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, 26 September, 2011

30 September 2011

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS	1
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4	PUBLIC QUESTION TIME	1
5	PUBLIC STATEMENT TIME	2
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	5
8.1	SUSPENSION OF STANDING ORDER 12.1 – MEMBERS TO RISE	6
9	PETITIONS/DEPUTATIONS/PRESENTATIONS	6
9.1	PETITION - PARKING ON THE GRANT STREET MEDIAN STRIP	6
10	REPORTS OF OFFICERS	9
11	REPORTS OF COMMITTEES	9
11.1	DEVELOPMENT SERVICES COMMITTEE MINUTES - 19 SEPTEMBER 2011	9
11.1.1	NO. 459 STIRLING HIGHWAY - RECONSIDERATION OF APPLICATION FOR PROPOSED SECOND-STOREY ADDITION TO EXTEND PROFESSIONAL OFFICE USE	9
11.1.2	TOWN CENTRE PUBLIC DOMAIN INFRASTRUCTURE IMPROVEMENT PLAN	15
11.2	WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 20 SEPTEMBER 2011	20

11.2.1	COTTESLOE CLIMATE CHANGE LOCAL ADAPTATION ACTION PLAN	20
11.2.2	COTTESLOE CLIMATE CHANGE POLICY	25
11.2.3	PEAK OIL REPORT	30
11.2.4	INDIAN OCEAN CLASSIC / KELLOGGS IRONMAN SERIES	33
11.2.5	PERTH INTERNATIONAL ARTS FESTIVAL	36
11.2.6	HOPMAN CUP TENNIS - REDUCTION IN HIRE FEES	38
11.2.7	2012 HAVIANAS THONG CHALLENGE	40
11.2.8	CORRUPTION AND CRIME COMMISSION INFORMATION UPDATE	43
11.2.9	AUSTRALIAN NATIONAL PARKING STEERING COMMITTEE CONFERENCE	47
11.2.10	PARKING ON GRANT STREET MEDIAN STRIP	49
11.2.11	GRANT - ENVIRONMENTAL RESTORATION AND ACCESS IMPROVEMENT, COTTESLOE MAIN BEACH	58
11.2.12	RUBBER SPEED CUSHIONS AND BOLLARDS, BROOME STREET AND RAILWAY STREET, COTTESLOE	61
11.2.13	BUS SHELTER REPAIRS OR REPLACEMENT, RAILWAY STREET / STATION STREET INTERSECTION, COTTESLOE	70
11.2.14	REQUEST FOR REMOVAL OF STREET TREES, 13 & 15 CONGDON STREET COTTESLOE, ARBORIST ASSESSMENT AND REPORT	74
11.2.15	SEAVIEW GOLF CLUB - MANAGEMENT PLAN	76
11.2.16	REVIEW OF PINE LOG BARRIER IN VERGE AT CORNER OF FORREST AND BROOME STREETS TO PREVENT VEHICULAR ACCESS	79
11.2.17	BUDGET VARIATION - OUTSTANDING GRANT FROM 2008	84
11.2.18	BUDGET VARIATION - GRAFFITI MANAGEMENT GRANT	86

11.2.19 STATUTORY FINANCIAL REPORTS FOR THE PERIOD ENDING 31 AUGUST 2011 89

11.2.20 LIST OF ACCOUNTS PAID FOR THE MONTH OF AUGUST 2011 91

11.2.21 SCHEDULE OF INVESTMENTS AND LOANS AS AT 31 AUGUST 2011 93

11.2.22 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 31 AUGUST 2011 95

12 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 97

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING 97

14 MEETING CLOSURE 97

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Mayor announced the meeting opened at 7:07 PM.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Elected Members

Mayor Kevin Morgan	Presiding Member
Cr Dan Cunningham	
Cr Jo Dawkins	
Cr Davina Goldthorpe	
Cr Ian Woodhill	
Cr Jack Walsh	
Cr Rob Rowell	
Cr Greg Boland	
Cr Victor Strzina	
Cr Patricia Carmichael	
Cr Jay Birnbrauer	

Officers

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

Apologies

Nil

Officer Apologies

Nil

Leave of Absence (previously approved)

Nil

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PUBLIC STATEMENT TIME

Mr Roger Fitzhardinge – 42 Grant Street Cottesloe – Item 11.2.10 - Parking on Grant Street Median Strip

Mr Fitzhardinge expressed his concern over the recommendation proposed by the Committee in relation to the item. The result of the trial is predictable and he believes that people are not interested in parking permits and that commuters will move into side streets. The long term solution is for PTA to provide sufficient parking. In his opinion there is no need for signage but if there is it should be put on the curb or have the road marked with yellow lines. The only concern and unsafe situation will be on the Sundays when the nippers are visiting, but these types of activities are encouraged. We have enough signs, so more signs are not necessary.

Mr Joe Nasuti – 48 Forrest Street Cottesloe – Item 11.2.16 - Review of Pine Log Barrier in Verge at Corner of Forrest and Broome Streets to Prevent Vehicular Access

Mr Nasuti referred to the 5 photos which he provided to the Elected Members. He went through each photo expressing his opinion as to why the pine log barrier should be retained as they are. Points raised included safety concern over the steep slope of the verge for vehicle access, the back lane is suitable for vehicle access, and the use of the existing steps. To cross over other people's verges and footpath is unsafe. He requested that Council retain the pine barriers as per the May 2010 Council decision.

Ms Maffie Zambon – 56 Forrest Street Cottesloe – Item 11.2.16 - Review of Pine Log Barrier in Verge at Corner of Forrest and Broome Streets to Prevent Vehicular Access

Ms Zambon expressed her concern over the lack of access to the front of her property due to the pine log barrier. She expressed her concern that commercial/ repair vehicles were not able to access the rear lane.

Mr David Prosser – 32 John Street Cottesloe – Item 11.2.16 - Review of Pine Log Barrier in Verge at Corner of Forrest and Broome Streets to Prevent Vehicular Access

Mr Prosser stated that he was representing 17 residents who were not considered or consulted when the pine log barriers were installed. For Council to restrict the front property access is unfair because this has not been an issue for 100 years and as far as he is aware no one has had an accident on the verge. He is requesting "reasonable access" for emergency use or building services, etc.

Mr Charles Anderson – 54 Forrest Street Cottesloe – Item 11.2.16 - Review of Pine Log Barrier in Verge at Corner of Forrest and Broome Streets to Prevent Vehicular Access.

Mr Anderson expressed his concern over restricted access to the front of his property due to the pine log barrier. In relation to the concerns raised about the verge access via the roundabout this is a non-issue from his perspective and its slope is not a justification to place a barrier. The back lane has been used to allow access for taxis but it is not large enough for commercial

vehicles, which have been restricted. Mr Anderson preferred vehicle access at the front of the property and he encouraged Council to remove the pine barrier in its entirety.

Mrs Pennie Hall – 95 Broome Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe

Mrs Hall expressed her hope that the Council would remove the rubber speed hump installed in front of her property sooner rather than later.

Mr J.D. Hall – 95 Broome Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe

Mr Hall spoke about the originis of the cycle lane on Broome Street and the limited use that is made of this section of Broome Street by cyclists. He mentioned that Mr Christian was able to assist with information related to a head on collision in the mid 90s in front of Council house, hence a median strip was proposed as a solution but one owner who used to live in Marmion Street objected and requested Council install a cycleway as opposed to a median strip, which they did.

Mr Peter Jeanes – 66 John Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe

Mr Jeanes stated that he supported the majority of the recommendation and stated the speed humps in both Broome Street and in Railway Street should be removed.

Mr Joe Nasuti – 48 Forrest Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe

Mr Nasuti expressed his frustration over the noise coming from the trucks and hoons passing by in front of his property and agreed that the speed humps must be removed immediately. However the proposed plateaux is the wrong solution. He mentioned that there are other options to the road hump and referred to the road treatments installed at Nedlands (horizontal deflectors). Such treatments have proven to have worked well and make driving enjoyable. He stated that the bike path was hardly used and should go. He hoped that Council will fix the issue with their vote.

Ms Ellen Zink – 93 Broome Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe.

Ms Zink stated that speeding has not been an issue on Broome Street since the installation of the roundabouts. The bike path is redundant and Council needs to fix this issue immediately.

Mr Bret Christian – 38 John Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe

Mr Christian thanked the Council for being patient in dealing with what might be considered to be a small issue for larger Councils. He asked the Council to consider the concern he has raised about noise caused by the speed cushions when making their decision.

Mr Ross Ashton – 101 Broome Street Cottesloe – Item 11.2.12 - Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe

Mr Ashton referred to his email and requested that the speed hump in front of his property to be removed. He believed that they are ugly and noisy. He acknowledged that he was not an engineer but the current treatment is not a solution.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Mayor Morgan, seconded Cr Strzina

That Mayor Morgan request for leave of absence from the October round of meetings be granted.

Carried 11/0

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Strzina, seconded Cr Walsh

Minutes August 22 2011 Council.DOC

The Minutes of the Ordinary meeting of Council held on Monday, 22 August, 2011 be confirmed.

Carried 11/0

The CEO advise of a correction to the voting on the Special Meeting of Council minutes (page 41), from 8/0 to 9/0. and confirmed that this would be made administratively.

Moved Cr Strzina, seconded Cr Dawkins

Minutes September 21 2011 Council.DOC

The Minutes of the Special meeting of Council held on Wednesday, 21 September, 2011 be confirmed.

Carried 11/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Mayor Morgan thanked the departing Councillors Dan Cunningham, Jo Dawkins, Davina Goldthorpe and Ian Woodhill for selflessly giving their time during this intensive period for Council's activities. The collegiate atmosphere in which Council has operated is a testament to their personal qualities and the way they have conducted themselves as elected members. He also extended his appreciation to the families of the Councillors. The Mayor cited the work on the development of LPS 3 and Ministers modifications as an example of the way and importance of all members working together in consensus.

Lastly the Mayor reminded the public in relation to the reduction of the number of Councillors from 10 (ten) to 8 (eight) as of the elections on 17 October 2011. He took time to congratulate Councillors Jack Walsh, Greg Boland and Victor Strzina on their re-election and wished Councillors Birnbrauer, Carmichael and Rowell well as they contest the next election and he stated that this is proof of their selflessness and commitment to our community.

8.1 SUSPENSION OF STANDING ORDER 12.1 – MEMBERS TO RISE

BACKGROUND

At the September 2006 meeting of Council it was agreed that the suspension of Standing Order 12.1 be listed as a standard agenda item for each Council and Committee meeting.

Standing Orders 12.1 and 21.5 read as follows:

Members to Rise
Every member of the council wishing to speak shall indicate by show of hands or other method agreed upon by the council. When invited by the mayor to speak, members shall rise and address the council through the mayor, provided that any member of the council unable conveniently to stand by reason of sickness or disability shall be permitted to sit while speaking.

Suspension of Standing Orders
(a) The mover of a motion to suspend any standing order or orders shall state the clause or clauses of the standing order or orders to be suspended.
(b) A motion to suspend, temporarily, any one or more of the standing orders regulating the proceedings and business of the council must be seconded, but the motion need not be presented in writing.

Moved Cr Dawkins, seconded Cr Birnbrauer

COUNCIL RESOLUTION:

That Council suspend the operation of Standing Order 12.1 which requires members of Council to rise when invited by the Mayor to speak.

Carried 11/0

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

9.1 PETITION - PARKING ON THE GRANT STREET MEDIAN STRIP

Petition for Parking on the Grant Street Median Strip was received at the Works and Corporate Services Meeting of 20 September 2011 from Mr Mike Best. This petition was signed by 34 resident of resident of Grant Street. The petition stated that 'We the undersign believe there is absolutely no need to enforce the exiting parking restrictions or introduce any new parking restrictions on the Grant Street median strip west of Marmion Avenue. While we acknowledge there is a problem with all-day parking by commuters near the Grant Street train station, we don't believe that restricting the parking west of Marmion Street will do anything to solve this".

In accordance with Council Standing Orders Local Law Section 9 – Petitions, Cr Woodhill to present the petition to Council.

RECOMMENDATION

Moved Cr Woodhill, seconded Cr Strzina

That Council accept the petition in relation to Parking on the Grant Street Median Strip and in accordance with Standing Orders 9.4(d) and deal with the matter as part of its consideration of the report item 11.2.10 and recommendation related to Parking on Grant Street Median Strip.

Carried 11/0

CONSIDERATION OF REPORTS BY COUNCIL

The Mayor advised that the Council process for considering reports was that members would advise him of items that they required to be "withdrawn" for further discussion and that all remaining reports would then be moved "en bloc" as per the Committee recommendation.

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

11.2.12 Rubber Speed Cushions and Bollards, Broome Street and Railway Street, Cottesloe
11.2.16 Review of Pine Log Barrier in Verge at Corner of Forrest and Broome Streets to Prevent Vehicular Access
11.2.10 Parking on Grant Street Median Strip

He then advised of the following items from the Development Service Committee Minutes withdrawn for consideration;

11.1.1 No. 459 Stirling Highway - Reconsideration of Application for Proposed Second-Storey Addition to Extend Professional Office Use
11.1.2 Town Centre Public Domain Infrastructure Improvement Plan

<u>The following items from Works & Corporate Services Committee were withdrawn for consideration</u>

11.2.9 Australian National Parking Steering Committee Conference
11.2.13 Bus Shelter Repairs or Replacement, Railway Street / Station Street Intersection, Cottesloe
11.2.15 Seaview Golf Club - Management Plan

The remainder of the officer reports were dealt with 'En Bloc'.

11.2.1 Cottesloe Climate Change Local Adaptation Action Plan
11.2.2 Cottesloe Climate Change Policy
11.2.3 Peak Oil Report
11.2.4 Indian Ocean Classic/Kelloggs Ironman Series
11.2.5 Perth International Arts Festival
11.2.6 Hopman Cup Tennis - Reduction In Hire Fees
11.2.7 2012 Havianas Thong Challenge
11.2.11 Grant - Environmental Restoration and Access Improvement, Cottesloe Main Beach

11.2.14 Request For Removal Of Street Trees, 13 & 15 Congdon Street Cottesloe, Arborist Assessment And Report
11.2.17 Budget Variation - Outstanding Grant From 2008
11.2.18 Budget Variation - Graffiti Management Grant
11.2.19 Statutory Financial Reports for the Period Ending 31 August 2011
11.2.20 List of Accounts Paid For the Month of August 2011
11.2.21 Schedule Of Investments and Loans as at 31 August 2011
11.2.22 Property and Sundry Debtors Reports for the Period Ending 31 August 2011

Item 11.2.8 Corruption and Crime Commission Information Update was dealt separately at the end of the meeting 'in Camera'.

10 REPORTS OF OFFICERS

Nil

11 REPORTS OF COMMITTEES

11.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - 19 SEPTEMBER 2011

11.1.1 NO. 459 STIRLING HIGHWAY - RECONSIDERATION OF APPLICATION FOR PROPOSED SECOND-STOREY ADDITION TO EXTEND PROFESSIONAL OFFICE USE

File No:	**1976**
Attachments:	Dept Transport Letter.pdf WAPC Letter.doc.pdf
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Carl Askew** **Chief Executive Officer**
Proposed Meeting Date:	**19 September 2011**
Author Disclosure of Interest	**Nil**
Property Owner	**Lanobelle Corporation**
Applicant	**Icon Group Management**
Date of Application	**11 June 2010**
M.R.S. Reservation:	**Not applicable.**

BACKGROUND

On 22 August 2011 Council considered this application and resolved to support the proposal in-principle on the proviso of no objection from the Department of Transport, as follows:

Subject to no objection being received from the Department of Transport and the inclusion of any condition or advice note it requests to the satisfaction of the Manager Development Services, GRANT approval to commence development pursuant to the Metropolitan Region Scheme for the proposed second-storey addition to extend the professional office use at No. 459 (Lot 100) Stirling Highway, Cottesloe, in accordance with the plans submitted on 11 June 2010, subject to the following conditions:

(a) The continued Professional Office use shall be for a maximum of 8 staff and 4 clients or other visitors at any time, and shall not operate outside the hours of 8am to 6pm Monday to Friday. Any proposed intensification or expansion of the use, additional use, change of use, or physical change proposed in the future shall require a further application for planning determination.

(b) The parking bays as indicated on the plans shall be marked-up (including the disabled bay) and signage should be erected to ensure parking occurs only in

marked bays and not in Right of Ways to the satisfaction of the Town of Cottesloe.

(c) All stormwater runoff from the development shall be contained on-site and not discharged externally, to the satisfaction of the Town of Cottesloe and the details shall be shown in the building licence plans.

(d) No goods or materials shall be stored either temporarily or permanently in the parking area or laneway. Any goods or materials associated with the professional office use are shall be stored within the building.

(e) The building licence plans and supporting documentation shall be to the satisfaction of the Town of Cottesloe and shall include:

i. Full details of all proposed external materials, finishes and colours, including glazing, any awnings or screens and the roof cladding, all selected to be of low-reflectivity.

ii. Full details of all screening and glazing to the northern elevation demonstrating adequate protection of privacy for the adjacent dwelling building.

iii. Full details of all plant and equipment and how it is to be located, designed, housed, screened, treated or otherwise managed to ensure amenity and compliance with the relevant environmental regulations.

iv. A comprehensive lighting strategy to manage amenity in relation to the building and surrounds without undue impacts.

v. All disabled access (incorporating universal access design principles), energy efficiency and fire management requirements in accordance with the BCA, Australian Standards and other relevant regulations.

vi. A comprehensive Construction Management Plan. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 – Construction Sites.

Council's task was to determine the application under the Metropolitan Region Scheme (MRS) on behalf of the Western Australian Planning Commission (WAPC) under delegation, having regard to the Primary Regional Road (PRR) reservation in the MRS for Stirling Highway.

On 29 July 2011 the application had been referred to the Department of Transport (DoT) for advice to the Town in this connection on behalf of the WAPC, as part of the consultation process required under the delegation procedures for handling MRS matters. As the DoT was unable to respond in time for the Council meeting, the recommendation was qualified accordingly.

MRS REQUIREMENT

At the time of the original previous approval under the MRS the advice received from the Department for Planning and Infrastructure was to support the application based on the current regional transport perspectives.

Since then the Stirling Highway Activity Corridor Study (SHACS) has progressed and has become an increasing influence on the determination of planning proposals along the highway, affecting a number of local governments. This SHACS has received ongoing press coverage at both local and state levels and the Town in correspondence has brought it to the attention of the applicant's representatives.

The August report to Council acknowledged that the advice from the DoT was expected to address the latest situation regarding the MRS reservation and SHACS.

On 30 August 2011 the Town received a reply from the DoT advising:

SHACS has progressed the carriageway design and the plans for Stirling Highway were adopted by the WAPC for the purpose of decision-making and referrals on development and subdivision applications.

SHACS has advised that there is a setback requirement of 13.4 metres along the property boundary fronting Stirling Highway.

The DoT is unable to support the Planning Application as submitted as the proposed development encroaches on the land requirement setback for Stirling Highway.

In this respect explanatory correspondence dated 16 August 2011 from the Strategic Urban Projects directorate of the Department of Planning accompanied the DoT advice. This describes more fully the status of the SHACS, as well as the decision by the WAPC on 25 January 2011 to adopt the SHACS carriageway plans for Stirling Highway for the purpose of decision-making and referrals on development and subdivision applications. It includes a definitive land requirement plan for the subject site.

In addition, related correspondence to the Town dated 24 August 2011 from the WAPC outlines the approach now being taken to implement the SHACS via an MRS Amendment to rationalise the PRR reservation. Local Government briefings are proposed and a summary statement was included.

Copies of all of this correspondence are attached for information. The rationale of the SHACS and the intended MRS Amendment are elaborated upon, together with the implications for affected development proposals.

Under the MRS where land is affected by a regional reservation the planning system provides for approval of acceptable development, land acquisition by the WAPC or compensation for land affected. Apart from an appropriate approval, the other options are for applicants and the WAPC to address, as local governments don't administer those processes.

CONCLUSION

Council in acting on behalf of the WAPC under delegation on this MRS application is obliged to determine the proposal having regard to the applicable regional planning requirements.

In this case the PRR reservation has affected the land for decades and more recently the SHACS has served to define a detailed land requirement. The WAPC has adopted such plans and committed to an MRS Amendment. Development applications on the site and others are now definitively constrained and specific advice is being given as a basis for determinations.

In this instance having regard to the advice received Council can only refuse the proposal on regional planning grounds. It is therefore necessary to rescind Council's earlier *subject to* resolution of tentative support and issue a final decision of refusal under the MRS with reasons. Although the advice received does not cite precise reasons, the wording can be devised form that correspondence.

Were Council of a mind to still support the proposal, ie contrary to the advice, then under the delegation it is required to forward the application and advice to the WAPC for determination. In the present circumstances the WAPC would in all likelihood refuse the proposal.

VOTING

Absolute Majority

Council's Standing Orders local law Section (16.20) refers to Revoking of Decision and when this can occur.

COMMITTEE COMMENT

Committee sought clarification as to the status of the SHACS given some negative press coverage. Mr Jackson explained that the WAPC was advancing the study towards an MRS Amendment.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Woodhill, Cr Rowell, and Cr Cunningham

That Council:

1. Rescind its resolution of 22 August 2011 (Item 11.1.2) stating:

> **Subject to no objection being received from the Department of Transport and the inclusion of any condition or advice note it requests to the satisfaction of the Manager Development Services, GRANT approval to commence development pursuant to the Metropolitan Region Scheme for the proposed second-storey addition to extend the professional office use at No. 459 (Lot 100) Stirling Highway, Cottesloe, in accordance**

with the plans submitted on 11 June 2010, subject to the following conditions:

(a) The continued Professional Office use shall be for a maximum of 8 staff and 4 clients or other visitors at any time, and shall not operate outside the hours of 8am to 6pm Monday to Friday. Any proposed intensification or expansion of the use, additional use, change of use, or physical change proposed in the future shall require a further application for planning determination.

(b) The parking bays as indicated on the plans shall be marked-up (including the disabled bay) and signage should be erected to ensure parking occurs only in marked bays and not in Right of Ways to the satisfaction of the Town of Cottesloe.

(c) All stormwater runoff from the development shall be contained on-site and not discharged externally, to the satisfaction of the Town of Cottesloe and the details shall be shown in the building licence plans.

(d) No goods or materials shall be stored either temporarily or permanently in the parking area or laneway. Any goods or materials associated with the professional office use are shall be stored within the building.

(e) The building licence plans and supporting documentation shall be to the satisfaction of the Town of Cottesloe and shall include:

i. Full details of all proposed external materials, finishes and colours, including glazing, any awnings or screens and the roof cladding, all selected to be of low-reflectivity.

ii. Full details of all screening and glazing to the northern elevation demonstrating adequate protection of privacy for the adjacent dwelling building.

iii. Full details of all plant and equipment and how it is to be located, designed, housed, screened, treated or otherwise managed to ensure amenity and compliance with the relevant environmental regulations.

iv. A comprehensive lighting strategy to manage amenity in relation to the building and surrounds without undue impacts.

v. All disabled access (incorporating universal access design principles), energy efficiency and fire management requirements in accordance with the BCA, Australian Standards and other relevant regulations.

vi. A comprehensive Construction Management Plan. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 – Construction Sites.

2. Replace the previous resolution with the following:

That Council:

1. Acting under delegation on behalf of the Western Australian Planning Commission (WAPC), REFUSE the application made under the Metropolitan Region Scheme (MRS) for a proposed second-storey addition to extend the professional office use at No. 459 (Lot 100) Stirling Highway, Cottesloe, as shown on the plans submitted on 11 June 2010, having regard to the advice received from the Department of Transport (DoT) and the WAPC on the matter, for the following reasons:

(i) under the MRS the land is reserved as Primary Regional Road (PRR) for Stirling Highway, and the WAPC has defined the land requirement from the PRR reservation for future upgrading of the highway, with which the proposal conflicts;

(ii) the WAPC has adopted the road carriageway plans resulting from the Stirling Highway Activity Corridor Study (SHACS), for the purpose of decision-making and referrals on development applications under the MRS;

(iii) The WAPC has resolved to initiate an Amendment to the MRS to redefine the PRR reservation and hence the land requirements for Stirling Highway, based on the road carriageway plans resulting from the SHACS;

(iv) the DoT has advised that the application cannot be supported as the proposed development encroaches on the defined land requirement referred to above; and

(v) the Department of Planning under direction of the WAPC has advised that the proposed development should be refused as it does not satisfy the required setback and land requirement referred to above; that is, because approval would prejudice upgrading Stirling Highway in accordance the SHACS carriageway plans and intended MRS Amendment.

2. Provide the applicant with copies of the correspondence received from the DoT dated 24 August 2011 and the WAPC dated 16 August 2011.

3. Advise submitters of Council's decision.

Carried 10/0

Cr Boland left the meeting at 9:10 PM
Cr Boland returned to the meeting at 9:12 PM

11.1.2 TOWN CENTRE PUBLIC DOMAIN INFRASTRUCTURE IMPROVEMENT PLAN

File No:	**SUB/935**
Attachments:	Town Centre Public Domain Infrastructure rpt Cncl Sept 11 (2).doc
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Andrew Jackson** **Manager Development Services**
Proposed Meeting Date:	**19 September 2011**

Author Disclosure of Interest

SUMMARY

This report presents the completed *Town Centre Public Domain Infrastructure Improvement Plan* (TCIP in brief) to Council for ratification as a reference in considering planning, development and works proposals affecting the Town Centre and environs.

BACKGROUND

Over recent year Council has undertaken several studies in relation to the Town Centre area, including the Town Centre Study, Station Street Sites Study and Design Guidelines, and Enquiry by Design preliminary structure plan for the railway lands (including options for Curtin Avenue, the railway line and east-west connectivity). These studies produced indicative development concepts.

The TCIP focused in greater detail on the public domain. The study report has to date been considered informally by the Station Street Working Group (SSWG) within its purview. At the August 2011 Strategic Planning Committee and Council meetings it was agreed to progress the TCIP with a view to implementation programs and future budgets to deliver outcomes in the Town Centre. An officer report was requested for September.

In conceiving the TCIP study Council originally resolved to:

1. *…move forward on an integrated plan to improve all aspects of the infrastructure of the Town Centre which is funded by the Town of Cottesloe.*

2. *Ensure that all planned works and infrastructure for the Town Centre be designed to meet the needs of people with disabilities to the fullest extent possible.*

And in endorsing the project Council resolved to:

> *…support the outline brief subject to adding appropriate reference to public toilets, consultation and reporting….*

This scope and content was contained in the study brief, copy attached, which entailed having regard to the other studies for a coordinated approach.

IMPROVEMENT PLAN STUDY

The TCIP study was undertaken and documented by Blackwell & Associates Pty Ltd, landscape architects and urban designers, copy attached. The process included liaison with the Town's planning, engineering and works staff, consultation with Procott (which submitted comments), and presentations to the SSWG in conjunction with those studies by Coda architects. This included:

- A progress presentation on the scope and initial findings of the study, for early feedback.
- A joint review forum of the SSWG studies and TCIP study for information and integration. This helped to align the strategic outlooks of these activities as well as to consider practical solutions.

The study was thorough and detailed, drawing on the experience and skills of the landscape consultants. The report is a succinct statement of the condition and potential of the urban design of the Town Centre. The method was to:

- Define the context and vision.
- Examine strengths, weaknesses, opportunities and constraints.
- Understand the functioning and form of the precinct.
- Demonstrate how each street could be improved, including the lanes.
- Address particular needs such as public toilets.
- Indicate desirable infrastructure and finishes, and promote public art.
- Identify priorities and staging.

Overall, the study was comprehensive, well-considered and good value for money in exceeding the expectations of the brief. In treating the Town Centre as a whole, it provides a template for achieving an attractive and cohesive standard of public domain urban design and infrastructure improvements.

It serves as a consolidated reference about the existing situation and the aspects for enhancement. Even if the specific suggestions are not adopted, the principles, objectives and criteria are a framework to guide the consideration of options and choices of solutions, keeping a universal theme in mind.

Capitalising on the lanes and walkways, which are an established characteristic of the Town Centre, is advocated. This is a popular trend in modern cities and has been pursued by Claremont and Perth CBC, for example. The idea of a piazza in Clapham Lane has been mooted for several years and the Station Street studies by Coda also recognised that opportunity. Activation of lanes calls for a collaborative approach with abutting properties and the many users of lanes, noting that there can often be conflicts between competing purposes.

Graphically the study report is quite inspirational in illustrating how the Town Centre and its elements could be revamped to an improved level of functionality, amenity and sophistication, without losing the traditional village scale and ambience of the precinct.

IMPLEMENTATION & FUNDING

The street-by-street analysis describes the existing condition/character of each street (and lane) and its potential for enhancement. The improvement concepts are thorough and innovative. Detailed design, cost estimates and works approvals would be required in each case.

Consultation with the community, especially Town Centre property owners and business operators, plus Procott, would be important in refining improvement proposals and managing construction programs. Timing of works would be essential to minimise disruption to premises, customers and traffic.

Movement patterns and facilities in all modes are an important component. Vehicular circulation, parking, deliveries, cycling, walking and the disabled all require careful consideration and would be key aspects for engagement with stakeholders. Changes to road systems or treatments tend to be costlier infrastructure items.

At present there are no dedicated implementation or budget arrangements to achieve the improvement plan, whether in its current form or as it may be evolved. Realistically it would not occur all at once, which would be a major cost, and funding/works would most likely be spread over a number of years. Developer contributions as a condition of approvals are desirable where buildings impact on or require upgrading of adjacent footpaths, crossovers, etc.

The study report makes suggestions for staged improvements (see pages 10 and 34), noting that sometimes relatively simple features such as trees/landscaping and street furniture can create significantly enhanced amenity and aesthetics yet be fairly affordable.

As the next phase it would be appropriate to ask the SSWG to have due regard for the study and that staff draft an implementation program for Council direction of actions and expenditure.

CONCLUSION

The benefit of the TCIP has been to examine holistically ways to improve the standard of the public domain for the Town Centre in order to:

- Enhance its operation and image.
- Foster the economic and social wellbeing of the precinct.
- Respond to structural changes and development proposals as they arise.
- Instruct the Town's works programs and budget-setting.
- Provide a wider context in pursuing options for the two Station Street sites under the SSWG.

The study report addresses the many aspects and variables involved, documenting them in a useful manner as a basis for more detailed planning, design and ultimately construction. It has also had regard to interrelationships with other studies and prospective developments in the locality.

COMMITTEE COMMENT

Committee is supporting the plan overall encouraged attention to upgrading the lanes and walkways in particular, as well as ongoing liaison with Procott towards improvements for the locality.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Carmichael, Cr Birnbrauer

That Council:

1. Endorses the *Cottesloe Town Centre Public Domain Infrastructure Improvement Plan* urban design report in-principle as an ongoing guide in considering planning, development and works proposals relating to the Town Centre and environs.

2. Requests the Station Street Working Group to progress its tasks and future reporting having regard to the Plan.

3. Requests that staff further report to Council on recommended preferences and priorities, as well as consultation steps, estimated costs and forecast works programs, towards implementation of the study findings.

AMENDMENT

Moved Cr Dawkins, seconded Cr Birnbrauer

That point 2 of the recommendation refers specifically to the studies by Coda for the Working Group.

Carried 6/0

AMENDMENT

Moved Cr Carmichael, seconded Cr Woodhill

That point 3 of the recommendation refers to liaison with Procott.

Carried 6/0

COMMITTEE RECOMMENDATION

Moved Cr Walsh, seconded Cr Rowell

That Council:

1. **Endorses the *Cottesloe Town Centre Public Domain Infrastructure Improvement Plan* urban design report in-principle as an ongoing guide**

in considering planning, development and works proposals relating to the Town Centre and environs.

2. **Requests the Station Street Working Group to progress the Station Street sites study and design guidelines prepared by Coda architects and its future reporting having regard to the Plan.**

3. **Requests that staff further report to Council on recommended preferences and priorities, as well as consultation steps, estimated costs and forecast works programs, towards implementation of the study findings, including liaison with Procott.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

AMENDMENT

Moved Cr Cunningham, seconded Mayor Morgan

That the date of "by March 2012" be included in part 3 after the words "study findings".

Carried 10/1
Against: Cr Rowell

COUNCIL RESOLUTION

That Council:

1. **Endorses the *Cottesloe Town Centre Public Domain Infrastructure Improvement Plan* urban design report in-principle as an ongoing guide in considering planning, development and works proposals relating to the Town Centre and environs.**

2. **Requests the Station Street Working Group to progress the Station Street sites study and design guidelines prepared by Coda architects and its future reporting having regard to the Plan.**

3. **Requests that staff further report to Council on recommended preferences and priorities, as well as consultation steps, estimated costs and forecast works programs, towards implementation of the study findings by March 2012, including liaison with Procott.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 10/1
Against: Cr Rowell

11.2 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 20 SEPTEMBER 2011

11.2.1 COTTESLOE CLIMATE CHANGE LOCAL ADAPTATION ACTION PLAN

File No:	**SUB/988**
Attachments:	LAAP Executive Summary LAAP 2011 FINAL LAAP draft WESROC Regional Climate Change Adaptation Plan 5 May 2011 LAAP WALGA Declaration CC
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Elizabeth Lowrey** **Sustainability Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

Adaptation actions are necessary for the Town of Cottesloe (the Town) to build resilience against the negative risks from human enhanced climate change. The *Climate Change Local Adaptation Action Plan: 2011-2016* prioritises local adaptation actions for the Town across all essential business areas. The Plan will help staff to incorporate climate change adaptation into their busy workloads and build capacity within the community in preparation for the impacts of climate change.

It is recommended that Council:

1. Note the WESROC Climate Change Risk Assessment and Adaptation Report and draft Regional Plan.

2. Receive the attached draft *Local Climate Change Adaptation Action Plan: 2011-2016*; and advertise it for community feedback and comment.

3. Receive a further report from staff on the outcomes of the community consultation.

4. Note the attached Western Australian Local Government Association Declaration on Climate Change and authorise the Mayor to sign it, on behalf of the Town, at a WALGA event in 2012.

BACKGROUND

Adapting to the impacts of climate change, caused by greenhouse gas emissions released by human activities, is a responsibility that the Town takes seriously. The Town commissioned a *Vulnerability of the Cottesloe Foreshore to the Potential Impacts of Climate Change Report* in 2008. A Risk Treatment Plan is being implemented to determine how the impacts of climate change will affect the physical coastal environment and the implications for existing infrastructure. As a participant

of the Western Suburbs Regional Organisation of Councils (WESROC) the Town also completed a *WESROC Climate Change Risk Assessment and Adaptation Report* (2010) to determine regional impacts from climate change. These reports provide an excellent basis for the Town to adapt to the high priority risks from climate change.

The WESROC Climate Change Risk Assessment and Adaptation Report (WCCRAAR) was completed by independent consultants, Coastal Zone Management, who also completed the Town's 2008 Foreshore Vulnerability study. Participating councils in the project were the Town of Cottesloe, the Town of Mosman Park, the Town of Claremont, the City of Nedlands, the Shire of Peppermint Grove, the City of Subiaco, and the Town of Cambridge.

The primary objectives of WCCRAAR were to:

- Identify the potential future impacts of climate change in the WESROC region and the associated risks to Council;
- Develop a regional plan for action; and
- Review activities undertaken by WESROC members to mitigate greenhouse gas emissions.

(WESROC 2010, p iii)

Attached is the Executive Summary of the WCCRAAR. A Regional Climate Change Adaptation Action Plan (Regional Plan) is being developed (a draft version is also attached) by the Regional Climate Change Project Group, which is made up of senior officer representatives from each of the participating councils. The Manager Development Services is Cottesloe's representative. The Regional Plan aims to achieve regional adaptation actions across the western suburbs.

WCCRAAR also provided risk treatments for each of the participating members to identify adaptation actions that should be addressed independently. Attached is a draft Cottesloe Local Adaptation Action Plan (the Plan), which has been prepared by the Sustainability Officer to complement the Regional Plan. The Plan sets out the local adaptation actions for the Town. Adoption of the Plan will mean that the Town can implement and complete the adaptation actions identified to protect and maintain key assets and service delivery areas from the impacts of human enhanced climate change.

The WCCRAAR risk matrix that was applied to identify local priority adaptation actions recommended that the Town could achieve an" Important and Easy" adaptation action by adopting the WALGA Declaration on climate change. The Declaration will provide a document that presents a consolidated advocacy position for State and Commonwealth support of local governments addressing climate change.

STRATEGIC IMPLICATIONS

Future Plan: Section 4

Underpinning Sustainability Principles

- Good Governance: Leadership, transparency, accountability, probity, proper management, effective services, equitable access to services, commitment to partnership working and organisational building capacity.

The Plan addresses the Principle of good governance of the Town in the face of the uncertain impacts from climate change.

Objective 5: Infrastructure

To maintain infrastructure and Council buildings in a sustainable way

The Plan aims to incorporate climate change adaptation into decision making and operations to ensure that infrastructure and Council property is more resilient to the negative impacts from a changing climate.

Objective 7: Organisation Development

To effectively manage Council's resources and work processes.

- Enhance our ability to embrace and manage change.

The Plan sets out the actions Cottesloe should implement to build resilience and manage the impacts from climate change.

POLICY IMPLICATIONS

The Plan is likely to have implications for many Council policies and procedures since the adaptation actions are diverse and varied. Council and staff will need to determine policy implications as each adaptation action is considered and implemented.

STATUTORY ENVIRONMENT

- Local Government Act 1995

Section1.3 (3) of the Local Government Act 1995 states: "In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity".

In order to 'meet the needs of current and future generations', local government needs to address the impacts of climate change on its community. The adaptation strategies set out in the Plan will help to ensure that social and legal obligations are met, and that risks and future costs are minimised for the Cottesloe community.

FINANCIAL IMPLICATIONS

Many of the adaptation actions can be achieved without financial resource demands. Others will need to be considered and, where financial commitment is required, any barriers should begin to be removed through budget forecasting or external funding opportunities.

Adaptation actions were ranked (within member councils and regionally) according to barriers for implementation and their ability to treat priority climate change risks. Financial barriers were often the most significant barrier identified for the Town of Cottesloe in the risk treatment applied to adaptation actions in the WCCRAAR.

Adopting the WALGA Declaration on Climate Change will incur no cost to the Town and may help to create a consolidated position for local governments to increase

funding opportunities from State and Federal Government to implement adaptation actions related to climate change.

SUSTAINABILITY IMPLICATIONS

Adapting to the impacts from climate change will incorporate many areas of sustainability, including:

Water Usage/Quality

- Commitment on the awareness and significance of water as being a limited resource.

Coastal Environments

- Commitment to protect and maintain coastal biodiversity and habitats.

Waste Management and Recycling

- Commitment on resource efficiency (reducing, reusing, recovering, recycling).

Energy Efficiency

- Commitment to increase Council's energy efficiency.

CONSULTATION

In the development of this draft Plan the Sustainability Officer has consulted with WALGA's Climate Change Coordinator and the Sustainability Officer at the Town of Mosman Park.

STAFF COMMENT

The draft Plan provides Council with a framework to adapt to the localised impacts from climate change. The WESROC Regional Plan focuses on actions that have a regional priority for the western suburbs.

Many of the actions recommended in the Plan are corporate changes that the Town can make to integrate climate change resilience into policy, decision making, and operational duties. Many of these changes are inexpensive and require a cultural change that recognises the importance of addressing climate change across all business areas.

The WALGA Declaration lists a number of commitments that the Town has independently decided to implement already. As such, the benefit of adopting the Declaration achieves an "Important and Easy" adaptation action that may assist WALGA to gain support from State and Commonwealth Government that will benefit local government in their mitigation and adaptation response to climate change.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council,

1. **Note the WESROC Climate Change Risk Assessment and Adaptation Report and draft Regional Plan.**

2. **Receive the attached draft *Local Climate Change Adaptation Action Plan: 2011-2016*; and advertise it for community feedback and comment.**

3. **Receive a further report from staff on the outcomes of the community consultation.**

4. **Note the attached Western Australian Local Government Association Declaration on Climate Change and authorise the Mayor to sign it, on behalf of the Town, at a WALGA event in 2012.**

Carried 11/0

11.2.2 COTTESLOE CLIMATE CHANGE POLICY

File No:	**SUB/988**
Attachments:	Town of Cottesloe Climate Change Policy
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Elizabeth Lowrey** **Sustainability Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

This policy aims to provide a clear position on the issue of human enhanced climate change to:

- Provide guidance for the Town to ensure that the impacts from human enhanced climate change are considered in decision making, planning and infrastructure provision; and
- Plan and prepare for the impacts from human enhanced climate change so that Cottesloe's community, infrastructure and relaxed lifestyle remain protected.

It is recommended that Council adopt the attached *Human Enhanced Climate Change Policy* as submitted to the 20th September 2011 meeting of the Works and Corporate Services Committee.

BACKGROUND

The Town has actively reduced greenhouse gas emissions associated with its operations since 1996 when it joined the ICLEI Cities for Climate Change Protection (CCP) program. Since this time the Town has implemented the Cott Cat shuttle service to reduce transport use and emissions in the Town; evaluated its vehicle fleet to increase its energy efficiency; and purchased Green Power for the Civic Centre Administration building. More recently, Council determined to become carbon neutral, with a target to release no net greenhouse gas emissions from its operations by 2015. These mitigation activities reduce the Town's contribution to the unavoidable impacts of climate change.

Adapting to the impacts of climate change, caused by greenhouse gas emissions released by human activities, is a responsibility that the Town takes seriously. In 2008 the Town commissioned a *Vulnerability of the Cottesloe Foreshore to the Potential Impacts of Climate Change Report* and a Risk Treatment Plan is being implemented to determine how the impacts of climate change will affect the physical coastal environment and the implications for existing infrastructure. As a participant of WESROC the Town also participated in the *WESROC Climate Change Risk Assessment and Adaptation Report* (2010) to determine regional impacts from climate change. These reports provide an excellent basis for the Town to adapt to the high priority risks from climate change.

These actions are consistent with the Town accepting that anthropogenic climate change exists. This approach is responsible and necessary for a local government such as Cottesloe, which is vulnerable due to the proximity to the coast and its finite financial capacity.

ACKNOWLEDGING CLIMATE CHANGE IMPACTS

A series of acknowledgements are provided to highlight the relevance of climate change impacts on the Town's operational and strategic framework and to confirm the Town's desire to show leadership on this issue:

Climate Change
It is recognised that the global climate is changing as a consequence of increased concentrations of greenhouse gas emissions in the atmosphere, and that these increased concentrations are largely the result of human activities.

Costs of Delayed Action
It is acknowledged that while uncertainty is present in the existing climate science, this does not present a reason for inaction or delay of action and that the 'Precautionary Principle' should be applied to the use of climate science.

Australia's Obligation to Act

It is acknowledged that the Australian community has historically contributed, and continues to contribute, disproportionately to global greenhouse gas emissions. Australia has achieved considerable economic wealth in the process. It therefore has a responsibility for current climate change and an ethical obligation and opportunity to play a leadership role, commensurate with its capabilities, in contributing to the national and global greenhouse gas reductions necessary to avoid dangerous climate change.

Mitigation – Emission Reductions

It is recognised that Australia has the capacity to contribute to global climate change mitigation, by reducing emissions now, in a way that creates positive opportunities for communities, industries and our economic sustainability.

The magnitude of the mitigation task ahead is substantial, and planning, investment and infrastructure decisions made today will shape the carbon intensity of the future. A successful response to the challenge of meeting appropriate emission reduction targets should begin immediately and will require cross-sectoral action by government, business and the broader community at all levels. The Town supports the establishment of institutions and regulations that ensure effective, integrated action by these stakeholders.

Adaptation – Collaborative Action

It is acknowledged that the magnitude of the adaptation task ahead is substantial, and that planning, investment and infrastructure decisions made today will determine how successfully the community is able to adapt to the impacts of climate change, reduce its risks and vulnerabilities to these and take advantage of any opportunities.

A successful response to the challenge of adapting to climate change impacts should begin immediately and will require cross-sectoral action by government, business and the broader community at all levels. The Town supports the establishment of

institutions and regulations that ensure effective, integrated action by these stakeholders.

Equity and Social Justice

It is acknowledged that both the impacts of climate change and the policy responses required to contribute to the avoidance of dangerous climate change have significant equity implications. These equity considerations have domestic and international dimensions, and implications for both present and future human generations, and for the survival of other species.

STRATEGIC IMPLICATIONS

Objective 7: Organisation Development

To effectively manage Council's resources and work processes.

- Enhance our ability to embrace and manage change.

This Climate Change Policy provides guidance to staff and Elected Members about the need to consider the impacts of climate change across all areas of decision making, planning and provision of infrastructure. This will ensure that the Town is well placed to proactively manage the broad suite of impacts caused by climate change.

POLICY IMPLICATIONS

This Policy is likely to have implications for many Council policies and procedures since the impacts of climate change are so diverse and varied. By identifying the scope of implications through this policy Council will help to guide staff so that they can integrate the relevant implications to their area of work.

The draft *Cottesloe Local Climate Change Adaptation Action Plan 2011 – 2016* (to be adopted) has an adaptation action that requires the Town to incorporate climate change scenarios into policy and decision making processes. This Policy will help the Town to achieve that adaptation action.

STATUTORY ENVIRONMENT

- Local Government Act 1995

Section1.3 (3) of the Local Government Act 1995 states: "In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity".

In order to 'meet the needs of current and future generations', local government should address the impacts of climate change on its community. Climate change poses a growing threat to the community and to local government, environmentally, socially and financially. A range of mitigation and adaptation strategies must be applied to ensure that social and legal obligations are met, and to minimise risks and future costs.

FINANCIAL IMPLICATIONS

In order to properly assess and address climate change implications the Town will need to consider climate change in its strategic planning framework. Climate change has a range of legal, indemnity, budgetary, asset management, infrastructure, planning and environmental implications, all of which will need to be embedded in strategic frameworks and actioned at both a political and operational levels in order to ensure climate change liability issues are adequately addressed.

This will have ongoing financial implications, both costs and savings, across the Town's activities.

SUSTAINABILITY IMPLICATIONS

Mitigating and adapting to the impacts from climate change will incorporate many areas of sustainability, including:

Water Usage/Quality

- Commitment on the awareness and significance of water as being a limited resource.

Coastal Environments

- Commitment to protect and maintain coastal biodiversity and habitats.

Waste Management and Recycling

- Commitment on resource efficiency (reducing, reusing, recovering, recycling).

Energy Efficiency

- Commitment to increase Council's energy efficiency.

CONSULTATION

In the development of this Policy the Sustainability Officer has consulted with WALGA's Climate Change Coordinator and the Sustainability Officer at the Town of Mosman Park.

STAFF COMMENT

The Town continues to demonstrate leadership and commitment on the issue of climate change through its mitigation and adaptation actions. However, there is a lack of agreed vision to guide these actions. This policy fills this gap by formalising the Town's position on climate change. The policy also provides guidance for staff to help them integrate the impacts of climate change into their duties. The Policy will also assist Elected Members in their decision making function.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council adopt the attached *Human Enhanced Climate Change Policy* as submitted to the 20th September 2011 meeting of the Works and Corporate Services Committee.

Carried 11/0

11.2.3 PEAK OIL REPORT

File No:	**SUB/1229**
Attachments:	Cottesloe Peak Oil Report for Council
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Elizabeth Lowrey** **Sustainability Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

In June 2011 Council resolved:

1. *To request a report be prepared to examine the potential impacts of Peak Oil on (1) The Cottesloe Town Council, (2) Cottesloe Businesses, and (3) The Cottesloe community;*
2. *That the report examine policies and practices of leading councils in addressing Peak Oil and report on their potential to be used for the benefit of the Town of Cottesloe.*
3. *That staff report back to Council in September 2011.*

The attached report has been prepared in response to the above resolution and recommends that Council:

1. Establish an oil consumption reduction target.
2. Support the community and local businesses by engaging them on the issue of peak oil and helping them to prepare for it.
3. Address its indirect vulnerability to peak oil by setting a purchasing target to reduce reliance on oil-based products by increasing use of recycled materials and/or shifting to greener alternatives.
4. Endorse reducing the Town's operational oil consumption through a Carbon Abatement Plan, which is being prepared as part of the Carbon Neutral Project, in order to address vulnerability to peak oil in a holistic way.

BACKGROUND

Peak oil is a largely ignored issue in Australia and is therefore not being addressed at Federal and State Government levels. The attached report aims to consider the potential impacts of peak oil on the Town of Cottesloe and the community to determine the risks and their vulnerability.

STRATEGIC IMPLICATIONS

Future Plan: Section 4

Underpinning Sustainability Principles

- Good Governance: Leadership, transparency, accountability, probity, proper management, effective services, equitable access to services, commitment to partnership working and organisational building capacity.

POLICY IMPLICATIONS

- Purchasing

Peak oil considerations extend to the vulnerability of the Town if oil supplies are interrupted or become substantially more expensive. Building resilience to these risks involves a process of shifting towards less oil-based products and services.

STATUTORY ENVIRONMENT

- Local Government Act 1995

Section1.3 (3) of the Local Government Act 1995 states: "In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity".

The risks associated with peak oil threaten the economic, social and environmental security of the Town Council, businesses and community.

FINANCIAL IMPLICATIONS

There are no current resources allocated and this will need to be considered in future budgets. If Council commits to addressing peak oil then it should be acknowledged that transitioning towards a more resilient future will require research and financial investment. The financial investment required to achieve these objectives will be clearer after the Carbon Abatement Plan has been completed.

Purchasing

- Commitment on purchasing goods made from recycled or reused materials.
- Buying local and supporting local produce.
- Buying from organisations that have an environmental accreditation.

CONSULTATION

To prepare this report the Sustainability Officer consulted with the City of Stirling (WA), the City of Marrickville (NSW), and the Convenor of Australian Association for the Study of Oil and Gas (ASPO). The attached report was distributed to senior management for comment. All comments received were considered and addressed in the final version of the report.

STAFF COMMENT

Peak oil is an emerging risk that has been largely ignored in Australia. There is uncertainty surrounding the timing of peak oil due to a range of factors, but if it has not already occurred then it definitely will in the next twenty years. After reviewing the information and work undertaken by leading councils on this issue it is apparent

that the impacts from peak oil will threaten the quality of life in Australia. More specifically, peak oil will impact upon Cottesloe local businesses, the community and the Town. The degree of impact that peak oil will have is dependant upon the level of planning and preparation that is undertaken to build resilience against it. The literature reviewed agreed that earlier planning and preparation is the best approach.

The longer the Town postpones adapting to peak oil the more difficult and expensive it will be. The Town also has a duty to engage our community on this issue and help them to build resilience against it. Since the Cottesloe community falls into a lower risk category against peak oil (due to its high socio-economic status and proximity to public transport) the transition to a more resilient community is achievable. In addition, addressing peak oil has many other benefits, including reducing greenhouse gas emissions and improving health through locally grown produce and active transport.

If Council commits to addressing peak oil then it should be acknowledged that transitioning towards a more resilient future will require further research and financial investment. The financial investment required to achieve these objectives will be clearer after the Carbon Abatement Plan has been completed.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council

1. **Establish an oil consumption reduction target.**
2. **Support the community and local businesses by engaging them on the issue of peak oil and helping them to prepare for it.**
3. **Address its indirect vulnerability to peak oil by setting a purchasing target to reduce reliance on oil-based products by increasing use of recycled materials and/or shifting to greener alternatives.**
4. **Endorse reducing the Town's operational oil consumption through a Carbon Abatement Plan, which is being prepared as part of the Carbon Neutral Project, in order to address vulnerability to peak oil in a holistic way.**

Carried 11/0

11.2.4 INDIAN OCEAN CLASSIC / KELLOGGS IRONMAN SERIES

File No:	**SUB/550-02**
Attachments:	Event Application and Map
Responsible Officer:	**Mat Humfrey** **Manager Corporate Services**
Author:	**Meagan Hodgson** **Community Development Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

This report is in relation to an application for Cottesloe Beach to act as a turn around point for the Indian Ocean Classic individual/team endurance event (open to general public) and Kellogg's Ironman Professional event.

BACKGROUND

The Kellogg's Nutri-Grain Ironman and Ironwoman series feature the country's best athletes competing in the most grueling ocean based competition on the planet.

Two events have been announced for Western Australia, being The Kellogg's Nutri-Grain Ironman Series race, to be held on Sunday, January 29, 2012, and The Indian Ocean Classic, which will be staged on Saturday, January 28, 2012.

These two events will form part of a 3 day programme that will add National and International television exposure to Cottesloe and other beaches and promote the Western Australia Surf Life Saving Association.

The events are owned and managed by Sports and Entertainment Limited and Guy Leach Fitness with support from Eventscorp and the State Government.

The races will feature popular formats that test endurance, power, skill and speed. It will be broadcast live on Network Ten and replayed on One HD as part of the television coverage. There will also be filming of competitors from helicopters over the ocean during board legs as they follow the race up and down the coast.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No cost to Council

POLICY IMPLICATIONS

Beach Policy – this agreement appears to be in compliance with the Town of Cottesloe's Beach Policy.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The main part of the Iron Man Series will be held at Scarborough Beach, which will host the majority of spectators and the bulk of the legs of both the Iron Men and Iron Women races. The event will involve facilities, personnel and resources from Trigg, Scarborough, City Beach, Swanbourne and Cottesloe Surf Life Saving Clubs.

A section of the event is to be held in Cottesloe which is expected to draw interest from sports and community minded people to watch the local nippers and amateurs compete.

The event organisers have been asked to meet the following requirements:

- Use nominated turn around point for event – see attached map
- The public will be using toilets under Indiana's however Eventscorp are to pay for extra cleaning throughout both events and if they are expecting a larger crowd as either event draws closer 'extra portable toilets' will be brought in.
- The parking requirements for the Cottesloe Iron Man Management crew will be 6 bays; most likely they will be parked at Cottesloe Surf Life Saving Club where bays will be temporarily marked out. Most crew will be situated at Scarborough.
- Extra rubbish bins will be organized with Event Manager Kelly Moss who will indicate number on order form for Cleanaway, the bill will then be sent to Eventscorp for the removal of bins over the three days of events.
- Commercial advertising will be featured including Nutri Grain, Red Bull and other advertisers on one banner placed at the turn around point. There will be no further advertising on the beach and organizers have agreed to a 'no giveaways' arrangement.

This event is highly regarding amongst sporting professionals, its high profile allows a platform for Cottesloe beach to be showcased with class and respect. The event has the support of Surf Life Saving WA, North Cottesloe Surf Life Saving Club, Cottesloe Surf Lifesaving Club and various sporting identities.

This will be the first time this event will be run in this format. It does have State Government backing and all foreseeable contingencies have been catered for. A review will be conducted after the event to ensure any future events are run in the best way possible.

VOTING

Simple Majority.

COMMITTEE DISCUSSION:

There was discussion over the number of anticipated attendees at the event, with the view that there would be many more than the number detailed in the organiser's application. The event was considered to have future implications for Cottesloe and a request was made for the Community Development Officer to liaise with event organisers regarding the Town's requirements for support services such as toilets, cleaners, rangers and other logistics.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council approve the application from CIC Events Management PTY LTD for the Indian Ocean Classic and Kellogg's Ironman Event on Saturday 28th and Sunday the 29th of January 2012, with the following conditions:

1) **Adequate arrangements are made for rubbish collection; including provisions for recycling.**
2) **The event complies with the Environmental Protection (Noise) regulations 1997.**
3) **The event complies with the requirements for satisfactory facilities, access and egress, first and emergency response as per the Health (Public Buildings) Regulations 1992.**
4) **All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required).**
5) **The event is classed with a fee of $3,300 and a bond of $2,000 and is paid as required by 4.**
6) **Provision of a certificate of currency or other documentation demonstrating the organisers have adequate public liability insurance for the event.**

Carried 11/0

11.2.5 PERTH INTERNATIONAL ARTS FESTIVAL

File No:	**SUB/550-02**
Attachments:	Opening Ceremony Event Briefing Opening Ceremony Cottesloe Event Application
Responsible Officer:	**Mat Humfrey** **Manager Corporate Services**
Author:	**Meagan Hodgson** **Community Development Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

Perth International Arts Festival would like to provide a free family performance as part of the opening of the 2012 festival.

This report recommends that the committee support the event.

BACKGROUND

The Perth International Arts Festival has welcomed some of the world's greatest artists for over 50 years; the three week long event attracts the world's best theatre, music, film, visual arts, street arts, literature and free community events. The Perth Festival is also committed to raising the profile of local works of excellence, raising the national profile of the arts and to being informed by the cultural and environmental context of Western Australia including Indigenous culture.

On the 10th February 2012 from 7:00am to 8:00am the organisers of the festival would like 2012 to begin with a tribute to the people and natural landscape of Western Australia.

Indigenous Elders and performers will greet audiences and artists from around the world with a Welcome to Country. A brass musical band will then perform songs underneath the Indiana's Tea Rooms.

The opening event would include the release of 600 white, environmentally sustainable balloons carrying a message of the meaning of the Perth Festival written by local children, festival goers and international artists. Finally the proceedings will be finalised with a celebratory swim in the ocean.

A small stage will be set up on the beach and the brass section will use some amplification. With the increased demand for parking the organisers would like to work with the Town of Cottesloe Rangers to develop a parking management plan.

STRATEGIC IMPLICATIONS

Rangers would have to be available on the day to help with any parking or crowd control.

POLICY IMPLICATIONS

Beach Policy – this event is in compliance with the Town of Cottesloe's Beach Policy.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

This event is a great opportunity for the town of Cottesloe to become involved with an international event. The support provided for this event would be an economic, social and cultural investment for the local community.

Due to the prestige of this event and the benefits to the community, the Officer Recommendation is to approve this event.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

That Council approve the application to hold the opening of the Perth International Arts Festival on Friday February 10th 2012 from 7:00am to 8:00am, with the following conditions:

1) **Adequate arrangements are made for rubbish collection; including provisions for recycling.**
2) **The event complies with the Environmental Protection (Noise) regulations 1997.**
3) **The event complies with the requirements for satisfactory facilities, access and egress, first and emergency response as per the Health (Public Buildings) Regulations 1992.**
4) **All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required).**
5) **Provision of a certificate of currency or other documentation demonstrating the organisers have adequate public liability insurance for the event.**

Carried 11/0

11.2.6 HOPMAN CUP TENNIS - REDUCTION IN HIRE FEES

File No:	**SUB/550-02**
Attachments:	Letter Requesting a Reduction in Hire Fees
Responsible Officer:	**Mat Humfrey** **Manager Corporate Services**
Author:	**Meagan Hodgson** **Community Development Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

The Hyundai Hopman Cup 'Have a Go' Tennis has requested a reduction in the fees charged for beach hire, as per the attached letter.

The officer recommends that the fees are not reduced due to the commercial nature of the event.

BACKGROUND

The organisers of the Hyundai Hopman Cup are organising a free 'Have a Go' community event with two courts set up for anyone to play.

All participants receive complimentary tickets to the Hopman Cup, beach balls and sunscreen. Beach Tennis is a new sport in Australia that is being showcased to the public to increase participation in and awareness of the Hopman Cup.

'Have a Go' Beach Tennis was held last year on Cottesloe Beach. The organisers were not charged which is not in line with the fees and charges as adopted by Council. Although event organisers do not charge an entry fee, they do promote several sponsors on the day and it is considered a commercial event. In the Town of Cottesloe Fees and Charges for 2011/2012 special events commercial hire for less than 1000 people is listed as $3000 with a bond of $1000. The organisers have requested an "unspecified" reduction in fees.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

$3,000 in foregone fees if event allowed free booking, or any amount given as a discount.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

With the increasing amount of applications for events it is important that the fees and charges are adhered to. If it becomes known that an event has been given an exemption, it is likely that many other event organisers will apply.

Considering the size of the Hopman Cup, the fee for special events commercial hire (for less than 1000 people) which is listed as $3000 would be considered reasonable.

Other options that Council could consider include;

- Council could apply the standard community fee which is of $550.00.
- Waiver the fee completely on the condition that the Town of Cottesloe's support is acknowledged at the event.
- Consider asking the organisers to make a donation in exchange for a waiver of fees donation to either the Tennis Club and/or the Surf Life Saving Club.

At the time of writing this report, the best way seen to proceed was to decline the request for the reduction of fees given:

1) The commercial nature of the event
2) The number of people who would use the beach at the time
3) Grants discount or fee wavers will create a precedent.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT the application for a reduction in fees for this event be declined.

Carried 11/0

11.2.7 2012 HAVIANAS THONG CHALLENGE

File No:	**SUB/550-02**
Attachments:	Event Application Form Risk Assesment Havaianas Event Map Event Management Plan Havaianas Beach Games Certificate of Currency
Responsible Officer:	**Mat Humfrey** **Manager Corporate Services**
Author:	**Meagan Hodgson** **Community Development Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

Havaianas Thong Challenge is a National event held on Australia Day each year. 2012 will be the events 8th birthday. Cottesloe has been involved in this event for the last two years.

This report recommends that Council support the event on Thursday 26th January 2012.

BACKGROUND

The event invites participants to take part in the "Havaianas Thong Challenge" as the largest chain of people floating out on the water on inflatable lilo's. Prior to the event participants register online to participate in the attempt and additional registrations take place on the day at the beach. As part of the registration process each participant receives an inflatable Havaianas thong Lilo to float on during the record challenge.

$10 for every participant is donated to the Cottesloe Surf Life Saving Club / Nippers.

In 2011 the thong Challenge obtained a record of 7,810 participants nationally. Events were held at Bondi Beach (NSW), Torquay (VIC), Mooloolaba (QLD), Glenelg (SA) and Cottesloe (WA), which places Cottesloe as one of Australia's most iconic beaches.

The event adds value to the community in the following ways:

- Providing generous contribution to the local SLSC and Nippers association.
- Creates a structured, well organized event at Cottesloe beach for locals/visitors.
- Promotes Cottesloe as a family friendly environment to celebrate Australia Day together.
- Advocates Cottesloe focus on safety with continual water safety and "alcohol prohibited" messages being promoted throughout the event.
- Provides entertainment/activities for all age groups on the day.

- Supports local businesses in attracting crowd for the day.

Havaianas Thong Challenge Beach Games include the paddle challenge, thong throw and thong grab. Organisers of the event; Urban Media, have introduced risk control measures including water safety plans and on hand first aid. The area will also be roped off to avoid other members of the public who are celebrating Australia Day from clashing with the event.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Beach Policy – this agreement is in compliance with the Town of Cottesloe's Beach Policy.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Due to the positive feedback in previous years of this event and thorough risk assessment and event management plan the officer recommendation is to:

1. Approve the Havaianas Thong Challenge on the 26th January 2011 subject to:

    a.) adequate arrangements for rubbish collection and removal, including the provision for recycling

    b.) compliance with the *Environmental Protection (Noise) Regulations 1997.*

    c.) compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992.*

    d.) all fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required)

2. Class the event as a commercial event and charge the fee of $3,300 and a bond of $2,000.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council approve the application to hold the Havaianas Thong Challenge at Cottesloe Beach on 26th January from 5:00am to 5:00pm with the following conditions:

1) **Adequate arrangements are made for rubbish collection and removal, including the provision for recycling**
2) **Compliance with the *Environmental Protection (Noise) Regulations 1997.***
3) **Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992.***
4) **All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required)**
5) **Class the event as a commercial event and charge the fee of $3,300 and a bond of $2,000, both of which are to be paid as required by number 4.**
6) **Provision of a 'certificate of currency' to certify that organizers have adequate public liability insurance.**

Carried 11/0

11.2.8 CORRUPTION AND CRIME COMMISSION INFORMATION UPDATE

File No:	**SUB/825**
Attachments:	Policy Legal Proceedings (Prosecutions Confidential Report from the CEO
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Carl Askew** **Chief Executive Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

This report recommends that Council note the information contained in the confidential officer report in relation to the ongoing investigation by the Corruption and Crime Commission into a former staff member.

BACKGROUND

Refer to the confidential reports attached.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Legal Proceedings (Prosecutions)

STATUTORY ENVIRONMENT

5.23. Meetings generally open to the public

(1) Subject to subsection (2), the following are to be open to members of the public —

(a) all council meetings; and

(b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;

(e) a matter that if disclosed, would reveal —

(i) a trade secret;

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government;

(f) a matter that if disclosed, could be reasonably expected to —

(i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

(ii) endanger the security of the local government's property; or

(iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

(g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and

(h) such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

FINANCIAL IMPLICATIONS

Costs in the order of $2,000 have been incurred in relation to legal advice and representation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

- Corruption & Crime Commission
- McLeods Solicitors
- Mayor and all Elected Members

VOTING

Simple Majority

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Boland, seconded Cr Strzina
In accordance with Standing Orders 15.10 "*That the Council meets behind closed doors – Effect of Motion"* (LG Act s5.23(2)) that Council discuss the confidential report behind closed doors.

Carried 6/0

Staff, members of the public and media were requested to leave the meeting at 9:35 PM. The CEO requested and the Chair agreed that the Manager Engineering Services remain to respond to any questions from Committee on the confidential report.

Cr Woodhill left the meeting at 9.37PM

Cr Woodhill returned to the meeting at 9.39 PM

MOTION FOR BEHIND CLOSE DOOR

Moved Cr Boland, seconded Cr Strzina

In accordance with Standing Orders 15.10 "*That the Council meets behind closed doors – Effect of Motion"* (LG Act s5.23(2)) the meeting was re-opened to the staff, members of the public and media at 9.40PM.

Carried 6/0

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Rowell

That Council note the information contained in the "confidential" officer report.

Carried 6/0

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Boland, seconded Mayor Morgan

In accordance with Standing Orders 15.10 "*That the Council meets behind closed doors – Effect of Motion"* (LG Act s5.23(2)) that Council discuss the confidential report behind closed doors.

Carried 11/0

Staff, members of the public and media were requested to leave the meeting at 9:40 PM. The CEO requested and the Mayor agreed that the Manager Engineering Services remain to respond to any questions from Council on the confidential report.

COUNCIL RESOLUTION

That Council endorse the recommendation of the CEO in the attached confidential report.

Carried 11/0

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Boland, seconded Mayor Morgan

In accordance with Standing Orders 15.10 "*That the Council meets behind closed doors – Effect of Motion"* (LG Act s5.23(2) the meeting was re-opened to the staff, members of the public and media at 9.45PM.

Carried 11/0

Mr Humfrey, Mr Jackson, Mrs Giles and the Media returned to the meeting at 9:45 PM.

COUNCIL RESOLUTION

That Council endorse the recommendation of the CEO in the attached confidential report.

Carried 11/0

11.2.9 AUSTRALIAN NATIONAL PARKING STEERING COMMITTEE CONFERENCE

File No:	**SUB/83**
Attachments:	Conferences Policy Conference Programs Application
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Ernie Polis** **Senior Ranger**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

A major conference has been arranged by the Australian National Parking Steering Group (ANPSG) on a large range of Local Government issues regarding parking. It attracts local governments from around Australia. This year the conference will be held in Adelaide from 23 - 25 November 2011. This report requests approval the Senior Ranger to attend this conference.

BACKGROUND

ANPSG is a national association of local government and industry leaders. The Adelaide conference is the fifteenth of its type and is the major national event for local governments. This conference attracts a large variety of industry representatives who present the latest in technology related to parking systems and enforcement practices.

A number of keynote speakers will also contribute to the program, which is attached.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council's *Conferences Policy* applies (attached).

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The cost estimate for conference attendance, accommodation, meals and travel for this conference is $1800. The 2011/2012 budget includes an allowance of this amount for training costs of Ranger Services.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

One of the most important sources of current information and training for experienced local government officers occurs in conferences and seminars, particularly if delivered by high quality, practicing experts, working in the industry.

New ideas are picked up from these presentations (ie: meter eyes, number plate recognition), trends occurring throughout Australia and new products are presented. The Senior Ranger will provide a detailed report of the conference to the Manager Corporate and Community Services and CEO, to identify any improvements the Town could make in parking enforcement.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Strzina

THAT Council

1) Approve the attendance of the Senior Ranger at the ANPSG Conference, in Adelaide, from 23-25 November, 2011.

2) Receive a report within two months of the conference detailing applicable items of benefit to the Town.

Carried 11/0

An interest was declared by Cr Cunningham, for Item No 11.2.10

Nature of Interest: proximity
Extent of Interest: Residing on Grant Street

An interest was declared by Cr Woodhill, for Item No 11.2.10

Nature of Interest: proximity
Extent of Interest: Residing on Grant Street

An interest was declared by Cr Walsh, for Item No 11.2.10

Nature of Interest: proximity
Extent of Interest: Residing on Grant Street

11.2.10 PARKING ON GRANT STREET MEDIAN STRIP

File No:	**SUB/457**
Attachments:	Grant Street Median Plan of Site Summary of Submissions
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Mat Humfrey** **Manager Corporate Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

At its meeting in August 2011, Council resolved to rescind its decision to establish a 3 hour parking zone on Grant Street (between Curtin Avenue and Birbeck Avenue) and in its place, install “no parking” signs on the Grant Street median strip, west of Mann Street and to issue permits to adjacent residents with effect from 1 October 2011.

As part of this resolution, administration were asked to consult with property owners and residents in Grant Street on this issue – which has been completed.

This report provides a summary of that consultation to be considered by Council, along with a recommendation on parking controls for the Grant Street median strip.

BACKGROUND

In April 2009, Council adopted the Parking and Parking Facilities Local Law. As a part of the resolution adopting the local law, reference was made to *“Amend(ing) the Parking Policy to permit parking on the median strip in Grant Street, west of Mann Street”*.

Under the local law, parking on all median strips is forbidden, unless Council creates a parking facility on that median strip. The parking facility would need to be signed or

marked in such a way, that it is clearly shown to be a parking station. A good example of such a parking station is that directly opposite the shop "Daisy's". It is sufficient to simply allow parking by sign and permits, as has been done with the 3 hour parking restriction between Curtin Avenue and Birbeck Avenue, or by providing signs that state "permit parking area only".

Council again considered the issue of parking on the Grant Street median in July 2010. At this meeting, a report was forwarded from administration after a resident had sent Council a letter, informing them that parking on the Grant Street median, near Curtin Avenue was becoming an increasing problem. The meeting resolved:

That Council;

1. *Consult with the Public Transport Authority (PTA) with the purpose of developing improved park and ride options on PTA land at this site and also the other stations in Cottesloe (Swanbourne, Cottesloe, Mosman Park and Victoria Street) including cost arrangements*

2. *Inform the correspondent of Council's decision in this matter.*

Following this meeting, staff met with PTA representatives at the Grant Street Station and discussed parking alternatives. A report was then forwarded to the February 2011 meeting of Council, which resolved:

That Council:

1. *Inform the Public Transport Authority (PTA) of the probable alignment of the future West Coast Highway in the vicinity of the Mosman Park and Victoria Street railway stations and the impact on the two proposed areas for extra parking areas for railway patrons.*
2. *Inform the Public Transport Authority of the major access problems of railway patrons trying to access a new parking area on Railway Street from the west side of Curtin Avenue during peak times.*
3. *Consult residents adjacent to Grant Street parking area between Curtin Avenue and Griver Street in relation to the option for a PTA funded sealed car park on the median strip.*
4. *Subject to consultation with residents, inform the PTA that Council's preference is for a PTA funded sealed car park on each side of the Grant Street median strip, wit this station being a priority for railway patrons parking in Cottesloe.*
5. *Write to the Public Transport Authority for formally request a review of lease costs charged for PTA parking land at the Cottesloe Railway Station; given the free parking obtained by PTA patrons on Council controlled lands and streets.*

During the months of March and April 2011, administration undertook the actions listed above. The consultation with residents showed clear opposition to the development of a sealed car park as resolved (point 3). All 13 responses received objected to the car park option – providing various reasons as to why they felt the car park shouldn't be constructed. The report to the April 2011 meeting initally suggested a 4 hour parking restriction, however Council resolved to *"request administration provide a further report on suitable parking solutions for Grant Street residents and rail station users."*

The report requested in April was presented to the May 2011 meeting of Council. Upon considering this report, Council resolved to:

1. *Authorise the issuing of one, with the option of having up to two, parking permits to each household on Grant Street between Birkbeck Avenue and Curtin Avenue.*
2. *Initiate a 3 hour parking restriction to apply to each side of the Grant Street median strip between Curtin Avenue and Birkbeck Avenue, from 8:00am to 6:00pm, Monday to Saturday.*
3. *Thank the residents who provided comments on this issue and inform them of Council's decision including the decision that no sealing of any parking area fronting their properties will be approved and that signage for a 3 hour parking restriction will apply.*
4. *Advise PTA of the community feedback received, Council's decision on this matter and request PTA meet with Council's administration to discuss possible parking solutions on PTA land on both East and West sides of all rail stations in Cottesloe.*
5. *Request Administration approach the Town of Claremont to discuss removal of the 3 hour parking restriction to the car park opposite Beaumont Aged Care on Claremont Crescent, Swanbourne. Carried 10/1*

All of these items have been actioned by administration. The 3 hour parking restriction has been largely effective at stopping commuter parking on the Grant Street median strip in the controlled area. However, it can be seen that some of the commuters simply moved west of Birbeck Avenue and continued to park on the median strip. It was noted that this was creating traffic hazards as people were parking too close to intersections.

Since the May 2011 meeting, work has also been completed on a new parking facility at the Cottesloe railway station, which could cater for the people previously parking on the Grant Street median.

The matter was raised again at the August 2011 Council meeting. At this meeting a report was presented outlining the concerns that had been raised with regards to commuter parking moving westwards along the Grant Street median strip. It was also noted that unless signed or marked otherwise, it was technically against the local law to park anywhere on the Grant Street median strip.

Council resolved at its August meeting as follows:

That Council:

1. *Rescind the May 2011 resolution 11.1.4 Grant Strip Median Strip item (2) Initiate a 3 hour parking restriction to apply to each side of the Grant Street median strip between Curtin Avenue and Birbeck Avenue from 8.00am to 6.00pm Monday to Saturday.*
2. *Install No Parking signs along the Grant Street median strip to include "permit parking only" with effect from 1 October 2011.*
3. *Authorise the issuing of parking permits to affected Grant Street residents west of Mann Street, in accordance with the provisions of the Parking and Parking Facilities Local Law.*
4. *During September, consult with property owners and residents in Grant Street.*

The consultation has been completed and forms the basis for this report.

STRATEGIC IMPLICATIONS

Council's Future Plan, under its first objective, "Protect and enhance the lifestyle of residents and visitors", covers the challenge of providing sustainable parking solutions, including parking associated with railway stations.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Council's Parking and Parking Facilities Local Law states that "A person shall not park a vehicle so that any portion of the vehicle is on or adjacent to a median strip, unless a sign or markings on the carriageway indicate otherwise".

FINANCIAL IMPLICATIONS

The cost of erecting signs and issuing permits would be able to be met from existing operating budgets.

SUSTAINABILITY IMPLICATIONS

The use of public transport is a very positive and sustainable pursuit. However, the provision of facilities to expand this objective should be at the cost of the PTA, on land more suitable for that purpose, which is controlled by the PTA.

CONSULTATION

Administration wrote to the effected owners and residents in Grant Street as requested by Council. At the time of writing this report, 19 responses had been received. A summary has been provided in Attachment 1.

STAFF COMMENT

The 3 hour parking restriction on the Grant Street median strip, between Curtin Avenue and Birbeck Avenue appears to have had the desired effect, in that commuters are not parking there. There are very few infringements being issued, despite the area being routinely patrolled.

Ranger patrols have noted however, that people previously observed parking on the median strip have moved else where. The predominant trend has been west of Birbeck Avenue, but others have moved to side streets.

The use of the new parking facility at Cottesloe Station is good, and this also is thought to have reduced parking in the area.

The consultation process has seen a clear majority of respondents objecting to the implementation of a "permit parking only" area on the Grant Street median strip. The reasons for these objections include, but are not limited to:

1. Visitors not being able to park close by (in the event that more than 2 visitors are in attendance)
2. Having more than 4 vehicles registered to their address

3. That Council should be encouraging people to use public transport;
4. The effect that this will have on beach goers, particular the "nipper programme" at North Cottesloe SLS.

Those that supported some level of parking restriction, typically supported (but not exclusively)

a. The western boundary being Marmion Street,
b. Their being a time restriction to allow for more than 2 visitors for intermittent visits
c. The restriction not being in place on weekends or evenings.

There were also many questions received over the phone from people enquiring about the number of permits that could be issued, what would happen if a permit was lost or not on display, what would the fine be and would the restriction be in place all of the time, or only part of the time?

By and large, the consultation has shown that while there is some level of support for restricting commuter parking, it's by not means absolute. Some have suggested that commuters should be allowed to park on this median strip as a means encouraging people to use public transport. Almost all of the objections received noted that the inconvenience of needing permits and the restrictions placed on visitors as being the main reasons for objecting.

While administration only contacted owners and residents of Grant Street, several submissions were received from people who did not live on Grant Street. This included people who are residents of the Town, but not Grant Street specifically and non residents. The feedback can be largely attributed to the media coverage the issue received, but there does also appear to have been a "form letter" used by some respondents.

Council has several options available to progress this issue. From the responses received, it can be seen that residents do want to allow their visitors to park on the median strip and to park on the median strip themselves. There is also a level of support to allow beach goers, particularly the parents of "nippers" to be able to park on the western part (near Grant Marine Park) of the median strip on weekends.

If Council wishes to allow parking on the Grant Street median strip , under the Parking and Parking Facilities Local Law, the parking must be signed or marked accordingly. It is acceptable to place any limitation it sees fit on the parking, be it time restrictions, differing restrictions for different days or even for different times of year. Residents can be exempted from any of the restrictions if permits are issued.

The recommendation below is based on the feedback that has been received from residents and owners, as well as the situation before May 2011, where parking was creating a traffic hazard and a nuisance to residents.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council:

1) Implement a 3 hour parking zone on the Grant Street median strip between Curtin Avenue and Marmion Street, between 6am and 6pm – Monday to Saturday, with permits to be issued to adjacent residents in accordance with the Parking and Parking Facilities Local Law;

2) Allow parking on the Grant Street median, noted by way of signs, between Marmion Street and Grant Marine Park and between Mann Street and Curtin Avenue; and

3) Thank the owners and residents who took the time to provide feedback on this issue.

COMMITTEE DISCUSSION:

Committee discussed the report and attachments and acknowledged that commuters were now parking further along the Grant Street median. There was also concern expressed about potential parking in side streets. Committee reaffirmed its view that it was PTA's responsibility to provide adequate parking for its patrons. There were comments that the car park at the Cottesloe train station is generally half full and that a six month trial of the recommendation should be implemented to monitor the outcome.

Cr Woodhill also agreed to present the petition provided to him at the meeting by Mr Best to the Council on Monday night (The CEO agreed to circulate a copy with the Council agenda).

AMENDMENT

Moved Cr Woodhill, seconded Cr Carmichael

Amend the recommendation by:

1) Adding the words "for a six month trial period" after the word "Council"

2) Add a new point (4) that states "receive a report from administration at the end of the trial period.

Carried 3/2

Crs Cunningham and Woodhill declared a proximity interest in Item 11.2.10 due to living on Grant Street and left the Chambers at 8:35 PM.

Cr Walsh declared a proximity interest on the same item and stated that there may be a perception that his impartiality on the matter may be affected and declared that he would consider the matter on its merits and vote accordingly .

COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded _____

THAT Council for a six month trial period,

1). Implement a 3 hour parking zone on the Grant Street median strip between Curtin Avenue and Marmion Street, between 6am and 6pm – Monday to Saturday, with permits to be issued to adjacent residents in accordance with the Parking and Parking Facilities Local Law;

2). Allow parking on the Grant Street median, noted by way of signs, between Marmion Street and Grant Marine Park and between Mann Street and Curtin Avenue; and

3). Thank the owners and residents who took the time to provide feedback on this issue.

4). Receive a report from administration at the end of the trial period.

THE MOTION LAPSED FOR WANT OF A SECONDER

COUNCIL DISCUSSION

On the basis that the Committee recommendation lapsed for want of seconder the Mayor proposed that Council consider an amendment to the existing August 2011 resolution.

NEW MOTION

Moved Mayor Morgan, seconded Cr Goldthorpe

That Council amend parts 2 and 3 of its August 2011 resolution though the inclusion of the words "between Curtin Avenue and Marmion Street" as follows;

2. Install No Parking signs along the Grant Street median strip between Curtin Avenue and Marmion Street to include "permit parking only" with effect from 1 October 2011.

3. Authorise the issuing of parking permits to affected Grant Street residents between Curtin Avenue and Marmion Street, in accordance with the provisions of the Parking and Parking Facilities Local Law.

Lost 3/6
For: Mayor Morgan, Crs Goldthorpe and Strzina,
Against: Crs Walsh, Carmichael, Dawkins, Rowell, Birnbrauer, and Boland

COUNCIL DISCUSSION

After further discussion and debate on the issue, Crs Strzina, Walsh, Dawkins and Birnbrauer supported the re-introduction of the Committee Recommendation.

Moved Cr Strzina, seconded Cr Walsh, Dawkins and Birnbrauer

THAT Council for a six month trial period,

1). Implement a 3 hour parking zone on the Grant Street median strip between Curtin Avenue and Marmion Street, between 6am and 6pm – Monday to Saturday, with permits to be issued to adjacent residents in accordance with the Parking and Parking Facilities Local Law;

2). Allow parking on the Grant Street median, noted by way of signs, between Marmion Street and Grant Marine Park and between Mann Street and Curtin Avenue; and

3). Thank the owners and residents who took the time to provide feedback on this issue.

4). Receive a report from administration at the end of the trial period.

Lost 4/5

NEW MOTION

Moved Cr Rowell, seconded Cr Dawkins

That Council allow parking on the Grant Street median strip until such time as an alternative solution can be found.

Lost 2/7

COUNCIL DISCUSSION

On the basis that the Committee resolution had lapsed for want of a seconder and no alternative motion has been put the Mayor proposed to amend part 2 of the existing August 2011 resolution by changing timeframe to January 2012 and introducing a new part 5 for reporting back to Council.

NEW MOTION

Moved Mayor Morgan, seconded Cr Walsh

That part 2 of the August 2011 resolution be amended to read;

That Council;

2) Install No Parking signs along the Grant Street median strip to include "permit parking only" with effect from 1 January 2012.
That a new part 5 be added to the August resolution to the August resolution to read;

That Council;
5) "receive further report from administration at its October meeting on viable alternatives".

Carried 8/1

AMENDMENT

Moved Cr Birnbrauer, seconded Cr Dawkins

That the new part 5 be amended by replacing 'October' with 'November'.

Lost 4/5

AMENDMENT

Moved Cr Carmichael, seconded _____

That part 3 of the Committee recommendation be amended by adding the words "and advise them of parking availability at Cottesloe station and Swanbourne".

THE MOTION LAPSED FOR WANT OF A SECONDER

COUNCIL RESOLUTION

That part 2 of the August 2011 resolution be amended to read;

That Council;

2) Install No Parking signs along the Grant Street median strip to include "permit parking only" with effect from 1 January 2012.
That a new part 5 be added to the August resolution to the August resolution to read;

That Council;
5) "receive further report from administration at its October meeting on viable alternatives".

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 8/1

Crs Cunningham and Woodhill returned to the meeting at 9:07 PM

11.2.11 GRANT - ENVIRONMENTAL RESTORATION AND ACCESS IMPROVEMENT, COTTESLOE MAIN BEACH

File No:	**SUB/1235**
Attachments:	Copy of Coastwest grant application Copy of approval letter for grant and support information Location plan of affected area
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Geoff Trigg** **Manager Engineering Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

The Perth Region NRM Coastcare Officer has been successful in an application for a Coastwest (WA Planning Commission) grant of $34,565, for environmental restoration and the construction of two timber staircases, at the north end of the Cottesloe main beach.

The recommendation is for Council to accept a Coastwest grant for $34,565 and note the provision of support funds totalling $13,500, from budgeted foreshore maintenance for environmental restoration and the construction of two timber staircases at the Cottesloe main beach in the 2011/2012 financial year.

BACKGROUND

Annual grants are available through Coastwest (WAPC) for coastal zone management, such as the works applied for. Cottesloe Coastcare provides ongoing volunteer labour which is a portion of the contribution to this project. Councils' maintenance allocation for foreshore maintenance is also available as part of the contribution. This type of grant has been accessed previously over several years, which has progressively improved the condition of native vegetation and provided built timber ramps and steps to the main beach area.

The two sites for staircases are very well used sand paths located between Napier Street and Overton Gardens.

STRATEGIC IMPLICATIONS

Under Objective 3 (Enhance beach access and the foreshore), of Councils Forward Plan, Major Strategy 3.2 is to "Improve beach access and dune conservation outside the central foreshore zone".

POLICY IMPLICATIONS

Councils Beach Policy applies.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.8;

Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

*** ABSOLUTE MAJORITY REQUIRED.**

FINANCIAL IMPLICATIONS

The grant totals $34,565. A Cottesloe Coastcare 'in kind' contribution of $15,300 will also be provided. Additional Council staff involvement and materials purchase (charged from the foreshore management allocation) of $13,500 will also apply.

SUSTAINABILITY IMPLICATIONS

Protection and enhancement of remnant native vegetation and the restriction of beach access to built paths are priority areas of Councils sustainability direction.

CONSULTATION

Cottesloe Coastcare and Council staff have been involved in the development of this application.

STAFF COMMENT

This project is similar to several others in regards to the restoration of beach vegetation and the construction of quality access paths. No listing of this work is included in the 2011/12 budget, in terms of receipt of grant income and expenditure on the same project.

VOTING

Absolute Majority – budget amendment.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council, pursuant to Section 6.8 of the Local Government Act 1995:

1) Authorises the following expenditure:

Environmental restoration and the construction of two timber staircases at the Cottesloe main beach at a cost of $34,565, with the expenditure to be charged to Project Costing – Contractors – Infrastructure Miscellaneous, Project No 43.1047.2.50

2) Accepts the following grant income:

Coastwest Grant for $34,565, to be receipted to Grant Funding (Swimming Areas and Beaches), item 10180.89.14

3) Amend the 2011/2012 Adopted Budget (to accommodate the above authorised income and expenditure) as follows:

- **Increase Project Costing – Contractors – Infrastructure Miscellaneous by $34,565.**
- **Increase Grant Funding (Swimming Access and Beaches) by $34,565.**

Carried 11/0

11.2.12 RUBBER SPEED CUSHIONS AND BOLLARDS, BROOME STREET AND RAILWAY STREET, COTTESLOE

File No:	**SUB/573**
Attachments:	Copies of alternative designs Main Roads WA Corro and plans re Broome Street installations Copy of photos for speed plateaux on Salvado Street and Railway Street
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Geoff Trigg** **Manager Engineering Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

In June 2011, rubber speed cushions were installed at three locations on Broome Street, each side of Loma Street and John Street. Due to the provision for cyclists on each side, Main Roads WA required protective side bollards at each of the three sites.

The use of rubber speed cushions on Broome Street was decided by Council in December 2009, after a Black Spot Treatment at the John Street intersection was abandoned. Both types of installations were aimed at removing the high speed issue suffered by this section of Broome Street for many years.

The rubber speed cushions in Railway Street were installed, as approved by Council, with Main Roads WA providing two thirds of the cost for the Black Spot grant for the works, due to crash statistics. At its August 2011 meeting, it was resolved:

That Council:

1. Retain the recently installed speed cushions and bicycle safety bollards in Broome Street and recently installed speed cushions in Railway Street pending a staff report in September 2011 on alternative options and recommendations.

2. Support staff meeting with Main Roads WA to determine any available and acceptable alternative to the speed cushions and safety bollards, with any viable alternative being reported back to Council for funding consideration.

3. Inform all people who have commented on this matter of Council's decision.

This agenda item discusses alternative options and details, with the recommendation:

That Council:

1. Have formal plans drawn up to be sent to Main Roads WA for approval to create side bicycle lanes on each side of the existing rubber speed cushions, to replace the need for 5 bollards on each side of each installation.

2. Arrange to have the side bicycle lanes installed as soon as Main Roads WA approves of the submitted plans.

3. Inform all residents of Broome Street from Forrest Street to Napier Street of the proposed treatments.

4. Fund the changes to the Broome Street rubber speed cushion locations by reallocating $19,000 from the approved 2011/2012 Road Safety Improvement and Speed Reduction Program, specifically from the sub-allocation of $29,000 for a pedestrian crossing / speed restriction island opposite the north end of the Cottesloe tennis courts on Broome Street.

5. Retain the rubber speed cushions in Railway Street, each side of Napoleon Street, unchanged.

BACKGROUND

The speed problems on Broome Street have been a concern to Council for many years. These problems have been covered by a series of traffic studies:

1) February 1989: Traffic Management Study, Sinclair Knight & Partners. Broome Street between Forrest Street and Napier Street mentioned as a speed problem. Main Roads WA annual intersection rankings for 1988, includes Broome Street / John Street as a multiple accident site.

2) February 2001: Cottesloe Traffic Management Plan – Sinclair Knight Merz. This study provided a page of description regarding Broome Street speed issues plus a plan showing a proposed treatment of the section between Forrest Street and Napier Street. The plan shows a blister island north of Forrest Street plus a kerbed median island for the full length of the section. These treatments were never constructed by Council.

3) May 2008: Town of Cottesloe Traffic Study - Porter Consulting. This study includes extensive advertising, speed data, the study of all recorded complaints on excessive speed and dangerous locations, previous studies, plus a community workshop to establish the issues to be studied. For Broome Street, the study recommendations included traffic / pedestrian islands at Loma Street and John Street.

As a result of the 2008 study, Council resolved to consider a new 5 year program for Road Safety Improvement and Speed Restriction, to start in 2009 /2010. That program eventually commenced in the 2010/2011 budget, with the Broome Street rubber speed cushions being part of that list of works.

Separate to these studies, in 2006, Council considered the results of speed counting in 2005, on a large number of roads, including Broome Street and resolved in April 2006 due to the high level of speeding on Broome Street, to install four red asphalt speed plateaux in Broome Street, north of Eric Street if residents agreed to the installations. Letters were sent out and 17 responses received, 15 of which supported the works. On this basis works to install the four speed plateaux commenced but were then abandoned after complaints from four people.

In 2008, due to recorded accidents at the Broome Street / John Street intersection, Council was successful in attracting a State Black Spot grant to install pedestrian crossing and speed restriction islands on each of the four 'legs' of the intersection. Designs were completed and approved by Main Roads WA, the island layout survey marked and a corner light pole was relocated. Council resolved to abandon the works after complaints from residents living on the adjacent properties.

In February 2009 Council adopted its first 5 year program for Road Safety Improvement and Speed Restriction, however year 1 of the program was not funded in 2009/10, as a budget reduction. In the 2010/2011 budget, year 1 of the program was both adopted and funded, with three works to be undertaken, including the Broome Street rubber speed cushions. These speed cushions had been agreed to by Council as a replacement to the abandoned Broome Street / John Street Black Spot works.

In due course, design plans were drawn up and, after required changes, Main Roads WA approved the plans. One major change to the plans was the requirement that bollards had to be installed to protect cyclists on the side shoulders through the three rubber speed cushion installations.

All installations were ordered in 2010/2011 but were put in place during July 2011.

With regards to the installation of rubber speed cushions in Railway Street each side of Napoleon Street, this was a State Black Spot project, funded two thirds by Main Roads WA. Council resolved to support this installation at its November 2009 meeting, as well as in its budget setting process for the 2010/2011 budget, when Council agreed to fund its one third contribution.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Councils Traffic Management policy as per the attached documents.

STATUTORY ENVIRONMENT

Main Roads WA sets all speed zone levels in the State and the Police Department is responsible for policing those speeds.

Main Roads WA must also view and give approval for plans to install structures to control speeds and arrange line markings and signage.

Council has the vesting responsibility of Broome Street, regarding care, control and maintenance of the road surface and alignment, including speed control structures.

FINANCIAL IMPLICATIONS

The Broome Street speed cushion installation was included in the 2010/2011 budget as part of a $100,000 allocation for the Safety and Speed program Year 1. The design, lighting and speed cushion / bollard installation cost Council $33,500.

The Railway Street speed cushions were a 2010/2011 State Black Spot project funded $20,000 from MRWA and $10,000 from Council, totalling $30,000.

There are no funds allocated in the 2011/2012 budget for any changes to these installations.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

All properties in Broome Street from Napier Street to Forrest Street received information on the proposal. Council considered a range of comments on the installations, from road users, at its August 2011 meeting.

STAFF COMMENT

In regards to the Broome Street installations, a substantial portion of the comments received wanted the bollards removed because of their non-aesthetic appearance. With the ruling Main Roads WA requirements, if the bollards are removed, then either the cycle lane must be removed or the rubber speed cushions.
There appeared to be general acceptance from the majority of Councillors and from public comments that:

1) The line marking for bicycle safety through the section between Napier Street and Forrest Street should be retained.
2) There is a speed problem through this section of Broome Street and the rubber speed cushions have addressed that problem.
3) There are minimal noise issues from the speed cushions.
4) Any alternative design should deliver improved aesthetics including no or minimal bollards or signs, as well as speed restriction equal to the effectiveness of the rubber speed cushions.

Staff have contacted Main Roads WA, knowledgeable cycling commentators and the Internet to find useful alternatives, with very little result. Overseas experience must comply with WA legislation in terms of the required signage and safety provisions, which involves bollards and non-aesthetic installations.

The installation of small roundabouts, splitter islands and other treatments on sharp crests or intersections receiving speeding traffic, have a high potential for increasing public safety issues.

Several comments in August asked why Council had not installed more simple speed humps, in concrete, asphalt or brick paving. Subiaco was given as an example. The

Hay Street and Rokeby Road speed plateaux are installed on high volume streets where no-one lives, which ensures that the noise issue is not a problem. Subiaco adopted a long term program to control speed issues and stuck to that program regardless of public complaints. Because both of these streets are now low speed environments, separate cycle paths or lanes are not installed, meaning that no protective bollards are required.

Some years ago, the Town of Cottesloe installed red asphalt speed plateaux on Salvado Street and Railway Street, probably due to speed issues at the time. These are now accepted parts of the street infrastructure.

In 2006, Council resolved to install four separate red asphalt speed plateaux in Broome Street, north of Eric Street, similar to those previously installed in Salvado Street and Railway Street.

After four residents complained of noise issues, before the plateaux had been completed, Council abandoned the project. Concrete, brick paving and asphalt have been proven to generate more noise than rubber as a material for speed restriction. That knowledge, coupled with the 2006 experience with red asphalt speed plateaux, led staff to not pursue that form of speed control between Napier Street and Forrest Street.

If the major issue for Council is the perceived non-aesthetic nature of 5 bollards on each side of the speed cushions, then two alternatives are shown in the attachments, one of them similar to the ramp concept for bicycle lanes on Eric Street and another concept is to install a narrow concrete island on the white cycle line or each side of the speed cushions, with a narrow widening into the verge to allow the 1.5m lane width to be retained. This concept requires a bollard at the entry nose to the ‘slip lane’, to ensure safety to drivers i.e. to stop collision with the island. This treatment would also require three street lights to be moved back, due to the widening into the verge.

Both of these treatments retain the rubber speed cushions and hence the lower noise levels as vehicles cross over the cushions. One major benefit is the removal of 24 of the 30 existing bollards from Broome Street.

If Council wishes to remove both the bollards and rubber speed cushions, while retaining a physical control of vehicle speed on this section of Broome Street, several options could be considered. Each option needs to provide protection for cyclists. It is expected that any option to replace rubber speed cushions with speed humps or plateaux constructed in brick paving, concrete or asphalt will increase the sound generated by crossing traffic.

If the Salvado Street / Railway Street plateaux concept was reconsidered, the white cycle line 1.5m out from the kerb could be painted over the plateaux at each site. No side island would be installed. Appropriate warning signs would apply, as required by Main Roads WA. This shape of speed plateau is normally not as abrupt as a speed ‘hump’ as seen on Hay Street and Rokeby Road, Subiaco. Therefore, it is expected that speed control would not be as effective as the existing rubber speed cushions.

There are several shapes used for road humps, varying in width, height and shape – flat topped with ramps, versus a generally rounded shape. Such humps normally have white painted 'piano keys' on the entry and exit slopes. Mandatory signage is required by Main Roads WA for each of these devices.

The alternative use of angled slow points, mini roundabouts, and horizontal deflection systems are not appropriate for the top of crest or a dip on an intersection. Such devices need good visibility, lower traffic volumes and a clear understanding of what is expected of drivers when confronted with new traffic control devices.

Staff have very recently liaised with Main Roads WA staff with regards to three options in relation to Broome Street speed control. Two options, which don't include a 'non-Australian' solution, were particularly considered by Main Roads staff. Option 3, as shown in the attachments, was preferred, and agreed to in principle, by the Lines and Signs department. This option, with a side bicycle lane protected by a 0.5m wide concrete island would require a single bollard on each of the approach directions, on the new island. This would mean 24 of the 30 bollards being removed. Red asphalt surfacing of the side lanes is recommended but not mandated by Main Roads. Construction of these lanes would require a widening into the verge of approximately 0.8m, to retain a 1.5m wide cycle width of lane.

All three adjacent street lights; two solar powered lights plus one Western Power light, would have to be moved back to provide a 1.0m distance from the kerb line to the street light base.

This alternative is recommended, because it will retain the very effective speed control rubber speed cushions, provide a protected side lane for a full 1.5m width for cyclists and remove 24 of the existing 30 'non-aesthetic' bollards.

The total cost of the proposed changes is estimated at $19,000, including an allowance to relocate the three street lights.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council:

1) Have formal plans drawn up to be sent to Main Roads WA for approval to create side bicycle lanes on each side of the existing rubber speed cushions, to replace the need for 5 bollards on each side of each installation.
2) Arrange to have the side bicycle lanes installed as soon as Main Roads WA approves of the submitted plans.
3) Inform all residents of Broome Street from Forrest Street to Napier Street of the proposed treatments.
4) Fund the changes to the Broome Street rubber speed cushion locations by reallocating $19,000 from the approved 2011/2012 Road Safety Improvement and Speed Reduction Program to fund the proposed works, particularly from

the sub-allocation of $29,000 for a pedestrian crossing / speed restriction island opposite the north end of the Cottesloe tennis courts on Broome Street.

5) Retain the rubber speed cushions in Railway Street, each side of Napoleon Street, unchanged.

COMMITTEE DISCUSSION:

Councillors discussed the report at length and were mindful of the comments from those residents in the public gallery which were acknowledged. Cr Strzina noted that there was, in his opinion, a speeding problem on Broome Street and that many cars travelled too fast between the roundabouts. He acknowledged that it was not possible to stop everyone from driving too fast but did acknowledge the history and reasoning for the bike lane given the nature of the blind crest and reinforced the need to slow traffic down for pedestrians, cyclists and other road users. He acknowledged that the current treatment was not aesthetically pleasing and wanted to ensure that any replacement minimised noise and improved the visual amenity, such as those in Railway Street.

Cr Boland also acknowledged the safety aspects but considered that we had not addressed the problem in the right way. Cr Carmichael acknowledged the resident comments and impact on the community and also supported the need to address the safety issue. She foreshadowed an amended motion to remove the existing speed cushions and bollards and to seek an alternative solution.

Cr Rowell indicated that the primary problem, in his opinion, was the crest at Loma Street which lacks vision and makes it difficult for other vehicles and pedestrians. He stated that the cycle way was not used often and not required and that the current safety treatments installed were an overkill. In relation to the Railway Street speed cushion he felt that these also needed to be replaced and that currently cars were driving between them. The solution at both sites is to install flat top plateaux across the entire roadway, and in the Broome Street cove either side of the crest of the hill.

Cr Dawkins also supported the removal of the speed cushions and bollards and also felt that the cycle way was pointless for such a short part of Broome Street. She referred to other examples of speed humps and plateaux on Railway Parade as a better alternative and urged Committee to recommend removal. Cr Cunningham referred to the report attachments and in particular the “blister” option at Eric Street west of Broome Street. Whilst he acknowledged that it was not easy to come up with a suitable solution for Broome Street he noted that the current arrangements were not acceptable. Cr Woodhill also supported removal of the speed cushions and bollards as soon as possible. He also wanted to reduce the number of signs as well. He acknowledged that the current treatment does not stop everyone and is noisy and urged Committee to find an alternative that does not include widening the roadway.

After lengthy debate Cr Rowell and Carmichael proposed an alterative motion to remove the current speed cushions and bollards (retaining the central islands) and to design an alternative flat top plateaux on either side of the Broome Street crest at Loma Street and the southern Civic Centre car park.

AMENDMENT

Moved Cr Rowell, seconded Cr Carmichael
Amend the recommendation by adding a new point (1) that states " remove the existing speed cushions and vertical stanchions", and a new point (2) that states "determine an alternative single flat top plateaux treatment to the Broome Street crest from Loma Street to the southern Civic Centre car park".

Carried 4/2

AMENDMENT

Moved Cr Boland, seconded Cr Strzina

Amend the officer recommendation by:

1) Delete points (1), (2) and (4) and replacing as above
2) Retain points (3) and (5) of the officer recommendation
3) Renumber accordingly

Carried 6/0

COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Birnbrauer

THAT Council:

1) Remove the existing speed cushions and stanchions.
2) Determine an alternative single flat top plateaux treatment to the Broome Street crest from Loma Street to the southern Civic Centre car park.
3) Inform all residents of Broome Street from Forrest Street to Napier Street of the proposed treatments.
4) Retain the rubber speed cushions in Railway Street, each side of Napoleon Street, unchanged.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

COUNCIL DISCUSSION

Council members discussed the report and issues at length, including the comments from the public feedback received to date, and the tabled advice from Council's Insurer in relation to timing of the removal of the speed cushions and stanchions.

AMENDMENT

Moved Cr Dawkins, seconded Cr Birnbrauer

That item 2 be deleted from the officer recommendation and be replaced with the following:
"Request staff investigate the installation of a traffic slowing island similar to the one at the west end of Eric Street preferably located at the crest of the hill opposite Loma Street or alternatively using lateral deflections on either side of the crest".

Carried 7/4

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

To add the following words to item 1 of the Committee recommendation as per the advisce of the Manager Engineering Services; "once Council has obtained a full risk assessment on its liabilities if the current treatments are removed before alternative treatments are ready for installation".

Lost 5/6
For: Mayor Morgan, Crs Boland, Woodhill, Strzina, and Goldthorpe
Against: Crs Walsh, Carmichael, Cunningham, Dawkins, Rowell and Birnbrauer

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

1. **Delete the word "retain" in item no. 4 of the Committee recommendation and replace with "remove",**
2. **Delete the word "unchanged" in item 4 of the Committee recommendation and replace with " and install a flat top plateaux at the intersection of Railway Street and Napoleon Street"; and,**
3. **Add a new point 5 to the recommendation to read: "Inform Procott of the alternative treatment".**

Carried 10/1
Against: Cr Boland

COUNCIL RESOLUTION

THAT Council:

1) **Remove the existing speed cushions and stanchions.**
2) **Request staff investigate the installation of a traffic slowing island similar to the one at the west end of Eric Street preferably located at the crest of the hill opposite Loma Street or alternatively using lateral deflections on either side of the crest.**
3) **Inform all residents of Broome Street from Forrest Street to Napier Street of the proposed treatments.**
4) **Remove the rubber speed cushions in Railway Street, each side of Napoleon Street, and install a flat top plateaux at the intersection of Railway Street and Napoleon Street.**
5) **Inform Procott of the alternative treatment.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 11/0

11.2.13 BUS SHELTER REPAIRS OR REPLACEMENT, RAILWAY STREET / STATION STREET INTERSECTION, COTTESLOE

File No:	**SUB/216**
Attachments:	Location Plan Quotation and photos of shelter
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Geoff Trigg** **Manager Engineering Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

Council's tiled roof and timber supported bus shelter at the Railway Street / Station Street intersection has been found to have extensive white ant damage. It is now closed to the public for safety purposes.

The recommendation is that Council allocate funds up to $9,000 for the replacement of white ant affected timber components in the bus shelter, with the funds to be provided through a 2011/12 budget amendment, with funds to be allocated from the Infrastructure Reserve.

BACKGROUND

Staff have been provided with an explanation that this bus shelter was provided free of cost by Brisbane and Wunderlich in order to display roof tiles, many years ago. In recent years it has received regular white ant treatments on the supporting timbers.

The most recent inspection revealed extensive damage and the structure was closed for safety reasons.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

There is no requirement that Council must provide bus shelters. Public liability concerns require Council to ensure all such assets are safe for the general public use.

Section 6.8 and 6.11 of the Local Government Act 1995 apply.

6.8 . Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure—

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

**** Absolute majority required.***

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government—

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

6.11 . Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government—

(a) changes the purpose of a reserve account; or*

(b) uses the money in a reserve account for another purpose,*

it must give one month's local public notice of the proposed change of purpose or proposed use.

**** Absolute majority required.***

(3) A local government is not required to give local public notice under subsection (2) —

(a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or

(b) in such other circumstances as are prescribed.

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

FINANCIAL IMPLICATIONS

There are no funds allocated for substantial repairs or replacement of this facility in the 2011/12 budget. The received quotation to remove and replace all affected timber is approximately $8,000 + GST. A new facility can be arranged but price estimates vary depending on style and quality.

SUSTAINABILITY IMPLICATIONS

Bus shelters foster the use of buses as public transport. Increased bus use is definitely a sought after sustainability objective.

CONSULTATION

Nil

STAFF COMMENT

This shelter receives good use and there appears to be general support for a shelter to be retained in the same site. Funds were not included in the 2011/12 budget for the structure and so a Council resolution is required to either replace or repair the shelter, beyond normal minor maintenance.

Staff can find no information on any heritage qualities of the structure, which apparently was built at no cost to Council to display roofing tiles.

The three alternatives, seeing that the structure will remain closed to the public due to safety concerns are:

1) Remove structure and do not replace.
2) Replace all affected timber components and return to original condition and appearance.
3) Remove structure and replace with a modern aesthetic shelter.

There are no known past comments in reports etc proposing replacement or changes to this shelter.

VOTING

Budget amendment – absolute majority.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Rowell

THAT Council, pursuant to Section 6.8 and 6.11 of the Local Government Act 1995:

1) **Authorises the following expenditure:**
   - **Replacement of white ant affected timber components in the bus shelter at the corner of Railway Street and Station Street, Cottesloe at an estimated cost of $9,000.**
2) **Amends the 2011/2012 Adopted Annual Budget (to accommodate the above authorised expenditure) as follows:**
   - **Increase the Capital Works Programme by allocating $9,000 to Street Furniture – Station Street, Project No 42.1176.2.50.**
   - **Transfer $9,000 from the Infrastructure Reserve 40079.226.21.**

AMENDMENT

Moved Cr Cunningham, seconded _____

In line with option 3 of the alternatives provided by the officers, that part 1 be amended with the inclusion of the words "Removal and" before the word "Replacement", delete the words "components in the" before the word "bus" and add the words "to be confirmed" in brackets after the figure $9,000.

That a new part 3 be included to state;"ask Procott for input into the design of a modern, aesthetic structure"

THE MOTION LAPSED FOR WANT OF A SECONDER

COUNCIL RESOLUTION

THAT Council, pursuant to Section 6.8 and 6.11 of the Local Government Act 1995:

1) **Authorises the following expenditure:**
    - **Replacement of white ant affected timber components in the bus shelter at the corner of Railway Street and Station Street, Cottesloe at an estimated cost of $9,000.**
2) **Amends the 2011/2012 Adopted Annual Budget (to accommodate the above authorised expenditure) as follows:**
    - **Increase the Capital Works Programme by allocating $9,000 to Street Furniture – Station Street, Project No 42.1176.2.50.**
    - **Transfer $9,000 from the Infrastructure Reserve 40079.226.21.**

THE SUBSTANTIVE MOTION WAS PUT

Carried 11/0

11.2.14 REQUEST FOR REMOVAL OF STREET TREES, 13 & 15 CONGDON STREET COTTESLOE, ARBORIST ASSESSMENT AND REPORT

File No:	**PRO/786**
Attachments:	Copy of letter requesting removal Plan of site 13 and 15 Congdon Street Cottesloe Copy of Arborist Assessment and Report 27 June 2011 Council Minutes
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Geoff Trigg** **Manager Engineering Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

At its June 2011 meeting, Council considered a request from the owners of 13 Congdon Street, Cottesloe, for the removal of three large Sheoak trees on the verge fronting 13 & 15 Congdon Street. This request was due to tree root invasion and damage being done to both properties and to the public footpath.

It was resolved That Council

1. Defer consideration of the removal of the three large Sheoak trees fronting 13 and 15 Congdon Street and replace them with WA Peppermint trees.
2. Obtain a report from an Arborculturalist as to the alleged problems the trees are causing and provide an independent recommendation on potential solutions including whether the trees should be removed.
3. Inform the applicant of the decision made in regards to this matter.

A qualified Arborist has been employed and has supplied an assessment and report on the three trees.

The recommendation is That Council

1. Agrees to remove three large Sheoak trees fronting 13 and 15 Congdon Street and replace them with WA Peppermint trees.
2. Inform the applicant of the decision made in regards to this matter.

BACKGROUND

The three large Sheoaks have been pruned many times. There is evidence of root damage to adjacent kerbs and road surfacing. Depot staff have reset concrete slabs at regular intervals on the footpath beside the trees. In 2010, an overseas visitor was hospitalised due to injuries caused by slabs being lifted by root growth causing a trip problem. Apart from the footpath, there is evidence of root damage within the private property, as covered in the applicant's letter.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Councils' Street Tree Policy applies.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Normal street tree removals and replacement are covered within Council's annual allocation for all costs relating to street tree maintenance.

SUSTAINABILITY IMPLICATIONS

Council owns several thousand street trees, a number of which are removed each year for various reasons. These removed trees are normally replaced with new young trees chosen for their applicability as street trees. Therefore there is an ongoing sustainability issue regarding Council stock of street trees.

CONSULTATION

Nil – apart from a professional Arborist.

STAFF COMMENT

These trees are now at a size where they are establishing extensive root systems which concentrate on the adjacent private gardens to get moisture and nutrients. They are also lifting footpath slabs and causing a variety of associated problems.

The consultants report recommends the removal of the three trees and replacement with a more suitable species.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council

1) **Agree to remove three large Sheoak trees fronting 13 and 15 Congdon Street and replace them with WA Peppermint trees.**

2) **Inform the applicant of the decision made in regards to this matter.**

Carried 11/0

Mayor Morgan and Crs Walsh and Strzina declared a impartiality interest in Item 11.2.15 due to being a member of the Golf Club and stated that there may be a perception that their impartiality on the matter may be affected and declared that they would consider the matter on its merits and vote accordingly.

11.2.15 SEAVIEW GOLF CLUB - MANAGEMENT PLAN

File No:	**SUB/235**
Attachments:	Seaview Golf Clubs Management Plan Seaview Golf Club Appendix A Letter to Department of Water re New Water Operating Strategy Salinity data Water Usage Water Meter Reading Bore Usage Fertilizer and spray use on Council areas
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Geoff Trigg** **Manager Engineering Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

The Seaview Golf Club has a 21 year lease from the Town of Cottesloe which expires on 30th June 2026. Under clause 13 of that lease, a Management Plan is required for the lease area, to be updated every 3 years. The updated plan has been supplied by the Club for the period January 2011 to December 2014. This matter was considered by Council at the February 2011 meeting, where further details were requested. The Golf Club responded with further information.

Council considered the Management Plan and the further information in May 2011 and resolved:

That Council:

1) *Note the draft content of the Seaview Golf Club Management Plan for the period 1 January 2011 to 31st December 2014.*
2) *Refer the matter back to administration for further comment and information on performance against KPI's (appendix A) compliance with the Management Plan in Appendix B and changes compared with previous management plans.*
3) *Request that the report include information on water usage from bores, salinity and herbicides and fertilizers for other Council reserves.*

The Seaview Golf Club has provided information regarding Appendix A, as per the Management Plan. Appendix B information has previously been provided. In addition, as per item 3 of Councils' resolution, information is provided (in the attachments)

regarding Councils' bore water use, salinity, herbicide and fertilizer use, on Council reserves.
The recommendation is That Council:

1. Receive and endorse to the content of the Seaview Golf Club Management Plan for the period 1st January 2011 to 31st December 2014.

2. Authorise the CEO to sign the Management Plan on behalf of Council.

BACKGROUND

The purpose of the Management Plan is to record and communicate the Seaview Golf Club's safety and environmental policies and procedures with respect to the golf course and the reserves on which it resides.

The 21 year lease commenced in 2005, and the commencement or first Management Plan was accepted by Council in that year. This latest version is the third plan, each plan applying to a 3 year period.

The second three year plan, from 2008 to 2011, was provided by the club, inspected by staff and approved by Administration. There are no requirements in the lease document that requires Council approval of each 3 Year Management Plan.

STRATEGIC IMPLICATIONS

The Town of Cottesloe Future Plan 2006-2010 makes no comment in regards to the Seaview Golf Club.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

The Town of Cottesloe and the Seaview Golf Club are the signatories to a legally drawn up 21 year lease document, of which approximately 15 years still applies. Any changes required by Council of the club, within a management plan, must comply with the conditions of the lease.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Substantial public consultation and community comment occurred during the period leading up to the creation of the 21 year lease and the first Management Plan. Public discussion on the Management Plan updates every 3 years was not a listed requirement of the lease document.

STAFF COMMENT

In regards to the May 2011 Council resolution item No 3, an amount of information is included in the attachments in regards to Councils' bore water use, salt readings on bore water, fertiliser and weedicide / pesticide usage. The most applicable document is a copy of the submission to the Department of Water, providing water use details from the previous 5 years and requesting a new 5 year Groundwater Licence. The new licence has been approved. Council has kept its water use below the approved annual amount. The 3 bores with the highest salt levels have either been replaced or closed and water pumped from alternative bores. Fertiliser use is based on soil testing on two of the reticulated grassed areas.

The Seaview Golf Club and the Cottesloe Tennis Club have their own Department of Water Groundwater Licences and have to report, annually, their bore water use. The Tennis Club was removed from Councils' Groundwater Licence because of continuing over use of bore water, which had to be balanced by reducing water use on other Council reticulated areas.

The Management Plan document, for 3 years, between 1/1/2011 and 31/12/2014 for the Seaview Golf Club is the same document provided to Council in February 2011. As required, Appendix A details have been previously provided. The Management Plan required Appendix B details in August. These have been provided.

Staff have no negative comments regarding performance details and compliance with the Management Plan from Appendix's A & B.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Morgan, seconded Cr Rowell

THAT Council:

1) **Receive and endorse the content of the Seaview Golf Club Management Plan for the period 1st January 2011 to 31st December 2014.**

2) **Authorise the CEO to sign the Management Plan on behalf of Council.**

Lost 5/6
For: Mayor Morgan, Crs Walsh, Cunningham, Goldthorpe and Strzina,
Against: Crs Dawkins, Rowell, Birnbrauer, Boland, Woodhill, and Carmichael

11.2.16 REVIEW OF PINE LOG BARRIER IN VERGE AT CORNER OF FORREST AND BROOME STREETS TO PREVENT VEHICULAR ACCESS

File No:	**SUB/450**
Attachments:	Submission from 50 Forrest Street Submission from 58 Forrest Street
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Andrew Jackson** **Manager Development Services**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

In May 2010 the Town agreed to the installation of a row of low pine log bollards to prevent vehicular access to the raised verge on the northern side of Forrest Street immediately east of Broome Street.

There is some disagreement amongst affected property owners about this restriction, but the Town considers the bollards are important to avoid unsafe use of the high, sloping verge by vehicles and their impact on the attractive lawns.

The Town has liaised with those concerned and committed to bring the situation to Council's attention, albeit a public domain and infrastructure matter ordinarily handled by staff.

It is recommended that the bollards remain.

BACKGROUND

Over the past few years four properties in the subject strip (Nos 50, 52, 54 and 58) have undertaken substantial alternations or additions. In the process trades-people have utilised the front verge accessed by mounting the Forrest Street curb. Although this has been convenient and temporary it is hazardous in several respects and has degraded the verge.

Upon completion of the last development, at No. 50 on the corner of Broome Street, that owner approached the Town about installing the bollards and rehabilitating the verge. Following discussion and inspection by the Manager Development Services (MDS), Manager Engineering Services (MES) and Works Supervisor this was agreed to. In reaching the decision it was noted that:

- Vehicular use of this verge is awkward and hazardous.
- Uncontrolled vehicular access via Broome Street near the roundabout is hazardous.
- The verge has suffered and should be rehabilitated.
- The verge already has bollards preventing access from the eastern end at No. 60.

Subsequently the owner of No. 58 has objected to the bollards on the basis that they deny occasional access by service or delivery vehicles and sought their removal or an arrangement for access if and when required. That owner liaised with officers, elected members and the other owners on the matter.

The owner of No. 58 (who does not reside there) has acknowledged having had no need for verge access for about a year, but wishes to keep the options open and has suggested alternatives such as removable bollards or a padlocked chain barrier with shared keys (possibly kept by the Town).

REVIEW

Originally, the MDS advised the owner of No. 58 and elected members who had been contacted, as follows:

- *This Forrest Street verge functions as a grassed footway.*
- *The owner of 48 Forrest Street did approach the Town and was given permission, as vehicles should not necessarily be allowed to traverse a verge in front of several properties in order to service any particular property.*
- *This is for reasons of amenity, safety and maintenance associated with the public verge, which is part of the Council-controlled road reserve.*
- *Given these benefits, the real compromise is that of convenience, while the risks you mention apply to both the roadway and verge in any case.*
- *This row of dwellings has survived historically with the raised verge; hence the use of the rear lane by you and others, and it appears only recently that the front verge has been used more frequently.*
- *As you know, during the past few years there have been building works to four properties running from Broome Street, including your own.*
- *As you also know, parking can and does occur on the verge strip at the base of the retaining wall, which has two sets of wide steps up to the properties, including one directly to The Mendips.*
- *As mentioned, councils are responsible to manage the use of verges, including limiting access or parking, which often tends to be taken for granted.*
- *In this instance, vehicular access from the roundabout intersection, with crossing footpaths and raised curbs, is dangerous to traffic and pedestrians, as well as prone to cause damage to the infrastructure and landscaping.*
- *Verges are usually accessed by crossovers or semi-mountable curbs, not the graded end of the footpath as here, which has tactile paving for the vision-impaired.*
- *In addition, as the raised verge is sloping it is not a sound surface for vehicles to park, with the hazard of rolling over the edge of the retaining wall.*
- *On other points you make, it is understood that reticulation is present and has been improved to help the grass grow back; while the block-pave parking on the Broome St verge was approved and is found along Broome Street, which is not suitable for on-street visitor parking.*
- *It is also observed that access from the verge eastward is blocked-off by bollards, again for good reason.*
- *It is trusted this explains the overall situation and that you will appreciate the various factors involved in concluding that the pine log barrier is appropriate to have been installed.*

The MDS, MES and CEO have since inspected the site and noted the rehabilitated lawn, which is reticulated. The MES has further commented as follows:

- *The serious safety issue is the steep slope of the verge atop the retaining wall, as there is no barrier to stop vehicles tipping over, rolling off or reversing too far. Hence the risk to both verge and road users (ie in vehicles, on bikes or on foot) and the associated liability risk to the Town.*
- *Does not support the bollards being removed, which would constitute agreeing to access to the verge from the side of a roundabout at a relatively busy and hazardous intersection; over a footpath where there is no allowance for vehicular access (ie no driveway, so in direct conflict with pedestrians); and across a number of property owners' verge lawns and reticulation sprinklers.*
- *The subject properties were purchased knowing the verge constraint. Allowing freedom of access would make it difficult to prevent delivery trucks etc using the verge; and arguably all other problematic verges should be allowed access, which is unacceptable.*

STRATEGIC IMPLICATIONS

Fosters streetscape amenity and prudent traffic safety.

POLICY IMPLICATIONS

Appropriate management of verges is consistent with Council policy.

STATUTORY ENVIRONMENT

Control of verges is a local government responsibility.

FINANCIAL IMPLICATIONS

Bollards are not a Town cost and it is desirable to reduce liability risks/costs.

SUSTAINABILITY IMPLICATIONS

Well-maintained verge and avoidance of need to repair damage.

CONSULTATION

In recent times the MDS has liaised again with the two main owners involved (Nos 50 and 58) to establish the current status and invited them to submit any more information. Each owner has done so, relevant copies of correspondence and photos attached. This material indicates the dialogue that has taken place and reflects the points of view held.

While previously it was intended to pursue a Council notice of motion about the matter, as mentioned officers have offered to prepare a report with sufficient detail for Council to consider. It is noted that other owners have provided written views; however, apart from an early enquiry the Town is not aware that they continue to be particularly concerned.

STAFF COMMENT

The subject verge is not very safe for vehicular access, which also degrades the verge. In addition, indiscriminate access via the Broome Street intersection is dangerous, in a street prone to traffic impacts. It is also damaging to infrastructure.

There is no longer any significant demand for construction vehicle access via the verge, and any service trades or other vehicles can use other access available to these properties; ie from the foot of the verge on Forrest Street or the rear lane.

As the incidence of needing the desired potential access is now very small, any disputation in this regard hardly seems necessary. By the same token, that does not mean the bollards could be removed on the expectation that verge access would seldom occur, because a preventative measure is considered better than unrestricted access with a higher than usual risk.

Beyond that and the interest of individual property owners, public verge beautification and maintenance is beneficial to the renowned pine tree-lined streetscapes of Cottesloe with their scenic, character and heritage values.

It is concluded that there is limited demand for easy vehicular access to this verge and that safety and amenity for all concerned are overriding objectives.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Cunningham

THAT Council supports retention of the pine log bollards in the north-eastern verge at the corner of Broome and Forrest Streets for reasons of safety and amenity, and advises the interested landowners accordingly.

COMMITTEE COMMENT:

Committee discussed alternate options to the pine log barrier currently in place to ensure all residents are suitably catered for. The option for a lockable / drop mechanism was suggested as a potential alternative compromise solution with the key to be held by Council with access allowed upon request.

Committee noted that Mr and Mrs Prosser were in attendance having arrived late to the meeting and agreed to accept some offered correspondence with the CEO to circulate with the Council agenda.

AMENDMENT

Moved Cr Rowell, seconded Cr Cunningham

Amend the officer recommendation by including a part 2 as follows:
“That Council investigate the installation of a drop bollard on the north east section of the verge as part of the pine log bollards and consult with and obtain feedback from affected residents”.

Carried 4/2

COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Cunningham

THAT Council

1) Supports retention of the pine log bollards in the north-eastern verge at the corner of Broome and Forrest Streets for reasons of safety and amenity, and advises the interested landowners accordingly.
2) Investigate the installation of a drop bollard on the north east section of the verge as part of the pine log bollards and consult with and obtain feedback from affected residents

THE AMENDED SUBSTANTIVE MOTION WAS PUT

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

1) **To delete the words "and advises the interested landowners accordingly" and add the following "subject to the installation of a drop bollard whereby Council have custody of a non copiable key for the drop bollard which Administration would make available to users after signing any necessary indemnification or release and advise the affected residents accordingly".**
2) **To delete part 2 of the recommendation.**

Carried 11/0

COUNCIL RESOLUTION

THAT Council supports retention of the pine log bollards in the north-eastern verge at the corner of Broome and Forrest Streets for reasons of safety and amenity, subject to the installation of a drop bollard whereby Council have custody of a non copiable key for the drop bollard which Administration would make available to users after signing any necessary indemnification or release and advise the affected residents accordingly.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 11/0

11.2.17 BUDGET VARIATION - OUTSTANDING GRANT FROM 2008

File No:	**SUB/1037**
Responsible Officer:	**Mat Humfrey** **Manager Corporate Services**
Author:	**Meagan Hodgson** **Community Development Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

Council is being asked to consider a budget variation to allow completion of a grant from the Office of Crime Prevention. The grant was received in 2008 and at the time of compiling the budget, it was believed that there would be no further expenditure on this project.

The recommendation is to approve the amount of $10,000 for expenditure on consultant fees and any unused grant money to be returned to the OCP.

BACKGROUND

In 2008 the Council received a grant from the Office of Crime Prevention *Designing Safer Communities Fund.* This grant aimed to reduce crime by promoting a 'crime prevention through environmental design' (CPTED) principles.

These principles can be the planning, design and maintenance of the built environment.

The funds provided for the project were not used in accordance with the project plan originally submitted and the first acquittal submitted in 2008 was therefore declined by the Office of Crime Prevention (OCP).

In order to complete the requirements of the grant, administration developed and completed a new project. The project, which has the support of the OCP looked at the Town's use of Target Hardening, a CPTED principle using CCTV to reduce crime. The evaluation form has been completed and the project is now waiting for financial acquittal.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The financial implication is to vary the budget and have an unexpected cost added to the yearly expenditure.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The original project objective was to evaluate the extent to which designing out crime strategies are affecting the incidence of antisocial behaviour and vandalism in areas surrounding licensed premises. The project was to be conducted by the Town's ranger services and would involve evaluating the effect of current strategies used to address offensive behaviour.

The grant should have followed the Office of Crime Prevention outline to *asses the Designing Out Crime strategies currently used to reduce crime* such as: increased lighting, natural surveillance including landscaping that does not obscure lines of sight, and mixed use buildings.

It is important to ensure that the grant from 2008 is acquitted properly as any outstanding grants are taken into account when applying for current funds. The Office of Crime Prevention application form includes a section requiring that any outstanding grants be listed.

Over the next few months the Office of Crime Prevention will announce new grants that are available for this financial year. These grants will include a round for the expansion of CCTV networks. In order for the Town to be eligible this outstanding grant must be closed.

VOTING

Budget amendment - absolute majority.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council, pursuant to Section 6.8 of the Local Government Act 1995:

1) Authorises the following expenditure:

Consultant Fess to assess the current CCTV system and its affect in designing out crime at the cost of $6,039, returning unused grant money of $3,961.

2) Amends the 2011/2012 Adopted Annual Budget (to accommodate the above authorised expenditure) to include the allocation of $10,000 for the CCTV assessment review and unused money to be returned to the OCP.

Carried 11/0

11.2.18 BUDGET VARIATION - GRAFFITI MANAGEMENT GRANT

File No:	**SUB/1189**
Attachments:	Graffiti Grant Offer of Acceptance Digital Mapping Solutions Quote Cost Breakdown of Staff Training and Project Management
Responsible Officer:	**Mat Humfrey** **Manager Corporate Services**
Author:	**Meagan Hodgson** **Community Development Officer**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

A grant was approved by the Office of Crime Prevention after the acceptance of the 2011/12 budget.

The recommendation is to approve the budget variation in order to receive the funds from the Office of Crime Prevention, and to authorise the expenditure to which the grant relates.

BACKGROUND

A grant for $17,215.46 has been approved to introduce digital mapping software and Personal Digital Assistant's (PDA's) which will streamline the process of recording and reporting incidents of graffiti. It is hoped this will reduce the frequency of graffiti and provide the Town with much needed statistical information.

The Town is already running Intramaps, allowing all graffiti instances to be viewed and managed entirely using Intramaps.

The WA Police can also use the reported data for prosecution, hotspot mapping and targeted operations and address the larger issue of graffiti in the Perth metropolitan area.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act 1995 applies.

6.8 . Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure—

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

**** Absolute majority required.***

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government—

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

There is currently no formal reporting system for graffiti which would allow for the development of management strategies. The Town's works crews are active in removing graffiti, and indemnity forms are completed by residents requiring the removal of graffiti. Photos may be taken to record the damage before the graffiti is removed but this is not stored in a planned way.

The material used in graffiti damage is usually not reported on indemnity forms and any photos taken are not placed with the corresponding document therefore any future reference to graffiti statistics in hotspots is difficult. In 2010, fourteen graffiti indemnity forms were handed to administration by the public for removal of graffiti from public laneways and fences or walls at the front of private properties. The number of graffiti incidences that go unreported in the Cottesloe area is unknown and many are often removed by depot workers who currently do not use a consistent reporting system.

The use of a simple on-site reporting system such as Digital Mapping Solution's (DMS) *Graffiti Management and Reporting Solution* would increase reporting and recording of graffiti within the Town of Cottesloe.

Based on the information provided to the Town of Cottesloe by DMS, the depot supervisor is looking forward to using the PDA's and having a consistent system for recording and reporting graffiti incidences.

The DMS Solutions quote is attached in addition to the summary for training and project management costs. DMS are the only company in Western Australia providing this technology.

VOTING

Budget amendment - Absolute Majority.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council, pursuant to Section 6.8 of the Local Government Act 1995:

1) Authorises the following expenditure:

Installation of Graffiti Management and Reporting Solution Software at the cost of $17,215.46.

2) Amends the 2011/2012 Adopted Annual Budget (to accommodate the above authorised expenditure) to include the allocation of $17,215.46 for the Graffiti Recording and Reporting Project.

Carried 11/0

11.2.19 STATUTORY FINANCIAL REPORTS FOR THE PERIOD ENDING 31 AUGUST 2011

File No:	**SUB/137**
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Wayne Richards** **Finance Manager**
Proposed Meeting Date:	**20 September 2011**
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 by Nature and Type, the Statement of Financial Position, and supporting financial information for the period ending 31 August 2011.

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 Statement of Financial Activity on page 1 of the Financial Statements shows a favourable operating revenue of $7,285. Operating expenditure is $576,203 or 33% less than year to date budget. The main reason for this is that depreciation has not been run on Council's assets as the 2011 Annual Financial Statements have not yet been signed off by the auditors. This accounts for $299,115 of the under expenditure and the other main contributing factors are outlined on page 7 of the Financial Statements as per attachment. Capital expenditure is detailed on pages 23 to 27 of

the attached Financial Statements and shows a variance of ($10,752) against year to date budget. This is due to works on the main stage in the Civic Centre Grounds which has been completed ahead of budgeted expectations. The transfers to reserves have been processed ahead of budgeted expectations and therefore this variance of $68,389 is a timing difference.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

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 for the period ending 31 August 2011, as per the attached Financial Statements, as submitted to the 20 September 2011 meeting of the Works and Corporate Services Committee.

Carried 11/0

11.2.20 LIST OF ACCOUNTS PAID FOR THE MONTH OF AUGUST 2011

File No:	**SUB/137**
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Wayne Richards** **Finance Manager**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

The purpose of this report is to present the list of accounts paid for the period ending 31 August 2011, 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 commencing on page 9 of the Financial Statements has the following significant payments that are brought to Council's attention:

- $30,819.60 to WA Local Government Superannuation Scheme for staff superannuation contributions.
- $11,271.00 to Synergy for street lighting and other electricity charges.
- $23,560.90 to Saferoads Pty Ltd for the installation of speed and safety installations.
- $12,000.00 to Golden Ridge Roofing for roof replacement works at TAPSS.
- $115,806.97 to LGISWA for Council insurances.

- $17,646.61 to WMRC for transfer station tipping fees.
- $17,392.67 to the Town of Mosman Park for the transfer of staff entitlements.
- $10,177.00 to Zipform Pty Ltd for the production and distribution of the annual rate notices 2011-2012.
- $22,159.50 to Civica Pty Ltd for part of the cost of upgrading to version 6 along with some annual maintenance costs.
- $11,594.77 to the Shire of Peppermint Grove for contributions towards the Joint Library Project.
- $12,870.00 to ID Consulting Pty Ltd for annual WESROC subscription fees which are partly recoverable from other member councils.
- $75,946.08 & $71,511.07 to Town of Cottesloe staff for fortnightly payroll.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council receive the List of Accounts Paid for the month of August 2011 as per the attached Financial Statements, as submitted to the 20 September 2011 meeting of the Works and Corporate Services Committee.

Carried 11/0

11.2.21 SCHEDULE OF INVESTMENTS AND LOANS AS AT 31 AUGUST 2011

File No:	**SUB/150 & SUB/151**
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Wayne Richards** **Finance Manager**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans for the period ending 31 August 2011, as per attachments, 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 Investments on page 18 of the Financial Statements shows that $1,786,717.47 was invested as at 31 August 2011. Approximately 29% of the funds are invested with National Australia Bank, 31% with Bankwest, 24% with Commonwealth Bank and 16% with Westpac Bank.

The Schedule of Loans on page 19 shows a balance of $6,526,652.09 as at 31 August 2011. There is $318,422.47 included in this balance that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council receive the Schedule of Investments and the Schedule of Loans for the period ending 31 August 2011, as per the attached Financial Statements, as submitted to the 20 September 2011 meeting of the Works and Corporate Services Committee.

Carried 11/0

11.2.22 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 31 AUGUST 2011

File No:	**SUB/145**
Responsible Officer:	**Carl Askew** **Chief Executive Officer**
Author:	**Wayne Richards** **Finance Manager**
Proposed Meeting Date:	**20 September 2011**
Author Disclosure of Interest	**Nil**

SUMMARY

The purpose of this report is to present to the Property and Sundry Debtors Reports for the period ending 31 August 2011, as per attachments, 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 20 and 21 of the Financial Statements shows a balance of $164,733.45, of which $154,470.49 relates to the current month. The balance of aged debtors stood at $10,262.96.

Property Debtors are shown in the Rates and Charges Analysis on page 22 of the Financial Statements and shows a balance of $6,118,221.23. Of this amount $200,692.19 and $760,141.15 are deferred rates and outstanding Emergency Services Levies respectively. As can be seen on the Statement of Financial Position

on pages 4 and 5 of the Financial Statements, rates as a current asset are $5,916,380 as compared to $4,656,828 this time last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Boland, seconded Cr Rowell

THAT Council receive the Property and Sundry Debtors Reports for the period ending 31 August 2011, as per the attached Financial Statements as submitted to the 20 September 2011 meeting of the Works and Corporate Services Committee.

Carried 11/0

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

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING

DISCUSSION ITEM

Cr Cunningham raised the matter of the Railway lands and Curtin Avenue and encouraged Council to continue to pursue these two strategic projects separately, with a view to addressing the solution for the Eric Street and Jarrad Street crossings with Main Roads, inclusive of the proposed fly over at Eric Street.

The Mayor responded and confirmed that Council will need to be pro—active with the State Government for these important projects and that the current Stirling Highway solution is not a good example of future planning that we need to see for the Eric Street and Jarrad Street crossings. He agreed with Cr Cunningham that these were strategically important priorities for our community and thanked him for raising them before he departed Council, agreeing to follow through in the next term of Council.

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 9:42 PM

CONFIRMED MINUTES OF 26 SEPTEMBER 2011. PAGES 1 – 97 INCLUSIVE.

PRESIDING MEMBER:
POSITION:

……

DATE: ..... / ..... / .....