

TOWN OF COTTESLOE



FULL COUNCIL MEETING MINUTES

ORDINARY MEETING OF COUNCIL
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
7.00 PM, Monday, 25 March, 2013

CARL ASKEW
Chief Executive Officer

27 March 2013

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TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	3
2	DISCLAIMER	3
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	3
4	PUBLIC QUESTION TIME	3
	4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
	4.2 PUBLIC QUESTIONS.....	4
5	PUBLIC STATEMENT TIME	4
6	ATTENDANCE.....	4
	6.1 APOLOGIES.....	4
	6.2 APPROVED LEAVE OF ABSENCE	4
	6.3 APPLICATIONS FOR LEAVE OF ABSENCE.....	4
7	DECLARATION OF INTERESTS.....	5
8	CONFIRMATION OF MINUTES	5
9	PRESENTATIONS.....	5
	9.1 PETITIONS	5
	9.2 PRESENTATIONS.....	5
	9.3 DEPUTATIONS	5
10	REPORTS	6
	10.1 REPORTS OF OFFICERS	6
	10.1.1 MAINSTREET AUSTRALIA NATIONAL CONFERENCE	6
	10.2 REPORTS OF COMMITTEES.....	10
	10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 18 MARCH 2013.....	10
	10.3.1 REVIEW OF DRAFT STATE PLANNING STRATEGY	10
	10.3.2 CBD AND TOWN CENTRE DESIGN AND DEVELOPMENT CONFERENCE	16
	10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 19 MARCH 2013	19
	10.4.1 2013 WHALEBONE CLASSIC	19

	10.4.2	COMMUNITY PERSPECTIVES SURVEY	21
	10.4.3	FINAL ADOPTION OF STANDING ORDERS AMENDMENT LOCAL LAW 2013	25
	10.4.4	FINAL ADOPTION OF THE COMMUNITY CONSULTATION POLICY	30
	10.4.5	STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2012 TO 28 FEBRUARY 2013	32
	10.4.6	SCHEDULE OF INVESTMENTS AND LOANS AS AT 28 FEBRUARY 2013	34
	10.4.7	LIST OF ACCOUNTS PAID FOR THE MONTH OF FEBRUARY 2013	36
	10.4.8	PROPERTY AND SUNDRY DEBTORS REPORTS AS AT 28 FEBRUARY 2013	38
11		ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	40
12		NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:	40
	12.1	ELECTED MEMBERS.....	40
	12.1.1	TOWN OF COTTESLOE COMMUNICATION WITH MR AND MRS SVANBERG	40
	12.2	OFFICERS.....	42
13		MEETING CLOSED TO PUBLIC	42
	13.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	42
	13.2	PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC	42
14		MEETING CLOSURE	42

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 7:05 PM.

2 DISCLAIMER

The Presiding Member drew attention to the town's disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor informed members and the public that the Town had lodged its submission, as previously circulated by the CEO, to the Metropolitan local Government Review with all submissions to be submitted by 5th April 2013. He noted that, as part of the State elections, it had been announced that there would be no forced amalgamations. This will allow the Town and other Councils to consider the reform issues on their merits, with the existing legislation and poll provisions being retained. He also noted that the Premier has indicated that he will not use powers to force Councils to amalgamate. There is now an opportunity to look at the G4 option with fresh eyes and for Councils to weigh up the potential benefits and to explore the issue of regional shared services and coordination through a regional councils. He noted that some of the members of the G20 group of Councils were now aware of the potential repercussions of forced reform. He commented that regional cooperation was the best opportunity to placate neighbours and retain local democracy whilst obtaining efficiencies through regional co-ordination and shared services.

In addition, the Mayor advised that the Town has been approached by the North Cottesloe Primary School to consider installing it's the next sculpture acquisition close to the school site as part of their Centenary celebrations and the Town's Art Acquisition Panel had supported this request and considered its selections based upon the request and the appropriateness of the school environment and location. This year the Town has acquired two sculptures; "*liquorice allsorts*" by Michael Grau, a Bassendean based artist and "*kinetic interference*" by a prominent artist from Spain, Manuel Ferreiro Badia. These sculptures represent two more exciting additions to the Town's growing public sculpture collections.

Lastly the Mayor expressed congratulations the staff on the excellent results of the Community Perspective Survey which was conducted at the end of last year and has been reported to Council this month. It supports the value of local democracy and the delivery of local services in a local government environment.

4 PUBLIC QUESTION TIME**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Nil

6 ATTENDANCE**Present**

Mayor Kevin Morgan
Cr Jack Walsh
Cr Greg Boland
Cr Katrina Downes
Cr Yvonne Hart
Cr Sally Pyvis
Cr Peter Jeanes
Cr Robert Rowell
Cr Victor Strzina

Officers Present

Mr Carl Askew	Chief Executive Officer
Mr Mat Humfrey	Manager Corporate & Community Services
Mr Geoff Trigg	Manager Engineering Services
Mr Andrew Jackson	Manager Development Services
Mrs Lydia Giles	Executive Officer

6.1 APOLOGIES

Nil

Officer Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Rowell, seconded Mayor Morgan

That Cr Rowell's request for leave of absence from the June Council meeting be granted.

Carried 9/0

Moved Cr Boland, seconded Cr Strzina

That Cr Boland's request for leave of absence from the April Council meeting be granted.

Carried 9/0

7 DECLARATION OF INTERESTS

Nil

8 CONFIRMATION OF MINUTES

Moved Cr Strzina, seconded Cr Walsh

[Minutes February 25 2013 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Monday, 25 February, 2013 be confirmed.

Carried 9/0

9 PRESENTATIONS**9.1 PETITIONS**

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of public present, the Presiding Member determined to consider the following items first:

From the Development Services Committee item 10.3.1 was withdrawn for consideration.

From the Works & Corporate Services Committee the following items 10.4.2, 10.4.3 and 10.4.4 were withdrawn for consideration.

The remainder of the Officer Reports from Works & Corporate Services Committee Item number 10.4.1, 10.4.5 to 10.4.8 were dealt with 'En Bloc'.

10 REPORTS**10.1 REPORTS OF OFFICERS****10.1.1 MAINSTREET AUSTRALIA NATIONAL CONFERENCE**

File Ref: SUB/38
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 25 March 2013

SUMMARY

Every year in Australia a range of town planning, transport and related conferences occur in various cities, offering ideal opportunities for professional development and benefits to participating organisations. Such conferences cover current issues, overseas experience, new ideas, technical skills, workshops, field trips, networking, consultancies and so on in keeping abreast of planning matters and practices.

The above conference will be held at Federation Square in Melbourne from 12 to 15 May 2013. It is identified as particularly relevant to Cottesloe in connection with Council studies undertaken in recent years and projects being implemented for the Town Centre; including dealing with the public domain, private sector proposals and State Government involvement.

This report recommends approval for the Manager Development Services to attend the conference.

CONFERENCE POLICY

Council's Conferences Policy applies.

Employees who wish to attend a conference/seminar/training shall complete a Request for Training application form and submit it to the Chief Executive Officer through their Supervisor.

Attendance at any interstate or international conference must be the subject of an application to be considered by the Chief Executive Officer and referred to the Works & Corporate Services Committee for recommendation to Council.

Note: The Policy was adopted some years ago and the main reason for items going to the W&CSC was if they related to that committee or for budgetary consideration. More recently reports on conferences for the Planning staff have been presented to the Development Services Committee as the logical forum before recommending to Council.

The following expenses for approved conferences/seminars/training will be met by Council:

- (a) Registration fees;*
- (b) Return fares and other necessary transport expenses;*
- (c) Reasonable accommodation and living expenses.*

Where possible expenses are to be pre-paid.

All expenditure is to be accounted for prior to reimbursement.

FINANCIAL IMPLICATIONS

The estimated cost of registration, accommodation, travel and miscellaneous expenses meals for the conference is \$2,500-3,000, which is relatively modest and can be met by the current training/conference budget for Planning staff.

CONFERENCE OVERVIEW

Who is Mainstreet Australia?

Mainstreet Australia is a highly-respected and energetic association, providing valuable networking, education, support and strategic direction for all stakeholders, to promote and ensure that community business centres remain the beating heart of our communities.

Established to provide a forum for information exchange, networking and professional development, Mainstreet Australia provides a collective voice and advocacy for mainstreets to stakeholders and government. Mainstreet Australia works to address issues of concern, capitalise on innovations, explore opportunities and promote what is special and unique about our mainstreets.

What is a mainstreet?

Mainstreets are at the heart of our communities and we want them to survive and thrive. Other words for mainstreets include: town centres, city centres, traditional main streets, shopping strips, retail precincts, commercial precincts, activity centres.

Most often orientated towards public streets or places, they are characterised by multiple ownership, shared infrastructure and a broad mix of uses.

Challenges are constant; many of them new, so now more than ever we need to work collaboratively to create new experiences that build success and secure a vibrant future for our mainstreets, tomorrow and beyond.

Mainstreet conferences

The Mainstreet Australia National Conference is highly-respected, with a reputation for delivering value, practical insights, quality speakers, authentic experiences and a wealth of valuable information and opportunities.

Mainstreet Australia searches worldwide for practitioners and presenters who can inform and inspire conference members on best-practice and innovative examples of

how mainstreets continue to reinvent themselves and reinforce their role as the heartbeat in any town or community.

The inaugural conference was held in 2007 at the MCG with over 350 delegates. In 2009 it was held in Fremantle and in 2011 it was hosted by a newly-formed Mainstreet South Australia organisation. In 2013 the conference is returning to Melbourne, where it all began.

Being solutions-focused, the conference will explore how mainstreets can tackle the challenges and create new opportunities that deliver the economic, social and cultural value that is so critical to the future of our mainstreets.

It is the largest conference that specifically supports mainstreet practitioners, which includes marketing coordinators, special rate programs, business/trader associations and local government officers from key areas such as economic development, community development, strategic planning, place-making and tourism.

Conference theme and topics

This year's conference theme is *New Challenges, New Opportunities, New Values*. The comprehensive range of detailed topics includes:

Challenges

On-line retailing.

The rise of mobile retailing

The speed and sophistication of the major national and international retailers

Today's new breed of shopping place

Changing consumer preferences

Increasing competition

Evolving role of the mainstreet

Housing and infrastructure development

Strategic land use influences

Complexity of ownership

Models of management

Business regulation reform and workplace changes

The onset of carbon pricing

Environmental sustainability.

Values

Community connections

Community development

Partnerships

Social interaction

Relationships

Service

Authenticity

Experiences

Cultural celebration and identity

Creativity arts

Economic growth and development

Social development

Place-making
Main street as the heart
Small business success
Local factors
Human interaction
Advocacy
Accessibility
Wellbeing

Opportunities

Localism
Sustainability
Carbon footprint
Social media and on-line retailing
Integrated management approaches
Community benefit
Partnerships
Business associations
Special rates programs/BIDS
Government partnerships
Efficient and effective planning systems
Engaging with private developers
New alliances and partnerships
Value-adding

The conference is another excellent opportunity to look, listen, learn and interact in order to gain first-hand experience and gather up-to-date information about how the mainstreet movemethos and methods can inspire and be applied to Cottesloe's town and local centres in the interests of our local economy and community, as well as in the face of competition and planning and development trends and pressures.

This additional and leading opportunity would greatly augment the past several years of studies that the Town has undertaken and the current range of projects and improvements that Council is considering or implementing with the aim of making the district's centres better and more robust places.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Morgan, seconded Cr Strzina

THAT Council approve attendance of the Manager Development Services at the Mainstreet Australia National Conference in Melbourne on 12-15 May 2013, and request that a report be provided within two months of the event.

Carried 9/0

10.2 REPORTS OF COMMITTEES**10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 18 MARCH 2013****10.3.1 REVIEW OF DRAFT STATE PLANNING STRATEGY**

File Ref: SUB/341
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ed Drewett
Senior Planning Officer

Proposed Meeting Date: 18 March 2013

Author Disclosure of Interest: Nil

PURPOSE

The purpose of this report is to provide Council with an overview of the draft State Planning Strategy (SPS) that has been prepared by the Department of Planning on behalf of the Western Australian Planning Commission (WAPC) and released for public comment. The comment period closes on 29 March 2013.

A copy of the SPS is available on the WAPC's website.

BACKGROUND

The draft SPS is proposed to replace the current Planning Strategy that was first published in 1997. It outlines the State Government's intention to undertake a collaborative approach in planning for the State's infrastructure, environment, food security, land availability, economic development, education, training and knowledge transfer.

A media statement on the draft strategy was released by the Minister for Planning, John Day, on 19 December 2012 and advised:

Western Australia is being shaped by population and economic growth, technological innovation, and increased water and energy requirements and, in having to adapt to a changing and increasingly complex global environment, the need for strategic planning has never been greater.

This strategy plans for a potential doubling of WA's current population to 5.4 million by 2056 and seeks to better anticipate, adapt to and manage the drivers of change most likely to influence the future growth and development of the State.

The release of this draft provides industry, business, academia, local governments and the broader community with the opportunity to contribute to the sustained prosperity of WA for future generations.

The draft strategy contains a strong regional development focus designed to integrate with planned regional investment and the Royalties for Regions program and, significantly, it outlines the emergence of the State's North-West and Mid-West

sectors as hotspots for capital investment, increasing Western Australia's contribution to Australia's GDP.

RELATIONSHIP WITH OTHER WAPC STRATEGIES AND POLICIES

The SPS is an overarching strategic document that informs all other state, regional and local planning strategies, policies and approvals. Specifically it links to and builds upon other strategic planning instruments put in place by the WAPC. These include:

- Directions 2031 and Beyond
- Pilbara Planning and Infrastructure Framework
- Liveable Neighbourhoods
- Urban Development Program (including Regional Hotspot report; Urban Growth Monitor; Perth and Peel Outlook)
- WA Tomorrow (population forecast)

SUMMARY OF DRAFT STRATEGY

This is structured into four parts:

- Vision
- Principles
- Strategic Goals
- Strategic Directions

Development of this strategy involved considerable research, analysis and collaborations across state government. It reaches beyond land use planning to place priority on managing population and economic growth through partnerships and alliances and should be viewed in its entirety and not as a series of individual parts.

The principles – *Balancing competing demands*

Six interrelated and interdependent principles underpin and inform this strategy:

- **Community** – enabling diverse, affordable, accessible and safe communities.
- **Economy** – facilitating trade, investment, innovation and community betterment.
- **Environment** – conserving natural assets through sustainable development.
- **Infrastructure** – coordinating infrastructure with development.
- **Regional development** - building competitive and collaborative advantages.
- **Governance** – building community confidence in development practices.

The context – *Drivers of change*

Change is inevitable. The drivers of change need to be understood. Factors providing a context for and directly influencing the state's future development include:

- Population
- Workforce
- Global economy
- Diversification

- Urbanisation and regional expansion
- Technology
- Climate change.

Strategic goals – *Managing change*

There are many pathways to achieve sustained prosperity. Realising the vision will involve addressing five interrelated strategic goals:

- **Global competitiveness** – building on and strengthening the state’s diverse economic base.
- **Strong and resilient regions** – developing regional resources to adapt to change and offer greater choice of global investment, attracting higher-value workers.
- **Sustainable communities** – resilient communities with social capital and networks that demonstrate exemplary built form and environmental excellence.
- **Infrastructure planning and coordination** – integrating infrastructure networks to add value and optimise the capacity to finance.
- **Conservation** – conserving the natural environment through sustainable development and prudent use of resources.

The spatial dimensions – *Towards a state spatial plan*

The Strategy outlines the emergence of regional WA as a hotspot for capital investment and its increasing contribution to Australia’s gross domestic product:

- **North West sector:** is rapidly gaining importance in national and global trade, investment and commerce, driven by increasing resource demand.
- **Central Sector:** a growing economy which encompasses some of the State’s most iconic landscapes; is poised to be a significant contributor to the nation’s mining, scientific, technological, research and innovation industries by 2050.
- **South West Sector:** a region with a diverse economic base will continue to house the majority of the State’s population and have the highest level and greatest range of health and education services, cultural activities and employment.

STRATEGIC PLANNING FRAMEWORK

The key strategic directions in the proposed SPS are summarised as follows:

- **Economic development** – enabling multi-sector interdependencies to diversify the State’s economic base.
- **Education, training and knowledge transfer** – attracting investment into science/technology and retaining highly skilled people by designing creative hubs with good access to services.
- **Tourism** – promoting the different experiences in tourism, the arts, culture, recreation and education.

- **Environment** – conserving biodiversity and managing the state’s natural resources in a sustainable manner.
- **Agriculture and food** – enabling the state’s food supply chain to meet the projected demands of its domestic and global food and fisheries markets.
- **Physical infrastructure** – coordinating physical infrastructure with development for community betterment:
 - **Movement** – moving people, goods and services through an integrated network connected nationally and globally.
 - **Water** – supporting population growth and development by sustainably managing the availability and quality of water while maintaining a healthy, diverse and well-managed water environment.
 - **Energy** – enabling secure, reliable, affordable and clean energy that meets the state’s growing demand.
 - **Waste** – managing waste as a resource through innovation strategic sites and infrastructure corridors.
 - **Telecommunications** – ensuring those responsible for telecommunications take into account WA’s planning and development priorities and requirements.
- **Social infrastructure** – enabling liveable, inclusive and diverse communities:
 - **Spaces and places** – creating places and spaces that foster culture, liveability, enterprise and identity.
 - **Affordable living** – enabling affordable living through housing diversity and compact settlements.
 - **Health and wellbeing** – encouraging active lifestyles, community interaction and betterment.
- **Land availability** – enabling the supply of affordable serviced land and responding to the fragmentation of prime agricultural lands.
- **Remote settlements** – enabling remote settlements to maintain economic and social life with improved connectivity and culture support.
- **Security** – enabling defence and associated industries to protect the State’s economy and bio-security.

Each of these strategic directions is detailed in the draft SPS and structured as shown in the table below:

STRATEGIC DIRECTION	PURPOSE/FUNCTION
The objective:	The desired outcome of a strategic direction.
Overview:	Summary of a strategic direction.
Key Facts:	The latest available data and information.
The Approach:	Key elements that will contribute to the objective.
State Challenges:	Issues that must be considered in the approach.

STAFF COMMENT

The vision, strategic goals and strategic directions are all clearly explained in the SPS and illustrations supplement the text providing an overview of the State's current and future resources.

Key facts for each of the strategic directions in the SPS provide a credible foundation on which the Strategy is based and the Strategic Approach and State Challenges outline the aspirations and potential difficulties facing Western Australia to 2050.

CONCLUSION

The SPS will be used by the Government as a basis to plan for and coordinate regional and urban infrastructure across the State; improve efficiency of infrastructure investment; and facilitate the consideration of project approvals, delivery of services and urban land supply.

The Government intends working with local government, the private sector and other individuals in the ongoing development and application of the Strategy. However, as the SPS provides a strategic planning framework for the whole of the state it should be considered as an overarching document rather than providing specific strategic direction to individual local governments within the metropolitan area.

The WA Local Government Association (WALGA) has advised that it shall be making a submission on the SPS and has invited the Town to be included in its response. It is therefore recommended that the Council's resolution be forwarded to both WALGA and the WAPC.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee discussed the purpose and potential implications of the Strategy at some length in relation to the planning system and Local Governments generally as well as in relation to the Cottesloe context and current planning issues. While Committee was prepared to receive and note the document it was not automatically supportive as it considered that the Strategy appeared in some ways contradictory and at odds with local planning objectives and matters including the interests of councils and their

communities. As such a qualified cautious response was suggested as desirable at this stage.

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Hart

That Council advises WALGA and the WAPC:

1. That it generally supports the draft State Planning Strategy as a means for the State Government to undertake a cooperative approach in planning for the State's infrastructure, environment, food security, land availability, economic development, education, training and knowledge transfer.
2. That sustained population growth, tourism and the supply of land for future development in the South West Sector should be based on a collaborative approach with local government and the community, and the quiet residential character of established low-density residential areas should be retained and enhanced where appropriate for modern living, the preservation of heritage buildings of significance, health and wellbeing.

AMENDMENT

Moved Cr Walsh, seconded Cr Downes

That point 1 of the Officer Recommendation is amended to read: "That it receives and notes the draft State Planning Strategy as a means for the State Government to undertake a cooperative approach in planning for the State's infrastructure, environment, food security, land availability, economic development, education, training and knowledge transfer."

Carried 5/1

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Cr Downes

That Council advises WALGA and the WAPC:

1. That it receives and notes the draft State Planning Strategy as a means for the State Government to undertake a cooperative approach in planning for the State's infrastructure, environment, food security, land availability, economic development, education, training and knowledge transfer.
2. That sustained population growth, tourism and the supply of land for future development in the South West Sector should be based on a collaborative approach with local government and the community, and the quiet residential character of established low-density residential areas should be retained and enhanced where appropriate for modern living, the preservation of heritage buildings of significance, health and wellbeing.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 9/0

10.3.2 CBD AND TOWN CENTRE DESIGN AND DEVELOPMENT CONFERENCE

File Ref: SUB/38
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 18 March 2013

SUMMARY

Every year in Australia a range of town planning, transport and related conferences occur in various cities, offering ideal opportunities for professional development and benefits to participating organisations. Such conferences cover current issues, overseas experience, new ideas, technical skills, workshops, field trips, networking, consultancies and so on in keeping abreast of planning matters and practices.

The above conference will be held in Sydney on 19-20 June 2013, building on the success of the inaugural event last year. It is identified as particularly relevant to Cottesloe in connection with Council studies undertaken in recent years and projects being implemented for the Town Centre; including dealing with the public domain, private sector proposals and State Government involvement.

This report recommends approval for the Manager Development Services to attend the conference.

CONFERENCE POLICY

Council's Conferences Policy applies.

Employees who wish to attend a conference/seminar/training shall complete a Request for Training application form and submit it to the Chief Executive Officer through their Supervisor.

Attendance at any interstate or international conference must be the subject of an application to be considered by the Chief Executive Officer and referred to the Works & Corporate Services Committee for recommendation to Council.

Note: The Policy was adopted some years ago and the main reason for items going to the W&CSC was if they related to that committee or for budgetary consideration. More recently reports on conferences for the Planning staff have been presented to the Development Services Committee as the logical forum before recommending to Council.

The following expenses for approved conferences/seminars/training will be met by Council:

- (a) Registration fees;*
- (b) Return fares and other necessary transport expenses;*
- (c) Reasonable accommodation and living expenses.*

Where possible expenses are to be pre-paid.

All expenditure is to be accounted for prior to reimbursement.

FINANCIAL IMPLICATIONS

The estimated cost of registration, accommodation, travel and meals for the conference is \$2,500-3,000 and can be met by the current training/conference budget for Planning staff.

CONFERENCE OVERVIEW

The conference is a national event aimed to attract planners, designers, place-makers, urban economists, the development industry and many others associated with town centre vitality. The program elaborates:

*The **second CBD & Town Centre Design and Development Conference** will provide attendees with practical knowledge and expert advice on how the planning, design and development of Australia's CBDs and town centres can be optimised for the benefit of local communities and businesses.*

With governments, developers and businesses seeking to enhance the design, amenity and economic activity of central business districts, this conference will provide leading case studies and expert advice on how to achieve successful design and revitalisation of the centres of cities, suburbs and regional towns.

Town planning, urban design, infrastructure improvements, streetscaping, building design and public spaces will be among topics examined by this conference.

The conference concentrates on planning, designing and developing town centres to optimise economic and community benefits, entailing two days of detailed analysis, leading knowledge, educational workshops and interactive discussion.

The program features a comprehensive array of expert speakers and case studies to provide attendees with the latest information and advice on how to best address the planning, design and management of key community hubs.

With local governments, developers and businesses seeking to enhance the amenity and economic activity of CBDs and town centres, the conference will demonstrate how these spaces can be sculpted to achieve robust results for the overall community, including revitalisation plans and economic development strategies.

It is apparent that the nature and diversity of speakers and topics forming the conference are very relevant and useful to the numerous planning aspects and options facing Cottesloe regarding the future of its Town Centre, local centre and beachfront precincts.

While some conferences are intentionally broad and general, the advantage of this particular event is its specialised focus and the gathering of like-minded professionals to explore enhanced approaches to the planning, development and wellbeing of Town Centres as the hearts of urban settlements.

VOTING

Simple Majority

COMMITTEE COMMENT

The Manager Development Services advised that the Mainstreet Australia National Conference had also been advertised for May 2013 in Melbourne, and he wished to investigate that opportunity as well, which is similarly aimed at town centre planning and management. Committee supported this and a possible amended or additional recommendation to full Council regarding these valuable professional training and development opportunities.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Mayor Morgan

THAT Council approve attendance of the Manager Development Services at the CBD and Town Centre Design and Development Conference in Sydney on 19-20 June 2013, and request that a report be provided within two months of the event.

Carried 9/0

10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 19 MARCH 2013**10.4.1 2013 WHALEBONE CLASSIC**

File Ref: SUB/1464
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Sherilee Macready
Community Development Officer

Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

On Saturday 13th of July and Sunday 14th July 2013, Fun's Back Surf Shop would like to hold their annual Whalebone Classic at Isolators Reef Cottesloe. The event will be organised by Peter Dunn and Simone Quartermaine, owners of Fun's Back Surf Cottesloe.

BACKGROUND

The Whalebone Classic is a local event, consisting primarily of a two day professional longboard surfing competition. It has been running for the past 15 years without incident.

A marquee tent will be set up for local sponsors to advertise their surf wares. Profits over the weekend are then distributed to Surf Aid International and other not-for-profit organisations.

With 100 – 300 competitors expected, extra toilets will be provided by the organisers. Rubbish bins are required, which have been supplied by the Council in previous years in support of this community event.

There will also be a designated area for complimentary beer tasting from 2.00pm – 4.30pm as has been provided in previous years, and a licensing permit is to be finalised from the Department of Racing, Gaming and Liquor before the event date.

Event commentators will make brief announcements from 7.00am – 5.00pm on both days of the competition.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Beaches and Beach Reserves Policy

STATUTORY ENVIRONMENT

Beaches and Beach Reserves Local Law 2012 has provisions for the maintenance and management of the beaches and beach reserves.

FINANCIAL IMPLICATIONS

There is a small cost in the provision of additional bins for the event, but this can be met within normal operational budgets.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Event organisers are encouraged to manage access to Isolators Reef by competitors and members of the public attending the event, by encouraging people to use designated pathways.

CONSULTATION

Nil

STAFF COMMENT

As this is an annual event that has been successfully run in the past, there is no reason why this event should not be approved this year.

If the Council charges beach hire for this event, under community classification, it would total \$550. The Town has not charged in the past for the use of Isolators Reef for this event and there is little disruption to other patrons using the area.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Cr Downes

THAT Council approve the 2013 Whalebone Classic as proposed with the following conditions:

- 1. That the event organisers are able to provide proof of adequate public liability insurance for all aspects of the event for no less than \$10 million;**
- 2. Additional toilets are provided to the satisfaction of the Chief Executive Officer;**
- 3. No alcohol is to be served unless a valid licence or permit from the Department of Racing, Gaming and Liquor is provided to the Town prior to the event;**
- 4. That the \$550 fee be waived subject to this support being appropriately acknowledged;**
- 5. Compliance with the *Environmental Protection (Noise) Regulations 1997*;**
- 6. Compliance with requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**

Carried 9/0

10.4.2 COMMUNITY PERSPECTIVES SURVEY

File Ref: SUB/1328
Attachments: [Catalyse Community Perspectives in the Town of Cottesloe](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

The Community Perspectives Survey is being presented for Council's consideration.

BACKGROUND

The Town commissioned Catalyse Research and Strategy to undertake a community perspectives survey. This survey is the first step in the production of a Strategic Community Plan, as is now required under the *Local Government (Administration) Regulations 1996*.

STRATEGIC IMPLICATIONS

While there are no direct strategic implications associated with adopting this report, the process of developing a Strategic Community Plan could have far reaching strategic implications.

POLICY IMPLICATIONS

The development of the Strategic Community Plan could cause several policy changes. However, there are no policy changes as a result of receiving this report.

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

19C Strategic community plans, requirements for (Act s.5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
 - (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
 - (3) A strategic community plan for a district is to set put the vision, aspirations and objectives of the community in the district.
 - (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
 - (5) In making or reviewing a strategic community plan, a local government is to have regard to;
 - (a) the capacity of its current resources and the anticipated capacity of its future resources;
 - and
-

- (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
- (c) demographic trends.*
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the Council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

FINANCIAL IMPLICATIONS

There was a cost in undertaking the Community Perspectives Survey, which was allowed for in the 2012/2013 budget.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications in the adopting of this report.

CONSULTATION

The report is a compilation of the responses received as a part of a formal survey process. This process is the first step in the consultation required for the development of the Strategic Community Plan.

STAFF COMMENT

Overall, the response received was exceptionally positive, with 8 out of 10 respondents “delighted” with the area. In fact, this response rate set a new industry high, with Cottesloe now holding the industry high at 83%. The industry average for overall satisfaction is 63%. This isn’t to say there are not issues that the community wants the Town to address. Curtin Avenue is one area that requires some attention. The results indicate that there is community concern regarding cyclist safety, pedestrian crossings and the ability for motorists to use the Eric Street and Jarrad Street rail crossings.

There are also improvements wanted to the Town Centre. These include an increase in the amount of parking available, as well as increasing the diversity of businesses within the Town.

The most requested improvement at the beach front is to increase the amount of parking available, with some suggesting the need for underground parking. Many want the Car Park 1 on Marine Parade closed, Marine Parade realigned and an

increase in bike parking. When prompted, 73% thought improving public facilities was “very important”, but it was not the highest “top of mind” response.

Interestingly, 85% of local people suggested they walk or run to the beach. This suggests the overwhelming use of beach carparks is not by ratepayers. This information will be useful in seeking funding assistance for beach parking and beach maintenance. Aged care accommodation was also an issue for 3 in 5 respondents, although there is no clear preference for where such development should be centred. As the population ages, it is anticipated that this will become a higher priority.

Administration staff will use the results of this survey to undertake a desktop review of the current “Plan for the Future”. This analysis will then be used as the basis for the development of the Strategic Community Plan.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the Community Perspectives Survey, with Cr Downes commenting that the study was interesting and a worthwhile exercise at this point in time.

Cr Strzina commented that Council has confirmed what they already knew anecdotally, and he would like to see Council now develop actions to achieve the key areas the Community viewed as a priority, such as toilets on the beachfront, the sinking of the railway and greater bike access / facilities. Cr Strzina added that he would like to congratulate staff for their efforts, as they perform the day to day functions to provide services to the Community at large, and the feedback and ratings received through the survey indicate that the service provided is of a very good standard, as most people are delighted with where they live.

The CEO commented that the report was a great outcome for the Town. He advised that the survey will form one of the elements in determining the Town’s future priorities as part of its Community Strategic Plan. Committee were informed that a review of the existing Strategic Plan would now take place and the CEO advised that a Business Plan based upon the Strategic Plan would deal with issues such as the toilets on the beach front, the foreshore redevelopment and Curtin Avenue / railway. With regard to the toilets / change rooms on the beach front, the CEO advised Committee that the Town had sought expressions of interest from architects, for design proposals and costs for additional facilities, as per the Cottesloe Foreshore Redevelopment Plan.

Cr Pyvis highlighted the fact that during the presentation by Catalyse, Councillors and Senior Staff were advised that the Town had performed very well in comparison to other Council’s ratings.

Cr Strzina concluded by stating that with regard to amalgamation, it was apparent that most residents were happy with the services they receive with respect to the level of rates they pay, proving that the Town of Cottesloe is very sustainable.

COUNCIL COMMENT

Council discussed the results of the Community Perspectives Survey and Cr Jeanes drew attention to some of the emerging themes including broad community support to get things done including redevelopment at the beachfront, local government amalgamation (G4), Curtin Avenue and east/west connectivity and the Town Centre. There was also support expressed for the work of the Town's Administration and the high quality of service it provides to the community, with survey results at the higher end of all results across local government.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Mayor Morgan

THAT Council receive the Community Perspectives Survey as presented to the Works & Corporate Services Committee meeting of 19 March 2013.

Carried 9/0

10.4.3 FINAL ADOPTION OF STANDING ORDERS AMENDMENT LOCAL LAW 2013

File Ref: CLL/5
Attachments: [Standing Orders Amendment Local Law March 2013](#)
Responsible Officer: Mat Humfrey
Author: Manager Corporate & Community Services
Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

The *Standing Orders Amendment Local Law 2013* is being presented to Council and is recommended for final adoption.

BACKGROUND

In May 2012, Council adopted the *Town of Cottesloe Standing Orders Local Law 2012*. It was subsequently published in the Government Gazette in July and forwarded to the Joint Standing Committee on Delegated Legislation (JSCDL) for their consideration.

During the JSCDL process, one drafting issue was raised, being the potential duplication of the Local Government Act and its Regulations. In allowing the local law, the JSCDL required that the Town give an undertaking that several amendments to the local law be made and that the affected sections of the local law not be enforced until the amendments were completed. This undertaking was endorsed by Council at the September 2012 Council meeting.

The *Standing Orders Amendment Local Law 2013* was compiled to make this amendment and was presented to Council in December 2012 for advertising. The six week submission period has now been completed and the *Standing Orders Amendment Local Law 2013* is being put forward for final consideration.

The Purpose: To amend the Town of Cottesloe Standing Orders Local Law 2012 to comply with an undertaking provided to the Joint Standing Committee on Delegated Legislation.

The Effect: The undertaking required the deletion of a clause that contained provisions that are covered within the Local Government (Administration) Regulations 1996. The clause has been replaced by the words "The disclosure of interests by other persons if covered in the Regulations".

STRATEGIC IMPLICATIONS

Council local laws are an important part of the administration and good governance of the district. Review of the local laws ensures continued relevance to our community.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 3.5 and 3.12 of the Local Government Act applies.

3.5 Legislative power of local governments

- (1) *A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.*
- (2) *A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 3.6*
- (3) *The power conferred on a local government by subsection (1) is in addition to any power to make local laws conferred on it by any other Act.*
- (4) *Regulations may set out –*
 - (a) *matters about which, or purposes for which, local laws are not to be made; or*
 - (b) *kinds of local laws that are not to be made, and a local government cannot make a local law about such a matter, or for such a purpose or of such a kind.*
- (5) *Regulations may set out such transitional arrangements as are necessary or convenient to deal with a local law ceasing to have effect because the power to make it has been removed by regulations under subsection (4).*

3.12 Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to –*
 - (a) *give Statewide public notice stating that –*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarised in the notice*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister*

administers the Act under which the local law is proposed to be made, to that other Minister; and

- (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*

(3A) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*

(4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

***Absolute majority required**

(5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*

(6) *After the local law has been published in the Gazette the local government is to give local public notice –*

- (a) *stating the title of the local law;*
(b) *summarising the purpose and effect of the local law (specifying the date on which it comes into operation); and*
(c) *advising that copies of the local law may be inspected or obtained from the local government's office.*

(7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*

(8) *In this section –*
making *in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

Regulation 3 of the Local Government (Functions and General) Regulations 1996 provides the following:

3. Notice of purpose and effect of the proposed local law – s.3.12(2)

For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that –

- (a) *the purpose and effect of the proposed local law is included in the agenda for that meeting; and*
(b) *the minutes of the meeting of the council include the purpose and effect of the proposed local law.*

FINANCIAL IMPLICATIONS

The primary costs associated with the review and making of local laws, are officer time and advertising costs. All of the costs associated with the making of this local law are allowed for in the current operating budget.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The Draft local law has been subject to the extensive consultation requirements, as detailed below.

State-wide public notice

Council advertised its intentions to make a local law in a state wide newspaper (The West, 5th January 2013) as well as all of the requirements of a local public notice. This included advertising in local papers (The Post, 5th January 2013) and causing notices to be placed on all Council notice boards.

Copies of the draft local law were available online, at the Council offices and Library.

Feedback was sought by way of written submissions and notices provided information on how these submissions were to be made. The submission period was 6 weeks. No public submissions were received.

Copy to the Minister

A copy of the draft local law was sent to the Minister for Local Government, who then forwarded it to the Department. The only comment received from the Department was several minor formatting changes, which have been incorporated into the final copy as attached. These changes had no impact on the operation of the local law.

STAFF COMMENT

This local law has been drafted to address issues raised by the Joint Standing Committee on Delegated Legislation (JSCDL) which considered the *Town of Cottesloe Standing Orders Local Law 2012*. Primarily the issues raised were to do with drafting issues or duplicating State legislation. Council resolved in September 2012 to give an undertaking to the JSCDL to make these amendments and not to enforce the parts of the local law covered by these amendments until this was done.

VOTING

Absolute Majority (s3.12(4))

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Mayor Morgan

THAT Council, by Absolute Majority;

- 1. In accordance with s3.12(4) of the *Local Government Act 1995*, ADOPT the *Standing Orders Amendment Local Law 2013* as presented;**
- 2. In accordance with s3.12(5), PUBLISH the local law in the Government Gazette and SEND a copy to the Minister for Local Government;**
- 3. After Gazettal, in accordance with s3.12(6), GIVE local public notice:**

- a) Stating the title of the local law;
 - b) Summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - c) Advising that copies of the local law may be inspected or obtained from the Town Administration and website.
4. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 7 November 2005, PROVIDE a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and the Chief Executive Officer to the WA Parliamentary Joint Standing Committee on Delegated Legislation.

Carried 9/0

10.4.4 FINAL ADOPTION OF THE COMMUNITY CONSULTATION POLICY

File Ref: POL/49
Attachments: [Policy Community Consultation](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Mat Humfrey
Manager Corporate & Community Services

Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

In November 2012, Council resolved to advertise its Community Consultation Policy. It is now being presented for final adoption.

BACKGROUND

The Community Consultation Policy was adopted in February 2005 and was due for review in February 2013. The review was conducted at a desktop level in September and October 2012 with the results of the review presented to the November 2012 round of meetings.

The review of the Community Consultation Policy was brought forward by several months, as the Town is about to embark on one of its bigger consultation processes in recent years, being the development of the Community Strategic Plan. It was felt that it was important that this policy was reviewed before the consultative part of this project was undertaken.

STRATEGIC IMPLICATIONS

Nil – there are no changes to the operative parts of this policy.

POLICY IMPLICATIONS

Nil – there are no changes to the operative parts of this policy.

STATUTORY ENVIRONMENT

There are provisions in several Acts and Regulations that require a specific level of community consultation to be undertaken before certain decisions can be made. An example of this is the requirement to give Statewide Public Notice and have a six week submission period before a local law can be adopted. In all instances where there is a statutory requirement for community consultation, this will need to be followed.

FINANCIAL IMPLICATIONS

There has been a minor cost associated with the advertising of this policy, and this policy does require future advertising in some instances. It is envisaged that all of these costs will be met through normal operating budgets.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The policy has been widely advertised and comments sought on this policy. No feedback has been received. As this policy has been in place since 2005, and there are no significant changes, it is not surprising that little feedback has been received.

STAFF COMMENT

The Community Consultation Policy is an important document for Council. It provides the framework for staff to follow when consultation is required. As the policy has been in place since 2005, and little comment has been received about it, there does not seem to be a demonstrated need for change.

The policy was advertised widely and no formal comment was received. As such it has been presented to Council for final adoption.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the policy and Cr Pyvis advised that she had a few grammatical changes which she agreed to email through to Administration. The CEO advised that these could be made administratively and circulated prior to the Council meeting.

Committee also discussed the application of the policy and the use of community feedback in the Council decision making process, including the application of voting by the presiding member in situations where there is a need for a casting vote.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Mayor Morgan

THAT Council adopt the reviewed Community Consultation Policy as submitted to the 19 March 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

**10.4.5 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2012 TO
28 FEBRUARY 2013**

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager

Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present to Council the Statement of Financial Activity, the Operating Statements by Program and Nature and Type, the Statement of Financial Position, and supporting financial information for the period 1 July 2012 to 28 February 2013 as included in the attached Financial Statements.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Statement of Financial Activity on page 1 of the Financial Statements shows favourable operating revenue of \$559,903. Significant variances are outlined on the Variance Analysis report on pages 7 to 10 of the attached Financial Statements. The outstanding factor contributing towards the increased year to date revenue is in parking where we have received \$325,592 more than anticipated at this time of year. Operating expenditure is \$63,822 more than year to date budget.

The capital works program is detailed on pages 25 to 28 of the attached Financial Statements.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Cr Downes

THAT Council receive the Statement of Financial Activity, Operating Statements by Program and by Nature and Type, Statement of Financial Position, and other supporting financial information as included in the attached Financial Statements for the period 1 July 2012 to 28 February 2013, and as submitted to the 19 March 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.6 SCHEDULE OF INVESTMENTS AND LOANS AS AT 28 FEBRUARY 2013

File Ref: SUB/150 & SUB/151
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager

Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans as at 28 February 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Loans on page 20 of the attached Financial Statements shows that \$4,307,196.60 was invested as at 28 February 2013. Approximately 36% of the funds are invested with Westpac Bank, 28% with the National Bank of Australia, 18% with the Commonwealth Bank of Australia and 18% with Bankwest.

The Schedule of Loans on page 21 of the attached Financial Statements shows a balance of \$6,041,950.58 as at 28 February 2013. Included in this balance is \$359,499.60 that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Cr Downes

THAT Council receive the Schedule of Investments and the Schedule of Loans as at 28 February 2013. These schedules are included in the attached Financial Statements as submitted to 28 February 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.7 LIST OF ACCOUNTS PAID FOR THE MONTH OF FEBRUARY 2013

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager

Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the list of accounts paid for the month of February 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The list of accounts paid for the month of February 2013 is included in the report on pages 12 to 17 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$53,922.00 to Claremont Asphalt for various asphalt works
- \$27,951.46 to TAPSS being Council's quarterly contribution
- \$47,707.24 to Transpacific Cleanaway for waste collection services
- \$26,820.92 to Surf Life Saving WA for the monthly lifeguard contract
- \$79,451.79 & \$77,741.61 to Town of Cottesloe staff for fortnightly payroll

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Cr Downes

THAT Council receive the List of Accounts paid for the month of February 2013 as included in the attached Financial Statements, as submitted to the 19 March 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.8 PROPERTY AND SUNDRY DEBTORS REPORTS AS AT 28 FEBRUARY 2013

File Ref: SUB/145
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager

Proposed Meeting Date: 19 March 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 22 and 23 of the attached Financial Statements shows a total balance outstanding of \$102,632.06 of which \$88,124.16 is less than two months old. The balance of aged debtors stood at \$14,507.90.

The Rates and Charges Analysis on page 24 of the attached Financial Statements shows a balance of \$987,935.87. Of this amount, \$202,338.19 and \$296,546.70 are deferred rates and outstanding emergency services levies respectively. The Statement of Financial Position on page 4 shows rates outstanding as a current asset at \$1,030,862 as compared to \$859,987 this time last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Strzina, seconded Cr Downes

THAT Council receive the Property and Sundry Debtors Reports as at 28 February 2013. These reports are included in the attached Financial Statements as submitted to the 19 March 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

11 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS**

Councillor Rowell circulated a Notice of Motion and moved that it be considered urgent. Council discussed the Notice with members speaking both for and against the need for it to be considered as urgent business.

Moved Cr Rowell, seconded Mayor Morgan

That the Notice of Motion related to the matter of the Town's communication with Mr and Mrs Svanberg in relation to the development at 217 Marmion Street be considered as urgent business.

Carried 5/4

12.1.1 TOWN OF COTTESLOE COMMUNICATION WITH MR AND MRS SVANBERG

Moved Cr Rowell, seconded Mayor Morgan

That Council advise Mr C and Mrs J Svanberg and Mr D Simenson that Council and Council staff will no longer entertain any debate or discussion or communication in relation to development at or use of 217 Marmion Street, Cottesloe.

COUNCIL COMMENT

Council discussed the content and intent of the Motion with members speaking both for and against. In speaking to the motion Cr Rowell reiterated his reasons as outlined on the Notice paper, including the fact that this issue has been ongoing since March 2012.

This matter started as an issue related to a fence in a public laneway discovered as part of the redevelopment of 217 Marmion Street. This initial issue resulted in three reports to Council and significant staff time as well as some direct costs related to a laneway site survey and legal advice/representation at the SAT. In relation to the SAT the Member met on site with the Svanbergs a number of times and Council was required to have officers attend, as well as legal representation. The matter was subsequently resolved in Council's favour but not without significant cost and time.

Since then the Administration have also dealt with a range of associated matters and enquiries from other bodies including the Ombudsman, FOI Commissioner, Dept of Lands (adverse possession claim), Ministerials, reports to Council and so on, all of which have occurred as a consequence of complaints and concerns raised by Mr and Mrs Svanberg and/or Mr Simenson. Dealing with these many

comments and queries has required information, research or responses by various officers. In addition there has been and continues to be a substantial number of emails, letters and meetings. Most Elected Members, together with a range of other entities, have received these emails and letters from the Svanbergs. It appears that this is likely to continue.

The situation continues to take up significant officer time. This matter has variously involved the CEO, Manager Development Services, Manager Engineering Services, Manager Corporate Services, Principal Building Surveyor and Principal Environmental Health Officer.

Overall there has been a number of meetings, site visits, liaison and monitoring of the White's development and in excess of 100 letters and emails, and it would be reasonable to estimate that this matter has cost the Town in excess of \$20,000 in either direct costs and/or officer time and it continues to take officers away from providing services to other residents and ratepayers.

The development at 217 Marmion Street is nearing completion and the Home Occupation has been approved. It is now time to move on and allow staff to focus their energies on other more pressing matters for the Town.

Comments in relation to the affect of the continuous stream of letters, emails and questions together with the adverse impact on the administration's time and resources were discussed. There was a view that enough was enough and that whilst elected members were able to ignore these emails and/or have their email address removed from the circulation list, the administration was unable to do so. The Town had a duty to use its limited resources for the benefit of all residents and ratepayers and that significant resources had been given to this issue over the last 12 months. However concerns were raised in relation to due process and the late tabling of the motion and a view was expressed that the Town had a responsibility to provide its services to all. It was further noted that this particular issue had tied staff up for too long and that the issues in question i.e. the development at 217 Marmion St, had been resolved and Council had a responsibility to protect its staff from the continued and unnecessary drain on its resources. As a consequence of the debate and discussion Mayor Morgan proposed a number of amendments to the Motion and determined that they be dealt with individually.

AMENDMENT 1

Moved Mayor Morgan, seconded Cr Strzina

That the words "*Mr D Simenson*" be deleted from the resolution.

Carried 8/1

AMENDMENT 2

Moved Mayor Morgan, seconded Cr Strzina

That the following words be added after the word "that" in line one "*apart from next month's Council meeting*".

Carried 6/3

AMENDMENT 3

Moved Mayor Morgan, seconded Cr Strzina

That the following words be added at the end of the motion after the word Cottesloe *“unless otherwise directed by the Department of Local Government, Ombudsman, or other appropriate Authority”*

Carried 6/3

COUNCIL RESOLUTION

That Council advise Mr C and Mrs J Svanberg that, apart from next month’s Council meeting, Council and Council staff will no longer entertain any debate or discussion or communication in relation to development at or use of 217 Marmion Street, Cottesloe, unless otherwise directed by the Department of Local Government, Ombudsman, or other appropriate Authority.

Carried 5/4

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

Nil

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 8:15 PM.

CONFIRMED MINUTES OF 22 April 2013 PAGES 1 – 42 INCLUSIVE.

PRESIDING MEMBER:
POSITION:

.....

DATE: / /