



# Agenda

## Finance, Policy, Operations and Legislation Committee

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Wednesday, 11 September 2019, 6.00pm

**CITY OF FREMANTLE**  
**NOTICE OF A FINANCE, POLICY, OPERATIONS AND LEGISLATION**  
**COMMITTEE MEETING**

Elected Members

A Finance, Policy, Operations and Legislation Committee meeting of the City of Fremantle will be held on **Wednesday, 11 September 2019** in the North Fremantle Community Hall, located at 2 Thompson Road, North Fremantle commencing at 6.00 pm.

A handwritten signature in black ink, appearing to read 'Glen Dougall', written in a cursive style.

Glen Dougall  
**Director City Business**

6 September 2019

# Table of Contents

<b>Contents</b>	<b>Page</b>
<b>1. Official opening, welcome and acknowledgement</b>	<b>5</b>
<b>2. Attendance, apologies and leaves of absence</b>	<b>5</b>
<b>3. Disclosures of interests</b>	<b>5</b>
<b>4. Responses to previous questions taken on notice</b>	<b>5</b>
<b>5. Public question time</b>	<b>5</b>
<b>6. Petitions</b>	<b>5</b>
<b>7. Deputations</b>	<b>5</b>
<b>8. Confirmation of minutes</b>	<b>6</b>
<b>9. Elected member communication</b>	<b>6</b>
<b>10. Reports and recommendations</b>	<b>7</b>
<b>10.1 Committee delegation</b>	<b>7</b>
FPOL1909-1 Irrigation Services Tender FCC534/19	7
FPOL1909-2 Container Deposit Scheme Refund Point	12
FPOL1909-3 Local Law Review 2019	17
<b>10.2 Council decision</b>	<b>21</b>
FPOL1909-4 Adoption of the Community Safety and Crime Prevention Plan 2019-24	21
FPOL1909-5 Budget Amendments - August 2019	26
<b>11. Motions of which previous notice has been given</b>	<b>30</b>
FPOL1909-6 Notice of Motion - Cat Local Law - Cr Adin Lang	30
<b>12. Urgent business</b>	<b>35</b>
<b>13. Late items</b>	<b>35</b>
<b>14. Confidential business</b>	<b>36</b>
FPOL1909-7 Consideration of Offer for 12 Holdsworth Street, Fremantle	36
<b>15. Closure</b>	<b>37</b>

<b>Agenda Attachments</b>	<b>1</b>
FPOL1909-1 Irrigation Services Tender FCC534/19 ( <i>Confidential attachment</i> )	2
FPOL1909-4 Adoption of the Community Safety and Crime Prevention Plan 2019-24	3

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**CITY OF FREMANTLE**

**Finance, Policy, Operations and Legislation Committee**

**Agenda**

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**1. OFFICIAL OPENING, WELCOME AND ACKNOWLEDGEMENT**

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

**2. ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE**

There are no previously received apologies or approved leave of absence.

**3. DISCLOSURES OF INTERESTS**

Elected members must disclose any interests that may affect their decision-making. They may do this in a written notice given to the CEO; or at the meeting.

**4. RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

There are no responses to public questions taken on notice at a previous meeting.

**5. PUBLIC QUESTION TIME**

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time.

Further guidance on public question time can be viewed [here](#), or upon entering the meeting.

**6. PETITIONS**

Petitions to be presented to the committee.

Petitions may be tabled at the meeting with the agreement of the presiding member.

**7. DEPUTATIONS**

**7.1 Special deputations**

A special deputation may be made to the meeting in accordance with the City of Fremantle Meeting Procedures Policy 2018.

There are no special deputation requests.

## **7.2 Presentations**

Elected members and members of the public may make presentations to the meeting in accordance with the City of Fremantle Meeting Procedures Policy 2018.

## **8. CONFIRMATION OF MINUTES**

### **Officer's recommendation**

**That the minutes of the Finance, Policy, Operations and Legislation Committee meeting dated 14 August 2019 be confirmed as a true and accurate record.**

## **9. ELECTED MEMBER COMMUNICATION**

Elected members may ask questions or make personal explanations on matters not included on the agenda.

## **10. REPORTS AND RECOMMENDATIONS**

### **10.1 COMMITTEE DELEGATION**

#### **FPOL1909-1 IRRIGATION SERVICES TENDER FCC534/19**

<b>Meeting Date:</b>	11 September 2019
<b>Responsible Officer:</b>	Manager Parks and Landscape
<b>Decision Making Authority:</b>	Committee
<b>Agenda Attachments:</b>	Tender evaluation matrix (confidential)

#### **SUMMARY**

**The purpose of this report is to consider tender number FCC534/19 for Irrigation Services within the City of Fremantle.**

**This report recommends the Committee accepts the tender submitted by Think Water Perth in accordance with the tender evaluation undertaken as per the selection criteria included in the tender document.**

#### **BACKGROUND**

The contract is for a certified irrigation professional to provide design, supply and installation of automatic irrigation systems, the provision of routine and/or urgent maintenance work and the delivery of minor irrigation projects.

Areas covered in this scope will be the full extent of the City of Fremantle irrigation network. This will include all hydraulic components downstream from the bore headworks and low voltage electrical components.

Excluded from this scope will be works relating to irrigation bores, bore headworks, bore probes, high voltage electrical and control cabinets.

Tenderers were required to provide rates for the following sections:

- Section A: Irrigation Design and Consultancy
- Section B: Irrigation Maintenance
- Section C: Irrigation Installation
- Section D: Irrigation Backflow Devices

This scope of work was previously part of the Landscape Maintenance Contract. It has been tendered as a separate Contract to allow stand-alone irrigation companies to submit on the tender improving the competitive process.

#### **FINANCIAL IMPLICATIONS**

The table below summarises the available budget, current expenditures, recommended tender price by Think Water Perth for the provision of irrigation design, maintenance and installation services and associated expenses:

Description	Expenditure	Budget
<b>Budget</b>		
100357 Maintain Irrigation – Recreation Reserves		\$195 000
<b>Total Budget</b>		<b>\$195 000</b>
<b>Expenditure</b>		
Maintain Irrigation – Recreation Reserves	\$14 256	
<b>Total Expenditure Year to Date</b>	<b>\$14 256</b>	
<b>Available Budget (includes services outside this Contract)</b>		<b>\$180 744</b>
<b>Estimated Expenditure</b>		
Expenditure estimated from Contract commencement to end of 2019/20 financial year:		
• Tender number FCC534/19 for Irrigation Services	\$125 000	
<b>Total expenditure (estimated)</b>	<b>\$125 000</b>	

Sufficient funding provision has been allocated in the 2019/20 budget to deliver the service within budget.

The reactive maintenance component forms the largest part of the scope and the pre-tender estimate of hours is based on the prior year actuals and estimated rates. The design and installation estimate is based on a schedule of works from site audits and inspections. Works will be prioritised on sites in accordance with the park's hierarchy and public profile of the site. The annual spend across the four scope areas will be managed within the annual budget or amended through mid-year review if spend is lower or higher than budgeted.

This service spans multiple years therefore a commitment to suitable budget provision for future years must be considered.

## LEGAL IMPLICATIONS

Tenders were invited in accordance with section 3.57 of the *Local Government Act 1995* and the tendering procedures and evaluation complied with part 4 of the Local Government (Functions and General) Regulations 1996.

## CONSULTATION

An appropriate method of communication and/or consultation will be undertaken with the community where irrigation maintenance works will impact the local community.

## OFFICER COMMENT

### Detail

Tender FCC534/19 for Irrigation Services within the City of Fremantle was advertised as a public tender on 26 June 2019 and closed on 19 July 2019. The WALGA preferred supplier program was evaluated and considered prior to going to tender.

Essential details of the contract are outlined below:

Contract type	Schedule of rates Contract for irrigation services
Contract duration	2 years with two individual twelve-month extension options
Commencement date	On or around 1 October 2019
Completion date	On or around 31 September 2021

### **Tender evaluation**

Tender submissions were received from the following Contractors and evaluated by the tender evaluation panel:

- Think Water Perth
- HydroPlan
- Sanpoint Pty Ltd T/as LD Total Pty Ltd
- Newground Water Services Pty Ltd
- Western Irrigation Pty Ltd.

The tender evaluation panel establishes whether the tender submissions conform to the conditions for tendering and selects a suitably qualified and experienced contractor.

The tender evaluation panel comprised:

- Manager Parks and Landscape
- Parks Coordinator
- Supervisor Parks Reserves and Landscape
- Procurement Officer – Contracts & Risk.

Tenderers were required to disclose information that might be relevant to an actual or potential conflict of interest and disclose if they had any relationship with City of Fremantle employees involved in the tender process. Members of the tender evaluation panel are required to disclose any actual or perceived interest with any of the tenderers. No disclosures were made.

To obtain the broadest possible comparison base, each of the tenders was evaluated against the following tender selection criteria and was in turn graded in the tender evaluation matrix.

<b>Item No</b>	<b>Description</b>	<b>Weighting</b>
1	Relevant Experience	15%
2	Skills and Key Personnel	20%
3	Demonstrated Understanding	10%
4	Sustainability	10%
5	OHS	10%

Of the five tenders received, four were conforming submissions and one was non-conforming.

The non-conforming submission was not evaluated as they did not submit on the full scope of services tendered and could not fulfil the requirements of the Contract.

The tender submitted by Think Water Perth scored the highest rating with 78 points, followed by Sanpoint Pty Ltd T/as LD Total Pty Ltd with 67 points. The remaining tender submissions received lower scores.

Think Water Perth, the recommended tenderer, was assessed as having a high level of directly relevant experience and a strong understanding of the City's requirement whilst having the ability and capacity to undertake the works described in the specification.

The evaluation process determined that the tender from Think Water Perth is a conforming tender. Reference checks indicate that Think Water Perth have provided good customer service with high quality work on irrigation services Contracts of similar scope. They have worked for the City previously on various projects and provided good service that met the City's needs. The evaluation panel is confident they will be a suitable service provider to the City of Fremantle.

### **Environmental considerations**

The submission by Think Water Perth identified best practice water efficient principles across various aspects of the Contract. They have completed many projects using recycled water.

Operationally, sustainability initiatives include recycling wiring, oils and batteries and various vehicle emission and fuel efficiency initiatives supported by staff training and awareness.

### **Risk consideration**

An assessment undertaken by Illion indicates that Think Water Perth have the financial capacity to undertake the contract.

There are no strategic or corporate risks within the City's existing risk registers which relate to the issues contained in this report.

### **Comment**

The offer from Think Water Perth scored the highest overall with a score of 78 out of 100. In the opinion of the evaluation panel, it provides the City with a high level of directly relevant experience and a strong understanding of the City's requirement whilst having the ability and capacity to undertake the works. Think Water Perth have previously provided good quality and reliable service to the City for a similar scope of works. The overall offer also provides the City with the best value for money for this scope of work.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

**OFFICER'S RECOMMENDATION**

**The Finance, Policy, Operations and Legislation committee acting under delegation 1.1;**

**Accept the tender for Irrigation Services (FCC534/19) at the rates tendered, to Think Water Perth Pty Ltd for a period of two years, commencing on or around 1 October 2019, with the option to extend this contract for two further one year periods at the discretion of the Chief Executive Officer.**

## **FPOL1909-2 CONTAINER DEPOSIT SCHEME REFUND POINT**

**Meeting Date:** 11 September 2019  
**Responsible Officer:** Manager Facilities and Environmental Management  
**Decision Making Authority:** Committee  
**Agenda Attachments:** Nil

### **SUMMARY**

State Government, through the Department of Water and Environmental Regulation (DWER) has confirmed that the new Container Deposit Scheme (CDS), named 'Containers for Change' will commence in WA on 2 June 2020.

A key aspect in the implementation of this service is the provision and availability of container refund points. The scheme coordinator has provided a series of information sessions for parties and agencies considering establishing and operating refund points; Officers from the City of Fremantle have engaged in the briefing process and also submitted an Expression of Interest (EOI) on 30 August 2019 in anticipation of a potential opportunity for the City of Fremantle to establish a refund point at the City's Recycling Centre.

Following on from the EOI process, formal applications from organisations seeking to register and establish a refund point are due Monday 21 October 2019.

This report seeks Committee approval for the submission of an application to WA Return Recycle Renew Ltd (WARRRL) for the City of Fremantle to be considered as an approved refund point for the WA Container Deposit Scheme, noting Councils formal acceptance and progression is subject to:

1. A subsequent report to Council detailing the full scope of the Container Deposit Scheme – Refund Point requirements, including service levels, operational implications and associated costs for the City; and
2. The required funding being made available through the City's annual budget process.

### **BACKGROUND**

The State Government has announced that the WA Container Deposit Scheme will be launched on 2 June 2020. A Scheme Coordinator, WA Return Recycle Renew Ltd (WARRRL) have been appointed and tasked with procuring scheme refund points, logistical operators and ensuring material collected is recycled.

WARRRL completed their state wide information sessions on 30 August 2019 which included the requirements for refund points, logistics providers, processing providers and also details on their procurement processes.

The City has taken an active interest in the CDS opportunity and to date, activities have included:

- January 2018
  - Present Community Waste Education Rollouts, CDS Trials.
- November 2018
  - Attended the Environment Ministers announcement confirming the container deposits scheme commitments, dates and method of implementation.
- January 2018
  - City of Fremantle 'One Day event' hosted Container deposit scheme at community events, funded by the State Government.
- February 2019
  - City of Fremantle applied to be a pilot site for CDS through WALGA's CIE application (the Waste Authority declined the application).
- February 2019
  - Submission - Container Deposit Scheme Infrastructure' Position Statement.
- April 2019
  - Registration of interest of CDS submitted to Department of Water and Environmental Regulation to become a refund point, at existing Recycle Centre.
- August 2019
  - Expression of Interest submitted to Scheme Co-ordinator – WARRRL.
- August 2019
  - Hosted information session for the Scheme Co-ordinator WARRRL at the Fremantle Oval.

The next steps in the process are for formal applications to be submitted to WARRRL for proponents to operate a refund point. Applications are due 21 October 2019.

## **FINANCIAL IMPLICATIONS**

Officers are still developing their understanding of the full scheme requirements, the service scope and the subsequent implications in respect to Capital and Operational costs for the City of Fremantle should it progress with this service.

There are currently a number of options and considerations for evaluation in relation to the operation of the scheme, including but not limited to:

- The optimum location.
  - *(short and longer term – noting potential future plans for the depot).*
- Storing materials on site or alternatively off-site.
- Level of security and access controls.
- The operation model / service hours made available.

Based on the information provided to date and at the recent briefing sessions in August 2019, it is currently estimated that an order of magnitude cost range could be in the region of:

- Capital: \$100,000 - \$500,000
- Operational: \$170,000 - \$200,000

A large aspect of the potential capital costs relate to security and access control requirements.

The registered container refund points (provider) will be able to claim 6c per container; however, at this point in time we are unable to predict the revenue implications as there is presently no data on anticipated volumes available.

Subject to Committee approval to submit a formal application, Officers will progress to evaluate service requirements, delivery models and costs options in the form of a Business Plan before providing a more detailed report to Council for consideration.

## **LEGAL IMPLICATIONS**

The development of a container deposit refund point will require planning approval.

The City is under no statutory obligation to provide a refund point.

## **CONSULTATION**

Further consultation will be required prior to the City progressing to operate a refund point; the level of consultation will be explored as part of the business plan.

## **OFFICER COMMENT**

Officers anticipate there is a positive community value in the City of Fremantle establishing a refund point at the existing Recycle Centre.

The City's Recycle Centre has proven to be highly popular and already provides residents with a convenient place to drop off waste materials, where they can be sorted and recovered or recycled. Last year over 15,000 residents (including residents from the Town of East Fremantle) used the centre.

The implementation of CDS refund point would also further support the City's commitment to the One Planet Strategy – zero waste.

Officers have reviewed the information provided by WARRRL, which includes specific infrastructure requirements for the refund points.

Through the development of the Recycle Centre, the option to be a refund point could be possible as it provides a convenient location for residents to take back their material currently. However, comparing WARRRL's specifications and the Recycle Centre infrastructure it would not currently meet the minimum requirements; key improvements would be required in respect to the site security (fencing and CCTV), vehicular access / parking and drop-off, undercover facilities and surface finishes etc.

Officers have provided high level cost estimates in relation to the potential scope of works. The costings / operational model will be subject to further review.

It is currently estimated that two additional staff would be required to assist in the operation of the facility; however, it is understood that there are options in terms of how and when a service might be provided, namely:

- Full-time Refund Points
  - Open at least 35 hours per week - including at least four weekend hours
- Flexible Refund Points
  - Stationary Flexible
    - Fixed location
      - Open at least 16 hours per fortnight – including at least eight weekend hours
  - Mobile
    - Operate on a scheduled timetable
      - Cage, trailer or the like

The requirements, opportunities and benefits of these options will be subject to further review and evaluation.

In lieu of Officers developing a comprehensive business plan and service level proposal for Council consideration, officers would advocate that the City submits a formal application for a CDS refund point at the City of Fremantle Recycling Centre in order to keep an option open to be able to deliver the service; progression being subject to approval and Council endorsement and budget funding being available.

Officers have consulted with the scheme coordinator and have been advised that should Council ultimately decide not to progress, the City's application can be withdrawn; however it would be prudent to make this decision sooner rather than later.

It is currently anticipated that following the submission of a formal application (before 21 October 2019), Officers will further evaluate the options, develop a business plan and provide a further report for Council consideration.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

**The Finance, Policy, Operations and Legislation committee acting under delegation 1.1:**

**Approve the submission of an application to WA Return Recycle Renew Ltd (WARRRL) for the City of Fremantle to be considered as an approved refund point for the WA Container Deposit Scheme, noting Councils formal acceptance and progression is subject to:**

- 1. A subsequent report to Council detailing the full scope of the Container Deposit Scheme – Refund Point requirements, including service levels, operational implications and associated costs for the City; and**
- 2. The required funding being made available through the City's annual budget process.**

## **FPOL1909-3 LOCAL LAW REVIEW 2019**

**Meeting Date:** 11 September 2019  
**Responsible Officer:** Director City Business  
**Decision Making Authority:** Committee  
**Agenda Attachments:** Nil

### **SUMMARY**

**Officers have taken into consideration the requirement to review the City's Local Laws in accordance with Section 3.16 of the *Local Government Act 1995* and after consideration; it is recommended that the local laws review be undertaken in a staged approach as follows:**

**Stage 1: The following local laws are to be reviewed in 2019:**

- **Parking Local Law 2006**
- **Prevention and Abatement of Sand Drift 2002**

**Stage 2: The following local laws will be reviewed in 2020-21 following the completion of Kings Square Redevelopment and a legal matter related to the Building Lines By-Law:**

- **Activities in Thoroughfares and Public Places and Trading 2005**
- **Alfresco Dining Local Law 2014 (No 2)**
- **Building Lines By-Law**

**Stage 3 The following local laws will be reviewed following the conclusion of State Government legislative review and/or parliamentary enquiry of the following matters:**

- **Local Laws relating to Dogs**
- **Health Local Laws 1997**
- **Short Stay Accommodation Local Law 2008**

**The intent of a local law review is to determine whether or not the local laws should be repealed, amended or remain unchanged. In accordance with the statutory requirements of a local law review, to initiate this process, it is recommended that the Committee endorse the review of the above listed local laws and authorise to give local public notice of the City's intent to review.**

### **BACKGROUND**

Section 3.16 of the Local Government Act 1995 (the Act) requires that all of the local laws of local government must be reviewed at least every eight years to determine if they should remain unchanged, be repealed or amended.

The eight-year period is taken to be from either when the local law commenced or when the last review of the local law was completed. The City's local laws were last reviewed in 2010 and a majority of these laws are now required to be reviewed.

If the outcome of the review finds that it is necessary to change an outdated aspect of a local law or the local law has become defunct or obsolete, the local government must then commence the process outlined in Section 3.12 of the Act to implement any changes.

In May 2018 the Council resolved to initiate a review of the Property Local Law 2002, which resulted in an amendment being adopted by Council in early 2019. Recently the City adopted to initiate a repeal of the Library Local Law and this is currently being advertised for public submissions and will be brought back to Council for consideration towards the end of 2019.

## **FINANCIAL IMPLICATIONS**

Nil

## **LEGAL IMPLICATIONS**

The local law review will be undertaken in accordance with section 3.16 of the *Local Government Act 1995*.

## **CONSULTATION**

The local law review will be advertised in the local newspaper, City's website and public noticeboard, inviting public submissions for a 6 week period. In accordance with the Act, any submissions received will be brought back to Council for consideration.

## **OFFICER COMMENT**

The Local Government Act and other written laws enable the City to make local laws considered necessary for the regulation, control and management of various matters within the district. To ensure the viability and currency of the following local laws, it is recommended that they are reviewed in accordance with the Act.

The City has a total of 11 Local Laws that are currently in operation, as follows:

Activities in Thoroughfares and Public Places and Trading 2005

Alfresco dining (no 2) 2014

Local Law Relating to Dogs

Health 1997

Library Advisory Committee 2001

Parking 2006

Prevention and Abatement of Sand Drift 2002 (amended 2005)

Local Government Property(consolidated)

Short Stay Accommodation 2008

Signs, Hoardings and Bill Posting (No 13) 1998

By-Law No. 213 Relating to Building Lines

To ensure the City is meeting the requirements of the Local Government Act in regards to undertaking a review of these local laws within 8 years of the previous review, officers have proposed a staged review process.

The intent of the staged review process will enable the City to review the local laws that are need a review urgently and postpone some of the local laws that require other matters to occur before they can be review appropriately.

It is recommended that the local laws are reviewed as follows:

Stage 1: The following local laws are to be reviewed in 2019:

- Parking Local Law 2006
- Prevention and Abatement of Sand Drift 2002

Stage 2: The following local laws will be reviewed in 2020-21 following the completion of Kings Square Redevelopment and a legal matter related to the Building Lines By-Law:

- Activities in Thoroughfares and Public Places and Trading 2005
- Alfresco Dining Local Law 2014 (No 2)
- Building Lines By-Law

Stage 3: The following local laws will be reviewed following the conclusion of State Government legislative review and/or parliamentary enquiry of the following matters:

- Local Laws relating to Dogs
- Health Local Laws 1997
- Short Stay Accommodation Local Law 2008

It is important to note that the Property Local Law was recently reviewed and amended earlier this year (2019) and Council recently adopted to initiate a repeal of the Library Advisory Local Law, which is currently out for public submission. In accordance with the Act, these laws will not be required to be reviewed until 2027.

Following endorsement to initiate the review process, officers will advertise the City's intent to review the local laws and call for public submissions on the review of these laws. During the public submission period (6 weeks), the City will ensure a copy of each local law is available for viewing via the City's website, Library and Administration building.

All submissions received during the public submission period will be taken into consideration by officers when reviewing the relevant local law. The outcome of this review will be presented to Council for final consideration, along with the public submissions received.

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

**The Finance, Policy, Operations and Legislation committee acting under delegation 1.1:**

- 1. Approve to initiate a review of the following local laws;
  - a) Parking Local Law 2006**
  - b) Prevention and Abatement of Sand Drift 2002****
- 2. Authorise local public notice be given stating that the City proposes to review the local laws in part 1 and invite public submissions, for a period of 6 weeks.**
- 3. Acknowledge that a report will be brought back to Council to consider any submissions received and consider the outcome of the review.**
- 4. Acknowledge that the following local laws will be reviewed in 2020-21 following the completion of Kings Square Redevelopment and a legal matter related to the Building Lines By-Law:**
  - Activities in Thoroughfares and Public Places and Trading 2005**
  - Alfresco Dining Local Law 2014 (No 2)**
  - Building Lines By-Law**
- 5. Acknowledge that the following local laws will be reviewed following the conclusion of State Government legislative review and/or parliamentary enquiry of the following matters:**
  - Local Laws relating to Dogs**
  - Health Local Laws 1997**
  - Short Stay Accommodation Local Law 2008**

## 10.2 COUNCIL DECISION

### **FPOL1909-4 ADOPTION OF THE COMMUNITY SAFETY AND CRIME PREVENTION PLAN 2019-24**

<b>Meeting Date:</b>	11 September 2019
<b>Responsible Officer:</b>	Manager Field Services
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	1. Survey Report of Draft Feedback (August 2019) 2. Amended Community Safety and Crime Prevention Plan 2019-24

#### **SUMMARY**

**The purpose of this report is for Council to consider community and stakeholder feedback received for the draft Community Safety and Crime Prevention Plan 2019-24 and final adoption.**

**The City is committed to creating an environment where it is easy for people to lead safe, happy and healthy lives. As part of this commitment the City has developed a new Community Safety and Crime Prevention Plan.**

**The development, implementation and review of the Plan will be overseen by the Community Safety Reference Group (CSRG) which includes elected members, WA Police and City of Fremantle staff. The Plan sets out actions, responsibilities and timelines and has been developed based on stakeholder and community engagement and statistics.**

**It proposes actions around three theme areas:**

- **Stakeholder partnerships and internal capacity.**
- **Community participation and awareness.**
- **Crime prevention and urban design.**

**Following extensive engagement on its development and advertising period, the plan is now recommended for final adoption by Council.**

#### **BACKGROUND**

The Strategic Community Plan 2015-25 identifies health and happiness as a strategic focus area, and promotes Fremantle as creating an environment where it is easy for people to lead safe, happy and healthy lives and to create an environment where people feel safe.

Community safety and crime prevention are complex issues and many aspects are not under the control of local government. Therefore, successful initiatives require a collaborative effort from all tiers of government, stakeholders and the community.

The City of Fremantle operates a Community Safety team and has developed a number of initiatives in partnership with government, organisations, community and business. The City has demonstrated an advocacy role to identify and highlight areas of need and

interest and work with a range of stakeholders to find solutions, for example using a free app to improve the communication and sharing of information amongst business owners in the Fremantle city centre. The development of this Plan and associated actions is another reflection of the City's role as a leader, partner, advocate and service provider, and its capacity to continue to improve community safety and crime prevention throughout Fremantle.

In accordance with the Council decision of 24 July 2019, the City has advertised the draft Community Safety and Crime Prevention Plan 2019-24 and sought community feedback on the Plan prior to final adoption.

## **FINANCIAL IMPLICATIONS**

Some of the actions in the plan will require funding. Funding allocation will be considered through the project planning and annual budget process with the Plan providing direction on the priority works to be scoped and considered through this process. State and Federal government grants will also be pursued.

## **LEGAL IMPLICATIONS**

Nil

## **CONSULTATION**

Phase one community engagement occurred in late 2018 and early 2019, in the preparation of the draft Community Safety and Crime Prevention Plan and was presented to Council on 24 July 2019.

Phase two consultation was open from 2 August to 23 August 2019. Options included online (via My Say Freo) or hard copy with submission box at the Meeting Place South Fremantle and Wanjoo Lounge, Fremantle Library.

The consultation was advertised in the local newspaper (newsbites), via the City's e-newsletters (newsbytes & This is Business), in the noticeboard at the administration office and via a media release. A direct email was sent to 128 people who had participated in phase one of the engagement as well as precinct group convenors. An explainer video was also produced.

The My Say Freo page was visited by 218 people between 2 to 23 August 2019. In total 9 submissions were received: 7 on My Say Freo, 1 hard copy and a submission from the Fremantle Chamber of Commerce. These submissions are provided in appendix 1 of the Survey Report of Draft Feedback provided in Attachment 1.

Submissions were received in a range of formats but key findings were:

- **Built Environment and Lighting.** Support for the proposed lighting strategy but continued concern over reporting and repair of faults. This is addressed in the plan. There was also support for greater urban design emphasis including street scape and landscape plans for hot spots.

- **Geographic Focus.** Mixed responses on focus – some wanting a city centre specific focus and others reiterating there needs to be a more visible presence in the suburbs. There were also queries around resourcing.
- **Stakeholders.** Support for stakeholder partnerships including attendance at business events, with more ongoing support requested from WA Police.
- **Social and Developmental Domains.** High level of support for social and developmental activities such as strengthening neighbourhoods, community participation, education and youth programs, and some requests for even greater focus in children and youth focus.

The consultation is detailed in Attachment 1 – Survey Report of Draft Feedback (August 2019).

## OFFICER COMMENT

Community safety and crime prevention has been of particular interest for some members of the community and local businesses. The Plan seeks to incorporate the needs of both the suburbs of Fremantle and the Fremantle city centre, a significant destination and service centre which brings unique challenges and opportunities. Given the key differences in these locations, engagement was also considered on a suburb-by-suburb basis.

Initial development of the draft Community Safety and Crime Prevention Plan involved extensive community engagement involving nearly 500 residents, visitors, businesses and other stakeholders.

The actions have been developed as a whole-of-organisation approach, with deliverables from several areas.

There was a small response to feedback on the draft plan although there was high awareness. There were several general positive comments as well as some queries and suggestions, as a result the following amendments were made to the plan:

Page No.	Amendment ( <i>shown in italics</i> )	Reason for change
5	Replace the word ‘Strategy’ with ‘Plan’ in the heading, to read as follows – <i>Plan</i> conclusions and recommendation	To ensure the terminology is consistent
6	Add to Figure 1 heading, to read: Figure 1: Community perception of safety in their area (oval), <i>My Say Freo responses</i>	Amended to improve clarity, based on feedback from the Fremantle Chamber of Commerce
7	Add ‘ <i>Estimated resident population</i> ’ stats at the bottom of the table, under the	Amended to provide statistics as a comparison against the total

Page No.	Amendment ( <i>shown in italics</i> )	Reason for change
	'total of selected offences' and reference the Australian Bureau of Statistics.	selected offences
11	Add an additional action as follows: <i>1.2.7 Create a homelessness plan/strategy for the City of Fremantle</i> To be delivered in 2019-20.	To formalise the City's approach to addressing homelessness in the City.
12	Amend action 1.3.3 to add the words ' <i>Contribute to Fremantle Crisis Support Service brochure</i> ' to the 2019-20 financial year.	Amended to ensure the outcome is delivered in the first financial year
12	Amend action 1.3.4 to add the words - ' <i>Retail theft will be a concentrated topic, providing evidence based crime reduction strategies to increase the theft prevention abilities of businesses</i> '	Amended to specify a focus on retail theft, following feedback from WA Police
13	Amend the deliverable for action 1.4.1 for the financial years 2020/21, 2021/22, 2022/23, 2023/24, to add the words ' <i>who work across the City of Fremantle</i> '.	Amended to provide clarity
14	Amend action 2.2.1 to replace the word 'Deliver' to 'Offer at least' in each financial year to read – <i>Offer at least two visits</i>	To ensure the action is achievable within the current resources
17	Amend action 3.2.2 to include the words ' <i>and other crime prevention or community safety initiatives</i> '  Amend the financial year deliverable for 2020-2024 to read – Apply for <i>external funding as available</i> .	Both amendments are to provide clarity
17	Amend action 3.2.5 to add the full name ' <i>City of Fremantle</i> ' to the end of the action.	To provide clarity
All	Other very minor changes were made to the plan that did not change the intent.	

The above amendments have been made to the plan provided in Attachment 1 for final adoption by Council.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

## **OFFICER'S RECOMMENDATION**

### **Council:**

- 1. Receive the community feedback as provided in the survey report of draft feedback in Attachment 1 of this item in the Finance, Policy, Operations and Legislation Committee Agenda (11 September 2019).**
- 2. Adopt the Community Safety and Crime Prevention Plan 2019-24, including the amendments outlined within this report and provided in Attachment 2 of this item in the Finance, Policy, Operations and Legislation Committee Agenda (11 September 2019).**

## **FPOL1909-5 BUDGET AMENDMENTS - AUGUST 2019**

**Meeting Date:** 11 September 2019  
**Responsible Officer:** Manager Finance  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

### **SUMMARY**

**To adopt various budget amendments to the 2019/2020 budget account numbers as detailed below in accordance with the Budget Management Policy. The budget amendments have nil effect to the overall budget.**

**This report recommends that Council approve the required budget amendments to the adopted budget for 2019/20 as outlined in the report.**

### **BACKGROUND**

In accordance with the Budget Management Policy this report provides details of proposed amendments to the 2019/2020 budget on a monthly basis to Council (via FPOL) to adopt budget amendments to:

1. Consider an additional purpose, or grant acceptance or release of quarantined funds.
2. Reflect any expenditure above the budget amount agreed by the CEO in the previous month, and to adjust other accounts to accommodate the value of these.
3. Make amendments to the carried forward budget to reflect the final position at the end of financial year.

### **FINANCIAL IMPLICATIONS**

The financial implications are detailed in this report.

### **LEGAL IMPLICATIONS**

#### ***Local Government Act 1995:***

##### **Section 6.2 (1)**

The Council is required to prepare and adopt, by Absolute Majority, an annual budget for its municipal fund by 31<sup>st</sup> August each year.

##### **Section 6.8 (1) and (2)**

The Council cannot incur expenditure from its municipal fund for a purpose for which no expenditure estimate is included in the annual budget (known as an 'additional purpose') except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
- (b) is authorised in advance by resolution by Absolute Majority; or
- (c) is authorised in advance by the mayor or president in an emergency.

Where expenditure has been incurred;

- (a) under S 6.8 (1) (a) it is required to be included in the annual budget for that financial year; and
- (b) under S 6.8 (1) (c), it is to be reported to the next ordinary meeting of the council

**Local Government (Financial Management) Regulations 1996:**

**Regulation 33A**

A formal review of the annual budget is to be presented and adopted by Council, by Absolute Majority, between 1<sup>st</sup> January and 31<sup>st</sup> March each year.

**CONSULTATION**

There are no community engagement implications as a result of this report.

**OFFICER COMMENT**

The following amendments to budget account numbers to the adopted budget for 2019/2020 are submitted to Council for approval as outlined below.

**1. Budget amendments for proposed expenditure for an additional purpose**

The proposed budget amendments below are for expenditure for an additional purpose to be determined by Council as required by S6.8 (1) (b) of the Act. The decision will amend the budget by creating a new budget account number to accommodate that proposed expenditure, and by transferring the required funds from one or more existing accounts to the new account.

Item	Account #	Account Details	2019/20 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2019/20 Amended Budget
N/A						

**2. Budget amendments for proposed expenditure for a purpose identified within the budget for which there are insufficient funds allocated**

CEO has the delegated authority under the Budget Management Policy to incur expenditure for a purpose identified within the budget for which there is insufficient funds allocated, where:

- a) The proposed expenditure is a maximum of 5% or \$50,000 (whichever is the lesser) above the budgeted amount, and
- b) There are sufficient funds equivalent to the value proposed to be sent allocated to other budget line items within the overall budget, and which, in the opinion of the CEO, are not expected to be spent during that financial year.

The budget amendments below are to reflect any expenditure above the budget amount agreed by the CEO during the previous month, and to adjust other accounts to accommodate the value of those.

Item	Account #	Account Details	2019/20 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2019/20 Amended Budget
2.1	Adjust budget for capital project P-11837 Install-Hilton Park Lighting to match approved expenditure of \$102,158 since the completion of the tender process for the lighting upgrade in Hilton Park. This will ensure only CIL funds required for this project are used.					
	300104.1606	P-11837 Install-Hilton Park Lighting – Cap Exp	(200,000)		97,842	(102,158)
	300104.4398	P-11837 Install-Hilton Park Lighting – Cap Income	200,000	(97,842)		102,158

### 3. Carried forward projects estimate budget amendments

The budget amendments below are to adjust the carried forward project estimates and to amend the carried forward budget to reflect the final position at the end of financial year.

Item	Account #	Account Details	2019/20 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2019/20 Amended Budget
3.1	Adjustment to budget to carry forward unspent municipal funds at 30 June 19 for capital project P-11421 Resurface MRRG-Marine Tce as final invoices were received in 2019-20.					
	300022.1606	P-11421 Resurface MRRG-Marine Tce – Cap Exp	-		(19,179)	(19,179)
	300022.3915	P-11421 Resurface MRRG-Marine Tce – Unspent muni	-	19,179		19,179

## VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority Required

## OFFICER'S RECOMMENDATION

Council approve the required budget amendments to the adopted budget for 2019/2020 as outlined below:

Item	Account #	Account Details	2019/20 Adopted Budget	Revenue Increase/ (Decrease)	Expenditure (Increase)/ Decrease	2019/20 Amended Budget
2.1	Adjust budget for capital project P-11837 Install-Hilton Park Lighting to match approved expenditure of \$102,158 since the completion of the tender process for the lighting upgrade in Hilton Park. This will ensure only CIL funds required for this project are used.					
	300104.1606	P-11837 Install-Hilton Park Lighting – Cap Exp	(200,000)		97,842	(102,158)
	300104.4398	P-11837 Install-Hilton Park Lighting – Cap Income	200,000	(97,842)		102,158
3.1	Adjustment to budget to carry forward unspent municipal funds at 30 June 19 for capital project P-11421 Resurface MRRG-Marine Tce as final invoices were received in 2019-20.					
	300022.1606	P-11421 Resurface MRRG-Marine Tce – Cap Exp	-		(19,179)	(19,179)
	300022.3915	P-11421 Resurface MRRG-Marine Tce – Unspent muni	-	19,179		19,179

## 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

A member may raise at a meeting such business of the City as they consider appropriate, in the form of a motion of which notice has been given to the CEO.

### FPOL1909-6 NOTICE OF MOTION - CAT LOCAL LAW - CR ADIN LANG

**Meeting date:** 11 September 2019  
**Responsible officer:** Chief Executive Officer  
**Decision making authority:** Council  
**Agenda attachments:** Nil

#### ELECTED MEMBER SUMMARY

Cats pose a huge challenge to our local native animals and biodiversity. To protect our natural environment, the issue of cats and their impact on the environment ought to be considered. Furthermore, the health of individual free-ranging cats across our city should also be considered.

In May 2019 an IEM was held to outline the City's current programs of cat control. As was presented at this meeting a;

1. revision of City of Fremantle trap leasing program.
2. revision of City of Fremantle trapping in natural bushland areas.

**1. Trap Leasing:** In FY2019 through the City of Fremantle trap leasing program, 119 cats were captured by residents on private property. In the past, these cats were transported by the Community Safety Team to the Cat Haven. A review of the program now sees a \$20 fee charged for the traps and the cats are now transported by the lessee. There is no involvement from the Community Safety Team.

**2. Bushland Trapping:** In late May a program was rolled out by an independent contractor over our natural bushland areas, capturing 6 cats over an 8 day period (20 – 24 May & 27 – 31 May). All cats were transported to the Cat Haven by the contractor with no involvement from the Community Safety Team. Domestic cats were returned to their owners with no cost recovered.

Table 4. Cat Capture Details

DATE	LOCATION	SEX	WEIGHT (kg)	COMMENTS
22/5/19	Booyeembara Park	F	-	Domestic
22/5/19	Stevens Reserve	F	-	Domestic
23/5/19	Booyeembara Park	M	3.2	Feral cat
23/5/19	Royal Fremantle Golf Club	M	2.9	Feral cat
23/5/19	Stevens Reserve	M	-	Domestic
29/5/19	Leighton Beach		-	Domestic

In June 2019 the WA State Government declared feral cats a pest in an effort to protect vulnerable native wildlife from extinction.

A cat local law would focus on creating cat prohibited areas, such as our natural bushland areas, to assist in the improvement of cat management within Fremantle with a focus on protecting our natural environment, as well as the health of individual cats.

## VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

## OFFICER COMMENT

The purpose of the *Cat Act 2011* (the Act) was to introduce measures to: reduce the large number of stray cats being euthanised each year; encourage responsible cat ownership; and provide for better management of the unwanted impacts of cats on the community and environment.

The Act also provides additional provisions for Local Governments to make local laws for one or more of the following matters:

- a) the registration of cats;
- b) removing and impounding cats;
- c) keeping, transferring and disposing of cats kept at cat management facilities;
- d) the humane destruction of cats;
- e) cats creating a nuisance;
- f) specifying places where cats are prohibited absolutely;
- g) requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;
- h) limiting the number of cats that may be kept at premises, or premises of a particular type;
- i) the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;
- j) the regulation of approved cat breeders, including record keeping and inspection;
- k) fees and charges payable in respect of any matter under the Act; and
- l) offences and penalties up to \$5,000; if the offence is continuing in nature, the local law can make a further penalty of \$500 per day. Local laws can also specify a minimum penalty.

The Department of Local Government, Sport and Culture Industries provide the following advice on their website, in regards to making a cat local law:

*A local government needs to consider what elements of cat control they wish to regulate and only decide to make a local law if:*

- *the Act, Cat Regulations 2012, the Cat (Uniform Local Provisions) Regulations 2013 or any other written law do not already cover that matter; and*
- *there appears a sufficient need for additional regulation in that area.*

*Through the integrated planning process, the community may advise that there is a need for particular areas of cat control. It is then a matter of deciding that if you need cat control, what exactly you do need.*

*For some local governments the Act and Cat Regulations 2012 may provide sufficient powers for the control of cats without the need for a local law. Others may find targeted education campaigns and policies in particular areas may be all that is needed to supplement the legislation.*

### **Feral animal control program in natural areas**

In October 2018 the City's Natural Areas team commenced a feral animal control program. This program supplements other animal control measures in the City's natural areas such as designated dog control areas and feral bee trapping. The control program takes place in all natural areas and other identified potential habitat areas. The key objective is to reduce the presence of and therefore the negative impact of target animal species on the natural environment to enhance local biodiversity and meet land manager responsibilities for declared pests under the *Biosecurity and Agriculture Management Act 2007*. A remote camera trap program has been implemented concurrently to collect data to monitor the presence of animal species in natural areas.

Foxes, feral rabbits and feral cats are targeted in the natural areas feral animal control program. Any domestic cats captured through the program are handed over to the City's Community Safety team to be dealt with through animal licencing processes.

There are two times per year that is considered optimum for undertaking feral cat control works, considering the breeding cycle and food sources available of the target pest species.

The November 2018 cage trapping was conducted in Booyeembara Park over four nights and captured zero (0) cats.

The May 2019 cage trapping was conducted at the following sites determined by the November and May pre-control survey results:

- 20 – 24 May – Area 1:
  - Stevens Reserve
  - Booyeembara Park
  - Royal Fremantle Golf Course
  - Fremantle Golf Course
- 27 – 31 May – Area 2
  - Port Beach
  - Leighton Beach
  - South Fremantle Landfill Site (Hollis, Sandown)
  - South Fremantle Landfill Site (Daly)

There were 32 cage traps set over each area over each night over a total of eight (8) nights. Six (6) cats were captured in total during this period with three (3) cats (two (2) domestic, one (1) feral) being captured in two (2) of the nine (9) natural areas within the City. The percentage of traps set occupied by a cat over the eight (8) day cage trapping period was 2.3%.

Tables 1 and 2 provide the pre-control survey and cage trapping capture results.

**Table 1: Pre-control survey results – presence or absence of cats only**

Survey location	Natural area	Survey results November 2018	Survey results May 2019
Former South Fremantle Landfill Site: Hollis and Sandown Park Daly Street		Nil <b>Cat</b>	
Bathers Beach and Arthur Head	Y	Nil	Nil
Esplanade		Nil	Nil
South Beach	Y	<b>Cat</b>	
Port Beach	Y	<b>Cat</b>	Nil
Leighton Beach	Y	Nil	<b>Cat</b>
Clontarf Hill	Y	Nil	
Lefroy Road Landfill Site		Nil	
Stevens Reserve		<b>Cat</b>	
Fremantle golf course (public)		Nil	
Royal Fremantle golf course (private)		Nil	
Booyeembara Park	Y	Nil	
North Fremantle Foreshore	Y		
Prawn Bay		Nil	
The Moorings		Nil	
Point Direction		Nil	
Sorrell Park		Nil	
Cypress Hill		Nil	
Rocky Bay Reserve		Nil	
Sir Frederick Samson Reserve	Y	Nil	
Cantonment Hill	Y	Nil	

**Table 2: Feral cat cage trapping results**

Survey location	Natural area	Feral cat cage trapping November 2018	Feral cat cage trapping May 2019
Former South Fremantle Landfill Site: Hollis and Sandown Park Daly Street			Nil Nil
Bathers Beach and Arthur Head	Y		
Esplanade			
South Beach	Y		
Port Beach	Y		Nil
Leighton Beach	Y		1 x domestic
Clontarf Hill	Y		
Lefroy Road Landfill Site			
Stevens Reserve			2 x domestic
Fremantle golf course (public)			Nil
Royal Fremantle golf course (private)			1 x feral
Booyeembara Park	Y	Nil	1 x domestic 1 x feral
North Fremantle Foreshore	Y		
Prawn Bay			
The Moorings			
Point Direction			
Sorrell Park			
Cypress Hill			
Rocky Bay Reserve			
Sir Frederick Samson Reserve	Y		
Cantonment Hill	Y		

The pre-control survey and cage trapping results to date indicate a relatively low presence of cats (domestic and feral) within the City's natural areas. This data has been collected over a short period of time and the continuation of the program and associated collection of data over an extended time period would provide a more reliable indication of the presence of cats.

#### Complementary program – cat owner education

The City is participating a regional initiative coordinated through the South West Group's Natural Resource Management group *"to reduce the impact of domestic and stray cats on wildlife, reduce the cost to Councils' of managing feral and unconfined cats, and reduce the incidence of complaints received by Councils' pertaining to nuisance cats. Recent research has proven that cat owners are more likely to confine their cats if they are presented with positive messages about confinement being better for their cat's health and welfare, than if they are targeted with negative messages about the harmful impact of cats on wildlife"* (South West Reference Group Minutes of Meeting 19/03)

Murdoch University is providing the research to support this project. The project is funded by six (6) participating Councils and the State Natural Resource Management Office. It will result in a media and communications campaign to raise awareness of responsible cat ownership. The media and communications campaign is anticipated for the latter part of 2019 and into 2020.

The following actions could be considered in the event council are seeking an alternative to making a local law:

- Consider expansion of the feral animal control program and conduct additional trapping, for a minimum of six months, in order to collate more comprehensive data on the number and type of cats being captured.
- Request a report be brought back to Council within 12 months, to report the results of the trapping study.
- Consideration of a Council Policy
- Design and deliver an education campaign to assist the Community and raise awareness of responsible cat ownership.

#### **NOTICE OF MOTION**

**Council support the initiation of the process of making a City of Fremantle Cat Local Law that is practical and effective and that aims to provide real improvements to environmental outcomes by creating the ability for council to declare certain natural areas from which cats are restricted.**

## **12. URGENT BUSINESS**

In cases of extreme urgency or other special circumstances, matters may, on a motion that is carried by the meeting, be raised without notice and decided by the meeting.

Nil

## **13. LATE ITEMS**

In cases where information is received after the finalisation of an agenda, matters may be raised and decided by the meeting. A written report will be provided for late items.

Nil

## **14. CONFIDENTIAL BUSINESS**

Members of the public may be asked to leave the meeting while confidential business is addressed.

### **FPOL1909-7 CONSIDERATION OF OFFER FOR 12 HOLDSWORTH STREET, FREMANTLE**

**Meeting Date:** 11 September 2019  
**Responsible Officer:** Manager Economic Development and Marketing  
**Decision Making Authority:** Council  
**Agenda Attachments:** Offer and acceptance form

### **REASON FOR CONFIDENTIALITY**

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

- (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

**15. CLOSURE**