

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 22 JUNE 2010

GRAHAM PATTRICK
Acting Chief Executive Officer

24 June 2010

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

The Presiding Officer announced the meeting opened at 7:07PM

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

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

Officers Present

Carl Askew	Chief Executive Officer
Graham Pattrick	Manager Community & Corporate Services
Geoff Trigg	Manager Engineering Services
Annaliese Davis	Events & Support Officer

Apologies

Nil

Officer Apologies

Nil

Leave of Absence (previously approved)

Nil

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PUBLIC STATEMENT TIME

David Cairns – 119 Grant Street, Cottesloe – Black Spot Works – Mann Street/Grant Street.

Mr Cairns raised his concerns about the first design for the Grant Street and Mann Street Black Spot Proposal. He believes that the first proposal will

increase traffic around Jasper Green Park and this will cause concern for people visiting the park and residents in the street.

Mr Cairns supports Councillor Cunningham's alternative proposal and also believes that Main Roads Western Australia should address the Eric and Swanbourne Bridge traffic and layout issues as this is a huge problem which concerns local residents and general road users.

Lauran Young – Speaking on behalf of the Owner 117 Grant Street (Mr Tom O'Leary), Cottesloe – Black Spot Works – Mann Street/Grant Street

Ms Young also made a statement outlining her concerns about the Black Spot Project at the intersection of Grant Street and Mann Street. Lauran has been a resident for 3 years and she was speaking tonight on behalf of the owner of 117 Grant Street, Mr Tom O'Leary and other residents in Grant Street.

Lauran believes that the first proposal shifts the problem to other surrounding streets. At present, vehicles travelling along Grant Street near Jasper Green Reserve are speeding and this is a concern for parents and children who visit the reserve. Ms Young is concerned that the first proposal for the black Spot Project will cause an increase of traffic along Grant Street. Ms Young stated that because there are a number of cars parked along the road, there is a significant amount of problems for those reversing out of driveways.

Additionally there is a laneway behind her property on Grant Street which she is worried that people will start to use in order to avoid the Grant Street intersection if the proposed changes are implemented.

Ms Young finished her statement by expressing that she prefers Councillor Cunningham's alternative proposal and thinks that using speed humps as a measure to slow traffic should also be considered.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Strzina, seconded Cr Cunningham

[Minutes May 18 2010 Works and Corporate Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Works and Corporate Services Committee, held on 18 May 2010 be confirmed.

Carried 7/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

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

11.1. Black Spot Works – Grant Street/Mann Street

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

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

- 10.3.1 Statutory Financial Statements for the Period Ending 31 May 2010
- 10.3.2 Schedule of Investments and Loans for the Period Ending 31 May 2010
- 10.3.3 Accounts paid in the month of May 2010
- 10.3.4 Property and Sundry Debtors Reports for May 2010

10 REPORTS OF COMMITTEES AND OFFICERS

10.1 ADMINISTRATION

10.1.1 ADOPTION OF 2010/2011 BUDGET

File No: SUB/140
Attachments: Budget 2010-2011
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

A recommendation is made to adopt the draft 2010/11 budget.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 provides the following:-

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government;
 - (b) the revenue and income, independent of general rates, of the local government; and
-

- (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate —
- (a) particulars of the estimated expenditure proposed to be incurred by the local government;
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
 - (c) the fees and charges proposed to be imposed by the local government;
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - (g) such other matters as are prescribed.
- (5) Regulations may provide for —
- (a) the form of the annual budget;
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

FINANCIAL IMPLICATIONS

The budget sets the direction for the next financial year.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

There have been several workshops with Councillors to determine the budget

STAFF COMMENT

This budget has been prepared with input from senior staff and Councillors. The Local Government CPI (LGCPI) has been used as a yardstick to measure to ensure

that the council maintain a sustainable financial foundation. In addition to LG CPI the new financial year will be the first to have 2 payments on the new library loan.

VOTING

Absolute Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

THAT Council:

- (a) Adopt the budget for the financial year ending 30 June 2011;
 - (b) Adopt the Statement of Cash Flows for the financial year ending 30 June 2011;
 - (c) Endorse the Rate Setting Statement for the financial year ending 30 June 2011; and
 - (d) Endorse the Statement of Comprehensive Income (by nature and type) showing expenditure of \$9,978,770 and revenue of \$9,452,174 for the financial year ending 30 June 2011.
- (2) ADOPTION OF RATE – SECTION 6.32 LOCAL GOVERNMENT ACT, 1995

That Council:

(a) General Rate

Impose a rate of 6.645 cents in the dollar on the gross rental value of all the rateable property within the Town of Cottesloe for the financial year ending 30 June 2011.

(b) Minimum Rate

Impose a minimum rate of \$845.00 for the financial year ending 30 June 2011.

(c) Refuse Collection

Include in the rate charge for residential properties:

- a once per week service of a 120 litre mobile garbage bin (MGB) for general household rubbish, and
- a once per fortnight service of a 240 litre MGB for recyclable household rubbish.

Apply the following charges to residential properties for additional services:

- General rubbish – each additional service per week – 120 litre MGB - \$312.00 per annum (inclusive of GST),
- Recycling – each additional service per fortnight – 240 litre MGB – nil.

Apply the following charges to commercial properties:

- General rubbish – one service per week – 240 litre MGB - \$312.00 per annum (inclusive of GST),
- Recycling – one service per fortnight – 240 litre MGB - \$126.50 per annum (inclusive of GST),
- Recycling – one service per week – 240 litre MGB - \$253.00 per annum (inclusive of GST).

(d) Administration Charge – Section 6.45(3) Local Government Act, 1995

Impose an administration charge of \$50.00 where payment of a rate or service charge is made by instalments, except that eligible pensioners will be excluded from paying the charge.

(e) Interest – Section 6.51 Local Government Act, 1995

Apply an interest rate of 11% per annum to rates and service charges levied in the 2010/11 financial year which remain unpaid after they become due and payable and where no election has been made to pay the rate or service charge by instalments.

(f) Rates Instalment Payment Option

Adopt the following rates instalment options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by the 35th day after the issue.

OR

Option 2

To pay by four instalments, as detailed on the rate notices with the following anticipated dates:

- First instalment due by 2nd September, 2010
- Second instalment due by 11th November, 2010
- Third instalment due by 13th January, 2011
- Fourth instalment due by 24th March, 2011.

(g) Specified Area Rate – Section 6.37 Local Government Act, 1995

Include for the purposes of area promotion, the raising of a specified area rate to raise 1.1999 cents in the dollar on the gross rental valuations of all of the rateable land bounded by Forrest Street, Stirling Highway, the railway line, Brixton Street and Railway Street as shown in Appendix 1 of Town Planning Scheme No. 2 as the Town Zone Development Policy Plan, except for lots 50 and 61 and any other property in the specified area that is used solely for residential purposes.

(3) INTEREST ON MONEY OWING – SECTION 6.13 LOCAL GOVERNMENT ACT, 1995

That Council apply an interest rate of 11% per annum to any amount not paid within 35 days of the date of the issue of the account.

(4) MEMBERS MEETING ATTENDANCE FEES – SECTION 5.99 LOCAL GOVERNMENT ACT, 1995

That Council set an annual meeting attendance fee of \$5,000 for Council Members and \$10,000 for the Mayor.

(5) MAYOR AND DEPUTY MAYORAL ALLOWANCE – SECTION 5.98 AND 5.98A LOCAL GOVERNMENT ACT, 1995

That Council set a mayoral allowance of \$5,000 and set a deputy mayoral allowance of \$1,250.

(6) TELECOMMUNICATIONS ALLOWANCE – SECTION 5.99A LOCAL GOVERNMENT ACT, 1995

That Council set a telecommunication allowance of \$1,600 for elected members.

Committee Comment:

Cr Rowell raised the matter of the current Meeting Attendance Fees and Mayoral Allowance fees as stated in section (4) and (5) of the Officer Recommendation of Item 10.1.1 and proposed that the Mayoral Allowance be increased. Mayor Morgan declared a financial interest on Item 10.1.1 as the Mayor of Town of Cottesloe and exited the room. Cr Boland assumed the Chair in the Mayors absence.

Committee discussed the workload and expectations of the position of Mayor and the amount of time spent at Community events and meetings. After debate, the Committee came to the decision that the Mayor Allowance should be increased by \$2,500 per annum and determined to amended part (5) of the Officer Recommendation accordingly.

AMENDMENT

Moved Cr Rowell, seconded Cr Woodhill

That point (5) of the Office Recommendation be changed to state the Mayoral allowance of \$5,000 be increased to \$7,500.

Mayor Morgan left the meeting at 7:50pm and returned at 8:10pm.

COMMITTEE RECOMMENDATION**THAT Council:**

- (a) Adopt the budget for the financial year ending 30 June 2011;
- (b) Adopt the Statement of Cash Flows for the financial year ending 30 June 2011;
- (c) Endorse the Rate Setting Statement for the financial year ending 30 June 2011; and
- (d) Endorse the Statement of Comprehensive Income (by nature and type) showing expenditure of \$9,978,770 and revenue of \$9,452,174 for the financial year ending 30 June 2011.

(2) ADOPTION OF RATE – SECTION 6.32 LOCAL GOVERNMENT ACT, 1995**That Council:****(a) General Rate**

Impose a rate of 6.645 cents in the dollar on the gross rental value of all the rateable property within the Town of Cottesloe for the financial year ending 30 June 2011.

(b) Minimum Rate

Impose a minimum rate of \$845.00 for the financial year ending 30 June 2011.

(c) Refuse Collection

Include in the rate charge for residential properties:

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- Recycling – one service per week – 240 litre MGB - \$253.00 per annum (inclusive of GST).

(d) **Administration Charge – Section 6.45(3) Local Government Act, 1995**

Impose an administration charge of \$50.00 where payment of a rate or service charge is made by instalments, except that eligible pensioners will be excluded from paying the charge.

(e) **Interest – Section 6.51 Local Government Act, 1995**

Apply an interest rate of 11% per annum to rates and service charges levied in the 2010/11 financial year which remain unpaid after they become due and payable and where no election has been made to pay the rate or service charge by instalments.

(f) **Rates Instalment Payment Option**

Adopt the following rates instalment options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by the 35th day after the issue.

OR

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Include for the purposes of area promotion, the raising of a specified area rate to raise 1.1999 cents in the dollar on the gross rental valuations of all of the rateable land bounded by Forrest Street, Stirling Highway, the railway line, Brixton Street and

Railway Street as shown in Appendix 1 of Town Planning Scheme No. 2 as the Town Zone Development Policy Plan, except for lots 50 and 61 and any other property in the specified area that is used solely for residential purposes.

(3) INTEREST ON MONEY OWING – SECTION 6.13 LOCAL GOVERNMENT ACT, 1995

That Council apply an interest rate of 11% per annum to any amount not paid within 35 days of the date of the issue of the account.

(4) MEMBERS MEETING ATTENDANCE FEES – SECTION 5.99 LOCAL GOVERNMENT ACT, 1995

That Council set an annual meeting attendance fee of \$5,000 for Council Members and \$10,000 for the Mayor.

(5) MAYOR AND DEPUTY MAYORAL ALLOWANCE – SECTION 5.98 AND 5.98A LOCAL GOVERNMENT ACT, 1995

That Council set a mayoral allowance of \$7,500 and set a deputy mayoral allowance of \$1,250.

(6) TELECOMMUNICATIONS ALLOWANCE – SECTION 5.99A LOCAL GOVERNMENT ACT, 1995

That Council set a telecommunication allowance of \$1,600 for elected members.

THE SUBSTANTIVE MOTION WAS PUT

Carried 5/1

10.1.2 WRITE OFF OF ASSETS FOLLOWING ASSET STOCK TAKE

File No: SUB/534
Attachments: [Asset Stocktake December 2009.xls](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corpor02ate Services

Proposed Meeting Date: 27 April 2010
Author Disclosure of Interest Nil

SUMMARY

A recommendation is made that the assets identified to be written off in the stock take of the asset register be approved for deletion from the asset register.

BACKGROUND

Following the audit for 2009/2010 a recommendation was made by the auditors that a stock take be performed of the assets of the Town of Cottesloe.

The Finance Manager conducted the stock take and identified an assortment of assets that are either poorly described and not individually identifiable, are missing, obsolete or for a number of other reasons need to be written off (see attachment for details).

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The Town of Cottesloe's Accounting policy requires under Section 4 - Financial Reporting that each month the principal accounting officer shall present to Council:
(c) A statement of assets and liabilities that is prepared in accordance with the appropriate accounting standards.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

The write off will have a positive impact of \$111,628.85

(This is because some of the items to be written off are book entries for asset adjustments from 12 years ago that have large credit balances. These are items that should never have been entered in the asset register in the first place.)

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The write off follows a request from the auditors. This has been reviewed by the Audit Committee and approved.

STAFF COMMENT

The items to be written off either have a written down value of \$0, have a minimal value or are accounting entries with a negative value in the asset register. The assets with significant amounts are accounting entries made 12 years ago that should have been written against the operating side of the business.

An asset register should be composed of physically identifiable assets with a purchase cost of at least \$5,000 and with a useful life of over 12 months.

This exercise will remove assets that are either not able to be located or that are not useful.

VOTING

Absolute majority

OFFICER RECOMMENDATION

Moved Cr Rowell, seconded Cr Strzina

THAT Council write off the assets contained within the Asset Stocktake December 2009 spreadsheet (attached) totalling \$111,628.85 CR in accord with the Audit Committee recommendation.

Carried 7/0

10.1.3 FIREWORK APPLICATION COTTESLOE GROYNE

File No: SUB/550-02
Attachment: Fireworks Event Notice
Cadastral map of area
Aerial Map of area
Certificate of Currency
Email correspondence from Cardile Fireworks
Firework Policy
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Annaliese Davis
Events and Support Officer
Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

On the 30 April 2010, an application has been received for a Fireworks Event Notice to be held on the Friday 22nd October 2010 at 8:20pm for five minute duration at the Cottesloe Groyne. The event is a Wedding Reception to be held at Indiana Tea Houses.

The recommendation is that Council approve the Fireworks Event Notice for a Wedding firework display on the 22nd October 2010.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Fireworks Policy

STATUTORY ENVIRONMENT

Clause 5 of the Town of Cottesloe's *Beaches and Beach Reserve Local Law No. 3* provides that in order to protect the quiet and amenity of the beach reserves, no person shall discharge any fireworks except in the course of a function or activities approved in writing by the Council.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

CONSULTATION

Nil.

STAFF COMMENT

According to the *Fireworks Policy* the main issues to be considered by Council when approving a fireworks event are:

- potential damage to sand dune vegetations caused by spectators and fireworks,
- litter management and disposal
- adverse noise for adjacent residents and nesting birds, and
- public liability protection for the Town of Cottesloe.
- cadastral map showing a 200m and 500m radius from the event site.

Cardile International Fireworks have stated in the email attachment the following:

- the display would not affect any sand dune vegetation because of the location being the Groyne and spectators being within the Tea House complex,
- All litter will be collected completely
- Noise will be reduced due to the size of the aerial shells being 75mm and midlevel type firework. Additionally the duration will only be five minutes and due to the open area of the fireworks the noise factor will be at a minimal.
- A certificate of Currency for \$20m for public liability insurance has been attached to the report.
- A cadastral map is attached as well as an aerial map supplied by Cardile Fireworks.

Section 7 of the Government of Western Australia, Department of Mines and Petroleum Firework Event Notice shows the various departments which have been notified regarding the possible firework event. These are:

- Department of Planning and infrastructure (Marine Safety Branch)
- Local Volunteer Marine Rescue

The *Firework Policy* also states that, 'Applications will not be approved for Fireworks within 500m of a Protected Place or for hours outside Restricted Times or for events beginning later than 8:30pm'. Originally the firework display was scheduled for 8:45pm however this changed to finish by 8:30pm after Cardile Fireworks were given the *Town of Cottesloe Firework Policy*.

Cardile Fireworks have also said that they will ensure that, depending on wind conditions, no member of the public will enter into the predicted fall-out zone (Cardile Fireworks will use small pieces of cardboard to assess the direction of the wind and the potential fall out zone). If the wind is strong on the night, they will ensure that they have a person on the beach to move any members of the public who may be in this zone.

VOTING

Simple Majority

OFFICER RECOMMENDATION**Moved Cr Woodhill, seconded Cr Rowell****Committee Comments**

Committee discussed the report and recommendation with particular reference to the use of a public space for a private event as opposed to a “community” event. After discussion they moved not to support the request.

THAT Council approve the Fireworks Event Notice for a Wedding firework display on the 22nd October 2010.

Lost 3/4

10.2 ENGINEERING

10.2.1 DRAINAGE ISSUES, ROW 5, LYONS STREET & BRIGHTON STREET

File No: SUB/245
Attachments: [Plan of Site - ROW 5, Lyons Street and Brighton Street.pdf](#)
[Copy of letters from residents.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

In the past 2 months, three very heavy rainfall events occurred in Cottesloe and the general western suburbs area. A variety of flooding incidents occurred, including properties in Lyons Street, to the east of ROW 5.

Affected residents require confirmation that drainage works will occur to ensure this problem does not re-occur.

The recommendation is that Council:

1. Note the works being undertaken on Brighton Street and ROW 5 to remove drainage flooding issues from properties in Lyons Street.
2. Consider a 5 year plan for the sealing and drainage of laneways in the Town of Cottesloe, to be supplied by the Manager Engineering Services in 2010.

BACKGROUND

The affected properties are 43, 45 and 47 Lyons Street. 45 Lyons Street was Councils original sump property.

Over the past 4 years, Council has been involved in \$2.5m of drainage upgrading works in Cottesloe, including in this drainage catchment.

Many new soak pits have been installed in Brighton Street, Lyons Street, Grant Street and North Street. All of these works have contributed to a reduction in the volume of drainage water running east from Broome Street to Marmion Street, down a shallow 'valley' or low point between each street in the catchment.

In the past 2 months, there have been three very heavy rainfall events, probably heavier than any experienced in the previous year.

Several locations have experienced overflows and discharge into private properties, from laneways and street surfaces. One of the more serious drainage issues was on

the unsealed ROW 5, which runs south off North Street, parallel to and between Brighton Street and Lyons Street. Letters from 43 and 47 Lyons Street describe the property drainage experiences and the issues encountered. (See Attachments)

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Councils "Right of Way/Laneways" policy applies

STATUTORY ENVIRONMENT

Council can be liable for damage done from drainage water entering private property. Both resident letters have been sent to Councils insurers (LGIS) for consideration of insurance claims.

FINANCIAL IMPLICATIONS

Additional drainage works are being funded through the remaining funds included in the 2009/2010 National Water Initiative Program.

SUSTAINABILITY IMPLICATIONS

Council's drainage system is based on the need to gather all road/laneway/parking area drainage water and direct it into soak pits to restore the shallow aquifer. These additional drainage installations are aimed at that sustainability objective.

CONSULTATION

Nil apart from affected property owners

STAFF COMMENT

Staff have been on site and spoken to affected owners. A number of drainage improvements have been arranged, all of them to increase the capacity of drainage water retention and soakage in Brighton Street and ROW 5.

Several properties on the west side of ROW 5 were also found to be draining water onto the laneway surface, which has added to the volume of water flowing along ROW 5 to the low point opposite 43-47 Lyons Street. Letters have been sent to the properties requiring proper gutters, downpipes and soak pits on private property sheds and garages.

Soak pits behind 43-47 Lyons Street are being inter-connected and cleared out. Part of the issue is the unsealed surface of the laneway which means quantities of soil and sand are washed into the existing soak pits during peak rainfall events.

Council's current attitude of 'piecemeal' sealing of sections of the laneways as development applications and conditions on these DA's require short sections of sealing but does not address the full drainage requirements of laneways, particularly when many sheds and garages dump drainage water straight onto these laneways. Heavy rainfall events will continue to wash soil and sand into the few soak pits in these unsealed lanes.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

THAT COUNCIL:

- 1. Note the works being undertaken on Brighton Street and ROW 5 to remove drainage flooding issues from properties in Lyons Street.**
- 2. Consider a 5 year plan for the sealing and drainage of laneways in the Town of Cottesloe, to be supplied by the Manager Engineering Services in 2010.**

Carried 7/0

10.2.2 RESTORATION OF THE GROUNDWATER AQUIFER - NATIONAL WATER INITIATIVE

File No: SUB/415
Attachment Report to National Water Commission –
January to June 2010
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 22 June 2010

Author Disclosure of Interest Nil

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 eighth 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.

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. 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 had its own milestones for the completion of set portions of the above mentioned tasks.

STRATEGIC IMPLICATIONS

Council's *Future Plan 2006-2010* has an objective No. 5 the aim to maintain infrastructure and Council buildings in a sustainable manner. This project is centred on sustainability of the underground water aquifer and long term sustainable drainage structures.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

All work for this four year period has taken place on land controlled by the Town of Cottesloe and has involved 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 placed reporting requirements on the Town of Cottesloe.

FINANCIAL IMPLICATIONS

The total project cost is \$2.34m (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 was finalised by the Department of Water for a \$100,000 grant over 3 years. 2009/2010 is the third year of this agreement for the State Department of Water grant provision.

Councils 2010/2011 budget includes no expenditure for this project, but a remaining income of \$4,000 from the State Department of Water is included.

SUSTAINABILITY IMPLICATIONS

The total reason for this project is to ensure the sustainability of the existing Cottesloe shallow fresh water aquifer.

CONSULTATION

Nil

STAFF COMMENT

The project is progressing towards being complete at the end of this month, with no current concerns regarding the rate of progress or the level of expenditure.

All required milestones have now been met for the second half of the fourth year 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.

In 2009/2010, the third of three education packages was designed and production is now nearly completed. Distribution will begin this month, at the Civic Centre, of hand towels and tea towels featuring a number of 'Save Water' motifs, to allow the message to be retained by residents into the future. A survey form will be required to be filled out upon issue of the towels, to assess the success level of the education program and knowledge of the four year construction program to restore the Cottesloe aquifer.

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 \$32,000 being funded per year for 3 years. 2009/2010 has been the third of these three years. \$4 000 will be funded in 2010/2011 upon completion of the final report.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Woodhill

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

Carried 7/0

10.2.3 RIGHT OF WAY ACCESS BETWEEN LYONS STREET AND BRIGHTON STREET

File No: SUB/245
Attachments: [Letter from 28-30 Brighton Street.pdf](#)
[Plan of area.pdf](#)
[Policy - Rights of Way- Laneways.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

The residents of 28-30 Brighton Street have complained of ongoing illegal and unauthorised traffic through their property from ROW 5 to Brighton Street. They believe this is because of the problems of turning around at the southern 'dead end' of ROW 5, which was created when Council closed the southern connection of ROW 5 to Grant Street years ago.

They have requested Council assistance in the funding of a remote controlled gate at the ROW 5 main entry point onto the property.

THAT COUNCIL RESOLVE:

- 1. to contribute 50% up to \$2000 towards the supply and installation of an automatic remote control gate system on the shared boundary of ROW 5 and 28-30 Brighton Street, Cottesloe, to restrict illegal use of 28-30, Brighton Street as an illegal vehicle connection between ROW 5 and Brighton Street.**
- 2. Inform applicants of Council's decisions on this matter.**

BACKGROUND

In 1999, the unit owners requested closure of the portion of this ROW south of their property, potentially to stop this traffic movement. This was rejected by Council because of existing rear access requirements from properties in Lyons Street.

Council gained ownership in 1990 of this laneway as a result of a sale for rates procedure. The laneway had already been closed by 1988, as was mentioned in a laneway inspection sheet on file.

Further file details show that closure of the southern section of ROW 5, and amalgamation of the land into abutting private properties, occurred in 1979, after an exhaustive legal process and Council contact with the Department of Local Government. This closure was undertaken by Council because of a petition from the

majority of land owners fronting the laneway requesting closure and amalgamation of laneway sections into adjacent properties.

Discussions with residents recently covered the possibility of some form of bollard either in the laneway north of the units (28-30 Brighton Street) or on the laneway boundary to stop entry into the rear of the private property from the laneway.

The bollard in ROW 5 would not be approved because it would prevent access to properties having existing legal rear access south of the bollard location.

Residents did not accept a fixed bollard on the eastern boundary of the units property which would stop vehicles turning off ROW 5 into the property, because it would prevent access for owners of 28-30 Brighton Street from accessing their car ports on the west side of the ROW, from Brighton Street, through the private property.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council's Right of Way/Laneways policy applies.

STATUTORY ENVIRONMENT

Council has no legal obligation to ensure vehicles cannot enter off the laneway onto a private property. No bollard or closure of a section of a section of the laneway can take place that removes existing laneway usage rights unless a formal closure process is undertaken.

FINANCIAL IMPLICATIONS

Council could resolve to contribute to the cost of improving security on a laneway if the security installation is on the shared property boundary. Chain gates or bollards have a large price range, with installation and connection to power bring a large part of the cost. A contribution of \$2000 - \$3000 would be an approximate half cost.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Only with owners of 28-30 Brighton Street

STAFF COMMENT

No 'fault' could be attributed to Council for the closure of the southern section of ROW 5 in 1979, given that there was a strong demand from adjacent properties for this action. The closure occurred before Council gained ownership of the remaining portion.

The units on 28-30 Brighton Street were built in 1984, prior to the laneway closure. The original laneway turned to connect back to Brighton Street behind properties

fronting Grant Street. This would have allowed a through route without having to turn around or reverse.

Instead of a remote controlled gate, a more simple solution might be an automatic chain gate which releases or tightens a chain across an entry with a remote control.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Mayor Morgan

THAT COUNCIL:

1. contribute 50% up to \$2000 towards the supply and installation of an automatic remote control gate system on the shared boundary of ROW 5 and 28-30 Brighton Street, Cottesloe, to restrict illegal use of 28-30, Brighton Street as an illegal vehicle connection between ROW 5 and Brighton Street.
2. Inform applicants of Council's decisions on this matter.

Lost 0/7

Committee Comment

Committee discussed the request and the issues surrounding it including advice from the Manager Engineering Services. Whilst there was some support for potential assistance with signage or improvement of the laneway surface it was considered not appropriate to support the request. The Mayor foreshadowed that if the Officer Recommendation was not supported he would move an amendment that Council decline the request.

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

That Council:

1. Decline the applicant request of contribution towards the supply and installation of an automatic remote control gate system on the shared boundary of ROW 5 and 28-30 Brighton Street, Cottesloe, to restrict illegal use of 28-30, Brighton Street as an illegal vehicle connection between ROW 5 and Brighton Street.
2. Inform the applicants of Councils decision on this matter.

Carried 7/0

10.2.4 WIDTH REDUCTION OF JARRAD STREET ROAD RESERVE - BROOME STREET TO MARINE PARADE

File No: SUB/465
Attachments: [Plan of Site - Jarrad Street Road Reserve.pdf](#)
[Copy of Advertised Closure proposal.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

At its March 2010 meeting, Council resolved:

That Council commence the procedure required under section 58 of the Land Administration Act 1997, to narrow the 40m road reserve of Jarrad Street, between Broome Street and Marine Parade, to 20 metres, with the closed land being amalgamated into adjacent reserves.

The required public advertising has taken place, with no comments being received. The recommendation is that Council:

Continue the procedure, under section 58 of the Land Administration Act 1997, to narrow the 40m wide road reserve of Jarrad Street between Broome Street and Marine Parade, to 20 metres with the closed land being amalgamated into adjacent reserves, and that the WAPC be requested for their approval once all service providers are in agreement with the proposal.

BACKGROUND

A normal road reserve width is 20m. For a number of streets in Cottesloe, the width of the total road reserve is 40m, including this section of Jarrad Street. While there may be reasons why a street with private homes on each side may have use of a 40m road reserve, with an approx 16m verge width on each side, there is no reason why this section of Jarrad Street should be 40m.

The original 6m sealed street width plus drainage services could easily be replaced on a 20m reserve width.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

For road closures, including reduction of road reserves width, the Land Administration Act 1997, section 58 applies. The closed portion of the road reserve would also need permission from Western Australian Planning Commission for amalgamation into the adjacent 'A' class reserve, as occurred with the Pearse Street road reserve narrowing.

All service authorities with services in this section of Jarrad Street have been contacted, with a guarantee that they would also be able to access their services after closure.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The mandatory 35 days objection period has been advertised in the 'West Australian'. The intention has also been displayed on Councils Web page.

STAFF COMMENT

At the time of closure of the 35 day objection period, no comments had been received. Letters and plans were also sent to the four service providers for their comments and agreements. Once all service providers have agreed to the closure, a submission will be put to Western Australian Planning Commission (WAPC) for that Departments approval prior to Landgate being requested to proceed with the closure/narrowing.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Rowell

THAT Council

Continue the procedure, under section 58 of the Land Administration Act 1997, to narrow the 40m wide road reserve of Jarrad Street between Broome Street and Marine Parade, to 20 metres with the closed land being amalgamated into adjacent reserves, and that the WAPC be requested for their approval once all service providers are in agreement with the proposal.

Carried 7/0

10.3 FINANCE

10.3.1 STATUTORY FINANCIAL REPORTS FOR THE MONTH ENDING 31 MAY 2010

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

Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

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 2010, to Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Operating Statement on page 2 of the Financial Statements shows a favourable variance between the actual and budgeted YTD operating surplus of \$678,496 as at 31 May 2010. Operating Revenue is above budget by \$461,442 (5%). Operating Expenditure is \$243,926 (3%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 31 May 2010 is shown on page 7.

The Capital Works Program is listed on pages 21 - 26 and shows total expenditure of \$5,915,794 compared to YTD budget of \$7,401,272. The reason for the significant

difference is a timing delay with the library and delayed general capital expenditure due to cashflow restrictions at the start of the year.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Cunningham

THAT Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 May, 2010, as per the attached Financial Statements, submitted to the 22 June 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.2 SCHEDULE OF INVESTMENTS AND LOANS AS AT 31 MAY 2010

File No: SUB/150 & SUB/151
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Patrick
Manager Corporate Services

Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 31 May 2010, as per attachment, to Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 16 of the Financial Statements shows that \$2,864,538.99 was invested as at 31 May, 2010.

Reserve Funds make up \$834,111.21 of the total invested and are restricted funds. Approximately 25% of the funds are invested with the National Australia Bank, 40% with Westpac, 21% with BankWest and 14% with Commonwealth.

The Schedule of Loans on page 17 shows a balance of \$6,840,714.24 as at 31 May, 2010. There is \$459,792.00 included in this balance that relates to self supporting loans.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Cunningham

THAT Council receive the Schedule of Investments and Schedule of Loans for the period ending 31 May, 2010, as per the attached Financial Statements, as submitted to the 22 June 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.3 ACCOUNTS PAID IN THE MONTH OF MAY 2010

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

Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the list of accounts for the period ending 31 May 2010 to Council as per attached Financial Statements.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Resource requirements are in accordance with existing budgetary allocation.

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

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

- \$21,141.36 to BCITF for March 2010 contributions
- \$15,167.78 to WA Local Govt Super Fund for staff deductions
- \$10,312.50 to Blackwell & Associates for consulting on Urban Design Guide
- \$25,579.40 to TAPSS for June 2010 contribution
- \$17,006.00 to Digital Mapping Solutions for MapInfo subscription
- \$568,575.48 to the Shire of Peppermint Grove for contributions towards new library construction
- \$49,143.25 to Transpacific Cleanaway for domestic & commercial waste disposal in April 2010

- \$32,343.30 to Claremont Asphalt & Paving for installation of various soak-pits
- \$35,203.30 to Key2Design for 4,000 tea towels & 2,000 hand towels for promotional items
- \$13,545.22 to Wilson Technology Solutions for monthly payment for meter-eye
- \$14,943.50 to Claremont Asphalt & Paving for installation of various soak-pits
- \$64,998.07 and \$67,262.34 for staff payroll.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Cunningham

THAT Council receive the List of Accounts for the period ending 31 May 2010, as per the attached Financial Statements, as submitted to the 22 June 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.4 PROPERTY & SUNDRY DEBTORS REPORT FOR MAY 2010

File No: SUB/145
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Patrick
Manager Corporate Services

Proposed Meeting Date: 22 June 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 31 May 2010 to Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report commences on page 18 of the Financial Statements and shows a balance of \$191,602.606 of which \$163,107.78 relates to the current month. The balance of aged debtors over 30 days stood at \$28,494.82

Property Debtors are shown in the Rates and Charges analysis on page 20 of the Financial Statements and show a balance of \$279,284.32. Of this amount \$220,711.77 and \$23,065.37 are deferred rates and outstanding ESL respectively. As can be seen on the Balance Sheet on page 4 of the Financial Statements, rates as a current asset are \$58,420 in 2010 compared to \$85,849 last year.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Cunningham

THAT Council receive the Property and Sundry Debtors Report for the period ending 31 May 2010, as per the attached Financial Statements, as submitted to the 22 June 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

11 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 Black Spot Works – Mann Street/Grant Street**

Council meeting Minutes May 24:

Moved Cr Rowell, seconded Cr Cunningham

“That work on the Mann Street/Grant Street intersection be halted until a rescission motion can be prepared”

Rescission motion – 17 June 2010

1. Council resolve to rescind part (2) of resolution 11.2.1 from the Council meeting dated 25 August 2008, for the support and one third funding for intersection Black Spot works at the Mann Street/Grant Street intersection, including a ‘seagull’ island on Mann Street.
2. Council resolve to submit to Main Roads WA an alternative Black Spot design for the Mann Street/Grant Street intersection, which removes the proposed Mann Street ‘seagull’ island and features ‘Stop’ rather than ‘Give Way’ signs in Mann Street, as shown on the submitted drawing, for construction in 2010, with a two thirds MRWA grant contribution.

Moved Cr Cunningham, seconded Cr Rowell**Committee Comment:**

Cr Rowell and Cunningham spoke about their proposal and the Manager of Engineering Services tabled some additional comments on the proposed re-design. Committee discussed the issues including the need for any design to meet Main Roads Standards/Requirements. There were also discussions on the primary reason for the Black Spot funding i.e. recorded accidents and the need for a design to make the intersection safer. As a consequence of the Committee discussion Cr Rowell and Cunningham agreed to amend their recommended motion.

AMENDMENT

That the words “*and substitute an alternative Black Spot design*” be added at the end of point 1 and that the words “*subject to proper design drafting to satisfy MRWA requirements*” be added in point (2) in the last line after “construction in 2010”. Additionally that the words, “*and one third funding from the Town of Cottesloe*” be added to the last sentence of point (2).

Rescission motion – 22 June 2010

1. **Rescind part (2) of resolution 11.2.1 from the Council meeting dated 25 August 2008, for the support and one third funding for intersection Black Spot works at the Mann Street/Grant Street intersection, including a ‘seagull’ island on Mann Street, and substitute an alternative black Spot design.**

2. **Submit to Main Roads WA an alternative Black Spot design for the Mann Street/Grant Street intersection, which removes the proposed Mann Street 'seagull' island and features 'Stop' rather than 'Give Way' signs in Mann Street, as shown on the submitted drawing, for construction in 2010, subject to proper design drafting to satisfy MRWA requirements, with two thirds MRWA grant contribution. And one third funding from the Town of Cottesloe.**

Carried 4/3

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

Nil

13 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 8:45PM