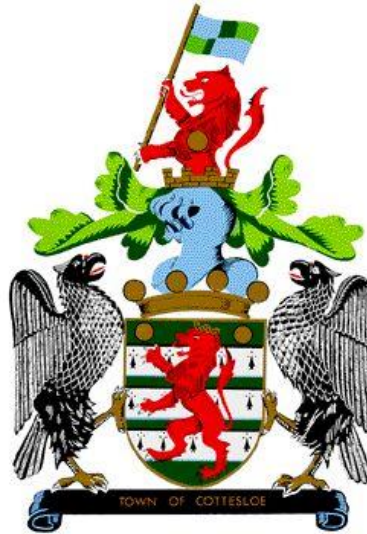


# **TOWN OF COTTESLOE**



## **SPECIAL COUNCIL MEETING**

# **MINUTES**

**SPECIAL MEETING OF COUNCIL  
HELD IN THE  
Council Chambers, Cottesloe Civic Centre  
109 Broome Street, Cottesloe  
6.00 PM, Tuesday 3 April 2018**

### **Purpose of Meeting:**

- 1. Planning Applications Determined Under Delegation**
- 2. Tree Removal Requests**
- 3. Financial Statements for the Month Ending February 2018**
- 4. Pylon Refurbishment – Process Update and Request for Approval –**

**Mat Humfrey**  
**Chief Executive Officer**

6 April 2018

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## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	3
2	DISCLAIMER .....	3
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	3
4	PUBLIC QUESTION TIME .....	3
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
4.2	PUBLIC QUESTIONS .....	3
5	PUBLIC STATEMENT TIME.....	3
6	ATTENDANCE.....	3
6.1	APOLOGIES .....	3
6.2	APPROVED LEAVE OF ABSENCE .....	4
6.3	APPLICATIONS FOR LEAVE OF ABSENCE .....	4
7	DECLARATION OF INTERESTS .....	4
8	PRESENTATIONS .....	4
8.1	PETITIONS.....	4
8.2	PRESENTATIONS .....	4
8.3	DEPUTATIONS .....	4
9	REPORTS OF OFFICERS .....	4
9.1.1	PLANNING APPLICATIONS DETERMINED UNDER DELEGATION .....	5
9.1.2	TREE REMOVAL REQUESTS .....	7
	FINANCE.....	12
9.1.3	FINANCIAL STATEMENTS FOR THE MONTH ENDING FEBRUARY 2018 .....	12
9.2	REPORT OF COMMITTEES.....	17
10	ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	17
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....	17
11.1	ELECTED MEMBERS .....	17
11.2	OFFICERS .....	17

<b>12</b>	<b>MEETING CLOSED TO PUBLIC .....</b>	<b>17</b>
<b>12.1</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED ....</b>	<b>17</b>
	<b>ENGINEERING .....</b>	<b>18</b>
	12.1.1 PYLON REFURBISHMENT – PROGRESS UPDATE AND REQUEST FOR APPROVAL - <b>CONFIDENTIAL</b>	18
<b>13</b>	<b>MEETING CLOSURE.....</b>	<b>19</b>

**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member declared the Meeting open at 6.00pm.

**2 DISCLAIMER**

The Presiding Member drew attention to the Town's Disclaimer and announced the Meeting is being recorded.

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4.2 PUBLIC QUESTIONS****5 PUBLIC STATEMENT TIME****6 ATTENDANCE****Present**

Mayor Philip Angers  
Cr Melissa Harkins  
Cr Mark Rodda  
Cr Helen Sadler  
Cr Rob Thomas  
Cr Michael Tucak  
Cr Lorraine Young

**Officers Present**

Mr Mat Humfrey  
Mr Garry Bird  
Mr Nick Woodhouse  
Ms Freya Ayliffe  
Ms Jan Hancock

Chief Executive Officer  
Deputy Chief Executive Officer  
Manager Engineering Services  
Manager Compliance & Regulatory Services  
Casual Governance Officer

**6.1 APOLOGIES**

Cr Sandra Boulter  
Cr Sally Pyvis

**Officer Apologies**

Mr Ed Drewett

Coordinator of Statutory Planning

**6.2 APPROVED LEAVE OF ABSENCE**

Nil

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 DECLARATION OF INTERESTS**

**8 PRESENTATIONS**

**8.1 PETITIONS**

**8.2 PRESENTATIONS**

**8.3 DEPUTATIONS**

**9 REPORTS OF OFFICERS**

For the benefit of the members of the public present, the Mayor determined to consider item 12.1.1.

Items 9.1.1, 9.1.2 and 9.1.3 were dealt with 'en bloc'.

**9.1.1 PLANNING APPLICATIONS DETERMINED UNDER DELEGATION**

**File Ref:** SUB/2458  
**Attachments:** Nil  
**Responsible Officers:** Mat Humfrey, Chief Executive Officer  
**Author:** Ed Drewett, Coordinator of Statutory Planning  
**Proposed Meeting Date:** 27 March 2018  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

This report provides details of the planning applications determined by officers acting under delegation, for the month of February 2018.

**BACKGROUND**

Pursuant to Local Planning Scheme No.3, Council has delegated its power to determine certain planning applications to the Chief Executive Officer and the Manager Development Services (or the Senior Planning Officer acting in his stead). This provides efficiency in processing applications, which occurs on a continual basis.

Following interest expressed from within Council, this report serves as a running record of those applications determined during each month.

**STRATEGIC IMPLICATIONS**

There are no perceived strategic implications arising from the officer's recommendation.

**POLICY IMPLICATIONS**

There are no perceived policy implications arising from the officer's recommendation.

**STATUTORY ENVIRONMENT**

*Planning & Development Act 2005*  
*Planning and Development (Local Planning Schemes) Amendment Regulations.*  
*2015*  
*Local Planning Scheme No. 3*  
*Metropolitan Region Scheme*

**FINANCIAL IMPLICATIONS**

There are no perceived financial implications arising from the officer's recommendation.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation.

**SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation.

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**CONSULTATION**

Nil.

**STAFF COMMENT**

During February 2018 the following planning applications were determined under delegation:

<b>Address</b>	<b>Description</b>	<b>Delegation Notice Date</b>	<b>Date Determined</b>
2 Balfour Street	Fence in Front Setback	19 January 2018	2 February 2018
8 Deane Street	Amendments to Planning Approval	19 January 2018	8 February 2018
96 Napier Street	Single storey rear extension	9 February 2018	21 February 2018

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

**Moved Mayor Angers, Seconded Cr Rodda**

**That Council RECEIVE this report on the planning applications determined under delegation for the month of February 2018.**

**CARRIED 7/0**



**9.1.2 TREE REMOVAL REQUESTS**

**File Ref:** SUB/398  
**Attachments:** Nil  
**Responsible Officer:** Mat Humfrey  
Chief Executive Officer  
**Author:** Nick Woodhouse  
Manager Engineering Services  
**Proposed Meeting Date:** 27 March 2018  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Council is requested to consider the removal of a Port Jackson Fig at the Town of Cottesloe Civic Centre as it is causing significant damage to a boundary wall. If the tree is left in place the wall will eventually collapse.

**BACKGROUND**

The Town has an ongoing issue with mature trees that have been planted too close to heritage boundary walls. As the trees grow the walls and stairs are being pushed out by tree roots.

In an effort to preserve tree health and minimise the damage to infrastructure such as boundary walls and stairs, the Town commissioned an expert consultant to assess each tree within the Civic Centre grounds. A Port Jackson Fig (Tree 132) has been assessed as requiring removal. This tree is located at the administration entrance. Please refer to the below figures.



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Figure 1: Port Jackson Fig Location



Figure 2: Tree roots damaging boundary wall

## STRATEGIC IMPLICATIONS

*Strategic Community Plan 2013-2023*

Priority Area One: Protecting and enhancing the wellbeing of residents and visitors.

A major strategy identified in the *Strategic Community Plan 2013 to 2023* is the development of policies to protect trees and increase the tree canopy.

## POLICY IMPLICATIONS

The Street Tree Policy states that:

*'Tree removals must be seen as a last resort, used for dead and/or dangerous trees. The Manager Engineering Services must give approval for any tree removal.'*

It is noted that the tree is neither dead and/or dangerous, however, it has been assessed by an expert consultant who has advised that the tree should be removed to enable the repair of the limestone wall.

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

*Local Government (Functions and General) Regulations 1996*

## FINANCIAL IMPLICATIONS

It will cost in the order of \$2,000 to remove the Port Jackson Fig. The wall repair is included in the 2018/19 Capital Works Budget.

**STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the Officer Recommendation.

**SUSTAINABILITY IMPLICATIONS**

The urban forest is recognised as a vital component of the urban landscape which provides a range of important benefits for residents and visitors to the Town. Trees are potentially the largest and most significant element in the urban landscape. As such, they provide the greatest opportunity for the development of identity and neighbourhood character. Given the importance of trees and other vegetation in people's daily experience, the role of trees in improving this can be broadly categorised into cultural, environmental, psychological and economic benefits.

**CONSULTATION**

Town of Cottesloe Staff

**STAFF COMMENT**

The report from the expert consultant states:

*'Tree 132 is causing significant damage to the adjacent wall structure. Further growth of the tree is likely to result in additional movement of the wall followed by complete collapse in the future. Due to the size and proximity of the tree to the wall we believe remedial root pruning activity will compromise the health and stability of the tree. Therefore, we recommend removing this tree and majority of its root system.'*

The Town has investigated whether there are any construction practices that can be carried out to retain the tree. Unfortunately, none have been found. On that basis the Officer Recommendation is to remove the Port Jackson Fig (Tree 132).

There is one additional tree that has been identified for potential removal. The tree is a Norfolk Island Pine adjacent to De Bernales Walk. The Town is currently investigating an alternative design and construction methodology of the boundary wall to enable the retention of the tree. It is expected that the construction costs will be significant. Once the details are known a report will be presented to Council.

**COUNCILLOR QUESTIONS**

Cr Sadler

Q1: Could the officer please advise what the age of the tree and predicted lifespan of the tree is?

A1: The age of the tree is approximately 20 to 30 years. The predicted lifespan of the tree is greater than 100 years.

Q2: Could the officer please advise what the overall condition of the wall is and if it will need replacement in future?

A2: Overall condition of the wall is 'poor'. The wall will require total replacement in the future.

Q3: Will the wall be assessed as part of the infrastructure valuation and asset management plan?

A3: The wall will be assessed as part of the infrastructure revaluation and Asset Management Plan.

Cr Harkins

Q1: I read that an alternative design and construction methodology is being investigated for the boundary wall to the Civic Centre for the Norfolk Pine tree adjacent to De Bernales Walk. Why would this alternative methodology not be suitable for the wall near the Port Jackson Fig?

A1: Due to the size and proximity of the tree to the wall we believe remedial root pruning activity will compromise the health and stability of this tree.

Cr Thomas

Q1: Is there any reason why the wall can not be rebuilt as per the photo in the link below so as to accommodate the Tree.

<https://www.facebook.com/westreecanopy/photos/a.1763965320593284.1073741828.1742212466101903/1795172064139276/?type=3>

A1: There are issues relating to this being a heritage listed wall and engineering issues that affect the rest of the wall.

Cr Boulter

Q1: Can the expert consultant's advice referred to in the officer report please be circulated in full to Elected Members?

A1: Yes, sent via email.

Q2: Has there been a review of all green infrastructure at the Civic Centre? If so, when? If not, what is the proper process for this to occur?

A2: All trees have been assessed (please refer to the attached document).

Q3: What is the value of this tree?

A3: No value has been determined. The Town is currently working on a Project Brief for a tree valuation model.

Q4: Will the loss of this tree canopy be replaced and if so where?

A4: The canopy will be replaced. There are in the order of 300 trees being planted this year.

Q5: Is there an ongoing maintenance program for the Civic Centre? If so, can it be circulated to Elected Members?

Q6: There is no formal maintenance program. The Asset Management Plan will address this.

### **VOTING**

Simple Majority

### **OFFICER RECOMMENDATION**

**Moved Mayor Angers, Seconded Cr Rodda**

**That Council approve the removal of the Port Jackson Fig at the Town of Cottesloe Civic Centre.**

**CARRIED 7/0**

**FINANCE****9.1.3 FINANCIAL STATEMENTS FOR THE MONTH ENDING FEBRUARY 2018**

**File Ref:** SUB/2459  
**Attachments:** Monthly Financial Statements  
**Responsible Officer:** Garry Bird  
Manager of Corporate and Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 27 March 2018  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

It is a requirement of the *Local Government Act 1995* that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Town's finances and ensure that income and expenditure are compared to budget forecasts.

The attached financial statements and supporting information are presented for the consideration of Elected Members. Council staff welcomes enquiries in regard to the information contained within these reports.

**BACKGROUND**

In order to prepare the attached financial statements, the following reconciliations and financial procedures have been completed and verified;

- Reconciliation of all bank accounts.
- Reconciliation of rates and source valuations.
- Reconciliation of assets and liabilities.
- Reconciliation of payroll and taxation.
- Reconciliation of accounts payable and accounts receivable ledgers.
- Allocations of costs from administration, public works overheads and plant operations.
- Reconciliation of loans and investments.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from the Officer's Recommendation.

**POLICY IMPLICATIONS**

Investments Policy.

Investment of Surplus Funds Policy.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

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**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**STAFFING IMPLICATIONS**

There are no staffing implications arising from the Officers Recommendation.

**SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications arising from the Officers Recommendation.

**CONSULTATION**

There has been consultation with senior staff in the preparation of this report.

**STAFF COMMENT**

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached Financial Statements.

- The net current funding position as at 28 February 2018 was \$5,056,740 and is in line with previous financial years as shown on pages 2 and 22 of the attached Financial Statements.
- Rates and emergency services levies receivables at 28 February 2018 stood at \$1,321,917 as shown on pages 2 and 25 of the attached Financial Statements.
- Operating revenue is more than year to date budget by \$265,920 with a more detailed explanation of material variances provided on page 21 of the attached Financial Statements. Operating expenditure is \$225,668 more than year to date budget with a more detailed analysis of material variances provided on page 21.
- The Capital Works Program is approximately 30% complete as at 28 February 2018 and a full capital works program listing is shown on pages 33 to 37.
- Whilst Salaries and Wages are not reported specifically, they do represent the majority proportion of Employee Costs which are listed on the Statement of Financial Activity (By Nature and Type) on page 7 of the attached Statements. As at 28 February 2018 Employee Costs were \$1,958 more than at the same time in the previous financial year. Wage costs in the areas of administration, town planning and building control are greater than year to date budgets due to a number of factors, including termination payments and increased use of casual staff. This will be addressed in the mid year Budget Review.
- The balance of cash backed reserves was \$10,983,779 as at 28 February 2018 as shown in Note 7 on page 27 of the monthly financial statements.

**List of Accounts for February 2018**

The List of Accounts paid during February 2018 is shown on pages 38 to 44 of the attached Financial Statements. The following significant payments are brought to Council's attention;-

- \$42,313.12 to Click Super for staff superannuation contributions
- \$69,418.71 to the Australian Taxation Office for the business activity statement.
- \$34,371.63 to Surf Life Saving WA for lifeguard services.
- \$168,688.30 to the Shire of Peppermint Grove for the library contribution.
- \$97,284.80 to the Western Metropolitan Regional Council for waste disposal costs.
- \$31,700.01 to Melville Mazda for a new vehicle.
- \$100,000.00 to the National Australia Bank for a transfer to the investment account.
- \$97,904.57 and \$104,601.37 for Town of Cottesloe staff payroll.

### Investments and Loans

Cash and investments are shown in Note 4 on page 23 of the attached Financial Statements. Council has approximately 49% of funds invested with National Australia Bank, 25% with Bankwest, 16% with Commonwealth Bank of Australia and 10% with Westpac Banking Corporation. Council had a balance of \$10,983,778 in reserve funds as at 28 February 2018.

Information on borrowings is shown in Note 10 on page 30 of the attached Financial Statements and shows Council had total principal outstanding of \$4,447,230 as at 28 February 2018.

### Rates, Sundry Debtors and Other Receivables

Rates revenue information is shown in Note 9 on page 29 of the attached Financial Statements. Rates outstanding are shown on Note 6 on page 25 and show a balance of \$1,321,917 as compared to \$1,212,063 this time last year.

Sundry debtors are shown on Note 6, pages 25 and 26 of the attached Financial Statements. The sundry debtors show that 27% or \$25,478 is older than 90 days. Infringement debtors are shown on note 6(a) and stood at \$495,350 as at 28 February 2018.

### Budget Amendments

The budget amendments are listed on pages 12, 13 and 24 of the Financial Statements.

## **COUNCILLOR QUESTIONS**

Cr Sadler

Q1: Could the officer please explain the 275% variation on page 5 of the attachments that occur under the heading of "Education and Welfare"?

A1: This variation relates to the repayment of a \$500,000 grant repaid to the department of Education for the proposed North Cottesloe Primary School car park works that did not proceed.



Cr Boulter

Q1: Are you able to explain all the cancelled cheque entries?

A1: There was an issue with the printer used to produce cheques resulting in the alignment of the printing being incorrect.

Q2: Hays Recruitment

A2: Casual Administrative staff to cover for staff leave.

Q3: All IRIS Consulting Fees accounts

A3: Archiving project of Council records stored at the Depot

Q4: Peter Baxendale for variation to Memorial Hall

A4: Engineering advice for roof structure remedial works at the Memorial Hall

Q5: Lesser Hall upgrade for \$19,644 – hadn't this been finished?

A5: This payment was for part payment of the retention monies held for the contract.

Q6: Can I have an itemised account for the SLSWA account?

A6: This will be emailed to all Elected Members.

Q7: Can you give more information about the purchase of a Mazda car?

A7: This was a replacement vehicle for the Coordinator Statutory Planning, whose previous vehicle was overdue for replacement.

Q8: Can I have an itemised account from Borello Lawyers?

A8: This will be emailed to all Elected Members.

Q9: Can I have an itemised account for the \$6060 for tree surgeons?

Prune 3 trees 110 Eric Street \$2,409.00

Tree inspection and works 14 Wentworth St \$2,035.00

Tree Report 27 Pearse St \$242.00

Remove branch 1 Loma St \$1,320

## **VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

**Moved Mayor Angers, Seconded Cr Rodda**

**That Council receive the Financial Statements for the period ending 28 February 2018 as submitted to the 27 March 2018 meeting of Council.**

**CARRIED 7/0**

**9.2 REPORT OF COMMITTEES**

Nil

**10 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**

**11.1 ELECTED MEMBERS**

**11.2 OFFICERS**

**12 MEETING CLOSED TO PUBLIC**

**12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**PROCEDURAL MOTION**

**Moved Mayor Angers, Seconded Cr Rodda**

**That the meeting be closed to the public.**

**CARRIED 4/3**

**For: Mayor Angers and Crs Rodda, Young and Harkins**

**Against: Crs Tucak, Sadler and Thomas**

**That the meeting was closed to the public and all members of the public and media representatives left the room.**

**ENGINEERING****12.1.1 PYLON REFURBISHMENT – PROGRESS UPDATE AND REQUEST FOR APPROVAL - CONFIDENTIAL**

File Ref: SUB/2453  
Attachments: Nil  
Responsible Officer: Mat Humfrey  
Chief Executive Officer  
Author: Denise Tyler-Hare  
Project Manager  
Proposed Meeting Date: 27 March 2018  
Author Disclosure of Interest: Nil

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**COUNCIL RESOLUTION**

Moved Cr Thomas, Seconded Cr Tucak  
That Council

1. To ensure all future options in relation to the pylon remain available to the Town, approve the variation for the 3m anchors of \$28,620.00 exc. GST.
2. Approve the continuation on site of the currently contracted works with the current methodology.
3. Investigate the requirement for, and costs of, rectification works to the bell component of the pylon, and also the scope and costs of alternatives such as a commissioned sculptural solution or a recreational facility;
4. Investigate whether any existing performance guarantees in relation to previous works undertaken in relation to the bell component remain in force.
5. Undertake community consultation to determine its desire to:
  - a. preserve the pylon in its current form and position;
  - b. pursue a sculptural solution to replace or augment the existing bell component in its current position; and
  - c. install a recreational facility (pontoon) in the current location.

Including costings once known and noting what has already been spent on the preservation of the pylon.

**PROCEDURAL MOTION**

Moved Cr Rodda, Seconded Cr Young

That the Item be put to the vote

**CARRIED 7/0**

**CARRIED 7/0**

**PROCEDURAL MOTION**

**Moved Cr Rodda, Seconded Cr Thomas**

**That the meeting be reopened to the public and media and that standing orders be resumed.**

**CARRIED 7/0**

**13 MEETING CLOSURE**

**The Presiding Member declared the meeting closed at 7.24pm**

**CARRIED 7/0**