

**MINUTES OF THE ELECTORS' GENERAL MEETING, HELD AT THE TOWN HALL ON MONDAY, 2 FEBRUARY 2015 COMMENCING AT 6.34PM.****1. OPENING OF MEETING****1.1 Present**

Mayor J O'Neill	Presiding Member
Cr C Collinson	
Cr J Harrington	Deputy Mayor
Cr M Rico	
Cr A Watkins	
Mr G Clark	Acting Chief Executive Officer
Mr L Mainwaring	Executive Manager Finance and Administration
Ms S Cocks	Principal Environmental Health Officer
Mr S Gallagher	Operations Manager
Ms J May	Minute Secretary

There were 30 members of the public in the gallery at the commencement of the meeting.

2. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF

Mayor O'Neill welcomed members of the public, including former Councillor, Jono Farmer and former Mayor and Freeman of the Town, Ian Handcock and then introduced elected members and staff.

3. APOLOGIES

Apologies were submitted on behalf of Crs Martin and McPhail and Mr John Newton.

4. CONFIRMATION OF MINUTES OF PREVIOUS ANNUAL MEETING OF ELECTORS

Mayor O'Neill advised that he wished to move receipt of the minutes with the following correction:

Minute Ref 5.2.3 CEO Remuneration

The words "The CEO stated that....." (all dot points), be removed and replaced with "*The CEO gave a verbal response.*"

The Mayor advised that Cr Martin had requested that her comment on the same matter (page 5) be corrected to replace the word "*outcome*" with "*process*".

Mrs Newton noted the following corrections:

- Minute Ref 5.2.1 Original Signage to Front of Town Hall Building
This comment should have been attributed to "*Mr*" Newton not "*Mrs*".
- Minute Ref 5.2.3 CEO Remuneration
Mrs Newton advised that she had stated her comments had been "*nothing personal*" and that she had advised her comments were not directed at the newly elected members and Crs Wilson, Martin and Lilleyman (who had voted against the five year term for the CEO's contract).

Cr Harrington requested that her apology for that meeting be recorded.

Mayor O'Neill – Cr Watkins

That the Minutes of the Electors' Meeting held on 3 February 2014 be received and confirmed with the following corrections:



- Cr Harrington be included as an apology for the meeting
- Minute Ref 5.2.1 Original Signage to Front of Town Hall Building
The words "Mrs Newton" be replaced with the words "Mr Newton" in the 1st paragraph of this item.
- Minute Ref 5.2.3 CEO Remuneration
 - The first paragraph include Mrs Newton's comments that "it was nothing personal" and that "her comments were not directed at the newly elected members or Crs Wilson, Martin and Lilleyman, who had not voted for the five year extension of the CEO's contract"
 - The paragraph containing nine dot points in page 4 be replaced with the words "The CEO gave a verbal response".
 - In the final paragraph of this item the word "outcome" be replaced with the word "process".

CARRIED

5. MATTERS FOR DISCUSSION

5.1 Contents of the Annual Report

Mayor O'Neill/Mrs Newton

That the 2013-2014 Annual Report be received.

CARRIED

5.2 General Business

5.2.1 Preservation of Town's Character and Streetscape

Mr Farmer (19 Sewell Street) queried, in the event of the possible amalgamation, what steps Council was taking to ensure the Town's character and streetscape would be preserved and what guarantee was there that Council's assets eg Town Hall, old police station will not be sold off to finance Fremantle's debt.

Mayor O'Neill outlined the LIC process and assured the meeting that those issues and others such as the continued support of sporting clubs, the annual Pioneer's Lunch, HACC services and the welfare of staff were being discussed with City of Fremantle in this forum.

5.2.2 Perth Freight Link

Ms Flynn (62 Allen Street) outlined the proposed route of the new Perth Freight Link through the Town and sought information on the following:

- Has Council engaged with Main Roads WA regarding the proposal?
- Would Council ensure that the residents of the Town were kept informed of developments and given adequate opportunity to provide feedback on the proposal?
- What will be the impact of the increased traffic through the Town?
- Has the pollution from diesel particulates and increased noise been considered?

Mayor O'Neill advised that:

- Council did not have enough staff resources for an officer to attend meetings regarding this project
- City of Fremantle was the only council to voice concerns
- He shared Ms Flynn's concerns regarding pollutants
- He would undertake to provide feedback to residents through the March newsletter.

Mr Flynn (62 Allen Street) asked whether the lack of staff resources meant the Town did not have the capacity to represent the interests of the residents.

5.2.3 East Fremantle Foreshore

Ms Wisniewski (79B View Terrace), representing the Friends of East Fremantle Foreshore, acknowledged the erosion work Council had carried out to the foreshore adjacent to John Tonkin Park however was concerned that the bunting around the area was not being



maintained. The group was also disappointed Council had not responded to their request for the preservation of the existing vegetation north of the gabion wall.

Mayor O'Neill advised that he had noted Ms Wisniewski's comments and would discuss the matter with the CEO. He acknowledged the contribution of the Friends of East Fremantle Foreshore and advised Ecoscape had been engaged to prepare a foreshore plan for the whole of the district and the Friends of East Fremantle would be consulted during its development.

Mayor O'Neill acknowledged former Mayor, Andrew Smith and former Cr Ken Ferguson who had recently entered the meeting.

5.2.4 Town Hall

Mr Cox (31 Dalgety Street) raised the following issues regarding the Town Hall:

- the repainted western wall of the building, following graffiti damage, did not match the remainder of the building
- the raised metal inserts in the flowerbeds at the front of the building were an occupational health and safety issue.

Mayor O'Neill undertook to have these matters followed up.

5.2.5 Pensioner Rates Rebate

Mr Humbert (16 Coolgardie Avenue) queried whether the 50% rate rebate afforded to pensioners was funded by the state or local government.

Mayor O'Neill advised that this scheme was state government funded although Council has for many years included its rubbish charge within the rates to provide pensioners with a greater rebate.

5.2.6 Royal George Hotel

Mr Humbert queried whether there was any progress on the Royal George Hotel.

Mayor O'Neill advised that meetings had been held with the Minister, a group of people interested in leasing and upgrading the building and also Simone McGurk MLA. It was hoped there would be action soon.

5.2.7 Port Parking Space

Mr Humbert requested it be suggested to the City of Fremantle that the huge areas of car parking used to store new vehicles at the Port be utilised also for public parking.

5.2.8 Abolition of Ward System

Mr McLeish (39/46 East Street) asked, given the possibility of wards being abolished, whether Council can request a guarantee of two representatives from East Fremantle in the new City of Fremantle.

Mayor O'Neill advised that the City of Fremantle was attempting to negotiate with the Department of Local Government for the retention of Wards with the suburb of East Fremantle plus a small section west of East Street and part of Palmyra comprising one Ward with two elected member representatives.

5.2.9 Retention of Town Planning Scheme

Mr Farmer (19 Sewell Street) asked whether the Town would retain its town planning scheme should the amalgamation proceed.

The CEO advised that the Governor's Orders state that East Fremantle would retain its existing town planning scheme until the new local government developed a new scheme for the whole of the new City of Fremantle.

**5.2.10 East Fremantle Oval**

Mr Flynn (62 Allen Street) asked, as potential high rise development at East Fremantle Oval had been recently indicated in the Fremantle Herald, was the Council considering a partial sell off of the Oval or other green areas within the Town.

Mayor O'Neill advised that there was no plans to sell off any green space at this time.

The CEO advised that Council had adopted a list of 10 priority projects to progress by the possibly amalgamation deadline of 30 June 2015, East Fremantle Oval was not included in this list.

5.2.11 Promotion of the "No" Vote

Mr Dingli (37A Gill Street) advised of his disappointment that a private group has had to actively promote the no vote for amalgamation and asked why Council hasn't done anything to support this stance.

Mayor O'Neill advised that Council resolved its first preference was to not support a boundary change or amalgamation but if it was forced, it preferred an amalgamation with the City of Fremantle. Council took the decision to not actively oppose the amalgamation but leave it to the residents to decide. Mayor O'Neill strongly objected to the advertisements which appeared in the Fremantle Herald which were offensive to their neighbour, the City of Fremantle.

5.2.12 5 Year Extension to CEO's Contract

Mr Symonds (7/228 Canning Highway) queried why Council would give the CEO a five year extension to his contract when the amalgamation issue was imminent and expressed concern regarding cost implications for residents.

Mayor O'Neill advised that the contract extension decision was taken some time ago and most of the current elected members weren't involved in those deliberations. He also explained that the contract would not be paid out in full in the event of an amalgamation.

5.2.13 Improvements to Council Services

Ms Vinicombe (2 Salvado Avenue) queried what changes Council would implement to improve the current shortfalls in staff resources/services if amalgamation does not proceed?

Mayor O'Neill advised that if amalgamation does not proceed, Council would need to look at the employment of additional staff and methods of improving community engagement.

5.2.14 Speaking to the Press

Mr Wilshaw (32A Stratford Street) noted the Mayor had raised the issue of Cr Collinson speaking to the press at a previous Council Meeting. Given Cr McPhail's recent two articles in the local papers supporting amalgamation, what action would the Mayor be taking in relation to Cr McPhail.

Mayor O'Neill advised that apart from raising the matter at a Council Meeting, no action had been taken in relation to Cr Collinson's comments to the press and he would probably speak with Cr McPhail along similar lines.

5.2.15 Reduction in Rangers Working Hours

Mr New (5-7 Hubble Street) questioned the recent cutback in Rangers' working hours and asked whether consideration would be given to reinstating their hours until 8pm in the evening.

The Executive Manager Finance & Administration advised that there had been no reduction in the Rangers' 8 hour shifts. Since he had commenced with the Town a number of years



ago, the Rangers had been commencing work earlier in the day to service such locations as the boat launching ramp, working an 8 hour shift.

5.2.16 Recycling Education

Ms Wisniewski (79B View Terrace) commended the operations of the Resource Recovery Centre and requested Council give consideration to providing a greater level of education to residents by introducing recycling information stickers for residents' rubbish bins. She also expressed disappointment that public rubbish bins did not provided for recycling.

Cr Collinson cited the SMRC "recycle right" program and advised that SMRC research had revealed that most recycling decisions were made in the kitchen not at the rubbish bins.

The Mayor stated he considered the sticker idea was a good one (either on the fridge or rubbish bin) and undertook to have both matters investigated.

5.2.17 Plympton Steps

Ms Wisniewski expressed disappointment with the current state of the Plympton Steps and sought information on when the project would be completed.

The CEO advised that the Plympton Steps was a work in progress and funds would be reallocated shortly to complete the landscaping and paving.

5.2.18 Deamalgamation

Mr Humbert (12/16 Coolgardie Avenue) asked if amalgamation took place, was there a possibility of de-amalgamation in the future.

Mayor O'Neill advised that he did not consider this was a possibility given the population of the newly created City of Fremantle would still be far smaller than most of the other new local governments.

5.2.19 Traffic/Parking May/Silas Streets

Ms England (34 May Street) asked whether Council was going to address the lack of parking in the May/Silas Street area and the increased traffic especially given the increased number of residents living in the area when the current residential developments have been completed. Ms England suggested that May Street could be narrowed to differentiate the business area from the residential end. She also drew attention to the noise impact that the Perth Freight route and the proposed Richmond Quarter roof top bar would have on residents in the vicinity.

Mayor O'Neill advised that as the Manager Planning Services was not in attendance, he would take the issue of May Street parking on notice. The Mayor gave an assurance that the noise from the Richmond Quarter development would be monitored.

5.2.20 Dead Street Trees

Mr Dingli (37A Gill Street) advised that he was happy with the service Council currently provided however drew attention to the number of dead trees throughout the district.

The Operations Manager advised that the majority of dead trees were removed/replaced following notification from residents and requested Mr Dingli provide details on any trees he had observed.

5.2.21 East Fremantle Community Garden

Ms Tucker (53A Petra Street) advised that the East Fremantle Community Garden, which disappointingly is not located in East Fremantle, runs free sustainability/recycling programs.



5.2.22 Perth Freight Route

Ms Flynn (62 Allen Street) advised that she had left information regarding the Perth Freight Route on the table outside the meeting for the information of tonight's attendees.

5.2.23 Dirk Arkeveld

Mrs Newton (38 Alexandra Road) paid tribute to Dirk Arkeveld, Council's former Planning/Building Surveyor who had passed away recently. Mrs Newton advised that Dirk, who had been a pleasant and very helpful man, had given over 25 years' service to the Town, had served in Vietnam and had been responsible for establishing the Memorial Rose Garden in Preston Point Road.

Mayor O'Neill advised that he had always found Dirk to be a helpful and down to earth man and also praised his contribution to the Town.

5.2.24 Cyclist Safety Riverside Road/Preston Point Road

Ms Wisniewski (79A View Terrace) drew attention to the condition of the road surface in Riverside Road which posed a danger to cyclists. She also requested Council consider making Preston Point Road more cycle friendly as the road modifications were a danger to cyclists.

Mayor O'Neill advised that these two issues would be followed up.

5.2.25 Amalgamation

Mr Smith (54 Dalgety Street) asked whether the Mayor and other Councillors who favoured amalgamation, would consider stepping down now the poll provisions had been invoked, given they had misread the mood of the residents of the Town.

Mayor O'Neill advised no.

Mr Smith asked whether the Mayor and other Councillors who favoured amalgamation, would consider stepping down following polling day on 7 February 2015 if the no vote succeeds, given they had misread the mood of the residents of the Town.

Mayor O'Neill advised no.

Mr Smith asked whether the Mayor would be stepping down given his pursuit of the Commissioner position at the new City of Fremantle and this conflict of interest with his role of Mayor, as having misread the mood of the Town. Mr Smith stated both the Mayor and Cr Martin had failed to declare their pecuniary interest.

Mayor O'Neill advised no.

Mr Smith asked what guarantees had been received from the City of Fremantle that the high rise movement will not spread to East Fremantle.

Mr Flynn (62 Allen Street) asked whether the Fremantle Herald could show a more balanced view of the argument for/against amalgamation.

Mrs Newton (38 Alexandra Road) advised that the tone of the amalgamation advertisements in the Fremantle Herald were disgusting.

Mayor O'Neill advised that the Town's current town planning scheme would carry over to the new City of Fremantle.

**5.2.26 Special Council Meetings**

Mr Smith advised that there had been a flurry of special Council meetings recently, called at short notice, and asked what these meetings were about. Mr Smith advised that word on the street was that Council was planning to get rid of the CEO.

Mayor O'Neill asked that Mr Smith's words "*a contract I am familiar with*" be recorded.

Mr Smith advised that he had stated "*he had signed a few of them*" and was referring to "*a model contract*".

Mayor O'Neill advised this was a confidential matter and he would not make any comment.

Mr Smith asked at what stage would the Mayor be taking the residents into his confidence.

Mayor O'Neill responded "When I have something to say".

Mr Smith asked again when the Mayor would advise residents of what was going on.

Mayor O'Neill repeated "When I have something to say".

5.2.27 Perth Freight Network

Ms Vinicombe (2 Salvado Avenue) queried whether Council would fund an additional officer to attend meetings relating to the Perth Freight Network if amalgamation does not proceed.

Mayor O'Neill advised that Council would need to look at employing a technical officer to attend these meetings.

5.2.28 Employment of CEO/Amalgamation Issue

Mr Symonds (7/228 Canning Highway) expressed his concern that residents need to know what is going with the CEO's employment.

Mr Symonds stated that he believed the Mayor had a vested interest in the Town being amalgamated and him becoming a Commissioner of the greater Fremantle.

Mayor O'Neill advised that in response to Mr Symond's first comment, "when there is something to be said, I will say something".

Mayor O'Neill advised in response to his possible appointment as a Commissioner, he had made it clear that if amalgamation was going ahead, he wanted to make sure East Fremantle was looked after. The Commissioner position was only for approximately 3 months, it may go for a month or two longer if the ward system is reintroduced.

Cr Harrington (Deputy Mayor) spoke in support of the Mayor's possible appointment, stating that he would be far better versed to represent the residents of the Town than a government appointed representative. Cr Harrington advised that had she been given the opportunity to nominate for one of these role, as originally proposed, she would have accepted, for no fee, to ensure the best interests of the Town were met.

5.2.29 CEO's Employment

Mr Smith (54 Dalgety Street) asked when the next Special Council Meeting was to be held regarding the CEO's employment.

Mayor O'Neill advised it would be on Wednesday.

Mr Smith asked whether the agenda included public question time as required for all special council meetings.



Mr Smith asked what the time line was for this matter.

Mayor O'Neill advised as soon as possible.

Mr Smith advised that he noted the Mayor had been granted leave of absence for the next Council Meeting on 17 February and asked whether it was correct that he would be absent from this meeting.

Mayor O'Neill advised that he had been granted leave of absence for the February Council meeting however would be in attendance.

Mr Smith asked if the Mayor would be going on leave after that.

Mayor O'Neill advised that he would be away from 7 to 14 February 2015 (between the Town Planning and Council Meetings) however would not be away after that given important issues relating to the Town.

Mr Smith asked if Council had called in a mediator to resolve any outstanding issues relating to the CEO. Mr Smith asked if the CEO would be returning to work in mid March.

Mayor O'Neill advised that he would not discuss employment issues.

Mr Smith asked if the CEO would be returning from leave.

Mayor O'Neill declined to answer the question.

5.2.30 ***Poll Question/Amalgamation***

Mr Handcock (28A Allen Street) firstly acknowledged former elected members in the gallery, and noted former Cr Peter Bothwell, who had been omitted from acknowledgement earlier in the meeting.

Mr Handcock advised that that he did not particularly like the poll question contained in the voting material circulated to residents and asked what the situation was for residents of Palmyra, Bicton and Hamilton Hill should the majority of East Fremantle residents vote no to amalgamation.

Mayor O'Neill advised that the Local Government Advisory Panel had been responsible for the formation of the poll question.

The CEO advised the Minister for Local Government in accepting the recommendations of the Local Government Advisory Panel was required to accept all the recommendation. When the Government had been asked what would happen if the poll was successful, they had commented that they would cross that bridge when they came to it.

Mr Handcock asked how long Council had known that if the East Fremantle poll was successful, all other proposals including boundary changes were affected.

Mayor O'Neill advised that this had only panned out in the last 10 days.

Mr Handcock drew attention to the fact that since its acquisition, he had been the only Mayor in the Town who had worn the mayoral chain. He also advised that when attending a recent meeting at the City of Fremantle, he had noted the furniture from the former Town of North Fremantle had been saved and was housed in a room at the administration centre and hoped that should amalgamation go ahead, a similar area will be set aside for Town of East Fremantle memorabilia.



5.2.31 CEO's Employment

Mr Smith (54 Dalgety Street) asked whether a mediator had been approached or would be considered in the case of the CEO's employment.

Mayor O'Neill declined to answer the question.

Mr Smith cited the case, a few years ago, of a CEO being sacked from another local government and produced press articles of ensuing staff industrial action. Mr Smith stressed the need for Council to conduct this process properly.

Mr Smith asked if the next Special Council Meeting would have public question time and be open to the public.

Mayor O'Neill advised that the commencement of the meeting was open to the public and he would look at the public question time issue as soon as possible.

Mr Smith advised that he believed a staff survey had been conducted as part of the CEO's performance appraisal and asked whether this survey would be made public. Mr Smith advised that Council staff were respected by many residents and they would be concerned if staff were unsettled by a process held behind closed doors.

Mayor O'Neill advised that the survey would not be made public.

Ms Flynn (62 Allen Street) stated that it was not appropriate to discuss staff contract at a public meeting.

Mr Symonds (7/228 Canning Highway) asked whether the CEO had been sacked and was there a consequence to this issue for ratepayers.

Mayor O'Neill advised that he did not intend to answer these questions at this time – Mr Smith's questions are on the public record.

5.2.32 Thankyou to Staff

Mrs Newton (45 Alexandra Road) thanked Council staff, particularly the outside staff, for their work and expressed disappointment at the grandstanding at tonight's meeting.

6. CLOSURE OF THE MEETING

There being no other business Mayor O'Neill thanked everyone for attending and declared the meeting closed at 8.50pm.