

# TOWN OF COTTESLOE



## STRATEGIC PLANNING COMMITTEE MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, WEDNESDAY, 22 AUGUST 2012

**CARL ASKEW**  
Chief Executive Officer

23 August 2012

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**STRATEGIC PLANNING COMMITTEE**
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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member announced the meeting opened at 7:00 PM.

**2 DISCLAIMER**

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

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**4 PUBLIC QUESTION TIME**

Nil

**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4.2 PUBLIC QUESTIONS**

Nil

**5 PUBLIC STATEMENT TIME**

Nil

**6 ATTENDANCE****Present**

Mayor Kevin Morgan	Presiding Member
Cr Rob Rowell	
Cr Jack Walsh	
Cr Greg Boland	(Deputy)

**Officers Present**

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

**6.1 APOLOGIES****Officer Apologies**

Nil

**6.2 APPROVED LEAVE OF ABSENCE**

Cr Peter Jeanes

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 DECLARATION OF INTERESTS**

Nil

**8 CONFIRMATION OF MINUTES**

Moved Cr Walsh, seconded Cr Rowell

[Minutes May 23 2012 Strategic Planning Committee.doc](#)

The Minutes of the Ordinary meeting of the Strategic Planning Committee, held on 23 May 2012 be confirmed.

Carried 4/0

**9 PRESENTATIONS**

Nil

**9.1 PETITIONS**

Nil

**9.2 PRESENTATIONS**

Nil

**9.3 DEPUTATIONS**

Nil

## 10 REPORTS

### 10.1 GENERAL

#### 10.1.1 TOWN OF COTTESLOE - ACTION PLAN REVIEW

**File No:** SUB/108  
**Attachments:** [Action Plan 22 August 2012](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Carl Askew  
Chief Executive Officer

**Proposed Meeting Date:** 22 August 2012  
**Author Disclosure of Interest** Nil

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#### SUMMARY

This report recommends that Committee receive the updated *Action Plan* report and provide feedback to the CEO and senior staff present at the meeting on agreed modifications to the Action Plan for subsequent presentation to Council.

#### BACKGROUND

The *Future Plan 2006 to 2010* for the Town of Cottesloe was finalised and adopted by Council in June 2007. At that time two review dates for the Future Plan were set, so that the document would return to Council. The first of those review dates was set at November 2008 and the second was in November 2010. Following the adoption of the *Future Plan*, an *Action Plan* was developed and an updated review of that plan is tabled for consideration at each meeting of the Strategic Planning Committee.

In November 2010 Council resolved to receive an amended Action Plan report having noted the completion of the development of the new joint library facilities and determining to add in two new items:

- Under Objective 4: Development, a new item 4.7 be added to read “Develop a strategy to address the requirements of the State Government’s Directions 2031 Strategies and Policies”.
- A new Dynamic Priority be added to read: “Develop a strategy to promote Council services and activities at the beachfront in order to better align with expectations for the wellbeing and enjoyment of the local community and visitors to the Town of Cottesloe”.

In February 2012 Council resolved to:

1. Receive the Action Plan Report as amended by the Strategic Planning Committee.
  2. Receive a report at the next meeting, and future meetings, which addresses the status and progress of the following:
    - (i). Disability Access path
-

- (ii). Change room/toilet facilities at the beachfront
- (iii). Review of the Town's Bike Plan
- (iv). Investigate the temporary closure of Marine Parade (central foreshore only) for community events and activities.

In relation to point (iii) above, in May 2012 Council resolved to establish a Bike Plan Working Group comprising Councillors Rowell, Boland, Walsh and Pyvis to coordinate the review of the Town's Bike Plan.

### **STRATEGIC IMPLICATIONS**

The Action Plan has obvious strategic implications. Council's Strategic (Future) Plan, from which the Action plan is derived, now requires review.

In addition, and as part of the suite of changes introduced by the Minister for Local Government, all Councils have been advised of the need to undertake and improve their strategic planning. An *Integrated Planning and Reporting Framework* has been prepared, together with associated guidelines for local governments, and inclusive of asset management and long term financial planning.

All local governments are currently required to produce a plan for the future under S5.56 (1) of the *Local Government Act 1995* (the Act). Regulations have been made under S5.56(2) of the Act to outline the minimum requirements to achieve this and these changes were approved in August 2011.

In February 2012 Council also resolved to include in the 2012/13 budget an allocation up to \$25,000 to undertake a community perception survey as the first phase of developing a Community Strategic Plan.

### **POLICY IMPLICATIONS**

None known

### **STATUTORY ENVIRONMENT**

Statutory Environment

Division 5 — Annual reports and planning principal activities

*5.56. Planning principal activities*

- (1) *Each financial year, a local government is to prepare a plan for the next 4 or more financial years.*
- (2) *The plan is to contain details of—*
  - (a) *the principal activities that are proposed to be commenced or to be continued in each financial year affected by the plan;*
  - (b) *the objectives of each principal activity;*
  - (c) *the estimated cost of, and proposed means of funding, each principal activity;*



- (d) *how the local government proposes to assess its performance in relation to each principal activity;*
- (e) *the estimated income and expenditure for each financial year affected by the plan; and*
- (f) *such other matters as may be prescribed.*

*Regulation 19C of the Local Government (Administration) Regulations 1996 refers, i.e.*

**19C. Planning for the Future – section 5.56 of the LGA**

- (1) *In this regulation – “plan for the future” means a plan made under section 5.56.*
- (2) *A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).*
- (3) *A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.*
- (4) *a local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.*
- (5) *A council is to consider a plan, or modifications, submitted to it and is to determine\* whether or not to adopt the plan, or the modifications, as is relevant.*

*\*Absolute majority required.*

## **FINANCIAL IMPLICATIONS**

Adoption of the Future Plan and associated Action Plans will inevitably require expenditure as per Council's adopted budget and long term financial plan.

## **SUSTAINABILITY IMPLICATIONS**

The Town has continuously demonstrated a high level of regard for the sustainable management of Council's resources and the Future Plan not only supports sound financial management but also meets the legislative requirements contained within the Local Government Act 1995 and associated Regulations.

## **CONSULTATION**

The Future Plan was developed in consultation with the community by way of public submission periods and refined by the Town's Strategic Planning Committee prior to adoption by Council.

## **STAFF COMMENT**

In relation to the Action Plan, the following strategies were identified by Council as priorities for 2011/12.

- 1.2 Reduce beachfront hotel numbers to a sustainable level.
- 1.5 Identify increased opportunities to use existing facilities or provide new venues for formal community cultural events and activities.
- 1.9 Develop a Community Safety Strategy

- 2.1 Produce a draft Structure Plan for consultation purposes showing the sinking of the railway and realignment of Curtin Avenue together with 'what's possible' in terms of sustainable redevelopment and pedestrian and traffic links.
- 3.1 Develop the 'Foreshore Vision and Master Plan' in consultation with the community.
- 3.4 Introduce electronically timed parking.
- 4.1 Develop planning incentives for heritage properties.
- 4.5 Consider undeveloped Government owned land for higher density development provided there is both public support and benefit for the Cottesloe community.
- 4.7 Develop a strategy to address the requirements of the State Government's Directions 2031 Strategies and Policies.
- 5.1 Adopt a policy position on assets that have a realisable value such as the Depot and Sumps.
- 5.2 Subject to the satisfactory resolution of land tenure, design and funding requirements, progress the development of new joint library facilities.
- 5.3 Develop an integrated Town Centre plan to improve all aspects of the infrastructure of the Town Centre.
- 5.6 Develop a long term asset management plan and accompanying financial plan.
- 6.1 Further improve the community consultation policy in recognition of the need for greater community engagement when change is needed.
- DP1 Complete the adoption of Local Planning Scheme No. 3 including the preparation of all draft policies to a stage where they can be advertised for public comment.
- DP2 Report on the proposed tasks identified in the Climate Change Vulnerability study and their impacts, priorities and applicability to the Town of Cottesloe
- DP3 Develop a strategy to promote Council services and activities at the beachfront in order to better align with expectations for the wellbeing and enjoyment of the local community and visitors to the Town of Cottesloe.

The following *program summary* in relation to the above strategies is provided. More detail is contained in the updated Action Plan.

Rating	Ref	Comment
C/O	1.2	Council's strategy to monitor anti-social behaviour is ongoing. Last report to Council in August 2010. Changes at CBH have significantly reduced (improved) incidents of anti-social behaviour.
O	1.5	Civic Centre future use study reported to Council in February 2010. Additional report to all Councillors in August 2010 including consideration by Public Events Committee. Report on Catering contractor in February 2011. Ongoing.
C	1.9	Develop a Community Safety Strategy. Report to Council in May 2010 and adoption of Safer Sustainable Cottesloe Plan 2010 – 2014.

O	2.1	As per Council resolution in October 2009, Draft Plan progressed through EbD. Working Group reconvening with a view to further community consultation on a preferred alignment. Suggestion from Minister and meeting with DoP regarding Council liaising with LandCorp to plan a TOD. In May 2012 Council met with Premier/local member who supports realigning Curtin Avenue along the railway line and offered to facilitate The Department of Planning and Transport meeting with the Town.
C	3.1	Plan completed with implementation schedule and cost estimates being finalised. From October 2011 a process of comprehensive reporting, review and refinement has been conducted to confirm the Foreshore Redevelopment Plan via Council and progress implementation, including a prospectus, support for the beach pool <i>in-principle</i> and approaches to State Government for funding. Council has since instigated and committed funds to certain projects and an update report on implementation of the Plan has been prepared for August 2012.
C/O	3.4	Meter Eyes have been installed at the Foreshore and Town Centre with a second phase roll out in the Town Centre to be planned as part of Town Centre Working Group, Development of Draft Parking Strategy, and subject to budget consideration. In May 2012 Council authorised the provision of additional Meter eye units for the Town Centre. A proposal is being considered for cash in lieu funds to be used to construct street level parking over the sump site in Station Street. Updated parking policy for LPS3 workshop with Council in July 2012.
C/O	4.1	Proposed LPS3 and related draft policy as well as practice by staff and the Heritage Advisor have addressed the consideration and application of heritage incentives so far. LPS3 lodged for finalisation of Scheme provisions and content of any related policy. Heritage List process reported to Council in April 2012 and Council Workshop held in May 2012 for officer actions.
O	4.5	Council has resolved to pursue structure planning for the area which will include consideration of higher density development. At present the focus is on resolving Curtin Avenue, the railway and east-west connectivity as the key infrastructure prerequisites to overall structure planning for land uses and development. Subject to finalisation of LPS3 development zones.
O	4.7	Develop a strategy to address the requirements of the State Government's Directions 2031 Strategies and Policies. Research being undertaken and report to be prepared.
C/O	5.1	Plan is currently progressing for the Depot. Consultants investigating concept and feasibility of joint facility at Mosman Park. Shared option with Subiaco and Nedlands remains ongoing. Station Street sump site under consideration. Report to Council in December 2011 with endorsement "in principle" to relocate in accordance with concept plans. Negotiations with Mosman Park are continuing. Staff are also progressing planning and disposal

		options for the existing depot site.
C	5.2	Joint Library construction complete. Landscaping finalised. Official opening February 2011.
C	5.3	A consultant has completed this study having regard to the related Station Street and railway lands planning initiatives influencing the future of the Town Centre. Crime Prevention methods reported to Council in March 2012. Update Draft Parking Policy for LPS3 also informs Town Centre planning and projects. Reports on SHACS and associated MRS amendment have also occurred.
O	5.6	WAAMI program has been restarted and will become the basis for the Town's asset management plan and will link to the long term financial plan adopted in August 2010. Report to Council in August 2012.
H	6.1	This matter has not progressed due to other priorities.
C/O	DP1	<p>LPS3 was submitted to WAPC in May 2009 and has been re-advertised for modifications proposed by the Minister for Planning. Advertised submissions assessed and in September 2011 Scheme re-lodged for finalisation.</p> <p>On 2 February 2012 Council met with the Minister, WAPC Chair and DoP staff to present its beachfront solution and Foreshore Redevelopment Plan; and on 27 March this was repeated to the SPC of the WAPC.</p> <p>On 19 April the Town received notification from the WAPC of the Minister's required final modifications; on 30 April Council was briefed; and on 15 May a Special Council Meeting was held, which resolved several lines of response to the Minister's decision and requirements. The Town has subsequently challenged the Minister's decision in the Supreme Court whereby finalisation of the scheme is in abeyance.</p>
C	DP2	Geological study to determine the rock/sand sections of the foreshore approved with grant funding. Work completed in February and reported to Council in March 2011. Final report presented to Council in August 2011. No further funding has been provided for additional studies or site works in regards to 2011/12 and 2012/13 budgets. Staff are working within WESROC to develop long term policies and actions for a regional approach.
O	DP3	Develop a strategy to promote Council services and activities at the beachfront in order to better align with expectations for the wellbeing and enjoyment of the local community and visitors to the Town of Cottesloe. Draft Local Law and Ranger Operational Guidelines prepared for report to Council in February 2012. Community Perceptions Survey considered by Council in April 2012 and deferred to 2012/13 financial year. Local Law adopted on 28 May 2012
<b>Legend</b>		<b>O=Ongoing C=Complete/substantially complete H=On Hold</b>

In relation to the February 2012 Council resolution and specifically the issues raised the following update is provided:

**Disability Access Path** – Council’s grant submission to Lotterywest for a \$200,000 grant towards a new main beach Disability Access Path was recently approved. To that grant, Council will add \$100,000 (as budgeted) to make the total budget for the project \$300,000. The grant approval allows for a two year period for construction.

A full survey of levels and locations of all built and natural assets on the area to be affected has now been completed. The next step will be to obtain quotations for the design of the path and adjacent affected terraces.

With regards to when the works would best be commenced, early April 2013 is proposed.

By the time the design is completed, all stakeholders have agreed on the design, Heritage Council and WAPC have given approvals, the design has been used as a basis for plans and specifications for a tender to be drawn up, the tender called and a successful tendering company accepted, the full hot weather use of the main beach will be underway. Then Sculpture By The Sea will run until late March 2013. At that time, with the majority of beach use expected to drop back, site access would begin, with earthworks, delivery of materials and actual construction commenced.

This would allow for all works to be completed in the last three months of the financial year and minimal impact on the beach going public.

Staff are now arranging for quotes covering the design process.

- (i). **Change room/toilet facilities at beachfront** – A separate report was prepared and tabled for the Strategic Planning Committee meeting of May 2012.
- (ii). **Review of Town’s Bike Plan** – A separate report to the May meeting of Council was in relation to identifying issues and actions from the current Bike Plan 2008-2014. Council resolved to establish a Bike Plan Working Group comprising Councillors Rowell, Boland, Walsh and Pyvis to coordinate the review of the Town’s Bike Plan.
- (iii). **Investigate the temporary closure of Marine Parade (central foreshore only) for community events and activities** - Administration have investigated the closure of roads for public events and conclude that it can be done, subject to certain conditions being met. These conditions are that the Town obtains the permission of local police and the Commissioner of Main Roads, for which there is a standard form and process that can be followed. This is slightly different to the procedure for road works, as the Town is empowered to close roads under its care and control for works, but not for public events.

When the request to close a thorough is submitted, a traffic management plan (TMP) must be included with the application. The Town has suitably qualified staff that can design and implement a traffic management plan to the requirements of Main Roads WA. As a part of this process, a standard TMP will be developed, however it will still need to be considered against the requirements of each event.

As there are implications with closing roads, such as disruption to local residents and businesses, each event should be considered on a case by case basis. A detailed report will be submitted to the next Events Committee Meeting, which will allow them discuss which events the Town could consider closing Marine Parade for and which events (or parts of those events) it would not be appropriate to do so. This report will also consider the viability of closing Marine Parade to create a pedestrian space from time to time.

This agenda item represents an opportunity for Committee members to review progress and provide informal feedback on where staff should be headed in terms of implementing individual actions. It is recommended that Committee receive the Action Plan and provide comment to the CEO and senior staff present at the meeting on agreed modifications to the Action Plan prior to presentation to Council.

In relation to the Future Plan there is now a stated process, framework and guidelines for the creation of both a Strategic Community Plan and a Corporate Business Plan. The expectation is that these new plans will be developed and introduced over the next 18 months in time for the 2013/14 Budget. Subject to Council endorsement via a separate report, this process will commence in mid to late 2012.

Given the current situation the Town of Cottesloe is at an interesting place in regards to strategic planning due to several main causes, which include;

1. Local Planning Scheme No. 3 is in the final stages of approval by the Minister.
2. Potential impacts on the Town's future as a result of the Metropolitan Local Government Review, final report and State Government actions.
3. Introduction of the Department of Local Government's Integrated Strategic Planning framework.

Council may wish to hold off on making any further amendments to its Action Plan until the above matters have been resolved and / or determined as each will have a significant impact upon any future strategic planning. The focus should now be on the development of a new Strategic Community Plan.

## **VOTING**

Simple Majority

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Walsh**

**THAT Council receive the Action Plan Report as amended by the Strategic Planning Committee and note that the focus for officers and Council is now on the development of a new Strategic Community Plan.**

**Carried 4/0**

**10.1.2 BUSINESS PLAN – SALE OF DEPOT**

**File No:** SUB/962  
**Attachments:** [Business Plan Sale of Depot](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services

**Proposed Meeting Date:** 22 August 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council is being asked to consider and endorse for public notice a business plan for the sale of the land which currently houses the Town's Works Depot.

**BACKGROUND**

The Town has been actively investigating its options for a works depot for some time.

The reasons for this include;

- 1) To remove a light industrial use from a high quality residential area;
- 2) The freeing up of funds embodied in holding this land; and
- 3) To resolve a number of Occupational Health and Safety issues, as well as environmental issues associated with the works depot.

The Town has previously advertised a business plan for this proposed land transaction. However, the Act is not clear on how long a business plan remains in effect. There is some suggestion that the business plan would only be current for the financial year in which it has been advertised.

**STRATEGIC IMPLICATIONS**

If the depot site were to be sold, it would result in a large amount of funds being available for strategic projects, such as works on the foreshore or other public infrastructure. It can also be applied to increasing reserves, paying down debt and/or investing in alternative revenue streams for Council.

**POLICY IMPLICATIONS**

Sale of Assets with Realisable value  
Sale of Council Property

**STATUTORY ENVIRONMENT****Local Government Act 1995****3.59. Commercial enterprises by local governments**

(1) In this section —

**acquire** has a meaning that accords with the meaning of *dispose*;

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**land transaction** means an agreement, or several agreements for a common purpose, under which a local government is to —

- (a) acquire or dispose of an interest in land; or
- (b) develop land;

**major land transaction** means a land transaction other than an exempt land transaction if the total value of —

- (a) the consideration under the transaction; and
- (b) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition;

**major trading undertaking** means a trading undertaking that —

- (a) in the last completed financial year, involved; or
- (b) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

**trading undertaking** means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of *land transaction*.

- (2) Before it —
  - (a) commences a major trading undertaking;
  - (b) enters into a major land transaction; or
  - (c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.
- (3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —
  - (a) its expected effect on the provision of facilities and services by the local government;
  - (b) its expected effect on other persons providing facilities and services in the district;
  - (c) its expected financial effect on the local government;
  - (d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56;
  - (e) the ability of the local government to manage the undertaking or the performance of the transaction; and
  - (f) any other matter prescribed for the purposes of this subsection.
- (4) The local government is to —
  - (a) give Statewide public notice stating that —
    - (i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;
    - (ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and



- (iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

- (b) make a copy of the business plan available for public inspection in accordance with the notice.
- (5) After the last day for submissions, the local government is to consider any submissions made and may decide\* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.  
*\*Absolute Majority required*
- (5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.
- (6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.
- (7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.
- (8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.
- (9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.
- (10) For the purposes of this section, regulations may —
- (a) prescribe any land transaction to be an exempt land transaction;
  - (b) prescribe any trading undertaking to be an exempt trading undertaking.

Local Government (Functions and General) Regulations 1996

- 8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)

- (1) The amount prescribed for the purposes of the definition of *major land transaction* in section 3.59(1) of the Act is —
- (a) if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —
- (i) \$10 000 000; or
  - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;
- or
- (b) if the land transaction is entered into by any other local government, the amount that is the lesser of —
- (i) \$2 000 000; or
  - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.
- (2) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —
- (a) the total value of —
- (i) the consideration under the transaction; and
  - (ii) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed under subregulation (1); and
- (b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —
- (i) the total value of the transaction; or
  - (ii) variations throughout the State in the value of land.

[Regulation 8A inserted in Gazette 27 Sep 2011 p. 3844.]

### **FINANCIAL IMPLICATIONS**

If the depot site were to be sold it would generate a significant windfall amount for the Town.

### **SUSTAINABILITY IMPLICATIONS**

The removal of an industrial use from an urban area will have a positive effect on that area. It is quite probable that the sale of the site would result in its remediation, with any contaminants removed and disposed of properly and a redevelopment.

### **CONSULTATION**

The Business Plan as attached would need to be advertised for comment, for a period not less than 6 weeks. The advertising and notices would need to comply with all of the requirements of both state and local public notices as described in the Local Government Act 1995.

**STAFF COMMENT**

Council has previously considered and adopted a business plan for the sale of the depot site. This plan pre-dates changes to the Regulations which were made in September 2011 and is more than one year old. While the Act doesn't specifically state when a business plan expires, it could be held that the transaction is different from what was originally advertised, due to the time that has passed since the original plan was adopted.

In order to ensure a smooth process should Council decide to proceed with the sale of the depot in the short to mid-term, it is considered prudent to re-advertise the business plan, to ensure it conforms with the requirements of the Act.

At this stage, Council is only authorising the advertising of the plan. If the recommendation is adopted, the plan will be advertised for a period not less than six weeks. During that time, Council will be able to receive submissions and at the end of the period, with due regard to the submissions made, continue with the plan as advertised or one that is not significantly different to that which was advertised.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Boland**

**THAT Council endorse the attached Business Plan for the sale of the depot site, for advertising in line with the requirements of section 3.59 of the Local Government Act 1995.**

**Carried 4/0**

**10.1.3 COMMUNITY PERCEPTIONS SURVEY**

**File No:** SUB/1328  
**Attachments:** [Catalyse Community Perceptions An Overview](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services

**Proposed Meeting Date:** 22 August 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

This report recommends that Council consider appointing Catalyse to undertake a community perceptions survey, as the first part of developing a Strategic Community Plan.

**BACKGROUND**

In August 2011, new regulations with regard to long term strategic planning for local governments were introduced. Specifically, Councils are now required to prepare a Strategic Community Plan, that guides the remainder of Council's long term planning documents.

The second major plan that Council needs to prepare is its Corporate Business Plan, which effectively underpins the Strategic Community Plan. The Corporate Business Plan outlines how the objectives or goals in the Strategic Community Plan will be achieved. The Corporate Business Plan, would typically consist of the following;

- Asset Management Plan
- Human Resources Plan
- Long Term Financial Plan

These plans would form the basis for each year's budget and more specific planning documents.

**STRATEGIC IMPLICATIONS**

This is the first step in writing a Strategic Community Plan, which replaces the current Strategic Plan.

**POLICY IMPLICATIONS**

Community Consultation Policy

**STATUTORY ENVIRONMENT**

Local Government (Administration Regulations) 1996

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

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

*[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]*

**19DA. Corporate business plans, requirements for (Act s. 5.56)**

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —

- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

### **FINANCIAL IMPLICATIONS**

The cost of the Community Perceptions Survey has been incorporated into the 2012 / 2013 operating budget.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

Nil

### **STAFF COMMENT**

At present, Council's Plan for the Future has expired and Council is required to replace it. As the new regulations are in force, it's not simply a matter of replacing the current document with a re-worded or updated document, instead it needs to be re-written to comply with the new strategic planning requirements.

There has previously been some hesitation in regards to starting the long term strategic planning process, due in large part to the uncertainty surrounding Town Planning Scheme No. 3, as well as uncertainty generated by the local government reform process. This hesitation is understandable given that both of these processes would have a significant impact on the future direction of the Town, and as such any

plan written before these processes are complete, is likely to require re-writing after they are finalised.

A Strategic Community Plan would be developed in a series of steps. It would be advantageous if Council could show that the community is instrumental in each part of the development of the Strategic Community Plan, from formation to implementation. The obvious challenge in doing this is the time it would take to consult the community, during each step of writing the plan.

The development of a Strategic Community Plan will take some time – it is not a process that is likely to be completed in this calendar year. Once the initial perceptions survey is completed, there will need to be a series of workshops and public meetings before a plan could be finalised. With this in mind and the requirement to have a Community Strategic Plan and Corporate Business Plan in place before 30 June 2013, the requirement to start the process is upon the Town.

A Community Perceptions Survey (CPS), as quoted would allow the process of writing the Community Strategic Plan to begin. It would do this by providing the base data that would allow Council to substantiate what the current wishes of the community are. This then allows areas of importance to be developed – which form the basis of the writing of a Strategic Community Plan.

A CPS will perform a second key function in providing a base level of community satisfaction. Any future survey would be able to be compared to this base survey and the efforts of the local government could be quantified as improving or reducing community satisfaction. Even if the Town's structure were to be changed, this would provide a valuable assessment of local governance.

Officers have sought proposals from two agencies who undertake this type of research. Catalyste were felt to provide the better quote due to the availability of bench marking. The quoted costs for phone surveys were not materially different.

If Catalyse were to be engaged as recommended, a workshop to set the areas of focus of the survey, as well as finalising many of the other details would be held in early September 2012. This would give the opportunity to ensure the survey is personalised to cater to the needs of the Town. It is recommended to undertake the phone survey as this would provide the strongest results. The cost of the phone survey is quoted at \$24,000.

## **VOTING**

Simple Majority

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Walsh**

**THAT Council engage Catalyste to undertake a Community Perceptions Survey, via phone survey, as per the attached proposal, with the results to be presented at the November 2012 meeting of the Strategic Planning Committee.**

**Carried 4/0**

### 10.1.4 SUPERSEDED POLICIES - PUBLIC COMMENT TIME AND PUBLIC STATEMENT TIME

**File No:** CLL/5  
**Attachments:** [Public Question Time Policy](#)  
[Public Comment Time Policy](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Christy Watterson  
Administration and Governance Officer  
**Proposed Meeting Date:** 22 August 2012  
**Author Disclosure of Interest** Nil

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#### SUMMARY

This report recommends the deletion of the Town's Public Comment Time Policy and Public Statement Time Policy, as the Town's *Standing Orders Local Law 2012* and the *Local Government (Administration) Regulations 1996* provide guidance as to the order of proceedings for meetings of Council and its Committee's.

#### BACKGROUND

The new *Standing Orders Local Law 2012* together with the *Local Government (Administration) Regulations 1996*, comprehensively stipulate the order of proceedings for meetings of Council and its Committees. They remove the need for the Public Comment Time and Public Statement Time Policies that were adopted to overcome shortcomings of the Town's previous *Standing Orders Local Law*.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

The Public Question Time Policy and Public Comment Time Policy are recommended to be deleted.

#### STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996

#### “Part 2 — Council and committee meetings

5. *Question time for public, meetings that require prescribed (Act s.5.24)*

*For the purposes of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are —*

*(a) every special meeting of a council;*

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- (b) every meeting of a committee to which the local government has delegated a power or duty.
6. Question time for public, minimum time for (Act s. 5.24(2))
- (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.
  - (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.
7. Question time for public, procedure for (Act s.5.24(2))
- (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) are to be determined —
    - (a) by the person presiding at the meeting; or
    - (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of those members,having regard to the requirements of subregulations (2), (3) and(5).
  - (2) The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
  - (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
  - (4) Nothing in subregulation (3) requires —
    - (a) a council to answer a question that does not relate to a matter affecting the local government; or
    - (b) a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
    - (c) a committee to answer a question that does not relate to a function of the committee.
  - (5) If, during the time allocated for questions to be raised by members of the public and responded to, a question relating to a matter in which a relevant person has an interest, as referred to in section 5.60, is directed to the relevant person, the relevant person is to —
    - (a) declare that he or she has an interest in the matter; and
    - (b) allow another person to respond to the question.”

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Standing Orders Local Law 2012, together with the *Local Government (Administration) Regulations 1996*, will assist the public in its understanding of how to obtain maximum benefit from its opportunity to participate in the meetings of Council and its Committees, and assist in the orderly and efficient running of meetings.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Rowell**

**THAT Council delete its Public Statement Time Policy and Public Comment Time Policy.**

**Carried 4/0**

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

Nil

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

**12.1 ELECTED MEMBERS**

Nil

**12.2 OFFICERS**

Nil

**13 MEETING CLOSED TO PUBLIC**

Nil

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

Nil

**13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC**

Nil

**14 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 7:20 PM.

*CONFIRMED: PRESIDING MEMBER* \_\_\_\_\_ *DATE: .../.../...*