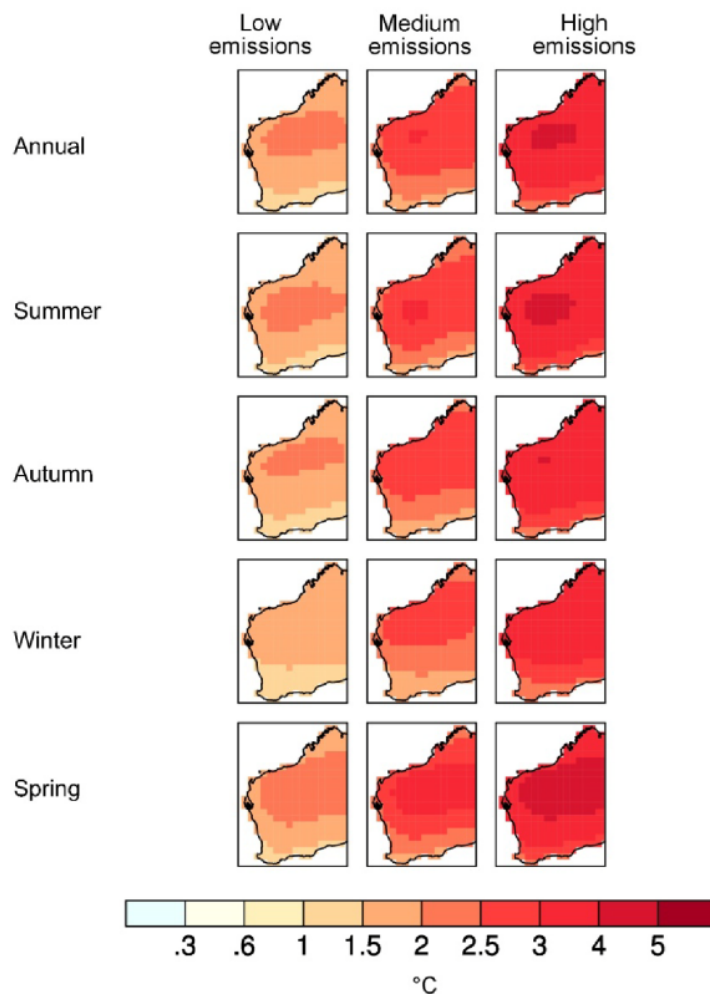
Action	Directorate	Priority
Work with relevant state agencies to model impacts on marine environments and subsequent impacts on marine and tourist industries	Economic Development and Marketing	Long term

Increased Temperatures

Science and Design Scenarios

The IPCC AR4 is the latest source of information regarding temperature changes. As the figure below for expected temperature changes in 2070 shows, all emissions scenarios indicate that Perth will become a hotter place. This applies to all seasons, but more so in Spring and Summer.

Depending on the emissions scenario, South West WA is looking at a temperature increase of between 1 and 6.5°C by 2070.



Source: <http://climatechangeinaustralia.com.au/watemp23.php>

Consequences of Higher Temperatures

Table 2: Synthesis of climate change impacts resulting from temperature increase

Primary Impacts	Secondary Impacts	Tertiary Impacts	Quaternary Impacts
Temperature Increase: Global temperature is liable to increase by as much as 6.4°C by 2099 (Likely range between 2.4°C – 6.4°C) (IPCC 2007, p. 45)	Rise in the number of heatwaves (IPCC 2007, p. 46).	Rise in the number of heat-related deaths (IPCC 2007, p. 48).	Pressures on health and emergency services (IPCC 2007, p. 48).
	Bushfires will become more frequent and more intense (IPCC 2007, p. 48).	Modifications in insurance policies and costs (IPCC 2007, p. 53).	Economic loss (IPCC 2007, pp. 48, 53).
		Risks to public safety and tourism and longer term impacts on regional economies (SMEC 2009, p. 11; IPCC 2007, p. 53).	
	Increase in geographical range and seasonality of vector-borne diseases and the possibility for an expansion of receptive zones (IPCC 2007, p. 48).	Pressures on health and emergency services (IPCC 2007, p. 48).	Economic loss (IPCC 2007, pp. 48, 53).
	Increasing incidence of food and water-borne diseases (IPCC 2007, pp. 48, 53).		
	Higher evaporation rates (IPCC 2007, p. 49).	Decreased run-off into catchment areas (IPCC 2007, p. 49).	Water shortages (IPCC 2007, pp. 48-50).
	Contribute to the Urban Heat Island Effect (Trenberth 2007, p. 244).	Increase the retention of pollutants in urban areas (IPCC 2007, p. 48).	Exacerbate health problems such as asthma (IPCC 2007, p. 48).
	Decline in natural biodiversity (Prato 2009, p. 923). 88% of species risk extinction (Garnaut 2008, p. 102).	Encourage competition with exotic species (Wilby and Perry 2006, p. 76).	Reduced ecosystem resilience to stress (IPCC 2007, p. 48). Further threat of the intensity of bushfires (IPCC 2007, p. 48).
		Changes to wetlands due to sea level rise, shoreline erosion and saltwater intrusion (IPCC 2007, p. 33).	Impact on the livelihood of coastal fisheries and productivity of marine ecosystems (IPCC 2007, pp. 48, 54).

Action to Date

The following steps have been taken to adapt to increasing temperatures

- Dramatically increased the City's tree planting program so that 1000 new trees are planted each year.
- Installed several drinking fountains in public places, with a focus near bike parking
- Including solar passive design principles in the local planning policy 2.2: Split Density Codes and Energy Efficiency, which allows increase density in some areas as a bonus for sustainability outcomes.
- Support for green wall research and a demonstration green wall installed on the City's administration building.

- Create and maintain fire management plans for all relevant parks.

Prioritised Actions to Adapt to Increased Temperatures

Corporate actions

Action	Responsible directorate	Priority
Provide more outdoor drinking facilities	Technical Services	Medium term
Address the urban heat island effect by trialling the use of lighter and more heat reflective bitumen on roads and use permeable / vegetated surfaces where possible. Measure and report on the impact of this trial.	Technical Services	Short term
Identify planning measures (possibly amendment to local planning scheme, or local planning policy) to limit heat absorption and energy consumption associated with new development including outdoor areas.	Planning	Medium term

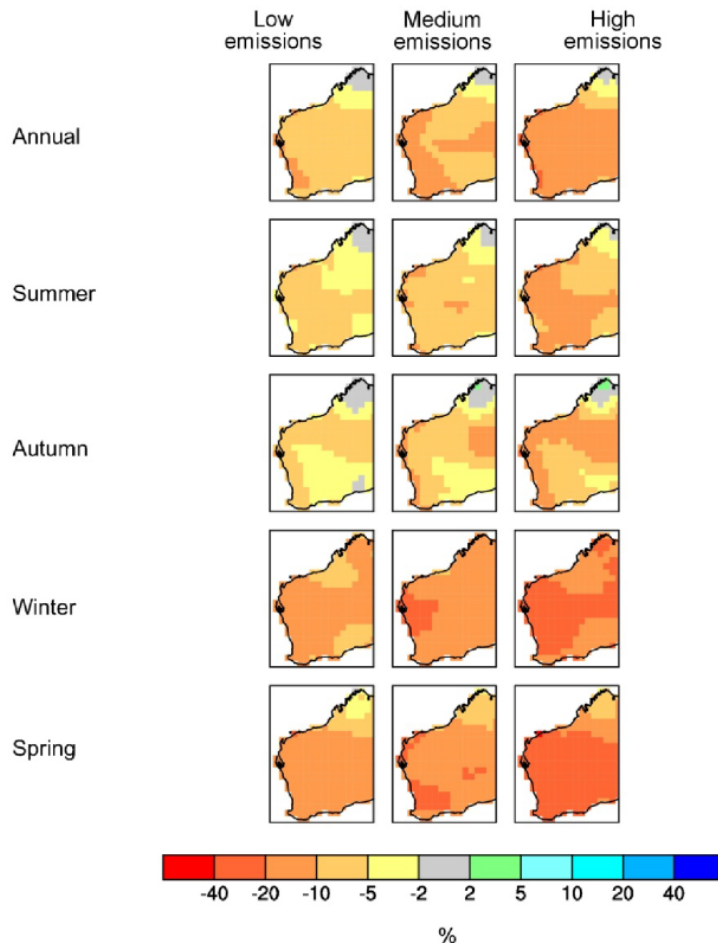
Community actions

Action	Responsible directorate	Priority
Increase the availability of relevant City services to assist people to deal with increased temperatures. Consider discounting leisure centre access for vulnerable groups and extending opening hours of facilities such as the library and Hilton community centre	Community Development	Long term

Decreased Rainfall

Science and Design Scenarios

The IPCC AR4 indicates that rainfall in the Southwest of WA will decrease dramatically. Depending on the emissions scenario, South West WA is looking at rainfall decreasing by between 5 and 60% by 2070.



This shows that the greatest relative decrease is in Winter and Spring, which is when most of Perth's rain falls. As such ground and surface sources of water are expected to become even scarcer.

Consequences of Reduced Rainfall

Table 3: Synthesis of climate change impacts resulting from modifications in precipitation

Primary Impacts	Secondary Impacts	Tertiary Impacts	Quaternary Impacts
Modifications in Precipitation: Precipitation levels will increase at high-latitude and decrease in subtropical areas by as much as 20% by 2100 (IPCC 2007, p. 30)	Increase the intensity of rainfall events (IPCC 2007, pp. 48-49).	Increase extreme and flash flooding events (IPCC 2007, pp. 48-50).	Exceedance of existing flood defences (SMEC 2009, p. 10).
			Exceedance in drainage capacity (SMEC 2009, p. 10).
			Transporting contaminants into waterways (SMEC 2009, p. 11).
			Changes in flood plains (SMEC 2009, p. 12).
			Further Modifications in ecosystems and threat to biodiversity (Prato 2009, p. 923; IPCC 2007, p. 48).
	Modification on ground water recharge and flow (Loáiciga 2003).	Impacts of water supply for irrigated agriculture (IPCC 2007, pp. 48-50).	Food shortages (IPCC 2007, pp. 48, 50).
	More frequent and severe droughts (IPCC 2009, pp. 48-49).	Water shortages (IPCC 2007, pp. 48-50).	Reduced water quality and quantity resulting in less watering and irrigation of open space and sports grounds and closure of ovals (SMEC 2009, p. 10).
			Limited water for swimming pools, etc (SMEC 2009, p. 10).
		Increase in the threat of bushfires (IPCC 2007, p. 48).	Risks to public safety and tourism and longer term impacts on regional economies (SMEC 2009, p. 11; IPCC 2007, p. 53).
		Impacts on water supply for irrigated agriculture (IPCC 2007, p. 48).	Food shortages (IPCC 2007, pp. 48, 50).

Actions to Date

The following steps have already been taken to adapt to decreasing rainfall:

- Participating in the ICLEI Water Campaign and committing to an ambitious Water Conservation Plan. The Water Conservation Plan lists many actions, including establishing targets on ground water extraction, hydrozoning and reviewing alternative water supplies
- Funding a project to hydrozone Fremantle Park, which should result in a X% reduction in water demand
- Installing low flow shower heads at the leisure centre, which use 45% less water
- Retrofitting The Meeting Place as a sustainable demonstration home, including a rain water tank and low flow plumbing fittings.
- Subsidising native plants for all residents and schools each year, as well as providing additional incentives to install native verges.
- Created a school garden at Winterfold Primary School, which stores storm water for use as reticulation

- Increased the use of permeable surfaces around street trees to allow more rain water to be captured by these trees.
- Including Water Sensitive Urban Design considerations at structure planning stages – for example the Lefroy Road Quarry site.

Prioritised Actions to Adapt to Decreased Rainfall

Corporate actions

Action	Responsible directorate	Priority
Plant trees based on future climate – eg water tolerant local/WA species	Technical Services	Short term
Develop an action plan to divert storm water from the ocean to the fresh water table. Consider bioretention swales and other passive means of achieving this within the limits of the City's jurisdiction	Technical Services	Short term
Implement the above plan to divert storm water from the oceans to the fresh water table.	Technical Services	Medium – long term
Reuse water from outdoor / public showers at beaches for grass reticulation (starting with pilot at Leighton Beach)	Technical Services	Short term

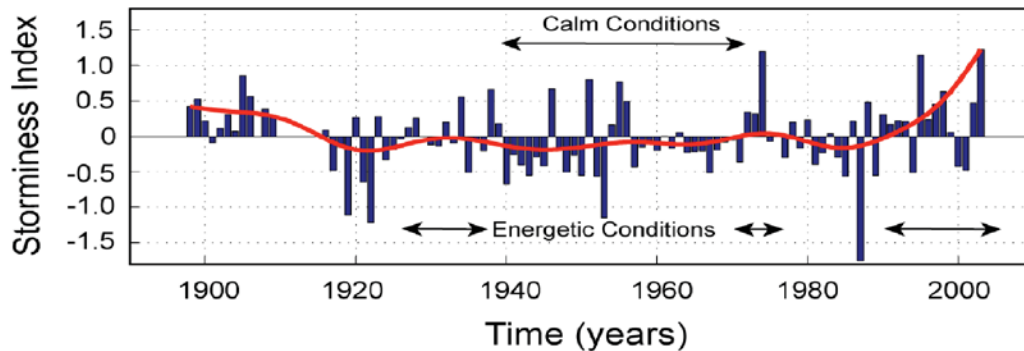
Advocacy and communication

Action	Responsible directorate	Priority
Partner with the Water Corp and Water Department for aquifer recharge and alternative supply technologies	Technical Services	Long term
Consider forming ground water management programs with other councils, such as through the South West Group	Technical Services	Long term

Increased Storm Intensity

Science and Design Scenarios

The science regarding how climate change will impact on storm intensity is less well understood than for the other climate variables included in this report. When allowing for long term tidal effects however storminess in Fremantle has increased rapidly in the last 10-15 years.



The red line shows the interannual variability in the record obtained by running a 19 year Hanning window to remove the long-term tidal effects. Source: Technical Advisory Panel 2007¹.

¹ Swan River Trust Technical Advisory Panel, above no. 5, pg 25.

Consequences of Increased Storm Intensity

Table 3: Synthesis of climate change impacts resulting from increase in extreme weather events

Primary Impacts	Secondary Impacts	Tertiary Impacts	Quaternary Impacts
<p>Extreme weather events: Extreme weather events (including typhoons, cyclones and hurricanes) will become more frequent (IPCC 2007, p. 30)</p> <p>High likelihood of a gradual pole ward progression of tropical storms (p. 46)</p>	<p>Increase in extreme winds, flooding and erosion (IPCC 2007, pp. 48-50) .</p>	<p>Disrupt electricity services with more frequent and sever blackouts (CSIRO 2006, p. 22).).</p>	<p>Risks to public safety and tourism and longer term impacts on regional economies (SMEC 2009, p. 11; IPCC 2007, p. 53).</p>
		<p>Increased pressure on dunal systems (SMEC 2009, p. 11).</p>	
		<p>Damage development and infrastructure (IPCC 2007, p. 48; SMEC 2009, pp. 11-13).</p>	<p>Modifications in insurance policies and costs (IPCC 2007, p. 53).</p>
		<p>Encourage outbreaks of water-borne disease, especially in low-lying regions susceptible to coastal inundation (IPCC 2007, pp. 48, 53).</p>	<p>Increased costs associated with operation and maintenance costs of public amenities recreational sites due to storm damage (SMEC 2009, p. 10).</p>
		<p>Increase the risk of bushfires from lightning strikes (SMEC 2009, p. 8).</p>	

Actions to Date

The following steps have been taken to adapt to increasing storm intensity:

- Conducted a drainage review and continuing to install gross pollutant traps where necessary.
- Increased the use of permeable surfaces around street trees to allow faster dispersal of storm water.
- Upgrading the storm water system to comply with Department of Water best practice storm water management when ever changes are made.

Prioritised Actions to Adapt to Increased Storm Intensity

Corporate actions

Action	Responsible directorate	Priority
Review and where necessary update emergency response plans and infrastructure to deal with severe storm events	Corporate Services	Short term
Investigate whether the costs associated with disaster recovery can and should be insured against	Corporate Services	Short term
Ensure the City's insurance policies adequately treat climate change risks	Corporate Services	Short term
Review the storm water system for adequacy. Consider ways to maximise storm water diversion to the water table, or to directly productive uses such as irrigation or swimming pool top up	Technical Services	Short term
Assess and manage trees in high storm risk areas	Technical Services	Medium term

Advocacy and communication

Action	Responsible directorate	Priority
Request that building codes be updated to accommodate high risk storms and flooding zones	Planning	Long term
Research modelling that identifies likely paths and impacts of severe storms through Fremantle.	Technical Services	Long term

Education

The City will use its unique position to inform local residents about climate change adaptation issues. In particular the City is the planning regulator, so is involved in the building and renovation of buildings throughout Fremantle. It is also informed every time that a house is sold. The City will prepare information suitable for prospective builders or renovators as well as new residents and provide this information to each of these groups. This is a short term action.

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Loaiciga, H. 2003, 'Climate change and ground water', *Annals of the Association of American Geographers*, vol. 1, no. 1, pp. 30-41.

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**SGS1211-5 TO CONSIDER A REQUEST TO PERMIT GILBERT FRASER
OVAL TO BECOME A DOG OFF LEASH EXERCISE AREA
EXCEPT WHEN THERE IS ORGANISED SPORTING ACTIVITY**

ATTACHMENT 1

**DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
City of Fremantle
Dog (Exercise Areas) Amendment Local Law 2012**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Fremantle resolved on [date] to adopt the following local law.

1. Citation

This local law may be cited as the *City of Fremantle Dog (Exercise Areas) Amendment Local Law 2012*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal Local Law

In this local law, the *City of Fremantle Local Law Relating to Dogs*, as published in the *Government Gazette* on 25 September 1998 is referred to as the principal local law. The principal local law is amended as follows:

4. Seventh Schedule amended.

After the entry relating to Stevens Street Reserve, in the left hand column titled "Reserve" add a new item as follows –

"Gilbert Fraser Reserve (Oval), bounded by John Street, Johannah Street, and the western side of Reserve 36420 (being Fremantle Town Lot number 300), except during an organised sporting activity upon the Reserve";

and in the right hand column, titled "Lot No.", opposite, add the numerals "478".

Dated [date] [month] 2012.

The Common Seal of the City of Fremantle was affixed by the authority of a resolution of the Council in the presence of:

BRAD PETTITT
Mayor

GRAEME MACKENZIE
Chief Executive Officer

ATTACHMENT 2

From: Samantha O'Brien
Sent: Tuesday, 18 September 2012 8:54 AM
To: Cameron Bartkowski
Subject: Submission re the proposed amendment to dog exercise laws, Gilbert Fraser Oval

From: Jane Page & Mike Gilmore [mjgilmor@yahoo.com.au]
Sent: Monday, 17 September 2012 8:52:06 PM
To: Information Request
Subject: Submission re the proposed amendment to dog exercise laws, Gilbert Fraser Oval

Hello,

I would like to make a submission with regards to the proposed amendment to the dog exercise laws on Gilbert Fraser Oval in North Fremantle.

I fully support this amendment. There are many dog owners in North Fremantle and nearby suburbs who use this oval to exercise their dogs on leash and the rather restricted area along the riverbank as an off-leash dog exercise area, and everyone manages to share the space very amicably. However it will give us all so much more room to exercise not only our dogs but ourselves at the same time, and this will be an extremely popular amendment. The vast majority of owners clean up after their dogs, and there are many bins around the park to make it easier for owners to comply, so I see very little dog mess around the place, it is certainly not a problem. And I have never seen any dog interfere with any sport on the oval, most dogs are very well-controlled by their owners.

Please allow this amendment to go through, it will be much appreciated by all the dog-owners in the district!

Yours sincerely,

Jane Page
21 Rule St
North Fremantle
Mike, Jane, Tom and Elea Gilmore
Perth
Western Australia

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Watch the mighty Freo Dockers take on the Adelaide Crows on the BIG screen this Friday night at Kings Square, Fremantle (outside the Fremantle Town Hall). Telecast begins 6.30 pm. Bring blankets or cushions to sit on.

SGS1211-7 OP24 DRAFT DISASTER RELIEF DONATIONS POLICY ATTACHMENT 1

City of Fremantle Policy Manual
Last printed 2/11/2012 2:00:00 PM

Page 1

OP24 DONATIONS TO DISASTER RELIEF APPEALS

Policy Type	Approved	Amended	Custodian
Operational	16.12.02 (SDRCP334)		Manager Cultural & Community Services

Objective

To effectively co-ordinate the administration of Council granting donations to Disaster Relief Appeals.

Higher Order Plan

City of Fremantle – City Plan 2000 – 2005

Strategic Plan

A Great People Place

- Strategy 2 – Caring and Accepting Community
Fremantle fosters harmony and social justice and provides opportunities for all individuals to maximise their potential and quality of life.

Corporate Plan

Focus on Our Community

- Strategy 4 – Service Delivery
We are delivering services that meet the needs of the community and result in high levels of community satisfaction.

Legislative Framework

Local Government Act 1995

- Section 3.18 defines the requirement for local government to satisfy itself that services and facilities that it provides are managed efficiently and effectively.
- Section 5.41 defines the functions of the CEO and includes:
 - (c) cause Council decision to be implemented, and
 - (d) manage the day to day operations of the local government.

Decision Maker

- Council

Delegation of Decision Making

Not Applicable

Policy

Council will consider donating to disaster relief appeals where:

- 1 The disaster is in a country or region that has a community, business, tourist or other established relationship with Fremantle in particular or Western Australia in general.
- 2 The nature of the disaster is such that it severely impacts on the country or region's ability to deal with it, either in the short or long term.
- 3 The request for assistance comes from community, arts, business or sporting organisations based within Fremantle or who draw substantial membership from the Fremantle area.
- 4 The request for assistance should only come as an ancillary to fundraising activities undertaken by the requesting organisation, with such fundraising activity being substantially undertaken within Fremantle or the Fremantle community.

Requests for disaster relief appeal donations will only be approved where the receiving organisation has a proven record of providing community aid and is able to actively provide assistance in the circumstances of the disaster.

National Competition Policy Implications

The requirements of the National Competition Policy do not relate to this policy.

Policy Implementation Steps

Implementation involves completion of the following steps:

- Receive applications.
- Implementation of policy as required.

Reporting Arrangements on Decision Making under this Policy

All requests for donations to disaster relief appeals will be submitted to the SDRCP Committee for consideration.

Policy Review Date

December 2007

ATTACHMENT 2



Draft Policy

OP24 Donations Policy

Type:	Strategic
Legislation:	"<Legislation or NA>"
Procedure:	"<Insert hyperlink or NA>"
Delegation:	"<Delegation or NA>"
Other related document:	16.12.2002 (SDRCP334)

Objective

To coordinate the administration of donations to disaster relief appeals and small donations to local charities, groups and schools.

Policy

Council will consider donating funds to:

1. Disaster Relief Appeals where:

- 1.1 The disaster is in a country or region that has a community, business, tourist or other established relationship with Fremantle in particular or Western Australia in general.
- 1.2 The nature of the disaster is such that it severely impacts on the country or regions ability to deal with it, either in the short or long term.
- 1.3 Requests for disaster relief appeal donations will only be approved where the receiving organisation has a record of providing community aid and is able to actively provide assistance in the circumstances of the disaster.
- 1.4 Requests for donations to disaster appeals are approved by Council.

2. Donations to local charities or groups or schools (up to \$300 maximum):

- 2.1 The local charity or group is recognised through its incorporated not for profit status as a charity or deductible gift recipient entity, or a local school.
- 2.2 Requests for donations can be either requests for financial assistance or goods.

Choose an item.

version

Page 1 of 2

Once printed this document becomes uncontrolled. Refer to electronic copy for controlled copy.

- 2.3 Requests for donations are directed to the delegate and approved by the Chief Executive Officer (CEO) under delegation. Quarterly reports are made to council.

Funding for the donations programme are determined annually as part of the budget process.

Responsible directorate:	Corporate services
Reviewing officer:	Glen Dougall
Decision making authority:	Council for Disaster relief appeals, CEO for donations to local charities or groups.
Council item number:	<Type Number press Tab>
Policy adopted:	Click here to enter a date. "<Council number>"
Policy amended:	Click here to enter a date.. "<Council number>"
Next review date:	"<Year of next review>"

SGS1211-8 MANAGEMENT OF ARTHUR HEAD CITY PROPOSAL ATTACHMENT 1



Request for Proposal

Management of Arthur Head as an Arts and Cultural area.

Project Background

The Council at its June 2012 round of meetings resolved that:

The City develop a management brief, and call for proposals for managing the uses, activities and strategic priorities of the buildings and urban environment of Arthur Head in line with the vision and principles as set by the City.

Arthur Head is an "A" class Reserve as per attachment (Map of Arthur Head Buildings). The City does not own the land but has a management order for land uses inclusive of Historical Buildings, Recreation & Community Services.

There are a number of existing heritage buildings on the site, with various uses and configurations.

The purpose and vision for the Arthur Head area is to develop an authentic arts and culture area at Arthur Head that (in no order of importance):

- Activates the West End and attracts visitors to the area.
- Is a space where arts and culture meets the public – where you can see and interact with artists, and have contact with arts in practice.
- Celebrates the history and heritage of the area.
- Is inclusive of the Bathers Beach environment.
- Is inclusive as an Indigenous heritage place.

There are current tenancies in place. The council resolved that:

Existing lease arrangements would be honoured by the City, however, future leasing arrangements with current and future tenants will be managed by the management contractor once appointed.

The City is responsible for dealing with termination of any current tenancies that do not fit the governing principles as appropriate and current and future tenancies are subject to approval by the City.

Scope

The City is seeking a group, organisation or individual to manage the Arthur Head site in line with the vision and governing principles as set by the City for the site.

This vision is to be achieved in collaboration with stakeholders and delivers an integrated and adaptable space that includes physical and functional improvements to the public area.

The principles governing the management of the site, inclusive of the vision include:

- Tenancies will be determined by the Management of Arthur Head contractor and can include a broad range of arts and cultural activities inclusive of artists' collectives and groups, artists studios, artists residencies and/or Indigenous cultural spaces.
- The spaces may include commercial elements such as café's, bars or performance spaces as long as they are integrated into the above uses.
- Tenancies not demonstrating relationship to arts/culture in the broad definition will not be part of the tenancy mix.
- Performance criteria, agreed by the City, are set for tenancies/spaces to achieve the vision and measured by the management contractor on a regular basis.
- Rents payable are agreed by the City and are reinvested into the area.
- The management contractor will be paid a proportion of the rental income as determined by the City that may include the cost of management of the area to create a vibrant public space, programmes that draw the public into the arts activities or help further develop the arts in a publicly dynamic manner.
- Tenancy agreements may be a mix of fixed term renewable agreements of various lengths and based upon successfully meeting performance criteria.

The management body will need to develop and manage, in agreement with the City the site, inclusive of:

- Tenant Selection and tenure.
- Tenant agreements.
- Development and implementation of policy and procedure, including performance criteria that govern the site.
- Leasing charges and costs.
- Reporting processes.
- Conflict resolution.
- Non compliance issues.
- Activities and uses of the public space.

The City will closely monitor, liaise and collaborate with the management body and be a key stakeholder in the design and implementation of the public space. The City is responsible for the infrastructure and physical land area.

Costs

The City will pay the management body a percentage fee of the lease fees collected. The City will be responsible for maintenance costs of buildings and grounds and negotiated infrastructure upgrades.

Selection Criteria

In your proposal please address the following selection criteria.

- How you will realise the vision for the area (practical examples) and how you envisage this area linking to the greater area of Fremantle.
- Experience in working with individual arts practitioners, organisations or cooperatives.
- Community and stakeholder engagement:
Outline the community engagement process to be undertaken based on the information provided in this brief. A detailed community engagement plan is not required at this stage; simply your ideas of how you propose to engage the various stakeholders, both in the first instance and in an ongoing manner.
- Ability to develop tenancy agreements, develop and measure performance criteria to meet outcomes in relation to tenancy matters.
- Ability to undertake a placemaking project at Arthur Head – develop creative ideas and solutions, plans and implement actions.
- Conflict of interest:
Outline any conflict of interest that may exist for you as the proposal proponent and how this conflict, if it exists, would be managed.
- Financial viability:
Outline how you would budget such a project, annually and over the longer term (5 years) and provide evidence of the financial capacity of the contracting entity.
- Provide evidence of the legal status of the entity providing this proposal.

Timeframe

It is anticipated that the selection process would conclude within 4 weeks of the closing date for proposals. Proponents considered suitable will be required to make a presentation to the selection committee. The selection committee will be determined by the City.



Project Management

The City will appoint a staff member to manage the project as a whole and be the key liaison between the City and the contractor.

Proposals can be submitted (marked attention Marisa Spaziani, Director Community Development) either in electronic copy to daphnef@fremantle.wa.gov.au or in hard copy to:

Community Development Directorate
City of Fremantle
PO Box 807
Fremantle WA 6959

Closing date: Proposals will need to be received by **Wednesday, 12 September 2012.**

Please note: The City is not under any obligation to appoint a contractor.

For further information or queries, please contact Marisa Spaziani, Director Community Development on 9432 9725.



www.fremantle.wa.gov.au

ATTACHMENT 2

Arthur Head Implementation Plan - November 2012

Action	Timeline (approx)	Cost	Notes
Seek and appoint members for a management committee to recommend tenants, uses, assist in the development of tenancy agreements, setting of performance criteria.	November - January 2012	\$50 per hour per member	Paid committee members who do not have a conflict of interest, have industry expertise and can provide impartial advice. Recommendations made to the City for final decision. Time limited.
Develop and implement a Community Engagement Plan.	November to March 2013	\$5000	Involve all key stakeholders in ideas generation.
End existing tenancies that do not comply with the future use for Arthur Head.	November to June 2013		As per adopted principles and in a staged approach, with vacancies kept to a minimum.
Developing a template for new tenancy agreements.	January 2013		
Developing and implementing improvements to the public space.	November – June 2013	\$75,000 way finding, paths grounds. \$50,000 street furniture/signage \$ 30,000lighting/security \$30,000 public art	Approximate
Auditing current buildings and deciding upon uses for these properties.	November – June 2013		
Developing a maintenance plan based on the condition audit of all buildings.	November – December 2013		Include costings going forward – include heritage.
Advertise and select new tenancies (by committee).	March 2013		Recommendations by Committee. Tenancies of varying types and lengths.
Overseeing the development and implementation of performance criteria for new tenants going forward.	November - March 2013		Monitoring and reporting.
Developing an Arthur Head/Bathers Beach tenants working group to advise and support the activation of the space.	March - June 2013		New and existing tenants – ongoing.

**SGS1211-9 FREDERICK WRIGHT MEMORIAL HOMES TRANSFER TO
ACCESS HOUSING**

ATTACHMENT 1



Our Ref
Your Ref

DFN:FREM-32632

9 October 2012

Ms M Spaziani
Director Community Development
City of Fremantle
PO Box 807
FREMANTLE WA 6959

**PREVIOUSLY
SENT EMAIL**

125/001
83 RENNIE C
1/6 TAPPER ST
DTG-M. SPAZIANI
5A

McLEODS
BARRISTERS & SOLICITORS

Stirling Law Chambers
220-222 Stirling Highway
Claremont WA 6010
Tel (08) 9383 3133
Fax (08) 9383 4935
Email: mcleods@mcleods.com.au

Denis McLeod
Neil Douglas
Fiona Grigich
David Nadebaum
Geoff Owen
Andrew Roberts
Craig Starke
Peter Wittkuhn
David Nicholson
Peter Gillett
Elisabeth Stevenson (Special Counsel)
Trudi Firth (Associate)
Tim Beckett (Associate)

Dear Marisa

**Proposed transfer of Tapper Street Mews & Frederick Wright Memorial Homes to
Access Housing**

I refer to your email correspondence dated 8 October 2012.

You have requested advice in relation to the proposed sale of Tapper Street Mews (TSM) and Frederick Wright Memorial Homes (FWMH) to Access Housing. I understand that Access Housing intends to continue the use of TSM as a retirement village and FWMH as aged persons accommodation and intends to redevelop both complexes in the longer term. You have also indicated that existing residents will be offered premises in any redeveloped premises in the future.

Sale of Tapper Street Mews

TSM comprises 11 independent living units for aged persons situated at 4-8 Tapper Street Mews on land more particularly described as:

- (a) Lot 1811 on Plan 6107 being the whole of land comprised in Certificate of Title Volume 1632 Folio 493
- (b) Lot 1812 on Plan 6107 being the whole of land comprised in Certificate of Title Volume 1215 Folio 287
- (c) Lot 1813 on Plan 6107 being the whole of land comprised in Certificate of Title Volume 1519 Folio 762

(TSM Land)

The registered proprietor of the TSM Land is the City of Fremantle Trust Fund (CF Trust).

32632-12.10.09-DFN-Fremantle.doc

MIDLAND OFFICE: 35 SPRING PARK ROAD, MIDLAND
ALL CORRESPONDENCE TO CLAREMONT OFFICE

9 October 2012

McLeods

City of Fremantle

Page 2

Proposed transfer of Tapper Street Mews & Frederick Wright Memorial Homes to Access Housing

Pursuant to section 7(1) of the *City of Fremantle and Town of East Fremantle Trust Funds Act 1961 (Trust Funds Act)*, the CF Trust is capable of acquiring, holding and disposing of real property. Accordingly, the CF Trust has the legal capacity to sell the TSM Land, subject to the comments that follow.

Under clause 8 of the Trust Funds Agreement, contained in the Schedule to the Trust Funds Act, the CF Trust has the power subject to direction by the City to "enter into contracts approved of by the City...". As the sale of the Tapper Street Mews land would require the CF Trust to enter into a contract for the sale of land, then it would also appear that approval of the City would be required in respect of the proposed contract.

A memorial under section 15 of the *Retirement Villages Act 1992 (RV Act)* is registered on the certificates of title to the TSM Land. The memorial does not preclude sale of the land, but rather serves to advise any prospective purchaser of the current use of the land and the implications of that use under the RV Act (including residents' right to repayment of a premium, which is a charge on the land). As neither the CF Trust nor the prospective purchaser intends to terminate the retirement village scheme operated on the TSM Land, the RV Act itself would not preclude transfer of the TSM Land to another entity (Access Housing) that intends to provide for the continued operation of the TSM retirement village scheme.

A local government is required to dispose of property in accordance with the requirements of section 3.58 of the *Local Government Act 1995 (LG Act)*. In this particular case, the TSM Land is owned by the CF Trust, rather than the City directly, and therefore it could be said that the City as a local government is not disposing of the property in question.

However, I understand that the CF Trust holds the TSM Land as trustee for the City. The City therefore holds a beneficial interest in the TSM Land, in accordance with the terms of the Trust Funds Agreement contained in Schedule to the Trust Funds Act. As the sale of the TSM land would result in the disposition of property of the City, the proposed sale arguably would constitute the disposal of property by a local government to which section 3.58 applies. On that basis, I consider that the CF Trust and the City should ensure that the requirements of the LG Act are met in disposing of the TSM Land.

Whilst section 3.58(2) of the LG Act requires property to be disposed of to the highest bidder at a public auction or to a successful tenderer, pursuant to section 3.58(3) a local government can dispose of property other than under section 3.58(2) if it first gives local public notice of the proposed disposition inviting submissions and then considers any submissions made prior to its decision to proceed with the disposition.

The only other consideration that may be relevant to the proposed sale of the TSM Land is the existence of the dispute between Mrs Tramsak and other residents in TSM. The existence of the dispute would not in itself preclude sale of the TSM Land by the CF Trust. Whether or not the CF Trust will be under a specific legal obligation to disclose the existence of the Tramsak dispute will depend to some extent on the terms of the contract of sale to Access Housing. The dispute relates to the TSM Village and its management, rather than the land itself. Whilst an express legal obligation for disclosure of the dispute may not yet exist, I consider that

9 October 2012

McLeods

City of Fremantle

Page 3

Proposed transfer of Tapper Street Mews & Frederick Wright Memorial Homes to Access Housing

disclosure of the Tramsak dispute to Access Housing would be advisable, prior to a contract of sale being finalised, so that the CF Trust (or the City as administrator) could not subsequently be accused of any misrepresentation by way of omission or failure to disclose. In any event, I expect the dispute would be disclosed as a matter of course in the transfer of management over the retirement village (as distinct from the sale of land).

In summary, provided that:

- (a) any requirement for the approval of the City under the Trust Funds Act is satisfied; and
- (b) the requirements of the LG Act are met concerning the disposition of property,

I consider that it would be open to the CF Trust to enter into a contract for sale of the TSM Land to Access Housing, which would also result in administration of the TSM Village being transferred from the City (as administering body under the RV Act) to Access Housing.

Frederick Wright Memorial Homes

FWMH is a complex of 19 one bedroom rental units situated at Rennie Crescent, Hilton, on land more particularly described as Lot 2999 on Deposited Plan 190411, comprising part of a multi-lot title comprised in Certificate of Title Volume 1957 Folio 32.

The City of Fremantle is the registered proprietor of the FWMH Land.

The FWMH Land is subject to a Crown Grant in Trust, pursuant to which the land is used and held solely in trust for the purpose of "Aged Persons Accommodation". As it is subject to a Crown Grant in Trust, the FWMH Land constitutes "conditional tenure land" for the purposes of the *Land Administration Act 1995 (LA Act)*.

Under section 75(5) of the LA Act, the fee simple in conditional tenure land cannot be transferred without the written permission of the Minister first being obtained, which may be given subject to conditions. The City would therefore need to obtain the approval of the Minister for Lands to the proposed transfer of the FWMH Land to Access Housing. As Access Housing intends to use the land for the purpose of Aged Persons Accommodation, it is unlikely that approval would be refused. In any event, the City should ensure that any contract for sale of the FWMH Land is conditional upon approval of the Minister being obtained. I further recommend that the City at least obtain in-principle approval from State Land Services prior to entering into a contract for sale of the FWMH Land with Access Housing.

As the FWMH Land is a multi-lot title, it is possible for each of the lots to be sold separately. Accordingly, if only Lot 2999 was sold and the remaining Lot 3086 (Black Stump Park) was retained, then individual titles for the respective lots would be issued by Landgate.

The City should also ensure that it complies with the requirements of section 3.58 of the LG Act in disposing of the FWMH Land, as discussed in further detail above.

In summary, the City is entitled to proceed to sell the FWMH Land, subject to:

9 October 2012
City of Fremantle

McLeods
Page 4

Proposed transfer of Tapper Street Mews & Frederick Wright Memorial Homes to Access Housing

- (a) obtaining approval of the Minister in accordance with section 75(5) of the LA Act; and
- (b) complying with section 3.58 of the LG Act.

I trust this advice satisfies your requirements. Please contact me should you have any further queries in respect of this matter.

Yours sincerely



David Nicholson
Partner

Direct line: 9424 6221
Email: dnicholson@mcleods.com.au

**SGS1211-10 REQUEST FOR SPONSORSHIP FOTOFREO AND DISMANTLE
ATTACHMENT 1**



FotoFreo Inc.

ABN: 28 949 044 567
PO Box 681 Fremantle WA 6959
mail@fotofreo.com
Phone/Fax: +61 (8) 9335 9590

THE CITY OF FREMANTLE FESTIVAL OF PHOTOGRAPHY

Wednesday 29th August 2012

Cr Andrew Sullivan
City of Fremantle

Dear Andrew

Attached please find copies of extracts from my comprehensive *Summary & Review Report* on the recently completed FotoFreo Festival and which has been submitted to the Council.

With this last Festival we have now taken FotoFreo to a serious level and by anyone's standards it is a very significant cultural event, both nationally and internationally, bringing direct benefits to the City of Fremantle, including:

- The City of Fremantle is seen as a leader in creating and sustaining a unique and prestigious cultural event of both national and international importance and in so doing strengthens the understanding that Fremantle is culturally significant, a vibrant and attractive place to live, to do business and to visit. It is an event the City can be and should be proud of as it shows the City to be a leader in cultural activities.
- The degree of leverage on the investment: the City's contribution is small compared to the turnover for the lion's share of the credit for the event.
- The Festival has the capacity to engage with local businesses, particularly retailing, in such a way as to effectively promote Fremantle businesses.
- The Festival can engage directly with the Fremantle community and special interest groups.
- FotoFreo is a major, low risk, event with minimal disruption to the Fremantle commercial and residential community – there are no road closures and no noise issues.
- It has a strong and distinctly Fremantle brand.
- Because of the number and diversity of the exhibitions and the long period they are on show, the viewers (the audience) are likely to return to Fremantle to see more of the shows
- Fremantle residents have free and easy access to a wide range of world class photography exhibitions and workshops.
- International and national audiences are attracted to Fremantle to meet and hear international renowned photographers, speakers and to see the exhibitions and, because of the structure and focus of the event, to spend most of their time in Fremantle over a prolonged period (six or more days).
- Having the Festival centred on the Fremantle Arts Centre contributes to the cultural importance and standing of that institution.
- It is an event that endures because the outcomes live on after the event (books and touring shows).

www.fotofreo.com

This is an event that has something for everyone with an interest in visual literacy and is very egalitarian with participation from every level of practising photography.

In addition, there are benefits to the WA art and photographic community:

- The Festival provides a unique opportunity for WA practitioners to network with other photographers (both nationally and internationally) and establish relationships with key figures within the national and global arts sector – such as gallery owners, curators, critics, writers and publishers – providing possibilities for increasing the exposure of their own work which may translate into sales of their work and/or employment of their services.
- The exhibitions, workshops, forums and floor talks help inspire and inform the creation of new work by WA photographers and photo media artists, as well as encourage the skills development of local practitioners.

In the wider context I believe that the cultural activities the City undertakes say a lot about our community – what we are and aspire to be. Because FotoFreo is now such an established event I think that it contributes to an understanding that the City is committed to the spiritual health of the community, to its soul. It is a point of difference between our community and the next (Cockburn, Melville and especially the City of Perth).

Consequently, I am keen to consolidate the gains that FotoFreo has achieved and continue to promote the event to the widest audience. In order for the Festival to have the most benefit to the City it must have some ownership of the event – be seen to endorse it in a meaningful way. Hence the importance of naming rights.

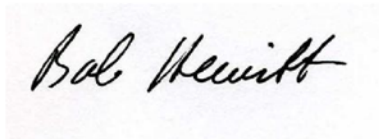
I am now seeking to establish the level of support the Festival may get from the City of Fremantle for the next event in 2014.

For the last Festival the City of Fremantle provided a total of \$75,000 in cash over a two year period the use of the FAC and the Moores Building for the purposes of exhibitions and events, primarily workshops. In effect, FotoFreo received \$37,500 in each of two successive years plus the use of the exhibition facilities over the one month period of the Festival.

For the previous Festival (2010) FotoFreo received \$100,000 cash over two years plus the use of the exhibition spaces.

I am now requesting the City of Fremantle again provide a total of \$75,000 cash over two years and, in addition, the use of an office at the Fremantle Arts Centre rent free along with the use of the exhibition facilities as before.

Regards



Bob Hewitt
Festival Director, FotoFreo 2012

www.fotofreo.com

ATTACHMENT 2



Dismantle Inc
Esplanade Park Workshop
Fremantle, 6162
Western Australia

dismantle.org.au
lachy@dismantle.org.au

Marisa Spaziani
Director Community Development
City of Fremantle
8 William Street
Monday, 24 September 2012

Dear Marisa,

On behalf of Dismantle I would like to extend my gratitude to the City of Fremantle for its kind support of the Dismantle Community Bike Recycling Workshop. Allowing the workshop to be located in Esplanade Park has played an important role in Dismantle's growth over the past 12 months. I have attached Dismantle's Annual Report for its first full year of operations. You will see from the report that the team at Dismantle have worked tirelessly to achieve some fantastic outcomes for the Fremantle community.

- The Dismantle community bicycle recycling workshop is now established in central Fremantle and has attracted **98 paid members** and 600 members of the facebook group.
- We have completed three in-depth bicycle recycling programs for a total of 35 **disadvantaged young people** at external locations around Perth.
- We have recently completed a pilot project that involved the modification and redesign of discarded bicycles, to be used as customized **handtricycles for children with disabilities**.
- Planning is underway for the 3rd annual Fremantle TweedRun which attracted 300 riders last year.

Dismantle has grown into a dedicated team of 7 part time staff and 10 permanent volunteers. Our team has contributed 4,246 of volunteer hours over the past 12 months. Which represents a value of **\$105,725 to the local community** (at \$24.90 per volunteer hour). This figure will continue to rise as Dismantle grows.

Community Impact:

Dismantle's theory of change encompasses a holistic approach to community development using the bicycle as a medium. We believe that a bicycle is a catalyst for positive lifestyle change in Individuals that has a flow on effect to the wider community and the planet.

Healthy People	Livable Community	Thriving Planet
<ul style="list-style-type: none"> •Increased substitute of cycling over car transport. •Increase in exercise. •More new social relationships. •More positive sense of identity. •Increased subjective wellbeing. 	<ul style="list-style-type: none"> •Reduced congestion and car usage. •Increased public participation. •Increased contribution to local economy. •Reduced petty crime. 	<ul style="list-style-type: none"> •Reduced Ecologic Footprints. •Reduction in average CO2 output. •Recycling of waste.

** please see Dismantle's Impact map on page 12 of the annual report for more detail.*



Our track record:

Dismantle's Annual Report (attached) shows that the organisation has been extremely successful at attracting partners and sponsorship as well as creating a huge impact in the community. All on an extremely frugal overall budget. We have attracted significant support from Sponsors and State Government for the coming year to further develop the Bike Rescue Project and our Corporate initiatives. However non of these funds can be allocated to the Community Workshop department. Dismantle's strategic goal is to become completely financially self reliant and we do not intend to rely on community funding as a core pillar of our financial stability. We have proven success when it comes to effectively utilising seed-funding to grow programs to a point of sustainability in a very short time frame.

Community Workshop Progress:

The Bike Rescue Project and Corporate programs are proving very successful, each of these initiatives has attracted seed funding and partnerships that are enabling them to develop at a steady rate.

Over the past 12 months Dismantle has tested a number of sustainable revenue streams through the Community Workshop such as public bike maintenance courses, membership, team building challenges and custom bicycle sales. These revenue streams have had promising beginnings, however the workshop department is currently running at a financial loss. We have had huge costs associated with the clean-up of vandalism, destruction of outdoor furniture and disposal of dumped waste at the site. Our insurance bill alone is \$4000 per year.

Unfortunately the construction of the containers had some initial design and construction faults that are now causing serious issues to the functionality and aesthetic appeal of the space. Such as jammed doors, leaking roofs and water damaged timber. Due to a very low rate of cash-flow to meet these expenses the workshop is currently in a state of disrepair.

We are sad to say that the workshop is currently falling short of our dreams of a bustling community bike hub. The struggling workshop is posing a financial hindrance to the development of the wider Dismantle organisation. This is unfortunately forcing the Dismantle team to contemplate closing the Fremantle based community workshop. In favour of a potential relocation to Central Perth (with greater potential to attract funding) or to a school in Rockingham. **Dismantle's home is in Fremantle**, and we are hoping to overcome these problems to enable us to remain in Esplanade Park.

Hope for the Future:

We believe that with a modest investment of seed funding the Dismantle team will be able to drastically transform the workshop into a thriving community space. We have identified a need to raise \$20,000 annually in revenue or sponsorship to cover base workshop overheads until the workshop can reach a point of sustainability. Additionally, we are seeking to raise \$50,000 in seed funding for each of the next 2 years. specifically earmarked for infrastructure, beatification, improving safety, equipment purchases and the development of sustainable revenue streams.

Some potential ideas for the future of the Community Workshop include; A coffee booth staffed by disadvantaged youth as a training centre (based on the Streat model in Melbourne), A bicycle repair shop staffed by graduates of the Bike Rescue Project (based on the BikeWorks model in London), Bike hire, eco-tours, vertical herb gardens, a street art canvas, solar panels fed into the grid and an expanded offering of bicycle education courses. In addition, an active Dismantle workshop has the potential to value-add to the development of the new skatepark in Esplanade Park. A vibrant community space will offer passive security for the area and can provide services for those utilizing the park.

Dismantle will also take lessons from the ongoing development of the Sydney Bike Hub. A project that forms part of the city of Sydney's \$76 million dollar bicycle network upgrades. We would like to see Fremantle standing as a national example of what can be done on a much lower budget to create a bike hub using recycled materials (old shipping containers). We hope to work closely with the City in the development of the workshop as a free-unique community asset.



Request for City of Fremantle support:

Dismantle would like to formally request a seed-funding contribution of \$25,000 from the City of Fremantle to assist in meeting this target. This funding request will enable Dismantle to address the functional and cosmetic problems that are currently hindering the growth of the workshop. The funding will allow Dismantle to leverage matching funding from other sources such as LotteryWest, Bendigo Community Bank and other local sponsorship options. This investment of seed funding will also allow the team to further develop and test social enterprise funding models that will enable the ongoing sustainability of the space beyond the City of Fremantle's support. We are seeking some initial assistance from the City, to enable Dismantle to develop a community asset that will benefit Fremantle for years to come.

We hope that Dismantle and the City of Fremantle can work together to grow the Community Bicycle Recycling Workshop into a vibrant and active bike hub. That will become the beating heart of a bike friendly Fremantle.

Please feel free to contact me at any time to further discuss the details of this funding request. I look forward to hearing from you in the near future and thank you kindly for your support.

'Dismantles vision is a world where bicycles have become the transport vehicle of choice. Resulting in healthy people, livable communities and a thriving planet.'

Sincerely,

Lachy Ritchie
Managing Director - Dismantle Inc
lachy@dismantle.org.au



Shanice & Maria:

In July 2011, twelve year old Shanice participated in a Dismantle bicycle education program in Midland, Western Australia. During this program Shanice excelled at bicycle repair, fully restoring 2 discarded bicycles with her own hands. Shanice chose to donate the second bicycle to somebody in need. That somebody was Maria.

Maria is a 36 year old recovering drug addict. She had just secured a job at a horse stable that required her to start very early in the morning before the first buses of the day. Maria now uses the bicycle to get to and from her first job since defeating drug addiction.

Bicycles are more powerful than you think...!

dismantle.org.au

**SGS1211-11 RATE CONCESSION SUBMISSION - 15F SEAVIEW STREET
BEACONSFIELD - SCOTTI S & KIRKHAM L**

ATTACHMENT 1

From: David Nicholson DAVIDRN@fremantle.wa.gov.au
Sent: Monday, 17 September 2012 10:35:39 AM
To: Alice Wegrzyn
Subject: FW: WAPC approval - 15F Seaview Street, Beaconsfield

From: Lea-Ann Kirkham
Sent: Monday, 17 September 2012 10:35:41 AM (UTC+08:00) Perth
To: David Nicholson
Subject: WAPC approval - 15F Seaview Street, Beaconsfield

Dear David,

Please find attached a copy of our approval letter from WAPC for the amalgamation of 15F Sea View Street (ROW 100) with 15A Sea View Street, Beaconsfield. Can you please help with a submission to Council for a rate waiver consideration while we progress with this amalgamation?

Best wishes,
Lea-Ann Kirkham

From: David Nicholson DAVIDRN@fremantle.wa.gov.au
To: Lea-Ann Kirkham lea_ann_kirkham@yahoo.com
Sent: Wednesday, 18 July 2012 2:16 PM
Subject: RE: Right of Way - 15F Seaview Street, Beaconsfield

Dear Mrs Kirkham,

Your request is acknowledged however at this time it is likely that the ROW will be rated.

However if the amalgamation is approved by WAPC, then please provide a copy of such approval and a submission will be made to Council for rate waiver consideration.

Please contact the writer if there any queries regarding this decision.

Regards

David Nicholson
Rates Coordinator
(08) 9432 9718

From: Lea-Ann Kirkham [mailto:lea_ann_kirkham@yahoo.com]
Sent: Friday, 13 July 2012 11:18 AM
To: Alice Wegrzyn; David Nicholson
Cc: Natalie Bowring
Subject: Right of Way - 15F Seaview Street, Beaconsfield

Dear David, Alice and Natalie,

Please find an acknowledgement from WAPC for our application which was lodged on the 8th June 2012. This is to amalgamate 15A Sea View Street with 15F (our driveway) in order to only have one rateable title. I write to ask if we can have an extension to the rates waiver on 15F SeaView St that was granted last year as this has been a long process. We expect to hear back from WAPC in September 2012 and have the final plans submitted by October 2012.

Best wishes,
Lea-Ann Kirkham

From: Natalie Bowring NATALIEB@fremantle.wa.gov.au
To: Lea-Ann Kirkham <lea_ann_kirkham@yahoo.com>
Sent: Monday, 30 April 2012 8:57 AM
Subject: RE: Request for letter of support - 15A SeaView Street

Dear Lea-Ann

As discussed last week, please find attached a copy of the letter, as requested, regarding City planning officers preliminary assessment of the draft plan of amalgamation for 15A Seaview Street and ROW 100 15F Seaview Street, Beaconsfield (as attached with your previous email). I will place the original copy of the letter (with a file copy for your records) in the mail to you this morning.

Please feel free to contact me if you have any further questions and again, our sincere apologies for the delay that occurred in responding to your original enquiry.

Kind regards,

Natalie Bowring
Strategic Planning Officer
City of Fremantle
T (08) 9432 9892

From: Lea-Ann Kirkham [mailto:lea_ann_kirkham@yahoo.com]
Sent: Tuesday, 24 April 2012 2:36 PM
To: Natalie Bowring
Subject: Request for letter of support - 15A SeaView Street

Dear Natalie,

Please find the plan that our surveyor has drawn up for the re-subdivision to merge 15A Sea View Street (strata lot 2) with our driveway R.O.W 15F Sea View Street. He hasn't prepared the full detailed drawings yet as we were waiting for Fremantle Council support in this matter before we proceeded with submitting an application to WAPC.

Having just spoken with you on the phone, I understand that Fremantle Council can not give their approval for the re-subdivision until formally approached by WAPC but we would really appreciate a letter giving Council support to include with our WAPC application (perhaps with the clause 'subject to formal approval?'). When I called WAPC they suggested to check that our local government would be agreeable to such an application before applying. The application will cost over \$1000 and then we have the surveyors fees on top so I am sure you can appreciate us trying to get Council support prior to applying.

I look forward to hearing from you. Please call me again if you have any more questions or need anymore details.

Best wishes,

Lea-Ann Kirkham

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Commemorate ANZAC Day with the City of Fremantle on Wednesday 25 April | dawn service begins 5.30 am on Monument Hill. For a list of events visit www.fremantle.wa.gov.au/anzacday2012

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ATTACHMENT 2



Your Ref :
Enquiries : Catherine Beamish (Ph 6551 9424)

Neale Surveys
16 Marr Street
MYAREE WA 6154

Approval Subject To Condition(s) Survey-Strata Plan

Application No : 458-12

Planning and Development Act 2005

Applicant	: Neale Surveys 16 Marr Street MYAREE WA 6154
Owner	: Marie Denise & Terence Joseph Cassells 15 Sea View Street BEACONSFIELD WA 6162, Lea-Ann Stirling Kirkham & Steven Scotti 15 A Sea View Street BEACONSFIELD WA 6162
Application Receipt	: 8 June 2012

Lot Number	: 1, 2 & 92
Diagram / Plan	: DP 32452 SP 45035
Location	: -
C/T Volume/Folio	: 2224/84, 2575/790, 2575/789
Street Address	: Sea View Street, Beaconsfield
Local Government	: City of Fremantle

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a survey-strata plan in accordance with the plan date-stamped 08 June 2012 once the condition(s) set out have been fulfilled.

This decision is valid for three years from the date of this advice, which includes the lodgement of the survey-strata plan within this period.

The survey-strata plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 03 September 2015 or this approval no longer will remain valid.



Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Survey-strata plan

The survey-strata plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the survey-strata plan. A copy of the survey-strata plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a survey-strata plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the survey-strata plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the survey-strata plan.



If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the survey-strata plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

1. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply service to the survey strata lot(s) shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C (Schedule 9A) of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals that include common property) via a portion of the common property suitable for consumer mains. (Western Power)
2. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)
3. The applicant shall make satisfactory arrangements for the closure of the existing right-of-way within the subdivision. (Local Government)
4. The applicant/owner entering into an agreement with the owners of Lots 1, 2, 3 and 4 Martha Street, Beaconsfield to ensure reciprocal rights of access over the proposed battleaxe accessway adjacent to their land in order to maintain the existing access arrangements. (Local Government)



ADVICE:

1. The approval to subdivide issued by the WAPC should not be construed as an approval to commence development on any of the lots proposed. Approval to Commence Development may be required to be issued by the local government.
2. With regard to Condition 1, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.
3. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.
4. With regard to Condition 2, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation.
5. Upon the receipt of a request from the subdivider, a Land Development Agreement under section 67 of the Water Agencies (Powers) Act 1984, will be prepared by the Water Corporation which will document the specific requirements for the proposed subdivision.
6. With regard to Condition 3, as the ROW is privately owned, this can take place via a process of application made directly to the Registrar or Titles.

A handwritten signature in black ink, appearing to read "Neil Thomson".

Neil Thomson
Secretary
Western Australian Planning Commission
3 September 2012