

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, TUESDAY, 16 MARCH 2010

**CARL ASKEW**  
Chief Executive Officer

18 March 2010



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

The Presiding Officer announced the meeting opened at 7.08pm.

**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 Ian Woodhill	
Cr Rob Rowell	
Cr Davina Goldthorpe	(Deputy Member)

**Officers Present**

Mr Carl Askew	Chief Executive Officer
Mr Geoff Trigg	Manager Engineering Services
Mr Wayne Richards	Finance Manager
Ms Janna Lockyer	Events & Support Officer

**Apologies**

Nil

**Officer Apologies**

Mr Graham Patrick	Manager Corporate Services
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**Leave of Absence (previously approved)**

Cr Victor Strzina

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

Nil

**4 PUBLIC QUESTION TIME**

Nil

**5 PUBLIC STATEMENT TIME**

Peter Nelson, 2 Torrens Street, Cottesloe – Item 10.2.2 Peppermint Tree In Laneway, Cottesloe

Mr Nelson informed Council of his objection to the tree being removed. He owns the property at 2 Torrens Court with the tree abutting his property. He provided photographs to support his comments. The tree was there before he moved into the property and survived the building process at both number 2

and now number 4 Torrens Court. The tree is healthy and approximately 3m tall.

Mr Nelson is of the opinion that the owners of number 4 Torrens Court want the tree removed in order to improve the view from their property.

Mr Nelson indicated that the tree provides both shade and privacy and does not affect any other owner adjacent to the laneway and requests that Council support its retention.

## **6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Moved Cr Cunningham, seconded Cr Woodhill**

[Minutes February 16 2010 Works and Corporate Services Committee.doc](#)

**The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 16 February 2010 be confirmed.**

**Carried 7/0**

## **8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

## **9 PETITIONS/DEPUTATIONS/PRESENTATIONS**

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

10.2.2 Peppermint Tree In Laneway, Cottesloe

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 28 February 2010
- 10.3.2 Schedule of Investments and Schedule of Loans for the Period Ending 28 February 2010
- 10.3.3 Accounts for the Period Ending 28 February 2010
- 10.3.4 Property and Sundry Debtors Reports for the Period Ending 28 February 2010.

## 10 REPORTS OF COMMITTEES AND OFFICERS

### 10.1 ADMINISTRATION

#### 10.1.1 6 MONTHLY BUDGET REVIEW FOR 2009/2010

**File No:** SUB/59  
**Attachments:** [Rate Setting Statement 2010.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services

**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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#### SUMMARY

Local governments are required to conduct a budget review between 1<sup>st</sup> January and 31<sup>st</sup> March each financial year. This budget review consists of a detailed comparison of the year-to-date actual results with the budget. The forecast from the review shows the Council is progressing favourably compared to budget.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

#### STATUTORY ENVIRONMENT

Regulation 33A of the Local Government (Financial Management) Regulations 1996 provides the following:

***“Review of budget***

*(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*

*(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

*(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*

*(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”*

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The budget review (see attachment) shows Council's operating position forecast for a surplus of approximately \$106,472. The primary cause for the surplus is the additional interest received following the early drawdown of funds for the library project. These funds have been placed on deposit while we wait for invoices for the construction. Also attached is the Operating Statement (more detailed reports are available upon request).

There is a requirement to review the materiality levels each year that trigger a report on significant variances in the budget review. It is recommended that this be maintained at the same levels as last year, that is, any variance being greater than 15% or \$25,000.

**VOTING**

Absolute Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Woodhill**

**That Council:**

- 1. Maintain the materiality level used to report on significant variances in the budget review as being greater than 15% or greater than \$25,000; and**
- 2. Adopt the budget review.**

**Carried 7/0**

**10.1.2 ASSET MANAGEMENT POLICY**

**File No:** SUB/618  
**Attachments:** [Asset Management Policy](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services

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

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**SUMMARY**

A new Asset Management policy has been prepared to complement the West Australian Asset Management initiative (WAAMI). This report recommends that Council adopt this policy.

**STRATEGIC IMPLICATIONS**

Objective 5.6 of the Town of Cottesloe Future Plan requires the development of a long term asset management plan and accompanying financial plan.

**POLICY IMPLICATIONS**

This is a proposed new policy.

**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

The adherence to this policy will form the foundation for ensuring and demonstrating long term financial sustainability for the Town of Cottesloe and will have a direct impact on Council's Long Term Financial Plan.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The WAAMI initiative aims to guide the Town of Cottesloe's staff through a process involving accurately identifying all of its assets. This includes determining the quality of the asset (its state of repair), the quality level required and any gaps.

Information from this detailed analysis will form the basis for capital expenditure forecasts that will be included in the Long Term Financial Plan that is prepared every year.

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**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Cunningham**

**That Council adopt the new Asset Management Policy as per West Australian Asset Management initiative (WAAMI).**

**Carried 7/0**

**10.1.3 STATUTORY COMPLIANCE AUDIT - 2009 RETURN**

**File No:** SUB/390  
**Attachments:** [Compliance Audit 2009](#)  
[Cover Page](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Carl Askew  
Chief Executive Officer  
**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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**SUMMARY**

A recommendation is made to adopt the Compliance Audit Return for 2009 and authorise the Mayor and CEO to certify same so that it may be returned to the Department of Local Government and Regional Development.

**BACKGROUND**

Each year the Department of Local Government issues a Statutory Compliance Audit return that covers a wide range of mandatory actions required of staff, elected members and the Council as a whole under the provisions of the *Local Government Act (1995)*.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Section 7.13 of the *Local Government Act (1995)* provides, in part, that

*Regulations may make provision-*

- (1) *Requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –*
- (i) *Of a financial nature or not; or*
  - (ii) *Under*

Regulation 13 of the *Local Government (Audit) Regulations 1996* sets out the specific areas that are subject to audit.

Regulation 14 of the *Local Government (Audit) Regulations 1996* reads as follows:

**14. *Compliance audit return to be prepared***

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3) *A compliance audit return is to be –*
  - (a) *Presented to the council at a meeting of the council;*
  - (b) *Adopted by the council; and*
  - (c) *Recorded in the minutes of the meeting at which it is adopted.*

**FINANCIAL IMPLICATIONS**

None known.

**SUSTAINABILITY IMPLICATIONS**

None known.

**CONSULTATION**

Nil

**STAFF COMMENT**

The Compliance Audit Return (CAR) for 2009 has been completed and it is recommended that Council adopt the CAR.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Woodhill, seconded Cr Rowell**

**That Council adopt the Compliance Audit Return for 2009 as per attachment 10.1.3 and authorise the Mayor and CEO to certify same so that it may be returned to the Department of Local Government.**

**Carried 7/0**

## 10.2 ENGINEERING

### 10.2.1 APPLICATIONS FOR GRANT FUNDING 2010/2011 - COASTAL PROTECTION

**File No:** SUB/537  
**Attachments:** [Letter from Dept of Transport.pdf](#)  
[Details on Geophysical testing for foreshore area.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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#### SUMMARY

The Western Australian Department of Transport has announced the opening of applications for Coastal Protection Grants in 2010/2011. Previous discussions have indicated that a Town of Cottesloe submission for a 50% grant to fund a geotechnical study to find the location of rock on the Cottesloe foreshore would be considered favourably.

The recommendation is that Council resolve to apply through the Department of Transport 2011/2012 Coastal Protection grant system for a grant of \$40,000 as a 50% cost of a project to use geophysical testing to locate rock and sand sections in the geology of the Cottesloe foreshore west of Marine Parade, Cottesloe.

#### BACKGROUND

Councils' Climate Change study into the vulnerability of the foreshore to sea level rise/storm damage included the future requirement to locate the gaps in the foreshore rock protection, in order to 'plug' those gaps in future years.

Geotechnical methods have been investigated and one system – micro seismic – appears to be the most applicable. The Department of Transport has been made aware of the original climate change study and also the staff investigations into the most suitable technique to locate underground rock within the general beach dune location. So far, no funding source, other than total Council funding, has been found.

#### STRATEGIC IMPLICATIONS

Under Councils Future Plan, Major Strategy 3.2 is to improve beach access and dune conservation outside the central foreshore zone. This would include studies regarding foreshore/climate change damage.

#### POLICY IMPLICATIONS

Nil

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**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

Costings provided by the Geological Survey of Western Australia total \$80,000 to undertake a 4km long study along the Cottesloe foreshore boundary. The grant application would be for 50% or \$40,000, to be funded in 2010/2011.

Council will need to consider setting aside a matching amount or part of its 2010/11 Budget if the grant is successful.

**SUSTAINABILITY IMPLICATIONS**

This study would provide Council with the knowledge as to where protective works would be required to minimise damage done by severe storms and a future sea level increase. This would therefore increase the potential to protect and sustain natural and constructed assets on the foreshore.

**CONSULTATION**

Nil, apart from the original advertising of the Climate Change Vulnerability report.

**STAFF COMMENT**

There are obvious areas of rock along the Cottesloe foreshore which provide much better protection against major storm damage which is predicted to increase due to climate change sea level rise.

There are other areas where the presence of rock is unknown. These become potential failure areas during major storm erosion events. In some sections of Marine Parade, there is a short distance between the road and the drop off in levels to the beach. This could include sites such as North Cottesloe where buildings such as the Surf Life Saving Club and the Blue Duck site are very close to the beach/sand dune face.

A geophysical study of the foreshore would locate rock and sand areas and provide Council with the missing information needed to plan for future protection works to ensure Marine Parade and other valuable infrastructure items are safe guarded.

The Coastal Infrastructure section of the Western Australian Department of Transport is interested in proving the applicability of the proposed geotechnical method proposed, for its use on other developed foreshore sites. An application for 50% of the estimated study cost, \$40,000, is therefore proposed. Council, if successful, would have to fund the other \$40,000 in its 2010/2011 budget.

**VOTING**

Simple Majority

**COMMITTEE COMMENT**

Cr Rowell questioned as to whether this project is a priority for Council and not something that Department of Transport should be doing.

Through the chair the Manager Engineering Services responded advising of past storm activity and affects upon the beachfront. This project is aimed at determining the areas that may need protection in the future to stop rising sea levels adversely affecting Council infrastructure and services.

Committee discussed the possibility of inviting other Councils to submit a joint application and share some of the costs associated with the project.

### **OFFICER RECOMMENDATION**

#### **Moved Cr Cunningham, seconded Cr Boland**

That Council:

1. Apply to the Department of Transport 2010/2011 Coastal Protection grant system for a grant of \$40,000 as a 50% cost of a project to use geophysical testing to locate rock and sand sections in the geology of the Cottesloe foreshore west of Marine Parade, Cottesloe.
2. Consider matching funding of \$40,000 as part of its 2010/11 Budget deliberations.

### **AMENDMENT**

#### **Moved Cr Cunningham, seconded Cr Rowell**

An additional point (3) be added to the recommendation whereby Council "Invite the City of Nedlands and the Town of Mosman Park to participate in and contribute to the cost of this project."

Carried 7/0

### **COMMITTEE RECOMMENDATION**

That Council:

1. Apply to the Department of Transport 2010/2011 Coastal Protection grant system for a grant of \$40,000 as a 50% cost of a project to use geophysical testing to locate rock and sand sections in the geology of the Cottesloe foreshore west of Marine Parade, Cottesloe.
2. Consider matching funding of \$40,000 as part of its 2010/11 Budget deliberations.
3. Invite the City of Nedlands and the Town of Mosman Park to participate in and contribute to the cost of this project.

The Substantive Motion was put

Carried 7/0

**10.2.2 PEPPERMINT TREE IN LANEWAY, COTTESLOE**

**File No:** PRO/3628  
**Attachments:** [Letters from 2 & 4 Torrens Court.pdf](#)  
[Plan of site.pdf](#)  
[Tree photos.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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**SUMMARY**

In separate letters, the owners of 2 and 4 Torrens Court have written regarding a small tree on the edge of the unsealed laneway on their northern boundaries, connecting to Hamersley Street to the west. One owner wants the tree removed and one wants it retained and protected.

The recommendation is that Council resolve to:

1. remove/not remove the peppermint tree on the north boundary of number 2 Torrens Court and
2. Inform the owners of number 2 and number 4 Torrens Court of this decision.

**BACKGROUND**

The tree is a small peppermint tree hard up against the southern boundary of Right of Way 17, which is unsealed and connects to Hamersley Street to the west. New houses have recently been constructed on both 2 and 4 Torrens Court and both houses gain their accesses from Torrens Court.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Council's Street tree policy applies.

**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

Nil if retained, less than \$500 if removed.

**SUSTAINABILITY IMPLICATIONS**

Minor, with the general principle that more trees are better for the environment.

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**CONSULTATION**

Nil, apart from the owners of 2 and 4 Torrens Court.

**STAFF COMMENT**

The tree involved is a small peppermint tree very close to a new brick fence on the south boundary of Right of Way 17 and the north boundary of number 2 Torrens Court. Originally the tree was in very poor condition and it was thought that it would die and need removal when a new brick fence was built very close to the tree in 2009. The fence has been completed for several months and the tree is now in good condition.

As the tree grows in size, its roots will impact on the new brick wall. There is also a solid Water Corporation sewer manhole just to the east of the tree which will also restrict root growth. There is not a lot of vehicular traffic on the laneway, now that house construction use has dropped back. There is also no proposal to seal the laneway, which would affect the tree roots if undertaken.

**VOTING**

Simple Majority

**COMMITTEE COMMENT**

Cr Boland commented on the state of the tree and the fact that the tree appears healthy and provides good shade. It may interfere with the views of number 4 but they do not require access to their property through the laneway. As per the recent discussions by the Town's Foreshore Concept Plan Implementation Working Group, trees can enhance views. In his opinion this tree should not be removed.

Cr Carmichael agreed with Cr Boland and didn't want Council to set a precedent with trees being removed to enhance resident's views.

Cr Rowell commented that any future problems the tree may cause will occur to number 2 Torrens Court and as Mr Nelson is the owner and is requesting the tree remain, the tree should remain.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Boland, seconded Cr Carmichael**

**That Council:**

- 1. Not remove the peppermint tree on the north boundary of number 2 Torrens Court and**
- 2. Inform the owners of number 2 and 4 Torrens Court of this decision.**

**Carried 6/1**

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

**File No:** SUB/465  
**Attachments:** [Plan of site Jarrad St.pdf](#)  
[Copy of section 58 of the Land Admin Act 1997.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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**SUMMARY**

A 40m wide road reserve exists for Jarrad Street, from Broome Street to Marine Parade. The road reserve is temporarily closed for a period of 21 years but formal closure and amalgamation into the adjacent reserve land was not originally approved by the Western Australian Planning Commission, because of the long term possibility of the Jarrad Street road access being restored in the future.

This item recommends 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.

**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 reserve 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.

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

### **FINANCIAL IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

#### **Water Usage/Quality**

Nil

#### **Coastal Environments**

Nil

#### **Waste Management and Recycling**

Nil

#### **Energy Efficiency**

Nil

#### **Purchasing**

Nil

#### **Flora and Fauna Conservation and Biodiversity**

Nil

### **CONSULTATION**

There is a mandatory requirement for a 35 day objection period being advertised as part of the Road Closure process. This would be in a local newspaper, on Councils web page and at the Civic Centre notice board.

### **STAFF COMMENT**

If this section of road reserve was narrowed from 40m to the normal width of 20m, no practical changes will be visible on the ground. The closed sections will be amalgamated into the adjacent reserves and the Golf Club will continue to mow the grass as part of the normal maintenance operations.

If Jarrad Street was ever to be reconstructed as a connection to Marine Parade, the remaining standard 20m road reserve would still remain for that purpose. The closed 10m width on each side of Jarrad Street west of Broome Street would also then be available for potential future works involving the Anderson Pavilion, future Depot facilities and car parking installation.

### **VOTING**

Simple Majority

**COMMITTEE COMMENT**

Cr Boland commented on the need for this recommendation and whether it is necessary at this time. He was of the opinion that Council should proceed not with the recommendation. His concern was that this process would create three separate parcels of land.

Through the chair Manager Engineering Services advised that the golf club does not stand to benefit by doing this as it is not intended to change the Golf Club Lease and incorporate this land adjustment. However 40m road reserves are very rare in local government and typically are only used where there is a significant reason for a large central median strip or dual lane road system. In addition, this proposed change may suit Council's future plans with regard to depot services adjacent to the Sea View Kindergarten. Currently the set back for Anderson Pavilion does not comply with Council regulations.

Cr Rowell agreed with Cr Boland suggesting that this process may get rejected by the State Government and therefore affect Council's plans for future use.

Mayor Morgan advised that he is a member of the Sea View Golf Club (which is a not for profit community organisation) and whilst this matter has no direct impact on the Club, did declare an impartiality interest. He stated that, in his opinion, there is no requirement for a 40m road reserve, that 20m is more than reasonable, and it is not a standard in other Council.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Cunningham, seconded Cr Carmichael**

**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.**

**Carried 4/3**

## 10.3 FINANCE

### 10.3.1 PROPERTY & SUNDRY DEBTORS REPORT FOR THE MONTH ENDING 28 FEBRUARY 2010

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

**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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#### SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 28 February 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

Resource requirements are in accordance with existing budgetary allocation.

#### SUSTAINABILITY IMPLICATIONS

Nil

#### CONSULTATION

Nil

#### STAFF COMMENT

The Sundry Debtors Report commences on page 19 of the Financial Statements and shows a balance of \$118,676.38 of which \$85,744.05 relates to the current month. The balance of aged debtors over 30 days stood at \$32,932.33

Property Debtors are shown in the Rates and Charges analysis on page 21 of the Financial Statements and show a balance of \$882,815.04. Of this amount \$221,457.59 and \$256,299.00 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 \$659,907 in 2010 compared to \$646,347 last year.

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**VOTING**

Simple Majority

**COMMITTEE COMMENT:**

Cr Rowell sought clarification in relation to a number of payments to which staff responded. As part of that discussion Committee discussed the issue of footpath cleanliness outside the hotels and the responsibility/cost for this cleaning, which is currently undertaken by the Town. As the matter was only indirectly related to the Officer recommendation, it was agreed that members could raise this matter further as a Notice of Motion or New Business of an Urgent Nature.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Goldthorpe, seconded Cr Cunningham**

**THAT Council receive the Property and Sundry Debtors Report for the period ending 28 February 2010, as per the attached Financial Statements, as submitted to the 16 March 2010 meeting of the Works and Corporate Services Committee.**

**Carried 7/0**

**10.3.2 STATUTORY FINANCIAL STATEMENTS FOR THE MONTH ENDING  
28 FEBRUARY 2010**

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

**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 28 February 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**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Operating Statement on page 2 of the Financial Statements shows a favourable variance between the actual and budgeted YTD operating surplus of \$819,659 as at 28 February 2010. Operating Revenue is above budget by \$241,009 (3%). Operating Expenditure is \$550,664 (9%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 28 February 2010 is shown on page 7.

The Capital Works Program is listed on pages 22 - 27 and shows total expenditure of \$3,841,674 compared to YTD budget of \$6,014,078. 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.

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**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Goldthorpe, seconded Cr Cunningham**

**That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 28 February, 2010, as per the attached Financial Statements, submitted to the 16 March 2010 meeting of the Works and Corporate Services Committee.**

**Carried 7/0**

**10.3.3 SCHEDULE OF INVESTMENTS AND LOANS FOR THE MONTH ENDING 28 FEBRUARY 2010**

**File No:** SUB/150 & SUB/151  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 28 February 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 17 of the Financial Statements shows that \$5,693,238.95 was invested as at 28 February, 2010.

Reserve Funds make up \$911,994.88 of the total invested and are restricted funds. Approximately 28% of the funds are invested with the National Australia Bank, 28% with Westpac, 15% with Commonwealth and 29% with BankWest.

The Schedule of Loans on page 18 shows a balance of \$6,922,539.15 as at 28 February, 2010. There is \$478,142.12 included in this balance that relates to self supporting loans.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Goldthorpe, seconded Cr Cunningham**

**THAT Council receive the Schedule of Investments and Schedule of Loans for the period ending 28 February, 2010, as per the attached Financial Statements, as submitted to the 16 March 2010 meeting of the Works and Corporate Services Committee.**

**Carried 7/0**

**10.3.4 ACCOUNTS FOR THE MONTH OF FEBRUARY 2010**

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

**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the List of Accounts for the period ending 28 February 2010 to Council, as per attachment Financial Statements.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

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

- \$15,545.32 to WA Local Govt Super Fund for staff deductions
- \$14,377.55 to GHD for completion of site investigation at depot
- \$21,625.97 to WMRC for disposal and tipping fees
- \$10,692.00 to Westside Bus Service for the Cott Cat service
- \$389,744.70 to Shire of Peppermint Grove for library construction progress payment
- \$18,867.07 to WMRC for disposal and tipping fees
- \$57,521.57 to Transpacific Cleanaway for domestic & commercial waste disposal in January 2010

- \$18,991.29 to Surf Life Saving WA for guard services in January 2010
- \$57,420.00 to Claremont Asphalt and Paving for car park construction at Railway Street
- \$73,024.26 and \$68,202.00 for staff payroll.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Goldthorpe, seconded Cr Cunningham**

**THAT Council resolve to receive the List of Accounts for the period ending 28 February 2010, as per the attached Financial Statements, as submitted to the 16 March 2010 meeting of the Works and Corporate Services Committee.**

**Carried 7/0**

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

Nil

**12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING****12.1 LATE ITEM**

The following late item was tabled by the Chief Executive Officer and requested to be considered as an item of urgent business.

**Moved Cr Cunningham, seconded Mayor Morgan**

That the Town of Cottesloe – Citizenship Ceremonies report be considered as new business of an urgent nature introduced by officers by decision of meeting.

**Carried 7/0**

**12.1.1 TOWN OF COTTESLOE - CITIZENSHIP CEREMONIES**

**File No:** SUB/4  
**Attachments:** [Report to Council September 2009](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Carl Askew  
Chief Executive Officer  
**Proposed Meeting Date:** 16 March 2010  
**Author Disclosure of Interest**

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**SUMMARY**

In September 2009 Council resolved to;

1. *Endorse four citizenship ceremonies over the course of a calendar year as follows;*
  - a) *January - Australia Day: - Ceremony to be held in partnership with the Shire of Peppermint Grove and the Town of Mosman Park*
  - b) *April – The Monday night before Anzac Day.*
  - c) *June – Pioneer’s Day*
  - d) *October – The Monday night after the Queen’s Birthday holiday*
2. *Provide a moderate level of catering for each ceremony.*

A copy of the report from September 2009 is attached as background information and context.

This report has considered the practicalities of the implementation schedule as endorsed by Council and recommends a change to the timing of the April and October dates. In summary, it recommends that Council change the April and October dates to coincide with the Ordinary Council Meeting days for those respective months, and that the ceremony take place prior to the Council meeting, allowing sufficient time for the ceremony and associated activities/celebrations.

## **BACKGROUND**

Local Governments have been entrusted with Citizenship ceremonies for over 60 years. The ceremony is the end outcome of a potential citizen's application to the Department of Immigration and Citizenship, a process that can take up to a year. Ceremonies are not an optional extra in the process of obtaining citizenship. Each candidate must attend the formal setting of a ceremony, declare the oath/affirmation to a registered presiding member and receive the certificate.

A conferral report is sent monthly by the Department to respective local governments with a list of eligible candidates. Candidates are then sent a letter advising them of the next available ceremony. In the past, these ceremonies have been held bi-monthly prior to the Council meeting. Typically, they take approximately twenty to thirty minutes with the Mayor presiding and witnessing with family and friends.

The September report proposed a change to the previous citizenship ceremony arrangements and process, including their timing and format.

## **STRATEGIC IMPLICATIONS**

### **Objective 1: Lifestyle**

*To protect and enhance the lifestyle of residents*

- Develop a strategy for greater community engagement when change is needed.

## **POLICY IMPLICATIONS**

None Known.

## **STATUTORY ENVIRONMENT**

- Australian Citizenship Act 2007
- Australian Citizenship Regulations 2007
- Section 5.25 (e) of Local Government Act Regulations about Committee and Council Meetings
- Local Law No. 1: Standing Orders S. 16.20. Revoking Decisions

## **FINANCIAL IMPLICATIONS**

In the past ceremonies have been held as required in the Council Chambers and prior to the Ordinary Council Meetings. The resolved changes in September 2009 resulted in an increase in the overall scale of each individual ceremony, but had a marginal impact on Council's budget.

**SUSTAINABILITY IMPLICATIONS**

None Known

**CONSULTATION**

Nil

**STAFF COMMENT**

When the Council decision was made it was not made clear in the initial report that the proposed change in timing of some ceremony dates was not in alignment with the Ordinary Council Meeting days, as was the prior practice of Council. This was overlooked and is now brought to Council's attention, so that a decision can be made to either maintain the current dates as resolved or amend them, where appropriate, to reflect the Ordinary Council Meeting dates for the respective months as endorsed/advertised by Council. This would allow elected members the opportunity to arrive at the Civic Centre early in order to participate at the ceremonies, meet with the new citizens and also meet subsequently for Council business.

The intention would be that officers liaise with the Mayor, who officiates at each ceremony, and that the time of the ceremony be set administratively based upon the numbers attending and in order to allow sufficient time for a full ceremony and celebration as per the September report. Consideration would be given to allowing sufficient time for elected members to both attend the ceremony and also prepare for the Council meeting – for example a 5.30pm start for a ceremony in the War Memorial Town Hall and lasting an hour and fifteen minutes, will still provide sufficient time for members to move to the Chambers and prepare for the meeting, meet with community members etc. It would also provide an opportunity for our newest citizens to also attend and observe the Council meeting from the public gallery should they wish.

**Options**

One option is to leave the Council resolution as it currently stands, acknowledging that the dates for April and October will not coincide with the relevant Ordinary Council Meeting dates, as has been the previous practice.

The second option is to rescind the September 2009 resolution and amend the dates for both April and October in order to coincide with the relevant Ordinary Council Meeting date, as has been the previous practice. The dates for Australia Day and Pioneers Day would remain as resolved. This is the recommended option.

If a decision is made by Council to rescind the September 2009 resolution for the reasons outlined above, this will still allow officers sufficient time to arrange with the Department of Immigration, in order for the next ceremony to take place prior to the Ordinary Council Meeting in April 2010.

**VOTING**

Absolute Majority to rescind a Council resolution

**OFFICER & COMMITTEE RECOMMENDATION**

1. Rescind the resolution of September 2009 which read;  
*That Council:*
  1. *Endorse four citizenship ceremonies over the course of a calendar year as follows;*
    - a) *January - Australia Day: - Ceremony to be held in partnership with the Shire of Peppermint Grove and the Town of Mosman Park*
    - b) *April – The Monday night before Anzac Day.*
    - c) *June – Pioneer’s Day*
    - d) *October – The Monday night after the Queen’s Birthday holiday*
  2. *Provide a moderate level of catering for each ceremony.*
2. Endorse four citizenship ceremonies over the course of a calendar year as follows;
  - a) January - Australia Day: - Ceremony to be held in partnership with the Shire of Peppermint Grove and the Town of Mosman Park
  - b) April – The day of the endorsed/advertised Ordinary Council Meeting.
  - c) June – Pioneer’s Day
  - d) October – The day of the endorsed/advertised Ordinary Council Meeting.
3. Provide a moderate level of catering for each ceremony.

**12.2 URGENT ITEM****12.2.1 PRESSURE CLEANING ON FOOTPATHS OUTSIDE HOTELS****Moved Cr Cunningham, seconded Cr Woodhill**

That the following recommendation be considered as new business of an urgent nature introduced by Councillors by decision of meeting.

**Carried 4/3**

**COMMITTEE RECOMMENDATION**

**That Council receive a report from administration on the cost of cleaning on the Marine Parade footpath and discussion on ways and means of having a contribution of these costs from owners of premises from which such problems may emanate, to be presented at the May 2010 meeting.**

**The substantive motion was put**

**Carried 7/0**

**13 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 8.10pm.

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