

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, TUESDAY, 8 DECEMBER 2009

**CARL ASKEW**  
Chief Executive Officer

13 December 2010



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WORKS AND CORPORATE SERVICES COMMITTEE

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

The Presiding Officer announced the meeting opened at 7.05 pm.

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

**Present**

Mayor Kevin Morgan	Presiding Member
Cr Greg Boland	
Cr Dan Cunningham	
Cr Patricia Carmichael	
Cr Victor Strzina	
Cr Rob Rowell	

**Officers Present**

Mr Graham Patrick	Manager Corporate Services
Mr Geoff Trigg	Manager Engineering Services
Ms Janna Lockyer	Community & Events Support Officer

**Apologies**

Cr Ian Woodhill

**Officer Apologies**

Mr Carl Askew	Chief Executive Officer
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**Leave of Absence (previously approved)**

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

Nil

**4 PUBLIC QUESTION TIME**

Nil

**5 PUBLIC STATEMENT TIME**

Jenita Enevoldsen, 5/34 Marine Parade, Cottesloe – Item 10.1.1 Event Application – Summer Sanctuary Series

Ms Enevoldsen informed the Committee that she was there if the Councillors had any questions in regards to her event application.

John Paul Orfini, 15 Hooley Street, Cottesloe – Late Item – Fremantle Port Authority Dredging Program – Consultant Report.

Mr Orfini expressed his interest in this matter to the Committee. The Fremantle Port Authority may already have approval from the Environmental Protection Authority but is yet to receive a permit from the Federal Government for the dumping of waste in the ocean. The permit was applied for on the 16 October 2009 and takes 60 days to approve.

He felt that the Fremantle Port Authority has not conducted the proper community consultation in regards to the dumping of waste at sea. To date there has been no application for the dumping of toxic waste into Rous Head inside a sea wall.

Mr Orfini added he has obtained legal advice there should be a permit for such dumping at Rous Head. The current permit application does not contain this permission. He felt this is required due to the dumping of dredged material into the Rous Head sea wall will contain toxic sediment.

Mr Orfini claimed the silk curtains in place to prevent sediment from exiting the sea wall area will only catch 50% of the suspended particles. This dumping is against Australian Law as well as international laws to prevent the dumping of waste contaminates.

Mr Orfini has written to the Federal Minister for the Environment, Heritage and the Arts in regards to the current permit application and the required processes to be met by the Fremantle Port Authority. He also asked that Council consider a submission to the Department of the Environment, Heritage and the Arts in regards to the sea dumping permit application.

He finished with saying the Fremantle Port Authority should be required to conduct a 'proper' consultation with the Community under the guidelines and that the Fremantle Port Authority were aware of the requests for the Environmental Authority and not the sea dumping permits required.

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Moved Cr Strzina, seconded Cr Carmichael

[Minutes November 17 2009 Works and Corporate Services Committee.doc](#)

**The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 17 November 2009 be confirmed.**

Carried 6/0

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**9 PETITIONS/DEPUTATIONS/PRESENTATIONS**

**9.1 PRESENTATIONS**

360 Environmental held a presentation for the Committee on the draft report on the Fremantle Port Authority Dredging Program. Councillors were able to ask questions of the consultants. The presentation is available to view by clicking on the following link <..\..\Attachment\Direct to Council\Council\Presentation to ToC Committee FPA.pdf>.

Some of the points raised were the response time in testing of contaminants, the website results not being real time, what is being dumped out in Gage Roads, the affect on the reefs and beaches, the affect the plume may have on Rottnest Channel Swim and items relating to statutory process regarding state and federal departments.

The consultants responded with the latest information they had received in regards to this project. Currently the testing is occurring in real time at sensors in the water for the amount of total suspended solids. This is then downloaded once a week and then a fortnight later placed on the website. This information is recommended to be placed on the website in 'real time' or daily so the community can view the process and make informed decisions.

The waste being dumped into Gage Roads will be required to be free of contaminants, 'clean waste'. Coring of the Inner Harbour has occurred to determine the areas in which the waste is suitable for Gage Roads.

Affects to reef and beaches will be minimal and dependant on the wind and wave action at the times and location of dredging. Some of the total suspended solids will deposit on the reefs and beaches but will eventually be 'moved on' by the natural wind and wave action. The sand colour on the beach will not be affected by this and the risk of this occurring is minimal.

Dredging will be ceased before the Rottnest Channel Swim. The Port Authority has access to a modelling system that shows the length of time the total suspended particles will remain in the water dependent on the current whether conditions. It is recommended that scenarios are modelled to ensure the dredging is ceased in time so as not to affect the Rottnest Channel Swim.

State and Federal processes were explained to the Committee. To date the Fremantle Port Authority seems to be complying with these processes.

**9.2 MEETING PROCEEDINGS**

For the benefit of the members of the public present the chairman determined to consider the following item first:

Late Item Fremantle Port Authority Dredging Program – Consultant Report

The Chairman then returned to the published order of the agenda.

**10 REPORTS OF COMMITTEES AND OFFICERS**

**10.1 ADMINISTRATION**

**10.1.1 EVENT APPLICATION - SUMMER SANCTUARY SERIES**

**File No:** SUB/550-02  
**Attachments:** [event application.pdf](#)  
**Responsible Officer:** Carl Askew  
**Author:** Chief Executive Officer  
Janna Lockyer  
Community & Events Support Officer

**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The Town has received an application from the Wilderness Society to hold a series of events to run on the Cottesloe Main Beach and Groyne. The series has three events on three separate weekends over summer. The Wilderness Society is a not for profit organisation and currently have a stall each summer on the beach raising awareness for the society.

This report recommends that Council:

1. Approve the Event for the 24 January, 13 February and 28 March 2010 subject to:
  - a. Extensive Risk Management Plan
  - b. Adequate arrangements for rubbish collection and removal, including the provision for recycling.
  - c. Compliance with noise regulations.
  - d. Compliance with relevant health and safety requirements.
  - e. Appropriate public liability insurance of not less than \$10 million.
  - f. All fees to be paid prior to the Event.
2. If sand is to be added to Cottesloe Beach, it is required to match with no impurities to what is currently present and flattened at the completion of the event.
3. Class the Event as a Charity/Community Event category 1 with no fee and a bond of \$1,000.
4. Inform the applicant of Council's decision and requirements.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

The following policies apply:

[Outdoor Concerts & Large Public Events  
Beach](#)

**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation. According to the Fees and Charges in Councils 2009/10 Budget the Event organiser is required to pay a bond.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Wilderness Society holds a stall on the Cottesloe Beach each summer. Council staff find that the members of the society do not intrude or harass members of the public to raise awareness.

The event application requested the 14 March 2010 for the Sand Sculpture competition and as this was to occur during the Sculpture by the Sea Exhibition, staff have been in contact with the organiser to arrange a more suitable date. The now preferred date is the 28 March 2010.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Boland

**That Council:**

- 1. Approve the Wilderness Society Event for the 24 January, 13 February and 28 March 2010 subject to:**
  - a. Extensive Risk Management Plan**
  - b. Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
  - c. Compliance with noise regulations.**
  - d. Compliance with relevant health and safety requirements.**
  - e. Appropriate public liability insurance of not less than \$10 million.**
  - f. All fees to be paid prior to the Event.**
- 2. If sand is to be added to Cottesloe Beach, it is required to match with no impurities to what is currently present and flattened at the completion of the event.**
- 3. Class the Event as a Charity/Community Event category 1 with no fee and a bond of \$1,000.**
- 4. Inform the applicant of Council's decision and requirements.**

Carried 6/0

**10.1.2 SCULPTURE BY THE SEA – REQUEST FOR FUNDING**

**File No:** SUB/11  
**Attachments:** [SxS funding letter.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Janna Lockyer  
Community & Events Support Officer

**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Sculpture by the Sea has approached the Town with a request for additional funding for the 2010 exhibition. The request is for \$20,000 of additional financial support contribution towards the staging on the 2010 exhibition together with some in kind support for services to assist the general public such as public toilets.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Acquisition of Artworks and Beach policies apply.

**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation, however the request for additional funding has not been budgeted in 2009/10.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Sculpture by the Sea Director and the Events Committee.

**STAFF COMMENT**

According to the organisers of Sculpture by the Sea, the 2009 exhibition for Cottesloe ran at a loss of approximately \$25,000. The organisers have therefore approached the Town for further support of the event.

Whilst the single largest cost component of the event is staff wages, there are a number of costs associated with delivering a successful event. In considering the request from Sculpture by the Sea, Council could offer additional “in kind”

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contributions to the event, reduce its current acquisition budget and provide a cash contribution to the operation of the event, or increase its current allocation.

This matter was verbally reported to the Events Committee at their recent meeting and it was agreed to refer the matter to Council for consideration.

In order to maintain the current 2009/10 budget it is recommended that for this year there be a reduction in the budgeted acquisition amount with that proportion allocated by Council to the event for operational costs. Council may wish to stipulate how these funds are spent or may even prefer to allow officers to negotiate with the Event organisers for an "in kind" contribution up to \$10,000, with the balance (39,000) to be retained for an acquisition purchase.

In addition Council may wish to refer for consideration in future budgets an increase in its allocation for the Sculpture by the Sea event to assist with its event costs in future years, as well as retaining its acquisition budget.

### **VOTING**

Absolute Majority

### **COMMITTEE COMMENT**

Cr Strzina commented on his support for the event being held on Cottesloe Beach but is not in favour of giving 'cash' support for the event. He suggested this should be done through sponsorship and not paid for by the rate payers of Cottesloe. Cr Cunningham supported Cr Strzina in not giving the event cash support.

The accounts for the event were questioned in regards to whether they were audited. It was also noted that a major sponsor pull out of the event at the last minute in 2009 had caused the shortfall.

Councillors raised the issue of limited parking and the possibility for an increase in the Cott Cat Services being a part of the "in kind" contribution.

### **OFFICER RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Rowell

That Council:

1. Authorise officers to negotiate with event organisers for an "in kind" contribution of \$10,000 to support the 2010 Sculpture by the Sea Exhibition.
2. Reduce the current Art Acquisition budget to \$30,000.
3. Refer for consideration in the 2010/11 budget an increase in Council's allocation for Sculpture by the Sea event by \$20,000.
4. Inform the organiser of the Sculpture by the Sea of Council's decision.

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**AMENDMENT**

Moved Mayor Morgan, seconded Cr Rowell

Point one be amended to change the word “an” to “additional” before the words “in kind”

Carried 6/0

**AMENDMENT**

Moved Mayor Morgan, seconded Cr Rowell

A new point two to be added to read “*Donate \$10,000 to support the 2010 Sculpture by the Sea Exhibition.*” And the new point three reduce the budget amount down to \$20,000.

Lost 2/4

**COMMITTEE RECOMMENDATION**

**That Council:**

- 1. Authorise officers to negotiate with event organisers for additional “in kind” contribution of \$10,000 to support the 2010 Sculpture by the Sea Exhibition.**
- 2. Reduce the current Art Acquisition budget to \$30,000.**
- 3. Refer for consideration in the 2010/11 budget an increase in Council’s allocation for Sculpture by the Sea event by \$20,000.**
- 4. Inform the organiser of the Sculpture by the Sea of Council’s decision.**

**The Substantive Motion was put.**

Carried 6/0

**10.2 ENGINEERING**

**10.2.1 SPEED CONTROL ON TOWN OF COTTESLOE STREETS - RUBBER  
SPEED CUSHIONS**

**File No:** SUB/573  
**Attachments:** [speed cushions.pdf](#)  
**Responsible Officer:** Carl Askew  
**Chief Executive Officer**  
**Author:** Geoff Trigg  
**Manager Engineering Services**

**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

At its November 2009 meeting, in regards to the Broome Street/John Street intersection, Council resolved to:

1. *“Rescind Item 9 of Council Resolution 12.2.1 of the 24 September 2007 for the 2009/09 Budget to include median islands to Broome St/John St intersection.*
2. *Return any Grant Funds applicable and received by Council to the Main Roads Department with explanatory statement.*
3. *That Council be provided with a report as soon as possible on the installation of three rubber speed cushions to the north and south of the crest on Broome Street between John Street and Napier Street.”*

This agenda item provides the report requested in regards to rubber speed cushions on Broome Street and recommends that Council:

1. Consider for inclusion in the 2011/2012 budget, of an allocation of \$23,000 for the installation of rubber speed cushions on Broome Street each side of Loma Street and John Street.
2. Inform residents on the corners of these two intersections of Councils decision.
3. Arrange pre-approvals from Main Roads WA for the proposed rubber speed cushion installations.

**BACKGROUND**

Council has resolved not to continue with the installation of the approved Black Spot treatment at Broome Street/John Street intersection. The problem of vehicle speeding on Broome Street remains.

A report was presented to Council in July 2005 on “Broome Street Speed Control Installations” which concentrated on two options – speed plateaux and rubber speed cushions. Speed plateaux were chosen by Council for installation at four locations north of Eric Street. Installation was commenced but Council then resolved not to proceed, with no other treatment being adopted.

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Since that time, roundabouts have been installed on Broome Street at Napier Street and Jarrad Street.

In May 2007, Council received a Road Safety Review for Broome Street – Eric Street to Jarrad Street, from Porter Consulting.

In regards to the Broome Street/John Street area, the comments were:

*“The intersection of John Street and Broome Street is a four way intersection. The grade of the approach to the intersection from the east along John Street and the setback of the Stop signs could result in vehicles driving through the intersection, resulting in right angled crashes.*”

### **Recommendation (May 2007)**

*Install intersection islands at the intersection and re-enforce the priority signage by installing additional Stop signs in the intersection islands in John Street.”*

In May 2008, Council received its Traffic Study from Porter Consulting, after an extensive consultation effort, This study covered all Town of Cottesloe streets and included contents of all applicable historical files and public comments.

In regards to Broome Street, the following comments were made:

#### **“5.2 Broome Street**

*Specific issues identified from the workshop and public consultation were traffic speed and volume, provision of pedestrian crossing places and limited sight distance at the Pearse Street intersection.*

*Evaluation of traffic count data shows the recorded 85<sup>th</sup> percentile speed for the northern end of Broome Street is 64 to 68km/h with a volume of 2,400 veh/day. Broome Street is designated a Local Distributor Road speed zoned at the Default Speed Limit of 50Km/h. The WA Planning Commission, Liveable Neighbourhoods, Edition 2 suggests that Local Distributors may be speed zoned up to 60km/h and carry traffic volumes from 3,000 to 7,000 veh/day.*

*The intersection of Broome Street with Jarrad Street is listed to receive Black Spot funding in 2008/09 for construction of a roundabout to reduce the incidence and severity of right angle type crashes.*

#### **Recommended treatments (May 2008):**

- 1. To reduce speed at the northern end of Broome Street install two speed reducing devices (e.g. oval slow point). One approximately mid-way between Hawkstone Street and Torrens Street and another between Ozone Street and Grant Street. Investigate designs that maintain crossover access.*
- 2. Install a traffic/pedestrian island on Broome Street at the intersection of North Street.*
- 3. Install a roundabout at the intersection of Broome Street with Pearse Street to provide reduced traffic speed and improvements to sight distance.*

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4. *Install traffic/pedestrian islands on Broome Street at the intersection with Loma Street and John Street.*
5. *Install pedestrian refuge island on Broome Street at Public Access Way near tennis courts."*

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Councils Traffic Management policy as per the attached documents.

**STATUTORY ENVIRONMENT**

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

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

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

**FINANCIAL IMPLICATIONS**

Each speed cushion would cost approximately \$2,000 to purchase, deliver and install. Another approximately \$500 would be required to fund a site plan and Main Roads WA signs/line marking.

No funds for this purchase are included in 2009/10 budget. Good lighting is required at each speed cushion site. Dependent on the sites chosen, lighting may be an extra cost at \$6,500 per extra light.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

In regards to the most recent proposal to install speed cushions – Nil.

**STAFF COMMENT**

Since July 2005, apart from two roundabouts being installed and two consultant reports commenting on Broome Street speeding, no changes have occurred.

The proposal to install four traffic plateaux was abandoned. Vehicles still speed on Broome Street and the crest at Loma Street and dip at John Street remain a particular speed issue requiring treatment.

The most recent accident at this site was the weekend of 28/29 November 2009, when excessive speed for a vehicle heading north on Broome Street apparently caused the vehicle to lose control at the John Street intersection.

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A copy of the staff report on this matter from 25 July 2005 is included in the attachments and is still applicable in support voiced for rubber speed cushions.

With regards to the three sites proposed by Council in November, if rubber speed cushions were installed on the crest of Broome Street, both sides of Loma Street, at least on new street light would be required.

If speed cushions were to be installed each side of the John Street intersection, one extra light would also be needed at this site.

Site plans would have to be created and approved by Main Roads WA, prior to installation.

Two speed cushions installed, without new lighting, would cost approximately \$2,500 each. An additional \$6,500 would be required per site if lighting was required. Four sites, two with extra lighting, would cost approximately \$23,000.

These funds are not included in the current budget but could be considered for 2010/2011.

### **VOTING**

Simple Majority

### **OFFICER RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Strzina

That Council:

1. Consider the inclusion in the 2011/2012 budget, of an allocation for the installation of rubber speed cushions on Broome Street each side of Loma Street and John Street, for approximately \$23,000.
2. Inform residents on the corners of these two intersections of Councils decision.
3. Arrange pre-approvals from Main Roads WA for the proposed rubber speed cushion installations.

### **AMENDMENT**

In point two after the words "*Inform the residents*" the following be added, "*on Broome Street between Forrest and Napier Streets and*".

### **COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Strzina

That Council:

1. Consider the inclusion in the 2011/2012 budget, of an allocation for the installation of rubber speed cushions on Broome Street each side of Loma Street and John Street, for approximately \$23,000.

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- 2. Inform residents on Broome Street between Forrest and Napier Streets and on the corners of these two intersections of Councils decision.**
- 3. Arrange pre-approvals from Main Roads WA for the proposed rubber speed cushion installations.**

**The Substantive Motion was put.**

Carried 6/0

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**10.2.2 TOWN OF COTTESLOE EXISTING OPERATIONS CENTRE - BUSINESS  
PLAN**

**File No:** SUB/220  
**Attachments:** [Business plan.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services

**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

At its October 2009 meeting, Council resolved to:

1. *“Proceed with a contaminated site investigation, using GHD Consultants, for the existing Cottesloe Depot Site, at a quoted cost of \$36,879, to be funded from the Area Improvement Reserve.*
2. *Support and advertise the attached Business Plan covering the proposed sale of the existing depot site in order to advance the project and inform residents and ratepayers.*
3. *Undertake a preliminary Structure Plan for the existing depot site, aided by a town planning consultant, as a foundation for the formal structure planning process in the future, and to establish Council-supported concepts for the site’s development.*
4. *Ensure that residents, especially those adjacent to the existing depot site and the proposed new site, are kept informed of Council decisions on this matter.*
5. *Prepare a concept plan for the proposed new site, and authorise officers to negotiate with the Seaview Golf Club for a formal agreement on the proposal, in preparation for a Development Application to be sent to the Western Australian Planning Commission.”*

This agenda item presents the results of the advertising of the Business Plan (No. 2 of resolution) and recommends that Council note that no comments have been received in relation to the advertised Depot Sale Business Plan and that staff continue to develop a preliminary Structure Plan for the site, aided by a town planning consultant.

**BACKGROUND**

Under section 3.59 of the Local Government Act 1995, when a Local Government Authority intends to enter into a major land transaction, a Business Plan must be prepared.

At the October 2009 meeting, a draft plan was presented to Council and Council resolved to advertise it for comment.

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Council has yet to determine at what level of development it will dispose of this site, but this does not remove the requirement of a Business Plan.

### **STRATEGIC IMPLICATIONS**

In May 2009, Council set, as one of the Key Performance Objectives of the CEO – “Progress and Report possible solutions for Council’s depot.”

Council’s Future Plan 2006-2010:

Under Objective 4 – “To Manage development pressures” Council’s Major Strategy 4.5 states “Consider undeveloped Government-Owned land for higher density development provided there is both public support and benefit for the Cottesloe Community”. This could also apply to Council-owned land.

Under Objective 5 – “Maintain Infrastructure and Council Buildings in a sustainable way”, Major Strategy number 5.1 states “Adopt a policy position on assets that have a realisable value such as the Depot and Sumps”. Major Strategy 5.4 states “Maximise income from non-rates sources”. Major Strategy 5.6 states “Develop a long term asset management plan and accompanying financial plan”.

### **POLICY IMPLICATIONS**

The following Council policies apply to this item:

- Community Consultation
- Investment of Surplus Funds
- Investments
- Occupational Safety & Health
- Regional Cooperation
- Sale of Council Property
- Assets with Realisable Value

### **STATUTORY ENVIRONMENT**

A Development Application would be required for Western Australian Planning Commission (WAPC) approval to establish an operations centre on any area of land reserved under the Metropolitan Region Scheme (MRS), including the Seaview Golf Club area. The Heritage Council of WA (HCWA) is also an interested party, in the case of State heritage listed sites such as the golf course however, their primary interest is in the “links” course more than the structures. Redevelopment of the existing depot site is governed by Current TPS2 and future LPS3 in terms of zoning, land use, development control and structure planning.

### **FINANCIAL IMPLICATIONS**

There are no current financial resources included in the 2009/2010 Budget for construction of a new Operations Centre in Cottesloe. The receipt of any income from the sale of the existing depot is also not currently included.

There are unallocated funds within Reserve accounts which could be directed to this project if required.

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**SUSTAINABILITY IMPLICATIONS**

There is potential to achieve a number of sustainability improvements with this proposal. Any environmental problems with the existing site could be addressed and any new dwellings built on a redeveloped site would have to meet modern sustainability standards.

A new depot construction would also feature the highest level of environmental and sustainability provision, regarding infrastructure and operation.

The matter of connecting a number of Council buildings into the Water Corporation's deep sewer network would also be considered.

**CONSULTATION**

Consultation has previously taken place with a number of WESROC councils, as well as a local real estate agency, the Seaview Kindergarten, the Seaview Golf Club and several consultant firms.

An initial discussion also took place with the Heritage Council regarding their potential requirements relating to the heritage values of the golf club site.

This Business Plan has been advertised in a state-wide as well as a local newspaper, has been available on Council's Web Page and on Council notice boards, for public comment, with a comment closure date of the 4<sup>th</sup> December 2009.

**STAFF COMMENT**

At the time of this report being created, no written comments had been received regarding the advertising of the Business Plan.

Three telephone queries from Real Estate Agents had been received regarding the potential sale of land. One site meeting at a property adjoining the depot for another matter, also touched on the depot's future, with no negativity to a future sale being voiced.

**VOTING**

Simple Majority

**OFFICER COMMENT**

Manager of Engineering Services brought to Committees attention that a letter was received from a resident after the report was written. The letter objected to the area being zoned as R40. The Manger has followed up with a phone conversation to discuss Council ideas for the area and that it will not be zoned as R40.

Mayor Morgan explained where the confusion may have come from for the resident. During the process, for the new town planning scheme, the Minister for Planning requested it be left 'blank' so the density of the site is to be determined at a later date. The structural planning process required for the site will determine the zoning of the area and will be determined by Council.

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**OFFICER RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Cunningham

That Council note that no comments have been received in relation to the advertised Depot Sale Business Plan and that staff continue to develop a preliminary Structure Plan for the site, aided by a town planning consultant.

**AMENDMENT**

That the words *“at the date of this report”* be added after the words *“no comments have been received”*

**COMMITTEE RECOMMENDATION**

**That Council note that no comments have been received, at the date of this report, in relation to the advertised Depot Sale Business Plan and that staff continue to develop a preliminary Structure Plan for the site, aided by a town planning consultant.**

**The substantive Motion was put**

Carried 6/0

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

Nil

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

**12.1 LATE ITEM - FREMANTLE PORT AUTHORITY DREDGING PROGRAM - CONSULTANT REPORT**

The following late item was tabled by the Manger Engineering Services and requested to be considered as an item of urgent business due to the presentation being delivered before Committee this evening.

**File No:** SUB/000  
**Attachments:** [Fremantle Port Authority Project.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

At its October, 2009 meeting Council resolved:

*That Council:*

1. *Thank the Fremantle Port Authority and the Environmental Protection Authority for presenting the best evidence they have that the proposed dredging, reclamation and offshore waste disposal will not risk dangerous contaminants entering our coastal waters and will not unduly or unnecessarily impact the aesthetic, recreational or other uses of our coastline.*
2. *If need be establish suitable processes to identify current beach, water and sea-life conditions and to monitor any changes to these that may be caused in the event that the proposed dredging, reclamation and offshore disposal does occur.*
- 3a. *As soon as practicable to obtain independent advice from a suitable expert as to the level of risk, (discernable from the Fremantle Port Authority and the Environmental Protection Authority reports), of dangerous contaminants entering Cottesloe waters that may unduly or unnecessarily impact the aesthetic, recreational or other uses of the waters as a result of the Fremantle Port Authority's proposed project*
- 3b. *As soon as practicable obtain legal advice on what if any options the Town has to ensure that the dredging, reclamation and offshore waste disposal proposed*

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*by the Fremantle Port Authority is done without risk of dangerous contaminants entering the coastal waters under Council's control (such as through leaching from the proposed reclamation area or from the water that will be expelled from that area) and without unduly or unnecessarily impacting aesthetic, recreational or other uses of the waters.*

4. *Seek access to all FPA reports, tests and monitoring results that currently exist and those during this project and forward to the Elected Members where possible.*

This agenda item will present the results of Councils Consultant Study of the Fremantle Port Authority Report "Fremantle Port Inner Harbour and Channel Deepening, Reclamation at Rous Head and Offshore Placement of Dredged Material", plus the document from Environmental Protection Authority which covers that department's study of the Fremantle Port Authority document.

**BACKGROUND**

A Notice of Motion was debated by Council at the October, 2009, Council meeting, after a presentation to the general public by the Fremantle Port Authority and Environmental Protection Authority in the War Memorial Town Hall prior to the Council meeting. The presentation related to the proposed \$250 million project of dredging and land reclamation proposed by the Port Authority, to be completed during 2010.

After investigation of the availability of suitable specialist consultant firms capable of analysing the Fremantle Port Authority and Environmental Protection Authority reports, and advise Council of the level of risk, the consultant firm 360 Environmental was engaged for this work.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

Council has no budgeted funding for this study. \$16,480 has been committed to so far, to employ 360 Environmental. If an environmental legal specialist is employed due to the final results from 360 Environmental, the costs are unknown but are potentially high.

**SUSTAINABILITY IMPLICATIONS**

This study involves environmental issues rather than being sustainable over the long term.

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**CONSULTATION**

Nil

**STAFF COMMENT**

360 Environmental had originally indicated a 5 week assessment/analysis period, with a report prior to Christmas. That timing has been compressed with a draft report proposed for the 8 December, the Works and Corporate Services Committee Meeting date.

360 Environmental will complete a full draft report by the 10<sup>th</sup> December (Thursday), for comments prior to a full report being available for the December Council meeting.

However, it has been arranged that a presentation will be made by 360 Environmental at the Works and Corporate Services Committee meeting, to consider their findings, to date, as a summary.

The Committee may then wish to decide on a resolution on the matter to be put to the full Council meeting.

**VOTING**

Simple Majority

Moved Mayor Morgan, seconded Cr Strzina

That the report be considered as new business of an urgent nature introduced by officers by decision of meeting.

Carried 6/0

**COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Strzina

**That Council lodge a submission to the Fremantle Port Authority, Department of Environment, Heritage and the Arts and Conservation and the Federal Minister for the Environment, in terms of that which is recommended by the Town's Consultant's report and additional request for the Fremantle Port Authority program to include any additional modelling and other approved measures to ensure that the Rottneest Channel Swim is not adversely affected by the Fremantle Port Authority Program.**

Carried 6/0

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**12.2 LATE ITEM – FINANCE REPORTS**

The following late items were tabled by the Manager Corporate Services and requested to be considered as an item of urgent business due to the Financial Statements being required to be presented monthly to Council as per the Local Government Act 1995.

Moved Mayor Morgan, seconded Cr Cunningham

That the financial reports be considered as new business of an urgent nature introduced by officers by decision of meeting.

Carried 6/0

The following late items from the Works and Corporate Services Committee were dealt with *en bloc*.

- 12.2.1 Statutory Financial Statements for the Period Ending 30 November 2009
- 12.2.2 Schedule of Investments and Schedule of Loans for the Period Ending 30 November 2009
- 12.2.3 Accounts for the Period Ending 30 November 2009
- 12.2.4 Property and Sundry Debtors Reports for the Period Ending 30 November 2009

**12.2.1 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30  
NOVEMBER 2009**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services

**Proposed Meeting Date:** 8-Dec-2009

**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 November 2009, to Council.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

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**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Operating Statement on page 2 of the Financial Statements shows a favourable variance between the actual and budgeted YTD operating surplus of \$461,586 as at 30 November 2009. Operating Revenue is above budget by \$156,154 (2%). Operating Expenditure is \$310,765 (8%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 30 November 2009 is shown on page 7.

The Capital Works Program is listed on pages 23 - 28 and shows total expenditure of \$2,160,730 compared to YTD budget of \$4,075,149. The reason for the significant difference is a timing delay with the library and delayed general capital expenditure due to cashflow restrictions at the start of the year.

**VOTING**

Simple Majority

Moved Mayor Morgan, seconded Cr Cunningham

That the report be considered as new business of an urgent nature introduced by officers by decision of meeting.

Carried 6/0

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Carmichael

**That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 November, 2009, as per the attached Financial Statements, submitted to the 8 December, 2009 meeting of the Works and Corporate Services Committee.**

Carried 6/0

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**12.2.2 SCHEDULE OF INVESTMENTS AND LOANS FOR THE MONTH ENDING  
30 NOVEMBER 2009**

**File No:** SUB/150 & SUB/151  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 30 November 2009, as per financial statements attachment, to Council monthly.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Schedule of Investments on page 18 of the Financial Statements shows that \$7,681,132.53 was invested as at 30 November, 2009.

Reserve Funds make up \$900,399.25 of the total invested and are restricted funds. Approximately 36% of the funds are invested with the National Australia Bank, 32% with Westpac, 11% with Commonwealth and 21% with BankWest.

The Schedule of Loans on page 19 shows a balance of \$6,997,671.64 as at 30 November, 2009. There is \$478,142.12 included in this balance that relates to self supporting loans.

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**VOTING**

Simple Majority

Moved Mayor Morgan, seconded Cr Cunningham

That the report be considered as new business of an urgent nature introduced by officers by decision of meeting.

Carried 6/0

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Carmichael

**That Council receive the Schedule of Investments and Schedule of Loans for the period ending 30 November, 2009, as per the attached Financial Statements, as submitted to the 8 December 2009 meeting of the Works and Corporate Services Committee.**

Carried 6/0

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**12.2.3 ACCOUNTS FOR THE MONTH ENDING 30 NOVEMBER 2009**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Patrick  
Manager Corporate Services

**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the List of Accounts for the period ending 30 November 2009 to Council, as per attachment Financial Statements.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The following significant payments are brought to your attention that are included in the list of accounts commencing on page 9 of the Financial Statements:

- \$14,680.42 to WA Local Govt Super Fund for staff deductions
- \$27,015.47 to BCITF for October 2009 levies
- \$11,558.25 to Brad Pike Consulting for temp work as acting building surveyor
- \$18,991.29 to Surf Life Saving WA for lifeguard contract for October 2009
- \$34,417.46 to Kerbing West for installation of kerbing at various locations
- \$19,717.37 to Kulin Group for repairs to pylon
- \$41,112.50 to LGIS for workers comp premium

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- \$268,851.58 to Shire of Peppermint Grove for contributions towards construction costs of new library
- \$54,359.98 to Transpacific Cleanaway for domestic & commercial waste disposal in October 2009
- \$15,730.00 to GC Sales for 100 MGB wheelie bins
- \$18,991.29 to Surf Life Saving WA for lifeguard contract for November 2009
- \$65,895.04 and \$67,886.86 for staff payroll.

**VOTING**

Simple Majority

Moved Mayor Morgan, seconded Cr Cunningham

That the report be considered as new business of an urgent nature introduced by officers by decision of meeting.

Carried 6/0

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Carmichael

**That Council receive the List of Accounts for the period ending 30 November 2009, as per the attached Financial Statements, as submitted to the 8 December 2009 meeting of the Works and Corporate Services Committee**

Carried 6/0

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**12.2.4 PROPERTY & SUNDRY DEBTORS REPORT FOR THE MONTH ENDING 30  
NOVEMBER 2009**

**File No:** SUB/145  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
  
**Proposed Meeting Date:** 8-Dec-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 30 November 2009 to Council monthly.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Sundry Debtors Report commences on page 201 of the Financial Statements and shows a balance of \$149,986.23 of which \$45,723.35 relates to the current month. The balance of aged debtors over 30 days stood at \$104,262.88.

Property Debtors are shown in the Rates and Charges analysis on page 22 of the Financial Statements and show a balance of \$1,572,104.37. Of this amount \$225,499.21 and \$293,737.73 are deferred rates and outstanding ESL respectively. As can be seen on the Balance Sheet on page 4 of the Financial Statements, rates as a current asset are \$1,346,436 in 2009 compared to \$1,339,627 last year.

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**VOTING**

Simple Majority

Moved Mayor Morgan, seconded Cr Cunningham

That the report be considered as new business of an urgent nature introduced by officers by decision of meeting.

Carried 6/0

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Carmichael

**That Council receive the Property and Sundry Debtors Report for the period ending 30 November 2009, as per the attached Financial Statements, as submitted to the 8 December 2009 meeting of the Works and Corporate Services Committee.**

Carried 6/0

**13 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 8.45 PM.

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