

TOWN OF COTTESLOE



STRATEGIC PLANNING COMMITTEE AGENDA

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, WEDNESDAY, 21 NOVEMBER 2012

CARL ASKEW
Chief Executive Officer

16 November 2012

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town for any act, omission, statement or intimation occurring during council meetings.

The Town of Cottesloe disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during council meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a council meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Town of Cottesloe during the course of any meeting is not intended to be and is not taken as notice of approval from the Town.

The Town of Cottesloe wishes to advise that any plans or documents contained within the agenda or minutes may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

Members of the public should note that no action should be taken on any application or item discussed at a council meeting prior to written advice on the resolution of council being received.

Agenda and minutes are available on the Town's website www.cottesloe.wa.gov.au

STRATEGIC PLANNING COMMITTEE
TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	DISCLAIMER	1
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	1
4	PUBLIC QUESTION TIME.....	1
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4.2	PUBLIC QUESTIONS.....	1
5	PUBLIC STATEMENT TIME	1
6	ATTENDANCE.....	1
6.1	APOLOGIES	1
6.2	APPROVED LEAVE OF ABSENCE	1
6.3	APPLICATIONS FOR LEAVE OF ABSENCE.....	1
7	DECLARATION OF INTERESTS	1
8	CONFIRMATION OF MINUTES	2
9	PRESENTATIONS	2
9.1	PETITIONS	2
9.2	PRESENTATIONS.....	2
9.3	DEPUTATIONS.....	2
10	REPORTS	3
10.1	GENERAL.....	3
10.1.1	COUNCIL MEETING DATES 2013	3
10.1.2	EXISTING DEPOT SITE – STRATEGY FOR DISPOSAL AND FUTURE DEVELOPMENT	6

	10.1.3	UPDATE: WESTERN METROPOLITAN REGIONAL COUNCIL (WMRC) PROPOSAL FOR CITY OF NEDLANDS MEMBERSHIP	10
	10.1.4	POLICY REVIEW - COMMUNITY CONSULTATION POLICY	15
	10.1.5	TOWN OF COTTESLOE - ACTION PLAN REVIEW - NOVEMBER 2012	17
11		ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	25
12		NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:	25
	12.1	ELECTED MEMBERS	25
	12.2	OFFICERS	25
13		MEETING CLOSED TO PUBLIC	25
	13.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	25
	13.2	PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC	25
14		MEETING CLOSURE	25

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**2 DISCLAIMER****3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

4.2 PUBLIC QUESTIONS**5 PUBLIC STATEMENT TIME****6 ATTENDANCE****Present**

Mayor Kevin Morgan
Cr Rob Rowell
Cr Jack Walsh
Cr Peter Jeanes

Presiding Member

Officers Present

Carl Askew
Mat Humfrey
Geoff Trigg
Andrew Jackson
Lydia Giles

Chief Executive Officer
Manager Corporate & Community Services
Manager Engineering Services
Manager Development Services
Executive Officer

6.1 APOLOGIES**Officer Apologies****6.2 APPROVED LEAVE OF ABSENCE****6.3 APPLICATIONS FOR LEAVE OF ABSENCE****7 DECLARATION OF INTERESTS**

8 CONFIRMATION OF MINUTES

[Minutes August 22 2012 Strategic Planning Committee.doc](#)

The Minutes of the Ordinary meeting of the Strategic Planning Committee, held on 22 August 2012 be confirmed.

9 PRESENTATIONS

9.1 PETITIONS

9.2 PRESENTATIONS

9.3 DEPUTATIONS

10 REPORTS

10.1 GENERAL

10.1.1 COUNCIL MEETING DATES 2013

File No: SUB/1261
Attachments: [Committee and Council Meeting Dates 2013](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer

Proposed Meeting Date: 21 November 2012
Author Disclosure of Interest Nil

SUMMARY

A resolution is required to set Council and Committee Meeting dates and times for 2013.

STRATEGIC IMPLICATIONS

Objective 7: Organisation Development

To effectively manage Council's resources and work processes.

- Deliver high quality professional governance and administration.

POLICY IMPLICATIONS

None known

STATUTORY ENVIRONMENT

Regulation 12 of the Local Government (Administration) Regulations applies:

Public Notice of Council or Committee meetings –s.5.25(g):

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which –*
 - (a) *the ordinary council meetings; and*
 - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub-regulation (1).*

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Due to the 2013 Local Government Elections which will be held on Saturday 19 October 2013, for the October round of meeting, it is proposed that a special meeting of Council be scheduled for Monday 21 October 2013 for Elected Members Declaration of Office and to appoint committee membership. The ordinary Committee meetings are proposed to be moved to 28 and 29 October (as opposed to the normal schedule on 21 and 22 October) and the Ordinary Council Meeting to be moved to 4 November 2013 (as opposed to 28 October). This will allow time for new members of Council to consider the agenda and prepare themselves for the meetings.

For the December round of meetings, it is proposed that Committee meetings will be on 2 and 3 December and Council on 9 December. However given the closeness to the November Council meeting an alternative is to consider the Committee meetings on the 9 and 10 December and Council on 16 December 2013.

VOTING

Simple Majority

OFFICER RECOMMENDATION**THAT Council adopt the following meeting dates for 2013 and:**

- 1. Observe a recess in January 2013, with no ordinary meeting of Council;**
- 2. Advertise the ordinary Council meeting dates for 2013 as the fourth Monday in the month commencing at 7:00pm;-**

January	No meeting
February	Monday 25
March	Monday 25
April	Monday 22
May	Monday 27
June	Monday 24
July	Monday 22
August	Monday 26
September	Monday 23
October	Monday November 4 – Due to Local Government Election
November	Monday 25
December	Monday 09 - To avoid proximity to Christmas

3. Advertise the Development Services Committee meeting dates for 2013 as the third Monday in the month commencing at 6:00pm;-

January	No meeting
February	Monday 18
March	Monday 18
April	Monday 15
May	Monday 20
June	Monday 17
July	Monday 15
August	Monday 19
September	Monday 16
October	Monday 28 – Due to Local Government Election
November	Monday 18
December	Monday 02- To avoid proximity to Christmas

4. Advertise the Works & Corporate Services Committee meeting dates for 2013 as being held on the day after the Development Services Committee meeting commencing at 7:00pm:-

January	No meeting
February	Tuesday 19
March	Tuesday 19
April	Tuesday 16
May	Tuesday 21
June	Tuesday 18
July	Tuesday 16
August	Tuesday 20
September	Tuesday 17
October	Tuesday 29 – Due to Local Government Election
November	Tuesday 19
December	Tuesday 03 - To avoid proximity to Christmas; and

5. Advertise the Strategic Planning Committee meeting dates for 2013 being held on the day after the Works & Corporate Services Committee meeting in the months of February, May, August & November commencing at 7:00pm:-

February	Wednesday 20
May	Wednesday 22
August	Wednesday 21
November	Wednesday 20

6. Advertise a Special meeting of Council for Monday 21 October 2013 after the Local Government Election in October 2013.

10.1.2 EXISTING DEPOT SITE – STRATEGY FOR DISPOSAL AND FUTURE DEVELOPMENT

File No: SUB/962
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 21 November 2012
Author Disclosure of Interest: Nil

SUMMARY

This report updates Council on a strategy for disposal and future development of the existing depot site. A recommendation is made to proceed to the next phase of planning, consultation and ultimately disposal of the site.

BACKGROUND

Previously Council has requested staff to narrow-down options in this regard, including financial considerations, methods of sale and consultation measures, then report back. Pursuant to a Council workshop in October 2012 which considered these aspects, officers have progressed the matter as set out below.

STRATEGIC IMPLICATIONS

Disposal of the depot site for infill development, together with an improved new depot, is a key aim of Council. This will deliver benefits in terms of the urban environment, substantial income, asset management and working conditions.

POLICY IMPLICATION

Sale of property assets.

STATUTORY ENVIRONMENT

The proposed demolition and future development of the site are governed by planning and building control processes. Preliminary structure planning under present Town Planning Scheme No. 2 (TPS2) is informal, while under intended Local Planning Scheme No. 3 (LPS3) containing the latest provisions, a structure plan will become a requirement.

FINANCIAL IMPLICATIONS

Preparing the site for sale entails fees for consultants and contractors amounting to relatively modest expenditure which can be met from the existing Budget or reserves. As the cost of demolition is not a current budget item a budget variation will be required. The high return from sale of the site would easily recoup these costs as well as generate a large surplus of funds for Council purposes, including restoring reserve funds and reducing loans.

SUSTAINABILITY IMPLICATIONS

Removal of the old depot infrastructure, site clean-up and modern redevelopment will embrace today's sustainability objectives and significantly enhance the amenity of the locality.

CONSULTATION

Over time there has been broad community consultation in relation to the depot site as part of devising LPS3 and twice advertising the Business Plan. In addition a number of nearby residents have reminded the Town of their continuing interest in respect of what future development is envisaged. The latest submissions on the Business Plan offer useful feedback regarding concerns or suggestions to be taken into account, which Council has directed to a more detailed planning exercise.

STAFF COMMENT

Business Plan

The original Business Plan as required by the Local Government Act was recently re-advertised and report-on to Council in October. In brief, Council resolved to:

- Note the re-advertising and the submissions received.
- Inform submitters of Council's ongoing actions.
- Address the comments on the future of the site in the forthcoming planning phase.

Temporary Depot

The Town has recently secured a lease of premises in Fremantle to serve as an interim depot and has commenced moving-in. Complete relocation is scheduled during November-December, which will vacate the existing site for the clean-up, planning and disposal steps.

Demolition of Existing Depot

Once all depot operations are from the new site, clean-up of the existing site can occur. This will be staged and entail removal of asbestos, buildings, bitumen, concrete and miscellaneous infrastructure/materials. After that any decontamination or remediation will be attended to, which an earlier study has indicated is likely to be minor.

Demolition works are to be undertaken by a registered contractor in accordance with statutory requirements and are anticipated to get underway in January 2013. The Manager Engineering Services has obtained three quotes from suitable contractors outlining a scope of works and costs, which indicate that the works are feasible and affordable (ie, in the order of \$50-80K, which means that Tenders are not required).

The timing, coordination and supervision of the works will be important, including managing traffic, ensuring safety and minimising amenity impacts (ie, hours, dust and any disruption of services). The Town notifying owners/residents in advance would be appropriate. Vegetation and perimeter fencing is to remain.

Approvals for Demolition

Demolition requires firstly a planning approval and secondly a demolition permit, both by the Town, prior to being carried-out. Planning approval under TPS2 is a straightforward formality, which officers are attending to under delegation. The works permit will satisfy the Building Act /Regulations and also be dealt with in-house.

Planning for Future Development

Evolving from previous deliberations, the October 2012 workshop considered how best to approach achieving a high quality planning outcome for the site, depending on how it could be disposed of and developed. The discussion covered:

- The options of subdivision or structure planning and for aged housing.
- The timing of LPS3.
- Recent community comments.
- Tendering and financial aspects.
- A possible disposal program.

In particular consideration was given to seeking a subdivision approval versus preparing a structure plan and the opportunities for community consultation. Overall it was concluded that producing a preliminary structure plan in the short term would have several benefits:

- Clarifying development potential, land usage and the form of land development.
- Addressing submissions received so far and inviting further community input.
- Adoption by resolution of Council as a statement of intent.
- Serving as a benchmark guide in marketing the site to prospective purchasers.
- Providing the foundation for a formal structure plan as will be required under LPS3.

The submissions from surrounding owners/residents on the future of the site are acknowledged and these comments have been directed to the planning phase of the disposal project. The main points raised were for more detailed forward planning to define the redevelopment and for involvement of the community in the process.

Preliminary Structure Plan

Starting from the initial concept plans produced to demonstrate how the site could be redeveloped, it is recommended that more detailed planning is performed to deliver a preliminary structure plan as a vehicle to prove-up the vision for and potential of the site. This would review and refine all relevant aspects for a comprehensive design that is capable of being implemented and which responds to Council's objectives, community comments, planning requirements and the land development sector.

To this end the Manager Development Services has briefed the original town planning consultants to be re-engaged for the design task, which will include alternative layouts, 3D images, engineering advice and applying contemporary planning principles for a functional and attractive plan. Consultation with the community and liaison with the State Government planning agencies will also be undertaken in reporting to Council. The anticipated timeline is:

- Draft of preliminary structure plan and Council workshop by end of December.
- Consultation and liaison during January into February.
- Present findings and revisions to Council workshop in early February.
- Complete preliminary structure plan for reporting to Council in February.

Disposal methods and program

Previous Council workshops have considered the methods available to sell the site, with tendering favoured as:

- It gives the Town a degree of control in selecting the preferred proponent; and if all tenders are unsatisfactory none need be accepted.
- Incorporation of the Town's preliminary structure plan would provide a basis of certainty for due diligence by the tenderers and against which to assess the tenders.
- It is open and transparent.
- This method affords the highest level of control post-sale via conditions of contract and adherence to the preliminary structure plan.

The actual financial arrangements associated with a tender and sale (eg, staged payments) remains to be determined subject to negotiations and a contract, which will be fully reported-on for Council's decision.

Relocation, demolition, preliminary structure planning and marketing preparation can all proceed ahead of the sale campaign.

Subsequent to Council adoption of the preliminary structure plan, Tenders could be called and decided upon during March to May 2013, with the income from sale received in the 2013/2014 financial year.

VOTING

Simple Majority for points 1-3.
Absolute Majority for point 4.

OFFICER RECOMMENDATION

THAT COUNCIL:

- 1. Notes this update report regarding a strategy for disposal and future re-development of the Town's existing depot site, including the imminent relocation and demolition steps.**
- 2. Supports the preliminary structure plan approach including consultation and liaison programmed throughout the next few months.**
- 3. Supports a tender process early in 2013 to dispose of the site subject to the successful tender committing to implement development essentially in accordance with the Council-adopted preliminary structure plan.**
- 4. Agrees by Absolute Majority to a variation to the current Budget of up to \$80,000 to cover the costs of demolition of the existing depot site.**

**10.1.3 UPDATE: WESTERN METROPOLITAN REGIONAL COUNCIL (WMRC)
PROPOSAL FOR CITY OF NEDLANDS MEMBERSHIP**

File No: SUB/378
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Darrell Monteiro
Principal Environmental Health Officer

Proposed Meeting Date: 20 November 2012
Author Disclosure of Interest Nil

SUMMARY

The Western Metropolitan Regional Council (WMRC) is comprised of the Town of Claremont, Town of Cottesloe, Town of Mosman Park, Shire of Peppermint Grove and City of Subiaco.

In mid 2012, members of the WMRC commenced a process with the City of Nedlands to negotiate the City of Nedlands joining the WMRC.

Key issues of this report are:

- Negotiations appeared to be progressing toward a proposal that might be acceptable to all parties, with all parties seeming to agree that a satisfactory “backstop” agreement was for the City of Nedlands to enter into a Waste Delivery Agreement with the WMRC.
- On 25 October 2012 the State Government released the Final Report of the Metropolitan Local Government Review which recommends that the WMRC will cease to exist under most models of local government reform.
- Upon receiving this report, the parties to the negotiations concluded that the State Government is unlikely to consider ratifying the City of Nedlands joining the WMRC until it has decided on the path to be taken for local government reform. A decision on reform will not be until after 5 April 2013. Rather than spend the time and money concluding membership negotiations, the parties considered it would be more sensible to defer negotiations until there is some certainty on local government reform.
- In the interim, the parties to the negotiation considered a Waste Delivery Agreement between the WMRC and the City of Nedlands should be a focus.

Key implications of this report are:

- A Waste Delivery Agreement between the City of Nedlands and the WMRC secures 6,000 tonnes per year of waste for the DiCOM project, and avoids the WMRC needing to obtain this waste from commercial sources. Waste from commercial sources would be secured at a lower gate fee than paid by member Councils or the City of Nedlands, leading ultimately to increased waste disposal costs for all member Councils.

- Deferring the negotiations with the City of Nedlands for membership of the WMRC saves an estimated \$40,000 for the negotiating parties in consulting fees for facilitator, valuer and lawyer.

Recommendations of this report are:

That Council

- Defer negotiations with the City of Nedlands for membership of the Western Metropolitan Regional Council until after the State Government has responded to the Metropolitan Local Government Review.
- Support the Western Metropolitan Regional Council entering into a Waste Delivery Agreement with the City of Nedlands on the same terms as the member Councils.

BACKGROUND

At its meeting on 28 May 2012 Council resolved:

THAT Council:

1. *Endorse the WMRC negotiations with the City of Nedlands for membership;*
2. *Be presented with the final terms negotiated with the City of Nedlands for membership of the WMRC for consideration and approval; and*
3. *Be presented with the proposed amended Establishment Agreement for consideration and approval.*
4. *Notify the WMRC that Council is not prepared to amend the Establishment Agreement, unless the City of Nedlands make an equitable contribution to the WMRC.*

The City of Nedlands Council resolved on 26 June 2012:

That Council:

1. *Enters into negotiations with the WMRC; and*
2. *Negotiations are completed and reported back to Council by 31 December 2012.*

The WMRC Council considered a further report at its meeting on 21 August 2012 where Council considered the proposed negotiation process and appointed members to the Member Council Liaison Group.

Each of the member Councils has nominated two Councillors to the Member Council Liaison Group. The members of the Member Council Liaison Group are:

Council	Councillor 1	Councillor 2	CEO
Claremont	Peter Edwards	Paul Kelly	Stephen Goode
Cottesloe	Jack Walsh	Sally Pyvis	Carl Askew
Mosman Park	Ian Flack	Brett Pollock	Kevin Poynton
Peppermint Grove	Rachel Thomas	Scott Fleay	Anne Banks-McAllister
Subiaco	Scott Arbuckle	Lee Hemsley	Stephen Tindale

The member Council Liaison Group has also elected its three members to the Core Negotiating Group (two Councillors and a CEO), and the City of Nedlands has nominated its two Councillors to the Core Negotiating Group. The members of the Core Negotiating Group are:

Stakeholder	Councillor 1	Councillor 2	CEO
Member Councils	Jack Walsh	Paul Kelly	Stephen Tindale
Nedlands	Robert Binks	Leo McManus	Michael Cole

Ron Cacciope of Integral Development was appointed as a facilitator.

The progress of the negotiations has been steady, progressing toward a proposal that appeared acceptable to all parties. All parties seemed to agree that a satisfactory “backstop” agreement was for the City of Nedlands to enter into a Waste Delivery Agreement with the WMRC. Such an agreement would be on identical terms to the Waste Delivery Agreement all member Councils have signed, and requires the delivery of all waste to the WMRC for a five year period.

On 25 October 2012, the State Government released the Final Report of the Metropolitan Local Government Review. The report made two recommendations of key significance to the negotiations:

- The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the *Local Government Act 1995* be repealed for the metropolitan area and a transitional plan for dissolving the existing bodies in the metropolitan area be developed
- A new structure of local government in metropolitan Perth be created through specific legislation which:
 - a) incorporates all of the Swan and Canning Rivers within applicable local government areas
 - b) transfers Rottnest Island to the proposed local government centred around the City of Fremantle
 - c) reduces the number of local governments in metropolitan Perth to 12, with boundaries as detailed in Section 5 of this report.

The boundaries proposed in Section 5 recommend a new Council be formed of all member Councils, the City of Nedlands and the Town of Cambridge.

Each recommendation on its own would render the WMRC redundant, suggesting that the WMRC will cease to exist under most models of local government reform. The report is out for comment until 5 April 2013.

In this environment, the Minister for Local Government is unlikely to approve a new Establishment Agreement until after the election and after the path for reform has been decided. To get to an agreement, the parties would have incurred valuation and facilitation costs of about \$40,000.

Considering the new circumstances, both the Core Negotiating Group and the Member Council Liaison Group agreed that negotiations should be put on hold.

Instead, the WMRC should enter into direct negotiations with the City of Nedlands for a Waste Delivery Agreement.

Prior to the local government reform announcement, both the Core Negotiating Group and the Member Council Liaison Group considered a Waste Delivery Agreement to be the preferred minimum position for all parties. Such an Agreement would

1. Secure 6,000 tonnes per year of waste to meet the WMRC's obligation to deliver 33,000 tonnes of waste per year under the Waste Supply Agreement between the WMRC and DiCOM AWT Operations Pty Ltd
2. Ensure that the WMRC can secure waste at a higher gate fee than is available for waste sourced from commercial sources
3. Give Nedlands an opportunity to participate in DiCOM without being exposed to any risk from the operations.
4. Enable an easy transition irrespective of the outcome of local government reform. If reform leads to amalgamations then the region is managing waste consistently. If reform goes nowhere then all parties are in a strong position to resume membership negotiations.

STRATEGIC IMPLICATIONS

A Waste Delivery Agreement between the City of Nedlands and the WMRC secures 6,000 tonnes per year of waste for the DiCOM project, and avoids the WMRC needing to obtain this waste from commercial sources.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Deferring the negotiations with the City of Nedlands for membership of the WMRC saves an estimated \$40,000 for the negotiating parties in consulting fees for facilitator, valuer and lawyer.

Waste from commercial sources would be secured at a lower gate fee than member Council rates or the City of Nedlands, leading ultimately to increased waste disposal costs for all member Councils.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Nil

VOTING

Simple Majority

OFFICER RECOMMENDATION

THAT Council:

1. **Defer negotiations with the City of Nedlands for membership of the Western Metropolitan Regional Council until after the State Government has responded to the Metropolitan Local Government Review.**
2. **Support the Western Metropolitan Regional Council entering into a Waste Delivery Agreement with the City of Nedlands on the same terms as the member Councils.**

10.1.4 POLICY REVIEW - COMMUNITY CONSULTATION POLICY

File No: POL/49
Attachments: [Policy Community Consultation Marked Up](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate Services

Proposed Meeting Date: 20 November 2012
Author Disclosure of Interest Nil

SUMMARY

A review of the Community Consultation Policy has been undertaken and an amended policy is being presented to Council for consideration.

BACKGROUND

The Community Consultation Policy was adopted in February 2005 and is due for review in February 2013. Further, the Action Plan also has a stated objective;

- 6.1 *Further improve the community consultation policy in recognition of the need for greater community engagement when change is needed.*

As a part of the Action Plan requirements a desktop review of the strategies listed in the Policy was undertaken.

As the Town is about to embark on a major community consultation process, in the development of the Community Strategic Plan, it was thought appropriate to bring the review forward by several months so that any changes to the policy could be in place before the plan is developed.

The Town has undertaken many community consultations since the policy was adopted and all have more or less followed the policy. Deviations from the policy have mainly been due to practicality. There are situations where it may not be practical to undertake the consultations as outlined in the policy.

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

There are provisions in several Acts and Regulations that require a level of consultation be undertaken before certain decisions can be made. An example of this is the requirement to advertise a local law and call for submissions to a proposed local law before it is adopted by Council. In all instances where there is a statutory requirement to consult, this will need to be followed.

FINANCIAL IMPLICATIONS

There is a cost to consulting in the purchasing of advertising space or printing of leaflets. These costs are covered in the normal operating budgets.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

A desktop review of the consultation Policy has been undertaken and no reason for changes to the operative parts of the Policy have been identified. The Policy lists the most commonly used consultation strategies and appears to have an appropriate array of strategies for each type of consultation.

The amended policy will be advertised on the Town's website and notices will be placed as appropriate. Prominent community groups, such as SOS, will be sent a copy of the proposed policy and will be asked directly for comment.

At this stage it is anticipated that the Policy, together with the feedback received will be presented back to Council at its February 2013 Ordinary Meeting.

STAFF COMMENT

Consultation forms an important part of the decision making process. Whether that be as simple as letting the community know of upcoming works or detailed working groups looking at specific issues. The ability of the community to influence decisions that will directly affect them is one of the key elements of local government.

By having a Policy that outlines the level of consultation that is appropriate in each case ensures consistency. It also allows the community to know what level of consultation they can expect from Council.

However, it is important to remember that a Policy serves as a guide in the decision making process. Council at its own discretion can apply the Policy to each case as it considers appropriate. There may be situations where there is not sufficient time to undertake the consultation listed in the Policy, or it may be considered inappropriate if another similar consultation has just been undertaken.

The strength of the Community Consultation Policy will not be in the provisions of the Policy, which Council can vary at its own discretion, but how well the policy is adhered to and how the community engage in the consultative process. To strengthen the Policy will require a greater commitment to the provisions of the Policy, not providing a more complex consultative process.

VOTING

Simple Majority

OFFICER RECOMMENDATION

THAT Council authorise the Community Consultation Policy, as presented to the Strategic Planning Committee on 21 November 2012, to be advertised for public comment.

10.1.5 TOWN OF COTTESLOE - ACTION PLAN REVIEW - NOVEMBER 2012

File No: SUB/108
Attachments: [Action Plan 21 November 2012](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 21 November 2012
Author Disclosure of Interest Nil

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. Subsequently the disability access path and additional toilets have been progressed as projects.
C/O	3.4	The November 2012 Works and Corporate Services Committee meeting will consider an agenda item setting out the results of a recently closed tender for the supply of change components to build an underground drainage cell in the Station Street sumps, with a street level carpark to then be constructed on the same site. Received tenders indicate that Cash in Lieu carparking funds will be sufficient to build this project.
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	A 3 year lease agreement has been signed with a property owner in Fremantle for the site to be used as a replacement to the existing Cottesloe depot site. Staff are currently relocating materials and machinery to the new site. The lease period agreement includes additional 3 year extension if required. Negotiations with the Town of Mosman Park regarding the sharing of their depot are ongoing. Quotations have been received for the demolition of existing buildings at the Cottesloe depot site prior to sale.

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	The Town's asset management plan will link to the long term financial plan adopted in August 2010.
O	6.1	Report to Council in November 2012 with draft amended policy..
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.</p> <p>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	<p>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. Local Law and Ranger Operational Guidelines prepared and reported 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.</p> <p>Community Perceptions Survey now underway.</p>
Legend		O=Ongoing C=Complete/substantially complete H=On Hold

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

- (i). **Disability Access Path** – A report to the November 2012 Works and Corporate Services Committee meeting covering the final concept plan provided by GHD Consultants and agreed to by Council’s Disability Access Advisory Committee. The proposal is to adopt those plans and use them to make a submission to the West Australia Planning Commission and the Heritage Council for approval, prior to calling tenders for all construction works. Staff are now arranging for quotes covering the design process.
- (ii). **Change room/toilet facilities at beachfront** – A separate report was prepared and tabled for the Strategic Planning Committee meeting in May 2012. Administration has developed a project plan and specifications and is in the process of using these to recruit a suitable architect.
- (iii). **Review of Town’s Bike Plan** – A review working group has now been formed, with two meetings held to date. The working group has agreed that the existing Bike Plan is still suitable but requires updating and amending. Other council Bike Plans are being investigated and a Department of Transport submission has been made for two projects to be undertaken in 2013/2014, with an approximate 50% of cost grant. The two projects are the conversion of the Forrest Street footpath to a dual use path from Curtin Avenue to Marine Parade, plus a 1.0 kilometre widening of the Raia Roberts Dual Use path to 3.0metres, south of the Cottesloe Surf Life Saving Club building. It has also been established that the extension of the Principal Shared Path (PSP) on Curtin Avenue is not a high priority for extension south of Grant Street, using the announced extra \$20million State finding in the next 2 years.
- (iv). **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 12 months in time for the 2013/14 Budget.

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 RECOMMENDATION

THAT Council receive the Action Plan Report and note that the focus for officers and Council is now on the development of a new Strategic Community Plan.

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

- 12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:
 - 12.1 ELECTED MEMBERS
 - 12.2 OFFICERS

- 13 MEETING CLOSED TO PUBLIC
 - 13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED
 - 13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

- 14 MEETING CLOSURE