



Additional documents

Ordinary Meeting of Council

Wednesday, 28 October 2020, 6.00 pm

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FPOL2010-10 TENDER – WALYALUP CIVIC CENTRE HOSPITALITY SPACE

Proposed amendment submitted by Cr Rachel Pemberton

To amend part 1 of the Committee Recommendation to include the wording shown in green text below:

1. Authorise the Chief Executive Officer (CEO) to commence lease negotiations with the non-conforming and only tenderer for the Walyalup Civic Building hospitality space, to improve the terms of the current proposal with emphasis on the following;
 - a) The City only contribute to reasonable fitout costs needed to provide a general fitout standard,
 - b) Rent to be stepped-in on reasonable terms which reflect market expectations and any contribution by the tenant towards reasonable fitout costs, and
 - c) Progression of the “Suitability of Business” elements of the advertised tender.

Reason for amendment:

The amendment indicates that the negotiations need to improve the current financial requirements of the proposal, for consideration of reasonable current market expectations in these negotiations and to ensure the business model meets the suitability requirements of the advertised tender. It is also noted that any negotiated proposal will be brought back to council for consideration before any final agreement is made.

FPOL2010-11 HILTON UNDERGROUNDING POWER PROJECT

Proposed amendment submitted by Cr Frank Mofflin

To amend part 3 of the committee recommendation to include the wording shown in green text below:

3. Agree to apply an annual service charge **over a period of no less than 7 years** to properties within the project boundary area **which receive a new underground service**, for recovery of the residential consumer mains connection costs, for consideration as part of the annual budget process.

Reason for amendment:

To formalise the intent that cost recovery occurs over at least 7 years, as quoted on page 48 of the agenda under the heading Cost Recovery.

A number of properties within the project boundary area already have underground power and will not receive a change in service. The original recommendation could have applied a service charge to all properties within the project boundary.

C2010-1 OPERATION OF SOUTH BEACH MARKETS 2020/2021

Proposed alternative recommendation submitted by Cr Rachel Pemberton

1. ~~Approve a seven (7) day Request for Proposal process be used to source a local licensee~~ Authorise the CEO to offer a licence to the current operator of South Beach Markets to operate a food market at South Beach Reserve for the single season of 2020/21 based on the following criteria;
 - 1) Term: December 2020 to April 2021
 - 2) The operator is responsible for the following event fees:
 - i. Booking fee: to be waived
 - ii. Hire fee for South Beach and Wilson Park: to be waived
 - iii. Bond: \$10,000
 - iv. Ground Restoration bond: \$10,000
 - v. Additional cleaning public toilets: \$650
 - vi. Any additional toilet provision to be provided at the expense of the operator
 - vii. Bin hire: \$22,000
 - viii. Any additional power supply requirements to be provided at the expense of the operator
 - ix. Suitable security costs requirements to be provided at the expense of the operator, and
 - x. Suitable car parking management to be provided at the expense of the operator.
 - 3) Market mix
 - a. Maximum of 60 stalls
 - b. Maximum of 40 food stalls
 - 4) Compliance permits
 - a. Stall operator to ensure all stalls have required permits
2. ~~Authorised the Chief Executive Officer to select a preferred licensee from the Request for Proposal process based on the best fit of the above criteria in 2 above, and finalise the licence.~~

Reason for alternative:

The Council did not make a decision to put the licence out to tender, but rather deferred the decision in November 2019 (agenda page 78). Furthermore, the operator has developed the concept and offering and delivered a satisfactory service and community facility for the past 8 years. The South Beach Sunset markets is a widely known and successful brand and attracts many people to Fremantle. While others could do the same, it is unfair to undermine the intellectual property and existing brand. This business could be considered to be unique and successful (like Ginos) and therefore not be required to go to tender.

However, the Council subsidy of this market is very generous and hard to justify. If the operator cannot make the business a success, or refuses the option for a licence, then the licence should be made available to other operators who can run a market without generous council subsidies.

C2010-1 OPERATION OF SOUTH BEACH MARKETS 2020/2021

Proposed alternative recommendation submitted by Cr Hannah Fitzhardinge

1. ~~Approve a seven (7) day Request for Proposal process be used to source a local licensee~~ Authorise the CEO to offer a licence to the current operator of South Beach Markets to operate a food market at South Beach Reserve for the single season of 2020/21 based on the following criteria;

- 1) Term: December 2020 to April 2021
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- 3) Market mix
 - a. Maximum of 60 stalls
 - b. Maximum of 40 food stalls
- 4) Compliance permits
 - a. Stall operator to ensure all stalls have required permits

- ~~2. Authorised the Chief Executive Officer to select a preferred licensee from the Request for Proposal process based on the best fit of the above criteria in 2 above, and finalise the licence.~~

2. Advise the current operator that following this season of the Markets, the opportunity to run a summer market at South Beach will be put out to public tender in an open and transparent process, with criteria that reduce the annual financial contribution from the City.

Reason for alternative:

To enable the current operator to run the South Beach Markets in the 2020/21 season, however in future seasons the opportunity to operate summer markets will be put out to public tender with criteria that reduce the annual financial contribution from the City.

C2010-1 OPERATION OF SOUTH BEACH MARKETS 2020/2021

Proposed amendment submitted by Cr Marija Vujcic

To add parts 3 and 4 to the Officer's Recommendation, as shown below:

3. Following the expiration of this temporary agreement, council use a full tender process when establishing any new operators and that the operator pays all costs (approximately \$147,554 per year) and are not provided with discounted fees.
4. Immediately consider restricting the markets frequency and scheduling to a weekly Thursday night market. To allow local 'bricks and mortar' businesses to benefit from the busy Saturday night trade and to increase and promote additional activity Thursdays.

Reason for amendment:

In future seasons the opportunity to operate summer markets will be put out to public tender with criteria that the operator is not to be provided with discounted fees. Changing the day provides for activation of the area on a weekday and does not impact local traders on the weekend.