

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

**MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 17 JUNE 2008**

WORKS AND CORPORATE SERVICES COMMITTEE
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DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 7.00 pm.

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

Present

Cr Bryan Miller	Presiding Member
Cr Patricia Carmichael	
Cr Dan Cunningham	
Cr John Utting	

Mr Stephen Tindale	Chief Executive Officer
Mr Graham Patrick	Manager Corporate Services/Deputy CEO
Mr Geoff Trigg	Manager Engineering Services
Miss Kathryn Bradshaw	Executive Assistant
Mr Wayne Richards	Accountant

Observer

Cr Greg Boland

Apologies

Mayor Kevin Morgan

Leave of Absence (previously approved)

Cr Victor Strzina
Cr Ian Woodhill

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Nil

APPLICATIONS FOR LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Cunningham, seconded Cr Utting

The Minutes of the Ordinary Meeting of the Works and Corporate Services Committee held on Tuesday, 20 May 2008 be confirmed.

Carried 4/0

ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

PUBLIC STATEMENT TIME

Peter Oates, 8 Grange Street, Claremont: Item 1.1 Sea View Golf Club – Request for Self Supporting Loan

Mr Oates advised that he would not go through the background for reasons of the requested funding as this was addressed at the last meeting.

Mr Oates stated that the revised submission provides more detailed financial analysis and recognises the comments made at the last meeting and the public comments received.

Mr Oates advised that management has gone back and reflected on what Council said and reduced the loan requirement by \$70,000 making the request \$380,000 for a self-supporting loan. Mr Oates further added that the \$70,000 shortfall is to be sourced by way of a levy of \$200 on the members.

Mr Oates stated that if the club is able to borrow funds at Western Australian Treasury Corporation rates through Council, it will be able to service the debt, as the \$40,000 loan repayments will be the same as in the original submission.

In closing, Mr Oates advised that any financial questions can be answered by Mr Chris Bennett who will also be attending full Council on his behalf.

In response to a number of questions, Mr Oates and Mr Bennett advised that the club monitors all fertilisers used on the reserve and had been advised by Dr Stephen Appleyard on the level of application and which had been further reduced by 50% of the recommended level. Regular readings are taken of bore water consumption and salinity levels are also recorded. He stated that on average over the past 5 years the club was below the level of consumption stipulated on the bore water license.

Mr Bennett advised that even if water could be piped from Shenton Park and it was scrubbed to a sufficient quality to enable it to be put back into the aquifer, the club could not finance the pipeline into the foreseeable future. It is a very expensive proposition.

Mr Oates stated that at this stage, the possible acquisition by Next Generation of the clubhouse asset is an extensive exercise to even get to first base. It is at a conceptual stage and he would inform Council if anything does progress. Mr Oates

advised that the understanding with Next Generation is that the loan would have to be repaid in full if the Club goes private.

Mr Bennett stated that the use of the course has changed with greater use by members of the public. They now receive a lot of referrals from the Wembley golf course.

PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

REPORTS OF COMMITTEES AND OFFICERS**1 ADMINISTRATION**

The agenda items were dealt with in numerical order, with items 3.1, 3.2, 3.3 and 3.4 being voted on en bloc.

1.1 SEA VIEW GOLF CLUB – REQUEST FOR SELF-SUPPORTING LOAN

File No: SUB/235
Attachment(s): [Submission](#)
Author: Mr Stephen Tindale
Author Disclosure of Interest: Nil
Report Date: 11 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

Subject to the Sea View Golf Club's compliance with Council's self-supporting loan policy, a recommendation is made to provide the Sea View Golf Club with a self-supporting loan from the Town of Cottesloe in the amount of \$380,000 to be funded by the Western Australian Treasury Corporation.

The loan is to be repaid in full over a period of fifteen years by the Sea View Golf Club's.

BACKGROUND

In April 2007 the Sea View Golf Club obtained Council's support in seeking a grant from the Department of Youth, Sport and Recreation (DYSR) to replace an aging irrigation system. The grant proposal was based on the Club, the Town of Cottesloe and DYSR each providing one third of the required funding.

Subject to the Sea View Golf Club satisfying the requirements of Council's *Self-Supporting Loans* policy and the approval of the grant from the Department of Youth, Sport and Recreation, Council also agreed to approve Western Australian Treasury loans of \$290,000 for the Sea View Golf Club for the purpose of upgrading the Club's reticulation system on the basis of:

- (1) an interest-free loan of \$190,000; and
- (2) a self-supporting loan of \$100,000

with both to be repaid over a period of ten years and to be used for the purpose of upgrading the Sea View Golf Club's reticulation system.

The application for a DYSR grant was unsuccessful and the Club now would now like to revisit the proposed financial arrangements. The proposed financial arrangements are different to those that were presented to last month's Council meeting.

The Club is now seeking access to a fully self-supporting loan from the Town of Cottesloe for the amount of \$380,000 to be funded by the Western Australian Treasury Corporation and to be repaid by the Club over a period of fifteen years.

CONSULTATION

The CEO met with representatives of the Sea View Golf Club on the 3rd June 2008 to discuss what additional information could be provided to Council. Their revised submission is attached.

STAFF COMMENT**Financial Projections**

A spreadsheet of the Club's financial projections has been sent to all elected members via e-mail which will allow Council members to 'interrogate' the club's financial projections.

At face value the financial projections appear fair and reasonable.

It should also be borne in mind that the proposed *Associations Incorporation Act of 2006* will bring greater accountability to the operations of associations like the Sea View Golf Club and discourage any 'gilding of the lily'. The Sea View Golf Club will shortly have to nominate a 'public officer' to take responsibility for the proper operation of its affairs and that officer will at law be fully accountable for any misrepresentation of the club's financial affairs.

Notwithstanding a climate of increased legal accountability, a worst case scenario may see the Town of Cottesloe reclaiming the golf club and its operations in the medium term. However this may not necessarily be such a bad thing.

Several local governments in the metropolitan area already operate their own public golf courses. If the Town of Cottesloe was to become one of these local governments, then obviously it would be in the Cottesloe community's interest to be inheriting a well-maintained rather than a poorly-maintained golf course whose capital costs had historically been funded in a large part by the club members themselves rather than Cottesloe ratepayers.

Furthermore, if Council and the Cottesloe community did indeed form a view in the medium term that climate change and an alternative use for the golf course was a more appropriate use of a scarce resource, then obviously a defunct Sea View Golf Club would make the attainment of that goal more rather than less achievable.

However by its actions in recent times, the Town of Cottesloe has reinforced its acceptance and support for the Club by not only by granting a long term lease, but also by closing Jarrad Street and working collaboratively on a "drought resistant" ring main system for the distribution of underground water.

Environmental

The Club appears to have adopted a very conservative estimate of the potential savings in watering requirements – presumably because it does not want to be the target of further criticism should it fail to achieve overly optimistic targets.

An intelligent sprinkler control system which allows specific targeting of dry areas without having to water larger areas means that Club will not have to over-water the golf course in order to make sure that the brownest bits are kept reasonably green.

When coupled with sprinkler heads that will throw water at a lower trajectory and minimise the water being blown from its targeted zone by prevailing south westerly winds, the actual water savings are more likely to be in excess of 10%.

The Club also has a strong appreciation of the need to 'sip' rather than 'suck' the underground aquifer in order to avoid saltwater intrusion of the groundwater resource.

Social Well Being

In its submission, the Club points out that 31% of its members are from Cottesloe which means that 69% are from other areas. While the perceived lack of local patronage might be seen as warranting little or no assistance to the Club, the reality is that 69% of the Club's income is flowing in from other areas to fund the development of a Cottesloe asset which Cottesloe residents can freely access subject to the payment of membership or playing fees.

The Club also points out other social benefits that accrue to the community because of the existence of the club such as;

- Special programs for the aged and infirm.
- Greater engagement with non-club members.
- The imparting of what constitutes good behaviour through the practice of golf etiquette.
- Fund raising events for various charities.
- Strong property values for surrounding properties.
- Unrestricted community access for exercise purposes.

The Club's submission is silent on the health benefits of golf however recent research shows that regular golf players live five years longer on average.

In addition, the networking opportunities that are available during and after golf means that people are less likely to be alienated from their communities. This brings strong mental health benefits and fosters greater interest in the affairs of the community.

In country areas, the golf club is a regular meeting place for those whose access to social gatherings and events is often limited. This should also hold true for the metropolitan area.

The Sea View Golf Club's importance to the broader community is also evidenced by its State heritage listing.

Next Generation

There has been some discussion between representatives of the Sea View Golf Club and the Town of Cottesloe on a concept which would see the club house being significantly upgraded and used in manner similar to the Kings Park Tennis Club which is commercially leased as a recreation facility.

It has been put to the Sea View Golf Club that if such a thing came to pass, the Town of Cottesloe would expect a commercial return for the lease of club house and that the self-supporting loan may have to be extinguished.

The Town has yet to be informed of any firm proposal. For all intents and purposes, such a proposal has no bearing on the merits of the proposal currently before Council.

POLICY IMPLICATIONS

Council self-supporting loan policy is shown below.

LOANS - SELF-SUPPORTING

OBJECTIVE

To inform organisations, seeking assistance from Council for the raising of a loan, of Council's requirements.

PRINCIPLE

Organisations seeking Council assistance for the raising of a loan must be able to satisfy Council that they can service the loan.

ISSUES

Many community groups, such as sporting clubs, rely on membership subscriptions and voluntary help to maintain their financial viability. Council must be satisfied that the borrower is able to meet its loan repayment commitments before agreeing to raise a loan.

POLICY

Organisations seeking assistance from Council to raise a loan shall:

- be an incorporated body
- provide a copy of the last three years' audited trading and balance sheet statements;
- agree to enter into a Deed of Agreement for the period of the loan repayments;
- provide whatever security or guarantees that Council considers appropriate to ensure that the loan is repaid;
- insure and keep insured premises where the premises are security over repayment of a loan;
- pay all costs associated with the preparation and stamping of legal documents concerned with the raising of the loan;
- provide a copy of the minutes of a legally constituted meeting of the organisation showing the formal resolution agreeing to the raising of the loan;
- provide any other information that Council requires.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

A self-supporting loan will have no direct financial impact on the Town of Cottesloe. The principal and interest components of the loan are to be repaid in full by the Sea View Golf Club.

VOTING

Simple Majority

1.1 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Utting, seconded Cr Cunningham

- (1) **That subject to the Sea View Golf Club's compliance with Councils self-supporting loan policy, Council provide access to the Sea View Golf Club for a self-supporting loan from the Town of Cottesloe in the amount of \$380,000 to be funded by the Western Australian Treasury Corporation and repaid over a period of fifteen years.**
- (2) **That suitable provision for the loan be made in the 2008/09 budget.**

Carried 4/0

1.2 DELEGATED POWERS

File No: SUB/38
Author: Mr Stephen Tindale
Author Disclosure of Interest: Nil
Report Date: 5 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

In order to expedite decision-making within the Town of Cottesloe, a recommendation is made to delegate a number of powers and duties to the Chief Executive Officer as provided for in the *Local Government Act (1995)*.

STATUTORY ENVIRONMENT

Sections 5.42 and 5.43 of the *Local Government Act (1995)* provide as follows:-

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties:-

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
 - (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
 - (c) appointing an auditor;
 - (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
 - (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
 - (f) borrowing money on behalf of the local government;
 - (g) hearing or determining an objection of a kind referred to in section 9.5;
 - (h) any power or duty that requires the approval of the Minister or the Governor; or
 - (i) such other powers or duties as may be prescribed.
-

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

This is a standard agenda item which is presented to Council annually.

It allows the CEO to make decisions under the authority of Council without having to constantly refer business of a routine nature to Council.

The CEO delegates some of the powers in turn to senior staff.

CONSULTATION

Nil

STAFF COMMENT

As advised last year, the list of delegated powers was considerably reduced in May of 2002.

No customer service difficulties have arisen as a result of working with a reduced list.

VOTING

Absolute Majority

1.2 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Miller

That Council delegate the following powers and duties to the Chief Executive Officer effective to 30 June, 2009.

DELEGATED COUNCIL FUNCTIONS

Section	Local Government Act 1995
3.18	Administration and enforcement of local laws
3.21	Performance of executive functions relating to land
3.24/3.25/3.26(3)	Powers to be exercised by authorised persons in relation to land
3.28/3.29	Powers of entry to land
3.31/3.33/3.34	Powers of entry to land
3.36	Opening/closing of fences
3.39	Authorising employees to impound goods
3.46	Withholding of goods
3.47	Disposal of impounded goods
3.47A	Disposal of sick or injured animals

Section	Local Government Act 1995
3.48	Recovery of costs associated with impounded goods
3.50	Closure of thoroughfares to certain vehicles
3.50A	Closure of thoroughfares for repairs or maintenance
3.57	Inviting tenders for goods and services under contract
5.2	Ensuring that an appropriate structure exists for administration
5.36	Employment of persons other than the Chief Executive Officer
6.12	Waive, grant concessions or write off individual debts to a maximum of \$100
6.14	Investing funds not required
6.49	Make agreements with persons regarding payment of rates
6.64	Action taken when rates are unpaid for at least 3 years
6.76(4,5,6)	Dealing with objections to rates records
9.10	Appointment of authorised persons
Section	Local Government (Miscellaneous Provisions) Act 1960
374.(1) (b)	Plans of buildings to be approved
401	Give notice of required alterations to buildings
Section	Dog Act 1976
9	Administer and enforce provisions of the Dog Act.
Law No.	Signs, Hoardings and Billposting Local Law
28	Revoke sign licences
33	Issue and revoke special permits for signs
36A	Remove and dispose of signs unlawfully displayed
Law No.	Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
6.2	Approve or refuse an application for a permit to trade, conduct a stall or outdoor eating facility.
Regulation	Building Regulations 1989
20	Issue a certificate of classification
Regulation	Local Government (Financial Management) Regulations 1996
12(1)(a)	Power to make payments from the municipal and trust funds

Carried 4/0

1.3 DRAFT LOCAL LAW - TOWN OF COTTELSONE STANDING ORDERS 2008

File No: SUB/179
Author: Mr Stephen Tindale
Attachment: [Draft Standing Orders Local Law](#)
Author Disclosure of Interest: Nil
Report Date: 11 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

This matter is represented from the April 2008 meeting of Council.

Two optional recommendations are made.

The first is to refer any amendments to the model local law back to Council's legal advisers for further advice.

The second is to advertise and seek submissions on the proposed local law.

STATUTORY ENVIRONMENT

Section 3.5 & 3.12 of the *Local Government Act 1995* applies.

3.5. Legislative power of local governments

(1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

(2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 3.6.

(3) The power conferred on a local government by subsection (1) is in addition to any power to make local laws conferred on it by any other Act.

(4) Regulations may set out -

(a) matters about which, or purposes for which, local laws are not to be made; or

(b) kinds of local laws that are not to be made,

and a local government cannot make a local law about such a matter, or for such a purpose or of such a kind.

(5) Regulations may set out such transitional arrangements as are necessary or convenient to deal with a local law ceasing to have effect because the power to make it has been removed by regulations under subsection (4).

3.12. Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) *The local government is to -*

(a) *give Statewide public notice stating that -*

(i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*

(ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*

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

(b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*

(c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*

(3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*

(4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

*** Absolute majority required.**

(5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*

(6) *After the local law has been published in the Gazette the local government is to give local public notice -*

(a) *stating the title of the local law;*

(b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*

(c) *advising that copies of the local law may be inspected or obtained from the local government's office.*

(7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*

(8) *In this section -*

making ~ in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Regulation 3 of the *Local Government Functions and General Regulations* provides the following.

3. Notice of purpose and effect of proposed local law - s. 3.12(2)

For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that -

(a) the purpose and effect of the proposed local law is included in the MINUTES for that meeting; and

(b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Direct costs associated with the advertising of any new proposed local law are estimated at around \$2,000.

BACKGROUND

In September 2006 Council passed the following resolutions.

- (1) That Council suspend the operation of Standing Order 12.1 which requires members of Council to rise when invited by the Mayor to speak.
- (2) That the suspension of Standing Order 12.1 be listed as a standard agenda item for each Council and Committee meeting.
- (3) That the CEO be requested to provide a report and recommendations to Council on suggested improvements to Councils Standing Orders.

This report addresses the third resolution.

The proposed *Town of Cottesloe Standing Orders Local Law 2008* is based on a model provided by the Town's legal advisers which was adapted and gazetted by the City of South Perth in May 2007 to suit their particular circumstances. Please note that the changes made by the City of South Perth to the model local law are not proposed to be taken up by Cottesloe.

The model local law has been modified to suit Cottesloe's particular circumstances in six places.

1. Clause 5.2 – Order of business – now includes an agenda item for Public Statement Time.
2. Clause 6.8 – Public Statement Time – now formalises the Town of Cottesloe's custom and practice in relation to public statement time.
3. A model clause – Participation at committee meetings – has been deleted given the inclusion of the new clause 6.8 – Public Statement Time.
4. Clause 8.9 – Speaking twice – has been amended to allow a committee member to speak more than once at a committee meeting.

5. Clause 8.10 – Duration of speeches – has been reduced from a recommended five minutes to three minutes which reflects Cottesloe’s current practice.
6. Clause 13.4 – Method of taking a vote – has been modified to delete the right of a member to call for a division with members moving to right or left of the Chair and their individual votes being recorded.

The model clause – Participation at committee meetings – which has been deleted in favour of the new clause – Public Statement Time – reads as follows:

Participation at committee meetings

- (1) In this clause a reference to a person is to a person who:
 - (a) is entitled to attend a committee meeting;
 - (b) attends a committee meeting; and
 - (c) is not a Member of that committee.

A member of the public is entitled to attend a committee meeting only where a local government power or duty has been delegated to that committee: see section 5.23(1)(b) of the Act.

- (2) Without the consent of the Presiding Member, no person is to address a committee meeting.
- (3) The Presiding Member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
- (4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.
- (5) A person who fails to comply with a direction of the Presiding Member under subclause (4) may, by order of the Presiding Member, be removed from the committee room.
- (6) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

CONSULTATION

This matter was held over from the April meeting of Council to allow members to provide feedback on the proposed local law to the CEO.

Mayor Morgan has proposed that the draft Standing Orders Local Law 2008 be further amended as follows.

1. For ease of reference, adopt the paragraph numbering style of our existing Standing Orders, whereby for example, Standing Order 3.3(1) is instead 3.3.1.
2. Add provisions equivalent to 2.4 and 2.5 of the existing Standing Orders, to confirm the existing entitlement of members to require council documents to be produced at a meeting of council.
3. Amend new 3.3(1) to add the following (as per existing 2.1) :

“In addition to the ways a document may be given to a person as provided for by sections 9.50 to 9.54 of the Local Government Act 1995 and sections 75 and 76 of the Interpretation Act 1984, written notice of a council meeting may also be given to a member by the notice being transmitted by post, or otherwise left or delivered to the member’s usual

or last known place of residence or business or to another address the member may request by notice in writing to the Chief Executive Officer.”

4. Amend new 5.3(2) (as per existing 10.1) so that it now reads:
“A notice of motion under subclause (1) is to be given at least 24 hours before the publication of the business paper for the meeting at which the motion is moved”
5. Amend new 5.5(1) by adding the words “or committee” after the word “employee” and prior to the word “recommendation”.
6. Amend new 8.1(1) (as per existing 11.2.1) by:
 - (a) Adding the words “by random draw” after the word “allot” and prior to the words “a position”; and
 - (b) Changing the word “member” to “councillor”.
7. Amend *(to make clear that all councillors and not just the Presiding Member are to remain seated when speaking – with this consistency across all speakers thereby ensuring there is not undue focus upon the physical that might otherwise distract from the substance of what is [or is not] being said)*:
 - (a) By changing new 8.5 by adding the following sentence:

“When invited by the Presiding Member to speak, members shall remain seated and address the Council through the Presiding Member.”
 - (b) By changing new 9.1(2) by replacing the words “is immediately to sit down” with the words “is to immediately cease doing so”.
 - (c) By changing new 9.3(2) by replacing the words “to resume his or her seat” with the words “to cease speaking”
8. Amend new 11.2(1) by replacing the word “five” with “three”.

STAFF COMMENT

A copy of the proposed *Town of Cottesloe Standing Orders Local Law 2008* is attached.

It will be noted that Cottesloe’s existing local law is significantly different from that which is proposed - perhaps more so in terms of structure rather than content.

Council’s existing local law is now very dated (30 December 1997) and was adopted at around the time the then new *Local Government Act 1995* became law.

Since that time, local government standing orders local laws have adapted to reflect a changing environment and a changing *Local Government Act 1995*.

Members will note that the attached Standing Orders local law now includes 'boxed' references to the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996*, the *Local Government (Rules of Conduct) Regulations 2007* and the *Criminal Code*. This is standard practice with local laws that include the content of other legislation for reference and information purposes so that all that is gazetted is the actual provisions of the local law.

In other words the attached local law is a working copy which will lose its 'boxed' references when it is gazetted.

Two optional recommendations are made. The first option is recommended if Council wants to significantly rework the proposed local law. The second option is recommended if Council wants to get a move on with the proposed local law.

VOTING

Simple Majority

OFFICER RECOMMENDATIONS

Option 1

That Council refer any proposed amendments to the model local law back to Council's legal advisers for further advice.

Option 2

That the Town of Cottesloe:

- (1) Give Statewide public notice stating that -
 - (i) the Town of Cottesloe proposes to make *Standing Orders Local Law 2008* the purpose of which is to provide rules and guidelines which are to apply to the conduct of meetings of the Council and its committees and to meetings of electors in accordance with State Government legislation and regulations and the standing orders and the effect of which will result in:
 - (a) better decision making by the Council and committees;
 - (b) the orderly conduct of meetings dealing with Council business;
 - (c) better understanding of the process of conducting meetings; and
 - (d) the more efficient and effective use of time at meetings.
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the Town of Cottesloe before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

- (2) As soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister; and
- (3) Provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

1.3 COMMITTEE RECOMMENDATION

Moved Cr Carmichael, seconded Cr Utting

That Council refer the proposed amendments to the model local law back to Council's legal advisers for further advice.

Carried 4/0

1.4 ANNUAL REPORT

File No: SUB/19
Attachment(s): [Proposed Annual Report Timeline](#)
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Report Date: 28 May, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

A recommendation is made to adopt an Annual Report timetable with a view to ensuring that electors and ratepayers are provided with a printed copy of the Annual Report prior to the Annual Electors Meeting to be held later this year.

STATUTORY ENVIRONMENT

The following sections of the Local Government Act 1995 apply:

5.53. Annual reports

(1) The local government is to prepare an annual report for each financial year.

(2) The annual report is to contain —

(a) a report from the mayor or president;

(b) a report from the CEO;

[(c), (d) deleted]

(e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;

(f) the financial report for the financial year;

(g) such information as may be prescribed in relation to the payments made to employees;

(h) the auditor's report for the financial year;

(ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and

such other information as may be prescribed.

5.54. Acceptance of annual reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* *Absolute majority required.*

(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

At the last meeting of Council a report was requested on the scope for holding the Annual Electors Meeting after the distribution of the printed Annual Report.

CONSULTATION

Nil

STAFF COMMENT

The proposed timetable for preparing the 2007/08 Annual Report is as follows:

July – Basic processing of invoices and other source documents. It is important to note that during July the Accountant is chasing all outstanding invoices to ensure the financial statements reflect an accurate summary of the year's activities. During July the adopted budget for 2008/2009 also needs to be taken up by the accounting system. Both processes are time consuming in terms of analysis and input.

August – Preparation and compilation of the end-of-year accounts. As this is the first financial year end to be reported on using new software (Civica's Authority) there may be some unforeseen delays.

September – Auditors undertake field work from 9 September 2008 to 12 September 2008.

October – All things being equal, there is no reason why the 2007/2008 Audit Report should not be ready for the Works and Corporate Services Committee scheduled for 21/10/2008.

A critical element is ensuring that the Mayor's, CEO's and statutory reports have been completed by 21 October 2008 to coincide with the receipt and consideration of the Audit Report. In previous years there has been a tendency to wait for the Audit Report before these reports have been completed. If these reports are available the Annual Report should be ready to go to the printers at this time.

November - Two weeks should be allowed for the printing of the Annual Report so that it can be ready for mailing in the second week of November 2008. This time of year is busy for the printers. The Annual Electors Meeting can then be advertised and held in either late November or early December.

VOTING

Nil

1.4 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Utting, seconded Cunningham

That Council approve the proposed Annual Report timetable.

Carried 4/0

1.5 LIBRARY PROJECT STEERING COMMITTEE UPDATE

File No: SUB/547
Attachment(s): [Library Tender Meeting Minutes 30/4/2008](#)
[Probity Audit letter](#)
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Report Date: 22 May, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

A recommendation is made to accept this report.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

There have been ongoing significant developments with the Library Project Steering Committee. As only two Councillors and the Manager Corporate services attend the Library Project Steering Committee meetings, the CEO determined that it would be beneficial to provide full information to all Councillors on a regular basis to the Works and Services Committee and Council.

CONSULTATION

Nil

STAFF COMMENT

The following provides a summary of the discussions from the last Library Project Steering Committee held on 21 May 2008:

Library Tender

The tender committee met on 30 April 2008. The minutes of the meeting are attached. The committee determined evaluation criteria and weighting, method of opening of tenders, appointment process of tenderer and day-to-day management of the project.

Probity Audit

There is an attachment from WALGA regarding a proposed probity audit. The purpose of this process can be summarised as having an independent third party evaluating and/or ensuring that a fair tender process has been conducted.

WALGA will check tender and evaluation documentation to ensure this.

Land title update

The CEO of the Shire of Peppermint Grove confirmed that no court action has been lodged by the Peppermint Grove Bowling Club. This was checked and conformed by their solicitors. An e-mail has been sent to the CEO of the Town of Cottesloe confirming this information.

The CEO of the Shire of Peppermint Grove added that he had spoken to a staff member at the Minister for Planning's office and been informed that have been no negative comments received during the period for public comment on the land amalgamation. There have been six comments in support of the proposition.

Lotterywest Grant Application

The committee discussed the impact of going out to tender on the grant application that has been lodged with Lotterywest. The grant application is broken down as follows:

\$490,000	Building
\$160,000	Fitout
\$650,000	Total

There is a precedent for Lotterywest allocating funds for libraries. The issue raised related to concerns that the tender is called before Lotterywest makes a decision on the application for funding. It is believed that Lotterywest will only allocate grant funding for building costs if the tender has not yet been called. The Senior Librarian was requested to find out as a matter of priority whether this assumption was correct.

VOTING

Simple majority

1.5 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Miller, seconded Cr Utting

That Council accept the report.

Carried 4/0

1.6 COTTESLOE RUGBY CLUB LEASE RENEWAL

File No: PUB/1
Attachment(s): [Rugby Club Lease](#)
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Report Date: 11 October, 2006
Senior Officer: Mr Stephen Tindale

SUMMARY

A recommendation is made to authorise the Mayor and CEO to sign a lease agreement between the Town of Cottesloe and the Cottesloe Rugby Club (Inc.)

STATUTORY ENVIRONMENT

Section 3.58 of the Local Government Act applies.

3.58. Disposing of property

(1) In this section -

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

property ~ includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to -

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property -

(a) it gives local public notice of the proposed disposition -

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include -

- (a) the names of all other parties concerned;
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

(5) This section does not apply to -

- (a) a disposition of land under section 29 or 29B of the *Public Works Act 1902*;
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.

Regulation 30 of the Local Government (Functions and General) Regulations 1996 says;

30. Dispositions of property to which section 3.58 of Act does not apply

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if -

- (a) the land is disposed of to an owner of adjoining land (in this paragraph called **the transferee**) and -
 - (i) its market value is less than \$5 000; and
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
- (b) the land is disposed of to a body, whether incorporated or not -
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;
- (c) the land is disposed of to -
 - (i) the Crown in right of the State or the Commonwealth;
 - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
 - (iii) another local government or a regional local government;
- (d) it is the leasing of land to an employee of the local government for use as the employee's residence;

(e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land;

(f) it is the leasing of land to a medical practitioner (as defined in section 3 of the *Medical Act 1894*) to be used for carrying on his or her medical practice; or

(g) it is the leasing of residential property to a person.

(2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been

(a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government;

(b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or

(c) the subject of Statewide public notice under section 3.59(4), and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including

(i) the names of all other parties concerned;

(ii) the consideration to be received by the local government for the disposition; and

(iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.

(2b) Details (*see section 3.58(4) of the Act*) of a disposition of property under subregulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.

(3) A disposition of property other than land is an exempt disposition if

(a) its market value is less than \$20 000; or

(b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$50 000.

In accordance with Regulation 30 (2) (b) Council may deal directly with the Cottesloe Tennis Club on this matter without the restrictions of Section 3.58 of the Local Government Act.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The new arrangement will result in rates revenue being approximately \$1,237pa less than the rent paid.

BACKGROUND

The Chief Executive Officer has encouraged lease agreements based on full rate payments being made rather than arbitrary rent figures being negotiated. This would result in a simple and objective basis for increases in income over time that would require minimal argument and justification. The rate amounts proposed were to be, at worst, approximately the same as the previous lease amounts to ensure that sporting clubs are not financially disadvantaged.

CONSULTATION

The Manager of Corporate Services had several meetings with Michael Tudori, President of the Cottesloe Rugby Club. During the previous process to determine the treatment for the tennis club lease contact was also made with several other local governments including Mosman Park, Peppermint Grove, Claremont, Subiaco, Cambridge and Vincent to determine how they treated their sporting club leases.

STAFF COMMENT

The application of full rates to the rugby club would result in a decrease from \$4,404 in rent for the clubhouse and field to \$3,167 in rates (excluding ESL) for 2007/2008.

It is important to note that other local governments in the region treat individual clubs based on their unique circumstances. The best example is the Town of Vincent where each club has a negotiated arrangement based on a combination of the level of council financial involvement in ground maintenance, historical agreements and type of premises.

The committee of the rugby club is satisfied with the proposed lease ([copy enclosed](#)) as it provides long term security and does not have an adverse impact on the finances of the club. The term of the lease has been set at 21 years.

VOTING

Simple Majority

1.6 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Utting, seconded Cr Miller

That Council authorise the Mayor and CEO to sign the proposed lease agreement for a period of 21 years between the Town of Cottesloe and the Cottesloe Rugby Club (Inc.)

Carried 4/0

2 ENGINEERING

2.1 COTTESLOE BEACH PYLON CONDITION REPORT

File No: SUB/214
Attachment(s): [MP Rogers & Associates Consultants Report](#)
[Heritage Council Details](#)
[Old Newspaper Photos and Articles](#)
[Cottesloe Surf Life Saving Club Email](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 11 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

In response to ongoing calls for pieces of concrete and reinforcing metal to be removed from the side of the Cottesloe Beach pylon to improve safety, a specialist consultants report was commissioned regarding the current structural condition the structure.

This item presents the results of this report and recommends that Council send a copy of the consultants report on the Cottesloe Beach Pylon Condition to the Heritage Council of Western Australia and the Department for Planning and Infrastructure, Fremantle, with a request for comments and advice on where State Governmental financial aid might be found to enable preservation works.

STATUTORY ENVIRONMENT

The Cottesloe Beach Pylon falls within Reserve 47618 and Council has accepted the vesting of the Management Order for this reserve. Council is therefore responsible for the maintenance and safety of the structure.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The consultants report provides four main options, ranging from no cost if nothing is done up to \$100,000 for a full range of restoration works.

No funds are included in the 2008/09 budget for works on this structure, other than minor maintenance.

BACKGROUND

The attachments provide details on the historical background of the Cottesloe Beach Pylon. Council records show that the upper shaft was removed in 1995 and replaced with a new shaft and a stainless steel cap. Council records also indicate concerns with ongoing maintenance and signage to minimise public liability risks.

In the last few years, staff have generally been asked to take action to remove pieces of reinforcing steel and concrete lumps from the structure two or three times a year. The size of the pieces removed has varied but appears to be increasing.

The increase has created more concerns regarding the structural condition of the structure and has led to the preparation of a consultant's report on risk management issues and options for the future.

CONSULTATION

Nil

STAFF COMMENT

Staff have arranged the removal of the various broken sections of concrete and steel in the water around the base of the pylon which has reduced the immediate danger of those sections to the public. However, safety issues with people diving off the pylon into shallow water and swimmers being potentially injured with the swell against rough sections of concrete and steel still remain.

Council records indicate that the pylon was sign posted to try to stop people from diving from the top or side of the pylon. The sign apparently didn't last long and people continue to use the pylon as a dive platform.

The continued loss of concrete and reinforcing steel is threatening the structural safety of the pylon. The rusting of the old wire mesh and reinforcing bars is splitting off more sections of concrete and exposing more reinforcing bars and wire.

The main maintenance/refurbishment options range from attending only to the top of pylon through to total pylon works. As a consequence, costs range from \$20,000 to \$100,000.

Probably the least popular alternative is the removal of the pylon at an estimated cost of \$15,000 to \$30,000. The pylon is included on the State Register of Heritage Places and any major maintenance works, changes to the shape or its removal have been flagged as matters for discussion with the Heritage Council of Western Australia.

The Heritage Council should be asked for information on potential sources of funding to aid in the preservation of this icon.

The Department for Planning and Infrastructure, Marine and Harbours, Fremantle office, should also be requested for a comment on the possibility of a grant subsidy to preserve the structure.

VOTING

Simple Majority

2.1 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Utting, seconded Cr Miller

That Council send a copy of the consultants report on the condition of the Cottesloe Beach Pylon to the Heritage Council of Western Australia and the Department for Planning and Infrastructure, Fremantle, with a request for comments on the report and advice on where State Government financial aid might be found to repair the pylon.

Carried 4/0

2.2 COTTESLOE TOWN CENTRE - LONG TERM PARKING - EAST END OF FORREST STREET, COTTESLOE

File No: SUB/582
Attachment(s): [Copy of Advertisement Submissions Plans](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 9 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

At its February 2008 meeting, Council resolved:

- (1) Not proceed with the proposed car parking on the Forrest Street median strip.
- (2) Seek community submissions on the Railway Street parking proposal in accordance with Council's *Community Consultation* policy.
- (3) Invite submissions and send plans and background information on the proposal to all adjoining Railway Street property owners between Vera Street and Forrest Street.
- (4) Advertise to the community and notify all adjoining property owners that a permit system for business owners, their staff and nearby residents is intended to be established on a cost recovery basis for those using the proposed car park.
- (5) Invite submissions and send plans and background information on the proposal to Procott and Cottesloe SOS.
- (6) Consider the results of the public consultation process at Council's April 2008 meeting.
- (7) Request staff to provide a report to Council's April 2008 meeting on the feasibility of providing additional verge parking at the eastern end of Forrest Street.

At its April 2008 meeting, Council further resolved to:

- (1) Include the proposal to install 16 angled car parking bays on the north and south verges of Forrest Street east of the existing drainage sump into the community advertising process regarding the proposed Railway Street parking area.
- (2) Send letters with a plan showing the proposal to affected landowners in Forrest Street.
- (3) Invite submissions and send plans and background information on the proposal to ProCott and Cottesloe SOS.

The public consultation period for both the Railway Street car park and Forrest Street car parking bays has now closed.

The report recommends that Council resolve to:

- (1) Include funding in the 2008/09 budget for the construction of the extension of the Railway Street car parking area to include an additional 31 bays.
- (2) Discontinue any plans to install embayed car parking bays on either side of Forrest Street east of the median island.
- (3) Arrange for a safety audit to be carried out on the Railway Street/Forrest Street intersection, in line with concerns shown by TAPSS.
- (4) Inform all correspondents, Cottesloe SOS and Procott of Councils decision on this matter.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2007/08 budget contains no approved funding for this work.

The draft 2008/09 budget includes \$53,000 for the Railway Street car park extension but no allowance for changes to car parking in Forrest Street.

BACKGROUND

Council resolved at its February 2008 meeting to abandon any consideration of embayed car parking in the Forrest Street median island east of Railway Street.

As a potential alternative, it was thought that a number of 'all day' parking bays could be installed on each side of Forrest Street east of the median island given the relatively generous width of both verges.

CONSULTATION

Plans showing a potential 'second stage' of a car park to be built immediately to the north of the Railway Street car park and another 16 embayed car parking bays on both sides of the Forrest Street road reserve east of the median island were advertised for public comment. As required by Council decision, letters and plans were also sent to Cottesloe SOS, Procott and all potentially affected property owners,

The proposals were featured on Council's web page and on the Town's notice boards and at the library.

STAFF COMMENT

Ten submissions were received as a result of the public consultation mail out and advertising.

The majority of comments were about the parking bays suggested for Forrest Street, with part or all of the bays receiving comment.

The proposed 31 bay car park in Railway Street received very little comment other than simple support or rejection.

The comments received are summarised in the following table:

Forrest Street – 16 New Bays			
Support	Reject	No Comment	Comments
3.5	5.5	0	Support given for bays 3-9 only.
	Plus		Against bays 10-16 only.
	2 part rejection		Request much bigger parking area in Forrest Street including old sump.
Railway Street Car Park Extension			
Support	Reject	No Comment	Comments
5	2	3	Consider 'No Go' zone for cars in commercial area.
			Purchase old house blocks in area and build parking there.
			Consider a multi-storey car park.
			Support all parking but Railway Street/Forrest Street intersection dangerous.

In regards to the Railway Street parking area, the 'No Comment' column in the table is taken to mean 'no concerns or interest', hence a total of eight supporting or not concerned. The two rejections either question the need for more parking or promote an alternative parking philosophy.

With the Forrest Street parking bays there is a broader spread of comments with the majority rejecting the proposal. One or more of the three separate embayed areas conflict with future private development plans and have been rejected by some correspondents on that basis.

One correspondent supports the old sump area being surfaced for parking and the southern parking embayments only.

Comments are also made about the narrow widths and difficulty of the existing Medical Centre parking bays.

The Railway Street site is included in the 2008/09 draft budget document. The higher level of community support for this site confirms the validity of the budget proposal.

VOTING

Simple Majority

2.2 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Utting

That Council:

- (1) Include funding in the 2008/09 budget for the construction of the extension of the Railway Street car parking area to include an additional 31 bays.**
- (2) Discontinue any plans to install embayed car parking bays on either side of Forrest Street east of the median island.**
- (3) Arrange for a safety audit to be carried out on the Railway Street/Forrest Street intersection, in line with concerns shown by TAPSS.**
- (4) Inform all correspondents, Cottesloe SOS and Procott of Council's decision on this matter.**

Carried 4/0

2.3 DISABLED ACCESS RAMP, BARCHETTA SHOWERS/TOILETS

File No: SUB/544
Attachment(s): [Consultation Matrix Plan](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 9 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

Council has included in its current 2007/08 budget an allocation of \$35,000 for the installation of a disability accessible ramp at the public toilets and showers beneath the Barchetta Café.

Initial set out works have been halted while Council direction on the need for public comment and associated items is obtained.

The recommendation is that Council:

- (1) Ensure that the disability access ramp at the Barchetta toilets/showers/change rooms is in place by the end of September 2008.
- (2) Send an application to the Western Australian Planning Commission for MRS approval for the ramp as soon as possible.
- (3) Advertise the project for public comment in accordance with Council's *Public Consultation* policy.

STATUTORY ENVIRONMENT

The *Western Australian Disability Act 1993* requires local governments to develop and implement a Disability Access and Inclusion Plan to ensure that people with disabilities can access facilities and services provided by local governments.

Council adopted such a plan in 2001.

An access ramp between the beach and toilets/change rooms/showers at Barchetta is a high priority in that plan.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Town of Cottesloe's *2006-2010 Future Plan* includes, under Objective 1: Lifestyle, item 1.7 Develop a strategy to ensure access and inclusion of aged persons and persons with disabilities.

Under Objective 3: Beach & Foreshore Enhancement, item 3.5 Improve bicycle and disabled access to beach facilities.

FINANCIAL IMPLICATIONS

\$35,000 approved for construction in the 2007/08 budget. \$741 has been spent to date.

BACKGROUND

The major project to improve disability access in the Town of Cottesloe in 2007/08 was to be an access ramp between the floor level of the toilets, showers and change rooms under the Barchetta Café and the dual use path.

The site was inspected and the best alignment pegged. Discussions took place with the operator of the Barchetta Café, Cottesloe Coastcare and Council staff involved with disability access.

Vegetation was cleared and the slope roughly shaped. Quotes were arranged for installation.

Staff then the Manager of Engineering Services has been informed of the need to have the Western Australian Planning Commission (WAPC) approve the works due to the area being within Metropolitan Regional Scheme Public Open Space.

Queries have also been raised on the need for further public consultation given the innovative type of construction that is being proposed.

CONSULTATION

Refer to background comments.

STAFF COMMENT

It is now too late to build this ramp before the end of the financial year.

Arrangements have therefore been made for the funding to be carried forward into the 2008/09 budget.

A submission is to be sent to the WAPC for their approval which should not cause problems, only a delay.

Staff are fairly certain that the main stakeholders; the Barchetta lessee, Cottesloe Coastcare and the Disability Services Advisory Committee (who requested the ramp) have been informed and have no concerns with the proposal as such.

However given the sensitivities attached to the beach, staff need further direction as to whether Council requires the project to be advertised for public comment.

Under Council's *Public Consultation* policy, with the project is considered to be site specific, the consultation requirements range from an advertisement in the newspaper in most circumstances to the rarest of circumstances for other consultation requirements.

The main objective now will be to complete the work prior to the start of the next beach season, that being around October 2008.

VOTING

Simple Majority

2.3 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Utting, seconded Cr Carmichael

That Council:

- (1) **Ensure that the disability access ramp at the Barchetta toilets/showers/change rooms is in place by the end of September 2008.**
- (2) **Send an application to the Western Australian Planning Commission for approval to be gained for the ramp as soon as possible.**
- (3) **Advertise the project for public comment in accordance with Council's *Public Consultation* policy.**

Carried 4/0

2.4 REGIONAL MATERIAL TENDERS

File No: SUB/TBA
Attachment(s): [Tender Details](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 9 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

On behalf of the local governments of Mosman Park, Cottesloe, Claremont, Subiaco, Nedlands and Peppermint Grove, tenders were advertised and administered by the Town of Mosman Park for the supply of limestone, road base, drainage pipes and associated components, plus the supply and laying of extruded concrete kerbing, for a tender period of three years.

This report details the results of that tender process.

STATUTORY ENVIRONMENT

The *Local Government Act* requires that all purchases in excess of \$100,000 to be the subject of a tender process. This legal requirement has been complied with for these materials over a 3 year period. At this time, only drainage components will top \$100,000 in value per year.

POLICY IMPLICATIONS

Council's *Purchasing Policy* applies to this tender.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this tender.

FINANCIAL IMPLICATIONS

Council uses all of these products in its road construction and maintenance functions. Any changes to the delivered prices of these products will have a direct impact on these works.

BACKGROUND

Mosman Park has called tenders on behalf of the majority of WESROC Councils for a number of years for a variety of products.

The main benefit is a coordinated approach on behalf of the region to achieve a bulk purchase benefit for all participants.

A three year contract is normally sought to facilitate long term financial planning and to reduce the time and effort required in letting annual tenders.

CONSULTATION

Consultation has taken place between the Engineering Departments of the various WESROC local governments. Apart from the completed tender advertising process, no public comments are seen as being necessary for this item.

STAFF COMMENT

(1) Supply and Delivery of Crushed Road Base:

Two submissions were received, with the tender panel unanimously deciding on WA Bluemetal, the contractor supplying this material for the three previous years.

Three years ago, the new accepted price was \$12.45 per tonne, an increase from the previous price of \$1.95 per tonne. The new 2008 price of \$22.70 per tonne to Cottesloe is an increase of \$10.25 per tonne or 82.3% over three years.

(2) Supply and Placement of Extruded Kerbing:

A total of four tenders were received. The evaluation committee scored all four tenderers and unanimously agreed to Kerbing West being the preferred tenderer, for a period of three years.

Several shapes (mountable, semi mountable and barrier) were tendered for, and the rates offered varied between these types and the lengths laid per day.

In developed areas, such as Cottesloe, lengths of 500 metres plus per day are normally impossible due to changes at crossovers and intersections.

Three years ago a tender was adopted which increased the rates per metre between 6.2 and 22.1% over three years, depending on lengths laid and kerb type.

The new tendered costs per metre are an increase on Year one of the old three year tender of between 65% and 205%. Kerbing more than any other road works material has dramatically increased in price due to a variety of factors, including problems in getting enough concrete per day to extrude enough length to reduce costs. Other factors include fuel, difficulty in getting and keeping staff and the profits to be made in kerbing for new subdivision roads compared with short local government sections.

Staff will now ensure that only the worst kerb sections are replaced on road resurfacing projects, to comply with budget allocations.

(3) Supply and Delivery of Drainage Materials:

This is the only supply contract out of the four tendered that will go over \$100,000 per year, for the next two years, because of the last two remaining years for the National Water Initiative project, with the main items of supply being soak pit well liners and side entry trafficable lids.

Three tenders were received, from Icon Septech, Added Tech and Wembley Cement.

In regards to scoring the three tenders received, Added Tech was a limited tender and was not scored.

There was a unanimous agreement from the tender panel that Wembley Cement would provide the most advantageous price and quality delivery of products.

Depending on the particular item, prices have increased over three years, for drainage components, between 32% and 38.6%, from the same supplier.

(4) Supply and Delivery of Crushed Limestone:

Only one tender was received, from WA Limestone, the same supplier as the past three years.

The tender panel agreed to accept this tender, for three years. The prices has increased over three years from \$9.40 per tonne delivered to Cottesloe up to \$13.20 per tonne, an increase of \$3.80 per tonne or 40.4% over three years.

The prices received for these four tenders were substantially in excess of State and National CPI figures due to the reliance upon imported crude oil, natural gas, diesel and petrol prices for production and delivery plus other factors, including reducing available supplies of limestone and hard rock and the smaller local government uses for these materials in developed suburbs compared with new subdivisions.

VOTING

Simple Majority

Cr Utting left the meeting at 8.01 pm.

Cr Utting returned to the meeting at 8.03 pm.

2.4 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Miller

That Council accept the tender prices submitted for a three year contract commencing on 1 July, for road construction materials as listed below.

- (1) Supply and delivery of crushed road base – WA Blue Metal**
- (2) Supply and placement of extruded kerbing – Kerbing West**
- (3) Supply and delivery of drainage materials – Wembley Cement**
- (4) Supply and delivery of crushed limestone – WA Limestone**

Carried 4/0

2.5 FORESHORE VULNERABILITY TO CLIMATE CHANGE IMPACT - STUDY REPORT

File No: SUB/537
Attachment(s): [Summary](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 10 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

A grant application was made in March 2007 to the Federal Attorney General under the "Local Grants Scheme – Working Together to Manage Emergencies" program. In July 2007, Council was informed that the Town of Cottesloe had been successful in obtaining a grant of \$53,713 for a study on "Foreshore Vulnerability Assessment of Potential Impacts of Climate Change on the Cottesloe Beach Foreshore".

That study has now been completed.

The report recommends that Council:

- (1) Receive the overview of the Coastal Zone Management Consultant Study on the "Vulnerability of the Cottesloe Foreshore to the Potential Impacts of Climate Change".
- (2) Have staff supply a report on the proposed tasks identified in the study and their impacts, priorities and applicability to the Town of Cottesloe.
- (3) Allow the report to be made available to community groups, State Government authorities, other local governments and research organisations for study and to aid in the development of the understanding of the potential impacts of climate change on metropolitan foreshore areas.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Council's Future Plan 2006-2010 is involved, indirectly, with Climate Change in the following areas:

Objective 1: Protect and enhance the lifestyle of residents and visitors:

Major Strategy 1.5: Develop a strategy for greater community engagement when change is needed.

Objective 3: Enhance Beach Access and the Foreshore:

Major Strategy 3.1: Develop the 'Foreshore Vision and Master Plan' in consultation with the community.

Major Strategy 3.2: Improve beach access and dune conservation outside the central foreshore zone.

Objective 5: Maintain infrastructure and Council buildings in a sustainable way.

Major Strategy 5.6: Develop a long term asset management plan and accompanying financial plan.

FINANCIAL IMPLICATIONS

The cost of the study was fully funded by the Federal Government.

The cost of potential climate change impacts on Council infrastructure in the future is unknown but will need to be taken into account when considering the placement of new or replacement items of infrastructure adjacent to the foreshore.

BACKGROUND

Throughout the world, the United Nations, other world bodies, national governments, state governments (including Western Australia) and a large variety of research institutes and private organisations are currently involved in gathering data on climate change.

All around Australia, in coastal urban areas and in a large portion of coastal rural areas, local governments have a significant investment in existing infrastructure used by local residents, ratepayers and visitors.

Any possible damage to this infrastructure caused by the sea in terms of rising sea levels and wind generated waves will have a direct financial, social and environmental impact. In addition, damage to private properties, access routes and service facilities owned by State and Commonwealth governments may also occur.

The Risk Management/Assessment study agreed to with the Commonwealth Government for the Cottesloe Foreshore area is meant to act as model for a typical Perth metropolitan beach/foreshore areas.

What applies to Cottesloe should also have a high degree of applicability to the metropolitan foreshore areas and other urban regional coastal areas e.g. Mandurah, Bunbury, Busselton.

This study is a first for Western Australia and builds on what has already taken place in the eastern states, particularly in Queensland.

CONSULTATION

Consultation took place with state government departments, universities and scientific organisations.

STAFF COMMENT

It is important to understand that this study is a study into the vulnerability of the Cottesloe foreshore to the potential impacts of climate change.

It is a risk assessment based on known data and knowledge gathered in Australia and around the world.

Because it has to predict the 'likelihood' of potential impacts on Council's (and privately owned) infrastructure by 2030 and 2070, the study utilises a number of tools including computer models and scientific data gathered by organisations such as NASA and other organisations.

Fortunately the Cottesloe foreshore area has a fairly well documented history including reports, photographs and studies made since European settlement. As a result Cottesloe is much better suited for this sort of study than more recently established suburbs.

We have a wealth of photographs covering major storm events and effects on the foreshore, as well as aerial photos going back into the 1940's.

This historical information facilitates a better prediction of climate change impacts when 'normal' storm damage for the past 50-60 years can be factored in.

In other words if we know what to expect from major damage to Council's infrastructure given the 'normal' storms of past years and add the potential impacts of climate change, then we are in a far better position to understand and respond to potential threats to local infrastructure with climate change.

No infrastructure lasts forever. With the upgrading and eventual replacement of particular infrastructure items, due consideration should be given to whether the infrastructure should be replaced in the same location or further away from the active foreshore.

An example of the need to think to the future is the existing dual use cycle path, where it runs close to the top of steep sand cliffs in North Cottesloe at the bottom of Grant Street. The path is too narrow for the high level of use that it receives. One section of the dual use path was almost lost in 2003 with severe storm erosion (see front cover of report). It therefore makes sense to consider the realignment of a wider path knowing that climate change may aggravate what is already a poor situation.

Many of our historic photos of major storm events feature the Blue Duck area. Plans for any building expansion in this area, which is close to the water's edge, should recognise potential climate change scenarios. Geotechnical studies could establish the potential for connecting existing or new building structures to solid limestone underpinnings.

A similar pragmatic approach could also be undertaken by service authorities when planning the replacement of service utilities e.g. the existing deep sewer pressure main on the west side of Marine Parade through North Cottesloe could well be better located on the east side of Marine Parade.

On pages 15 and 16 of the overview of the study (see attachment) a table of proposed tasks is included. These tasks include new policies, discussions with

private and state government stakeholders, reviews of long term plans and other actions.

It is proposed that this list of proposed tasks be further reported on with a view to establishing priorities and impacts on existing Council forward plans, policies and infrastructure replacement or establishment.

VOTING

Simple Majority

2.5 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Carmichael, seconded Cr Cunningham

That Council:

- (1) Receive the overview of the Coastal Zone Management Consultant Study on “Vulnerability of the Cottesloe Foreshore to the Potential Impacts of Climate Change”.**
- (2) Have staff supply a report on the proposed tasks identified in the study and their impacts, priorities and applicability to the Town of Cottesloe.**
- (3) Allow the report to be made available to community groups, State Government authorities, other local governments and research organisations for study and to aid in the development of the understanding of the potential impacts of climate change on metropolitan foreshore areas.**

Carried 4/0

2.6 RESTORATION OF THE GROUNDWATER AQUIFER - NATIONAL WATER INITIATIVE

File No: SUB/415
Attachment(s): [Report to National Water Commission](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 9 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

The Town of Cottesloe commenced this four-year project in June, 2006. The project budget includes a one-third grant from the Federal Government under the National Water Initiative. One of the grant conditions is the preparation of a formal report on progress and expenditure every six months. This will be the fourth, six-month report for this project.

It is recommended that Council adopt the report and forward it to the National Water Commission.

A copy of the report is attached.

STATUTORY ENVIRONMENT

All work for this four-year project takes place on land controlled by the Town of Cottesloe and involves drainage works of various types.

Council is responsible for the long-term construction and maintenance of stormwater drainage systems.

The Federal Government grant for this project required the signing of a legal agreement which places reporting requirements on the Town of Cottesloe.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Council's *Future Plan 2006-2010* includes the aim of maintaining infrastructure and Council buildings in a sustainable manner. This project is centred on sustainability of the underground water aquifer through the provision of sustainable drainage structures.

FINANCIAL IMPLICATIONS

The total project cost is \$2.346m (plus GST) over four years with the Federal Government agreeing to a \$782,000 (plus GST) grant through the National Water Initiative. The State Department of Water has been requested for assistance with this project and an agreement has been finalised by the Department of Water for a \$100,000 grant over 3 years.

Council's 2007/08 budget includes \$609,000 expenditure for this project, plus a grant income from the National Water Initiative of \$220,000 (plus GST).

BACKGROUND

Council has previously resolved to undertake this project over a four year period, with the practical tasks to be completed being:

1. The construction of 280 individual soak pits.
2. The removal of 10 separate ocean outfall pipelines with the water being redirected into the water table.
3. The replacement of 7 existing open sumps with replacement structures to remove debris and pollutants prior to their entry into the aquifer.
4. The provision for the interception and removal of debris and pollutants from all structures.
5. A community education programme to change public attitudes to reducing groundwater use and changing garden types.

Each year of the project has its own milestones for the completion of set portions of the above-mentioned tasks.

CONSULTATION

Nil

STAFF COMMENT

The project is progressing well, with no current concerns regarding the rate of progress or the level of expenditure.

All required milestones have been met for the second twelve months of this project.

The works undertaken have received strong support from within the community and others who are concerned with the future of the Cottesloe aquifer and metropolitan water supplies in general.

The first of three education packages have been created and distributed to all properties in Cottesloe, to achieve attitudinal change in regards to the preservation of the Cottesloe freshwater aquifer. Two more packages will be created in the next two financial years, as per the grant agreements.

The Department of Water has agreed in writing to a \$100,000 grant over 3 years to assist this project, particularly for public education. A formal agreement is also in place for this grant, with \$33,333 being funded per year for 3 years. A recoup has been lodged with the Department of Water for the first 1/3 of this grant.

VOTING

Simple Majority

2.6 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Carmichael

That Council adopt the report and forward it to the National Water Commission.

Carried 4/0

2.7 MEMORIAL BENCHES/SEATS - COTTESLOE BEACH FORESHORE

File No: SUB/393
Attachment(s): [Copy of Sample Request](#)
[Copy of Letter of Response](#)
Author: Mr Geoff Trigg
Author Disclosure of Interest: Nil
Report Date: 9 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

Council has, for many years, allowed memorial seats to be installed beside the main dual use path along the Cottesloe beach foreshore, at the applicants cost and to Council's requirements.

There are now so many memorial seats that a reconsideration of this practice is considered appropriate.

A recommendation is made to place a moratorium on the installation of memorial seats until the future of the Cottesloe Beach foreshore has been resolved through the work of the Beachfront Vision Working Group.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Memorial seats have been funded in the past by the applicant. A stop to this practice will have no financial impact on Council.

BACKGROUND

In recent times, several memorial seats have been installed beside the Cottesloe beach foreshore dual use path each year. These memorial seats are dedicated to people who reportedly had significant involvement with Cottesloe Beach and the foreshore.

The seats and memorial plaques on each seat have been funded by the applicants on the family involved. Council has installed the seats at no cost to the applicants.

CONSULTATION

Nil

STAFF COMMENT

Staff have run out of ideas for sensible locations to suggest for people who want to install a memorial seat dedicated to a departed family member or friend.

Memorial seats have been a feature along the foreshore for many years and it seems that there is a public expectation that the practice will continue into the future.

There appears to be little interest in such seats being located in public parks away from the foreshore.

The more seats in place, the more maintenance that is required. If there are good reasons for why this practice should continue then Council staff believe that a policy that limits demand and contains costs will need to be developed within the context of the work of the Beachfront Vision Working Group and its recommendations for the future of the foreshore.

VOTING

Simple Majority

2.7 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Carmichael

That Council place a moratorium on the installation of memorial seats until the future of the Cottesloe Beach foreshore has been resolved through the work of the Beachfront Vision Working Group.

Carried 4/0

3 FINANCE**3.1 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MAY 2008**

File No: SUB/137
Attachment(s): [Financial Statements](#)
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Period Ending: 31 May 2008
Senior Officer: Mr Stephen Tindale

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 31 May 2008, to Council.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

The Financial Statements are presented monthly.

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 \$851,282 as at 31 May 2008. Operating Revenue is ahead of budget by \$209,289 (2.77%). Operating Expenditure is \$435,155 (5.76%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 31 May 2008 is shown on page 7.

The main causes of the lower than anticipated expenditure are: COMMUNITY AMENITIES - lower than budgeted expenditure on contractors in the area of sanitation (\$68,998) and legal, consultant and contractor expenses for Town Planning be lower than forecast (\$207,265).

The Capital Works Program is listed on pages 18 & 19 and shows total expenditure of \$3,033,760 compared to YTD budget of \$4,342,528. The main difference is the postponement of the Civic Centre extension until the 2008/2009 financial year.

VOTING

Simple Majority

3.1 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, Cr Carmichael

That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 May 2008, as submitted to the 17 June 2008 meeting of the Works and Corporate Services Committee.

Carried 4/0

3.2 SCHEDULE OF INVESTMENTS AND SCHEDULE OF LOANS FOR THE PERIOD ENDING 31 MAY 2008

File No: SUB/150 & SUB/151
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Period Ending: 31 May 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 31 May 2008, to Council.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

The Schedule of Investments and Schedule of Loans are presented monthly.

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 13 of the Financial Statements shows that \$2,815,974.39 was invested as at 31 May, 2008

Reserve Funds make up \$2,483,765.79 of the total invested and are restricted funds. Approximately 59% of the funds are invested with the National Australia Bank, 21% with Home Building Society and 20% with BankWest.

The Schedule of Loans on page 14 shows a balance of \$244,738.92 as at 31 May, 2008. There is \$142,456.50 included in this balance that relates to self supporting loans.

VOTING

Simple Majority

3.2 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, Cr Carmichael

That Council receive the Schedule of Investments and Schedule of Loans for the period ending 31 May 2008, as submitted to the 17 June 2008 meeting of the Works and Corporate Services Committee.

Carried 4/0

3.3 ACCOUNTS FOR THE PERIOD ENDING 31 MAY 2008

File No: SUB/144
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Period Ending: 31 May 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

The purpose of this report is to present the List of Accounts for the period ending 31 May 2008, to Council.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

The List of Accounts is presented monthly.

CONSULTATION

Nil

STAFF COMMENT

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

- \$32,221.24 to WA Local Govt Super Fund for staff deductions
- \$21,303.35 to BCITF for payment of levies collected
- \$44,455.46 to Water Dynamics for installation of water mains along Broome Street
- \$34,067.63 to Cobblestone Concrete for various footpath construction
- \$40,443.15 to Cubic Solutions for work on Forest St sump conversion
- \$39,418.64 to ATO for GST for April 2008
- \$50,782.00 to ATO for BAS return for April 2008
- \$15,408.98 to Town of Mosman Park for installation of soak wells
- \$18,491.00 to Claremont Asphalt for road and laneway repairs
- \$55,978.01 to Key2Design for design work on Think Water Campaign
- \$38,933.70 to Trum P/L for waste collection

- \$52,059.48 to Town of Mosman Park for installation of black-spot median islands
- \$59,259.47 to Roads 2000 for various road works
- \$12,980.00 to Claremont Asphalt for completion of ROW rear of Burt Street
- \$10,670.00 to Industrial Scrubbing & Sweeping for footpath cleaning
- \$18,055.40 to Claremont Asphalt for works at Jarrad & Broome Street
- \$11,295.06 to ATO for FBT for year ended 31 March 2008
- \$17,232.78 to Shire of Peppermint Grove for library project contributions
- \$217,080.34 to Roads 2000 for various road works
- \$11,919.38 to WALGA for advertising in April 2008
- \$22,896.38 to WMRC for disposal and tipping fees
- \$85,347.81 to Town of Mosman Park for installation various black-spot median strips
- \$24,402.40 to Playground Solutions for playground equipment
- \$34,581.43 to Roads 2000 for various road works
- \$25,785.65 to Claremont Asphalt for various road works
- \$126,408.21 for staff payroll for May 2008

VOTING

Simple Majority

3.3 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, Cr Carmichael

That Council receive the List of Accounts for the period ending 31 May 2008, as submitted to the 17 June 2008 meeting of the Works and Corporate Services Committee.

Carried 4/0

3.4 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 31 MAY 2008

File No: SUB/145
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Period Ending: 31 May 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 31 May 2008, to Council.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

BACKGROUND

The Property and Sundry Debtors Reports are presented monthly.

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 15 to 16 of the Financial Statements shows a balance of \$418,304.39 of which \$286,276.90 relates to the current month. The balance of aged debt greater than 30 days stood at \$132,027.49 of which \$105,002.28 relates to pensioner rebates that are being reconciled by the Senior Finance Officer.

Property Debtors are shown in the Rates and Charges analysis on page 17 of the Financial Statements and show a balance of \$288,436.13. Of this amount \$226,602.81 and \$19,698.65 are deferred rates and outstanding ESL respectively. As can be seen on the Balance Sheet on page 18 of the Financial Statements, rates as a current asset are \$88,882 in 2008 compared to \$194,351 last year.

VOTING

Simple Majority

3.4 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, Cr Carmichael

That Council:

- (1) **Receive and endorse the Property Debtors Report for the period ending 31 May 2008; and**
- (2) **Receive the Sundry Debtors Report for the period ending 31 May 2008.**

Carried 4/0

ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

4 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING**4.1 BUDGET RECOMMENDATION**

File No: SUB/140
Attachment(s): [Memo](#)
Author: Mr Graham Pattrick
Author Disclosure of Interest: Nil
Report Date: 17 June, 2008
Senior Officer: Mr Stephen Tindale

SUMMARY

Following the Council budget briefing held on Tuesday, 3 June 2008 four recommendations were presented to a Council budget briefing held earlier in the evening. They were:

- Option 1: 10% rate increase with no differential rating system
- Option 2: 10% rate increase with a differential rating system
- Option 3: 9% rate increase with no differential rating system
- Option 4: 9% rate increase with a differential rating system

OFFICER RECOMMENDATION

That Council adopt Option 1 namely a 10% rate increase with no differential rating.

4.1 COMMITTEE RECOMMENDATION

Moved Cr Miller, seconded Cr Cunningham

That Council adopt Option 3 namely a 9% rate increase with no differential rating.

Carried 3/1

Cr Carmichael left the meeting at 8.37 pm.

MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 8.40 pm.

CONFIRMED: PRESIDING MEMBER _____ DATE:/..../.....

Cr Carmichael returned to the meeting at 8.41 pm.