

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, TUESDAY, 17 MARCH 2009

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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 7:02pm.

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

Cr Bryan Miller	Presiding Member
Mayor Kevin Morgan	
Cr Patricia Carmichael	
Cr Dan Cunningham	7.03pm
Cr Victor Strzina	7.10pm
Cr John Utting	
Cr Ian Woodhill	
Cr Greg Boland	Observer

**Officers Present**

Mr Carl Askew	Chief Executive Officer
Mr Graham Pattrick	Manager Corporate Services
Mr Geoff Trigg	Manager Engineering Services
Ms Krystal Shenton	Executive Assistant
Ms Janna Lockyer	Community & 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**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Moved Cr Woodhill, seconded Cr Utting

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

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

Carried 6/0

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**9 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

**10 REPORTS OF COMMITTEES AND OFFICERS****10.1 ADMINISTRATION****10.1.1 TOWN OF COTTESLOE - FUTURE PLAN AND ACTION PLAN REVIEW**

**File No:** sub/108  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Carl Askew  
Chief Executive Officer  
**Attachment** Action Plan, March 2009  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

This report recommends that after a desktop review by the Chief Executive Officer and in light of recent events related to proposed structural reform of local government, that Committee defer the review of its Future Plan 2006 to 2010 for the Town of Cottesloe until after the Council elections in October 2009. It also recommends that Committee receive the updated Action Plan report and provide feedback to the CEO and senior staff present at the meeting on agreed modifications to the Action Plan.

**BACKGROUND**

The Future Plan 2006 to 2010 for the Town of Cottesloe was finalised and adopted by Council in June 2007. At that time two review dates for the Future Plan were set, so that the document would return to Council. The first of those review dates was set at November 2008 and the second was in November 2010. The November 2008 review has not yet taken place due to a turnover of the responsible staff.

At the December 2008 meeting of Council it was resolved that the Future Plan review be postponed until March 2009 pending the appointment of the Town's new Chief Executive Officer.

Following the adoption in July 2007 of the Future Plan 2006 to 2010 an Action Plan was developed and an updated review of that plan is tabled for consideration at each meeting of the Strategic Planning Committee.

**CONSULTATION**

Nil

**STAFF COMMENT**

The Town of Cottesloe Future Plan 2006 to 2010 was developed in accordance with the provisions of the Local Government Act 1995 and is designed to set out broad objectives of the local government for the future. The Plan identifies the vision and

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objectives of Council including a number of underpinning sustainability principles. The primary objectives contained within the Plan are:

1. To protect and enhance the lifestyle of residents and visitors.
2. To achieve connectivity between east and west Cottesloe.
3. To enhance beach access and the foreshore.
4. To manage development pressures.
5. To maintain infrastructure and council buildings in a sustainable way.
6. To foster the community's confidence and support for Council.

In addition Council also has a number of Priority Dynamic Projects and these include;

- Develop sustainability and capacity criteria to assess major strategies
- Finalise Town Planning Scheme No. 3
- Finalise and adopt a plan for the foreshore
- Proactively pursue solutions for Curtin Avenue and the railway
- Consider the new library concept
- Consider options for the council Depot site
- Enhance use of the Civic Centre
- Develop a District Management Plan
- Implement a Community Safety Strategy
- Finalise and adopt a plan for the Town Centre

The Plan was developed in consultation with the community by way of public submission periods and refined by the Town's Strategic Planning Committee prior to adoption by Council.

After discussion with the Mayor in January 2009 the CEO commenced a desktop review of the Future Plan in accordance with the Plan's review timetable and as part of Council's resolution in December 2008. The Plan represents a significant body of work and there are a number of objectives and actions that are now either complete, substantially complete or ongoing. The initial intention was that a recommendation would be made for all elected members to be invited to participate in a workshop related to the Plan's review after which a formal report would be presented to Council through the Strategic Planning Committee. However since that time significant changes have been placed before Council.

In February 2009 as part of a report to Council in relation to the WESROC strategy *Rising to the Challenge: Reform Options for the Western Suburbs*, Council was advised that; *...whilst Council has a Future Plan for the period 2006 – 2010 and has endorsed action plans through the budget process in 2008-09 to achieve its goals, any future strategic planning and subsequent actions will need to address the issue of structural reform.* The announcement by the Minister for Local Government in relation to reform strategies has brought into sharp focus the need for the Town to consider its position with regard to the Ministers call for;

- voluntary amalgamations to form larger local governments,
- reduce the total number of elected members to between six and nine; and
- local governments to form appropriate regional groupings of councils to assist with the effective delivery of services.

The Town is required to formally respond to the Minister outlining its intentions on these matters by 31 August 2009.

Given the current work by WESROC with regard to regional partnerships, cross Council cooperation and the Ministers call for voluntary amalgamations, as well as the current timeframes set by the Minister with regard to responses to the structural reform agenda, and the potential significant impact of those issues in relation to Council's strategic direction, it is considered that now is not the appropriate time for a major review of Council's Future Plan. With the uncertainty that is currently before all local governments it would be prudent for Council to maintain its current Future Plan and to continue to pursue and finalise its current Action Plans. In addition, the next Council elections are scheduled for October 2009 and, depending upon Council's final determined position with regard to structural reform in the western suburbs, it may be more appropriate for the new Council to consider its future direction after the Minister has considered and/or determined his position with regard to structural reform. *It is therefore recommended that Council maintain its current Future Plan 2006 to 2010 without significant review at this time and that the next review be deferred for consideration after the October 2009 Council elections.*

In relation to the Action Plan, the following strategies were identified by Council as priorities for 2008/09 at its July 2008 meeting.

- 1.2 Reduce beachfront hotel numbers to a sustainable level.
- 1.5 Identify increased opportunities to use existing facilities or provide new venues for formal community cultural events and activities.
- 2.1 Produce a draft Structure Plan for consultation purposes showing the sinking of the railway and realignment of Curtin Avenue together with 'what's possible' in terms of sustainable redevelopment and pedestrian and traffic links.
- 3.1 Develop the 'Foreshore Vision and Master Plan' in consultation with the community.
- 3.4 Introduce electronically timed parking.
- 4.1 Develop planning incentives for heritage properties.
- 4.5 Consider undeveloped Government owned land for higher density development provided there is both public support and benefit for the Cottesloe community.
- 5.1 Adopt a policy position on assets that have a realisable value such as the Depot and Sumps.
- 5.2 Subject to the satisfactory resolution of land tenure, design and funding requirements, progress the development of new joint library facilities.
- 5.3 Develop an integrated Town Centre plan to improve all aspects of the infrastructure of the Town Centre.
- 5.6 Develop a long term asset management plan and accompanying financial plan.
- 6.1 Further improve the community consultation policy in recognition that there are different techniques for different objectives.
- DP1 Complete the Civic Centre additions and renovations on budget and on time.

- DP2 Complete the adoption of Local Planning Scheme No. 3 including the preparation of all draft policies to a stage where they can be advertised for public comment.
- DP3 Report on the proposed tasks identified in the Climate Change Vulnerability study and their impacts, priorities and applicability to the Town of Cottesloe

This agenda item represents an opportunity for committee members to review progress and provide informal feedback on where staff should be headed in terms of implementing individual actions. It is recommended that Committee receive the Action Plan and provide comment to the CEO and senior staff present at the meeting on agreed modifications to the Action Plan prior to presentation to Council.

#### **POLICY IMPLICATIONS**

None Known

#### **STRATEGIC IMPLICATIONS**

The Future Plan has obvious strategic implications.

#### **STATUTORY REQUIREMENTS**

##### 5.56. Planning principal activities

- (1) Each financial year, a local government is to prepare a plan for the next 4 or more financial years.
- (2) The plan is to contain details of —
  - (a) the principal activities that are proposed to be commenced or to be continued in each financial year affected by the plan;
  - (b) the objectives of each principal activity;
  - (c) the estimated cost of, and proposed means of funding, each principal activity;
  - (d) how the local government proposes to assess its performance in relation to each principal activity;
  - (e) the estimated income and expenditure for each financial year affected by the plan; and
  - (f) such other matters as may be prescribed.

Regulation 19C of the Local Government (Administration) Regulations 1996 refers, ie.

##### 19C. Planning for the Future – section 5.56 of the LGA

- (1) In this regulation –“plan for the future” means a plan made under section 5.56.
- (2) A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).
- (3) A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.

- (4) a local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.
- (5) A council is to consider a plan, or modifications, submitted to it and is to determine\* whether or not to adopt the plan, or the modifications, as is relevant.

\*Absolute majority required.

The Town has continuously demonstrated a high level of regard for the sustainable management of Council's resources and the Future Plan not only supports sound financial management but also meets the legislative requirements contained within the Local Government Act 1995 and associated Regulations. The Future Plan is designed to link the Town's strategic direction with its financial and organisational capacity. The Plan is predicated on informed decisions regarding the allocation of scarce resources.

#### **SUSTAINABILITY IMPLICATIONS**

The Future Plan addresses Sustainability.

#### **FINANCIAL IMPLICATIONS**

Adoption of the Future Plan and associated Action Plans will inevitably require expenditure as per Council's adopted budget and long term financial plan.

#### **VOTING**

Simple Majority

*Cr Strzina joined the meeting at 7:10 PM*

#### **OFFICER RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Carmichael

That Council:

1. Defer the review of the Future Plan 2006 to 2010 for the Town of Cottesloe until after the Council elections in October 2009.
2. Receive the updated Action Plan report (Attachment 10.1.1).

#### **AMENDMENT**

Moved Mayor Morgan, seconded Cr Carmichael

That point one of the recommendation state that Council defer the *review of the Future Plan 2006 to 2010 for the Town of Cottesloe until the Strategic Planning Committee in May 2009.*

Carried 7/0

**THE SUBSTANTIVE MOTION WAS PUT**

Carried 7/0

**COMMITTEE RECOMMENDATION**

**That Council:**

- 1. Defer the review of the Future Plan 2006 to 2010 for the Town of Cottesloe until the Strategic Planning Committee in May 2009.**
- 2. Receive the updated Action Plan report (Attachment 10.1.1).**

**10.1.2 5 YEAR PLAN FOR CIVIC CENTRE**

**File No:** SUB/123  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Attachment** 5 Year Plan, Civic Centre  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

A five year list of proposed works and construction for the Civic Centre and grounds, commencing in the 2009/10 financial year, is recommended.

**BACKGROUND**

There has been an organised process for refurbishing the Civic Centre grounds for over 5 years. The work is carried out by two skilled tradesmen This process has been managed on an annual basis through the budget.

There has not been a landscaping management plan for the Civic Centre in the past. The practice has been to rely on a previous long standing employee who looked after the grounds to determine plantings based on his experience.

**CONSULTATION**

Nil

**STAFF COMMENT**

The five year Civic Centre construction plan has been prepared by Ken Miller, the Civic Centre Curator. He has used a combination of the historical reports from various consultants and Philip Griffith architects with his experience of recent work as the basis for this plan.

A landscaping plan has been received from Apace Aid (Inc.).The landscaping plan complements the proposed plan by identifying a consistent approach to the plants that are used throughout the grounds. This report has been produced following extensive research by the authors. This included tracking down the son of the gardener to Claude de Bernales and discussing his recollection of the grounds.

**POLICY IMPLICATIONS**

The purpose of this plan is to complement the Council's Long Term Engineering Programs policy.

**STRATEGIC IMPLICATIONS**

Under Council's *Future Plan 2006-2010*, Objective 5 is to maintain infrastructure and Council buildings in a sustainable way. This five year program complies with that objective.

**STATUTORY REQUIREMENTS**

There are no statutes in Government legislation on this subject apart from common law practice regarding public liability issues if injury occurs that was caused by poor maintenance or construction in public areas.

**SUSTAINABILITY IMPLICATIONS**

The Landscape Master Plan for the Civic Centre aims to maximise the water efficiency of the gardens.

**FINANCIAL IMPLICATIONS**

The use of forward plans aids in the pursuit of sustainable infrastructure stewardship and removal of annual peaks and troughs in financial demands.

A budget of \$180,000 has been set aside within each year of Councils' next five (5) year budget estimates to support the proposed works.

2009-10	\$185,625
2010-11	\$195,560
2011-12	\$185,570
2012-13	\$198,000
2013-14	\$156,200

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Cunningham, seconded Cr Strzina

**That Council adopt the Five Year Civic Centre Plan as per attachment (10.1.2) for inclusion in the draft budget for the 2009/10 financial year.**

Carried 7/0

**10.2 ENGINEERING****10.2.1 COTTESLOE CIVIC CENTRE - LARGE TREE REMOVALS**

**File No:** SUB/123  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Attachment** Civic Centre Trees for Removal  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

A Landscape Master Plan for the Cottesloe Civic Centre was prepared for the Town of Cottesloe in December 2008 by Apace Aid Inc. Its content includes recommendations to remove a number of trees. This report explains those tree removals and recommends that Council have eight trees removed, as listed in the report, and as recommended by the Landscape Master Plan, from the Cottesloe Civic Centre garden area.

**BACKGROUND**

A 1996 Conservation Plan for the Cottesloe Civic Centre provided documentary and physical evidence for listing of the site. The Civic Centre was included in the Register of Heritage Places, of the Heritage Council of Western Australia, in April 1999.

Preparation of a Landscape Master Plan to guide the development of the open spaces on the site was recommended in 1996.

This Landscape Master Plan includes recommendation for the removal of several trees because they are unsuited to the original landscaping plan, are damaging the structure of adjacent walls or retaining structures or are adversely affecting adjacent trees which should be retained and protected.

**CONSULTATION**

Nil

**STAFF COMMENT**

The following trees are recommended, by the Landscape Master Plan for removal, with the numbers listed relating to the numbers used in the plan:

- No 125 - Large Ficus (fig) tree on the north side of the upper entry. Heavy Pruning could take place but such pruning would have to continue for many years. It already interferes with a fan palm, and will continue to get bigger.
- No 12- Smaller Ficus Tree – later planting. Compromises the surrounding wall. This original space was used for a small hedge and seat. It is adjacent to the children's playground.

- No 39- Small fig tree beside stone wall, to south of playground. Probably from dropped seed. It will grow to destabilise the wall.
- No 40- Macadamia tree – has been poorly pruned and maintained in past years. Has no real future beside tree No 39
- No 102- Weeping Fig Tree – very close to stone wall on eastern edge of upper lawn. Will progressively damage wall as it grows.
- No 103- New Zealand Christmas tree – adjacent to No 102, is having same impact on adjacent wall as it grows.
- No 41- Norfolk Island Pine Tree – close to retaining/boundary wall with De Bernales Lane. Removal required due to negative impact of the tree root system on adjacent wall.
- No 104- Cotton Palm – very close to stone wall. This is already affecting the wall and the impact can only increase. (Close to trees 102 and 103).

Tree Numbers 12, 39, 102, 103, 104 and 41 are all currently growing to destabilise adjacent concrete or stone walls or will soon grow to cause such damage. Tree number 40 is not in a condition where it has a future or is required under the Landscape Master Plan. Tree No 125, the very large fig tree on the north side of the upper entry towards the hall is having a negative impact on adjacent trees and on the lawn area. Pruning would provide a short term solution but removal would open up the area to light and a garden redevelopment.

All of these tree removals are aimed at achieving long term sustainable maintenance of built structures and gardens. The Landscape Master Plan was recommended in 1996. Since that time, many changes have reduced or removed aspects of the original heritage values of the Civic Centre gardens.

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

Nil

**SUSTAINABILITY IMPLICATIONS**

The proposed tree removals are aimed at achieving a more sustainable Civic Centre gardens area, to minimise damage to infrastructure, reduction of bore water use and the long term positioning of strategic trees and shrubs.

**FINANCIAL IMPLICATIONS**

The majority of these tree removals could be undertaken by Councils depot based staff. Expenditure under Building Maintenance for General Gardening Works can be used to off-set these costs.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

Moved Cr Cunningham, seconded Cr Woodhill

That Council remove eight trees, as listed in this report, and as recommended by the Landscape Master Plan, from the Cottesloe Civic Centre garden area. (Attachment 10.2.1)

**AMENDMENT**

Moved Mayor Morgan, seconded Cr Carmichael

That the words "eight trees" be replaced with the words "all trees excluding number 41".

Carried 5/2

**COMMITTEE RECOMMENDATION**

**That Council remove all the trees excluding number 41 listed in this report, and as recommended by the Landscape Master Plan, from the Cottesloe Civic Centre garden area. (Attachment 10.2.1)**

Carried 5/2

**10.2.2 FEDERAL GOVERNMENT REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM 2008/09**

**File No:** SUB/774  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council resolved in December 2008 to apply for the \$122,000.00 Federal Government Regional and Local Community Infrastructure Program grant to be allocated to phase 1 of the Cottesloe Beach Pylon refurbishment.

That submission was made in December and no reply has been received from the Federal Government regarding success or failure of the submission.

In the event that the original submission is rejected or approval arrives too late in the season for works to commence, it would be expedient to have an alternative project pre-selected to ensure these funds are expended by September 2009. The report recommends that the Council adopt, as a reserve alternative project to the Cottesloe Beach Pylon, for the expenditure of the \$122,000 Federal Government Regional and Local Community Infrastructure program 2008/09 grant, the completion of such a project, if the original project is not approved or approval arrives too late for the successful completion.

The following information was provided to Council in December, 2008.

**BACKGROUND**

The grant of \$122,000 is the Town of Cottesloe 'share' of \$250 million allocated to all Australian local government authorities by the Federal Government. The purpose of the grant is to stimulate the local economy as part of the Australian approach to the global economic crisis.

**CONSULTATION**

Nil

**STAFF COMMENT**

The \$122,000 grant allocation for the Town of Cottesloe is one off with no inclusion of its income or expenditure in the current budget. Council's application was required to be lodged with the Federal Government by 30 January 2009, with expenditure completed by 30 September 2009.

An agreement to the grant expenditure must be signed before one payment of 100% of the funds is provided. Funding is not provided for ongoing costs eg operational

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costs and maintenance, any form of transport infrastructure e.g. roads or related expenditure for Roads to Recovery or Black Spot programs.

To be able to be started and completed by September 2009, any project that will require a lengthy process of survey, design tender, Council presentation, public consultation or State Government approval (e.g. WAPC) will dramatically reduce the capacity to meet the completion date requirement.

On that basis the following projects are suggested for consideration for expenditure of \$122,000:

1. Limestone retaining wall repairs, Cottesloe Foreshore. Over many years the limestone walls around the Indiana Tea House and on the southern terraces have degenerated and have suffered a variety of vandalism and damage. There is a substantial need for a variety of sections to be either repaired or replaced. This work could be undertaken on short notice.
2. Playgrounds: Council has an ongoing 5 Year Improvements program for its playgrounds to upgrade playground units and install shade sails. \$122,000 would speed up this work and distribute the funds throughout the Town area.
3. Cyclepaths: Council has recently adopted a new Cycle Plan. There are a variety of works covered in that plan which were to be covered in a draft 5 year plan to be provided to Council in February 2009. Council may wish to undertake \$122,000 of cycle related works in the next 6-8 months, with those works as listed in the Cycle Plan not including major works requiring extensive design, consultation and approval time periods.
4. Climate Change Study: One major gap in the climate change study's predictions was the lack of information on where underlying rock exists along the Cottesloe foreshore. A below ground radar study to provide this information would allow efforts on potential future protection works to concentrate on the deep sand/no rock areas along the Cottesloe coast line.
5. Traffic Management Plan: A 5 year program is to be provided to Council in February 2009 for traffic management and speed control installations in Cottesloe based on the recently adopted Traffic Management Plan. Council may wish to commence early installation of priority works with the new federal grant.
6. Footpaths: Council has an ongoing footpath slab replacement with in-situ concrete programme throughout Cottesloe. This new grant could be used to speed up this program.

All of these projects will require significant Council funding in the future. The \$122,000 Federal grant would allow each of the above listed projects to be substantially progressed or completed.

**Additional Staff Comment (March 2009):**

In the event that Councils' submission for the \$122,000 grant for the Beach Pylon is rejected by the Federal Government or an approval arriving too late for the project to be safely started and completed by 30<sup>th</sup> September 2009, an alternative pre-approved project would be good planning.

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

The Regional and Community Infrastructure Program (RLCIP) will be administered by the Federal Department of Infrastructure, Transport, Regional Development and Local Government. Mandatory reporting and audit requirements have yet to be received. Funds received and spent will have to comply with federal conditions of expenditure of the \$122,000 allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The \$122,000 grant income and expenditure was not included in the 2008/09 budget. The project details are required by the Federal Government by 30 January 2009. All funding must be expended by 30 September 2009.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

That Council adopt, as a reserve alternative project to the Cottesloe Beach Pylon, for the expenditure of the \$122,000 Federal Government Regional and Local Community Infrastructure program 2008/09 grant, an ongoing 5 Year Improvements program for its playgrounds to upgrade playground units and install shade sails.

**AMENDMENT**

Moved Mayor Morgan, seconded Cr Strzina

That the recommendation state that the equivalent amount that would otherwise be budgeted for expenditure on playgrounds and footpaths in 09/10 and by allocating a similar sum toward restoration of the pylon in 09/10 Budget.

Carried 7/0

**COMMITTEE COMMENT**

All members were advised after the production of the Committee Agenda that an email message had been received from the Federal Government approving the Pylon Project and requesting that the formal agreement forms be completed and returned. As a consequence, officers intend to meet with consultants to discuss the implementation of the project to ensure it can be completed on time and on budget. The results of these discussions should be available by the Council Meeting on Monday 23<sup>rd</sup> March 2009. As a consequence of this information and Committee discussion, an amendment to the recommendation was proposed.

**COMMITTEE RECOMMENDATION**

**That Council adopt, as a reserve alternative project to the Cottesloe Beach Pylon, for the expenditure of the \$122,000 Federal Government Regional and Local Community Infrastructure program 2008/09 grant, the equivalent amount that would otherwise be budgeted for expenditure on playgrounds and footpaths in 2009/10 by allocating a similar sum toward restoration of the pylon in 2009/10 Budget.**

Carried 7/0

**10.2.3 NATURAL AREAS MANAGEMENT FIVE YEAR PLAN**

**File No:** SUB/707  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Attachment** 5 Year Natural Areas  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The following report was carried over/deferred from February to March 2009 meeting for want of a quorum

The February 2009 agenda recommendation was:

*That Council adopt the Natural Areas Management 5 Year Plan as per attachment and Year 1 be used as the basis for inclusion in the draft 2009/2010 financial year budget for funding consideration.*

A modified recommendation, given the Cottesloe Coast care late submission, is that the modified Natural Areas Managements 5 Year Plan be adopted and Year 1 be used as the basis for inclusion in the draft 2009/20010 financial year budget for funding consideration.

At its September 2008 meeting, Council resolved, regarding the Natural Areas Management Plan:

*That Council:*

- (1) *Approve the content changes incorporated into the Natural Areas Management Plan and adopt the plan.*
- (2) *Note that a five year works plan regarding Natural Areas Management will be developed incorporating recommendations from the NAMP. This will include priorities for action and a works schedule which will be presented to council for approval in early 2009.*

This report provides a draft 5 year Natural Areas 5 year Management Plan.

**BACKGROUND**

Substantial effort went into the production and adoption of the final Natural Areas Management Plan, with the aim of determining where all the natural vegetation areas exist in Cottesloe, their strengths and problems and the requirements to protect, save and enhance those areas.

Cottesloe Coastcare was actively involved in the creation of the plan and discussions have been held with that organisation prior the draft 5 Year program being compiled.

#### **CONSULTATION**

The NAMP was advertised for public consultation and the results considered for inclusion in the plan. The 5 Year program is based on the NAMP.

#### **STAFF COMMENT**

The over-arching aim of the NAMP was to identify those areas in the Town of Cottesloe that are to be managed as natural areas and to provide guidelines and priorities for their management with a view to protecting, preserving and enhancing local biodiversity.

Until now, there has been no co-ordinated attempt to plan for a program of works, installation or controls to ensure that existing natural environment is preserved and, where possible, 'lost' areas brought back to a state of quality sustainable natural species sites.

The program will change over the years, depending on circumstances, successes and failures and also the potential for extra grant funds being generated from the annual program allocation being used as matching finance.

With regards to the items included into each of the 5 years of the proposed program, the general allocations for weedicide application to stop lawn growth into sand dunes, the installation of weed barriers and the seedling allocation for replanting are items which will be split up over a number of sites as required, to 'win back' areas which are seriously degraded. The seedlings requirement will also mean the use of collected seed from locally based species being used to create stock for re-use in this area.

Allowance is made for the ongoing purchase and installation of various forms of erosion control materials, particularly for the beach foreshore dunes.

One item not covered by this program is the employment, part or full time, of a Bushcare Officer. This position could be pursued within WESROC where such an officer could be shared between several Councils.

The 5 year plan reflects the priorities established in the NAMP in that it allocates resources first to Existing Natural Areas (ENA's) and then to Potential Natural Areas (PNA's). The NAMP identified 4 high priority ENA's- Mudurup, Cottesloe Native Garden, Vlamingh and Grant Marine Park and the 5 year plan allocates resources to protect and restore these high priority areas. The PNA's identified for action in this 5 year plan include the railway corridor, Grant Street median strip and Eric Street verges east of the railway line. The plan also addresses generic issues such as weed and erosion control.

#### **Existing Natural Areas (ENA's)**

##### Grant Marine Park

Allowance is made in Year 1 of the program for expenditure on Grant Marine Park. This work is based on comments from the NAMP (p44):

There are opportunities to both reduce reticulation and lawn maintenance and increase the area of the natural vegetation. The southern verge area of the site is unused and can be revegetated with coastal flora. Also, a parcel of unused land occurs immediately southwest of the site along Hammersley Street/Hawkstone Street, which is maintained by the Town. This could be converted to a Transition Shrubland, promoting species that will not obstruct the view of the adjacent properties yet have aesthetic value to visually enhance the area.

Vlamingh and Entry Statements, Curtin Ave/Marine PDE (p49):

The intersection of Curtin Avenue and Marine Parade serves as the southern gateway to the Town of Cottesloe. Also, the intersection of Curtin Avenue and Grant Street may also serve as a northern gateway. These Entry Statements have high aesthetic importance as they both serve as symbolic boundaries of the Town. The intersections may be restored with aesthetic coastal flora to promote the Town's natural beauty and heritage to incoming visitors. Illustrations of how the southern Entry Statement may appear are given in Figure 12.

Mudurup – West of Martine Parade/South of Cottesloe SLSC (p41/42)

Mudurup is bounded between the limestone promontory in front of the Cottesloe Surf Club and the southern end of Cove beach just south of Forrest Street. A total of seven MN's (named m1 to M7) are attributed to this ENA, including lawn verges. The northern section is an Aboriginal heritage site. The adjacent Cove Beach is a popular site for surfers. CCA has conducted restoration works on the limestone promontory (M1) between 2005 and 2006, greatly improving the state of the vegetation. Fencing around the limestone promontory has proven successful in keeping the public and pets out and retaining this condition. A sundial and limestone wind shelter was built from the bicentennial grant in the early 1990s however this site has fallen into disrepair (M2). Various non-local native species were planted in M2, though these are native bird attracting and are not a week threat. The entire site is of high importance so revegetation works should consider suitable aesthetic species.

**Potential Natural Areas (PNA's)**

The 5 Year program also includes proposed expenditure for the following PNA's – the western end of Grant St on the median island, the verges on the eastern end of Eric St between Railway St and Stirling Highway for the road, and the road verges adjacent to the railway corridor.

The sections of the NAMP addressing these sites are shown below:

**Median Strips/Grant St (p49):**

The median strips typically consist of mature non-native Norfolk Island Pines through the centre. The majority of the understorey is couch grass, although a number of small median strips only comprise of couch grass and has a degraded appearance. A few local shrubs are present in small patches. The grassed areas may be replaced with low lying aesthetic local species to visually enhance the median strip, which are also suitable for fauna feeding and habitat. This enhancement will reduce Town water consumption as the eastern section will no longer be reticulated. An illustration on how the median strips may appear with native understorey is presented in **Figure 11b**.

The Norfolk Island Trees are currently approaching their life expectancy. The current Town practice is to replace these trees with new Norfolk Island pine saplings. It may be possible to alter this practice and replace the dying trees with local trees instead, such as Tuarts, Rottnest Island pine (*Callitris preissii*) and Rottnest Tea Tree (*Melaleuca lanceolata*). An illustration of what the median strips may appear revegetated with native understorey and Tuart trees is presented in **Figure 11c**.

Variations in topography along Grant Street have resulted in a number of rises with clear ocean views at the intersection of Broome St and Mann St. These two *View Points* sites have a particularly high aesthetic landscape potential which is not being fulfilled from the lawn grasses. Replacing the median grass with highly visual local plant species that will not obscure the view will greatly enhance the view's visual amenity and reduce the requirement for irrigation.

#### **Wide Verges/Eric St (East) (p52):**

##### Verges

A majority of verges within the Town contain only lawn grasses, some of which are reticulated. Revegetating these verges with small aesthetic, water wise local flora can contribute to increasing the amount of natural areas while enhancing the visual appearance of the street and reduce Town water consumption. Sections of wide verges, such as those along Gibney Street, Warton Street, Eric Street and Marine Parade are most suitable for restoration. A demonstration planting may be established along a section of wide verge east of North Cottesloe Primary School, and serve to educate the local public and school children on the importance of local native flora and being water wise. Examples of the current status of the extensive lawn verges along Marmion Avenue may be revegetated are shown in **Figures 13 & 14**.

#### **Road Verges/Rail Corridor (p52):**

(New tree and shrub plantings relating to the rail corridor would be restricted to adjacent road verges eg. Railway St, until a final agreement is signed with the Public Transport Authority).

“The remaining majority of the land within the railway line are the Corridors. This expansive area offers an opportunity to re-establish many local tree species into the Town and resemble the original woodlands and forests described by Hedde et al (1980). An illustration how the railway corridor may be enhanced using local native flora is presented in **Figure 15**.”

**John Black Dune Park (p56):**

John Black Dune Park is a modified stable dune occurring between the car park and tennis club on the north side of Napier Street. The area was extensively cleared in the 1960s and retains only small sections of remnant vegetation at its north east and south east corners. The remainder of the open area is dominated by Victorian Tea Tree and understorey weeds. The Town has indicated the possibility of expanding the adjacent car park into the western section of this reserve. Currently John Black Dune Park does not experience any community ownership and is a source of antisocial behaviour and safety concerns.

The highly degraded state and lack of native vegetation makes this park to be more suitably classified as PNA rather than an RNA, as its management will require establishing native vegetation, rather than enhancing bushland condition. The unique position and large compact shape of this public open space provides such opportunity for public education, interpretation and demonstration, such as planting local species that are aesthetic and are bird and butterfly attracting.

Other areas of concern in the NAMP has not been included in the first 5 Year Plan. These would be included in future years.

One site which requires attention beyond this program is the Vlamingh Memorial site. Substantial repair, upgrading and re-development of this site needs consideration for funding in a future budget.

**Additional Staff Comment:**

After the February 2009 Agenda had been completed, additional correspondence was received from Cottesloe Coastcare, requesting changes to the 5 year program.

This correspondence is included in 'Attachments'.

The proposed 5 Year program has been modified in line with the comments given apart from \$3000 proposed for the road verge adjacent to the railway reserve, on Railway Street. This is part of an overall WESROC project to build on existing native vegetation to maximise native species plantings adjacent to or on the rail reserve. All other projects applying to Potential Natural Areas have been removed and the funding directed towards Existing Natural Areas.

**POLICY IMPLICATIONS**

None Known

**STRATEGIC IMPLICATIONS**

One of the dynamic priorities contained within Council's Future Plan is to develop a District Management Plan. (Future Plan – Section 6). Also under Objective 3 – 'Enhance Beach Access and the Foreshore', Major Strategy 3.2 outlines the need to 'Improve Beach Access and Dune Conservation outside the Central Foreshore Zone'.

**STATUTORY REQUIREMENTS**

None Known

**SUSTAINABILITY IMPLICATIONS**

This program will set an expected level of funding and scale of effort to be applied to Cottesloe's natural vegetation areas for the future and have a significant impact on the local natural environment.

**FINANCIAL IMPLICATIONS**

Nil

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Woodhill

**That Council adopt the Natural Areas Managements 5 Year Plan and Year 1 be used as the basis for inclusion in the draft 2009/2010 financial year budget for funding consideration (Attachment 10.2.3).**

Carried 7/0

**10.2.4 RUBBISH BINS - BEACH FORESHORE AND COMMERCIAL AREA**

**File No:** SUB/207  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services

**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

There is an ongoing need at the foreshore in summer for more rubbish bin capacity on the busiest days.

There is also a need for street rubbish bin replacements in the commercial area, particularly Napoleon Street.

The recommendation is that Council:

1. Arrange for the conversion of 33 recycling bin surrounds on the Cottesloe Main Beach foreshore to normal waste disposal bins and
2. Arrange for the replacement of waste/litter bins in the Cottesloe commercial area in stainless steel, to a style acceptable to PROCOTT, with both changes being funded from Councils' Waste Management Reserve Account.

**BACKGROUND**

Council has had 33 double sets of new rubbish/recycling bin surrounds on the Main Cottesloe Beach foreshore for one full summer period. The main experiences have been that on the busiest summer days there is not enough 'normal' rubbish bin capacity and the recycling bin capacity is underused, polluted with non recyclable material and has created some occupational health issues.

In regards to the commercial area, approx 17 rubbish bins which were installed a number of years ago are overdue for replacement. They are in a poor condition and have always provided occupational safety concerns for the contractor removing the internal metal liner bins.

**CONSULTATION**

Nil

**STAFF COMMENT****Manager of Engineering Services:**

The staff experience on the foreshore is that there is far less interest in recycling than the expectation at visitors homes. The recyclable material collected is often polluted by general waste.

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At the same time, for a small portion of the year, the hottest, busiest days of beach use, the 33 rubbish bins on the foreshore are inadequate for the volume of waste generated.

On this basis, a quote of \$250 per bin plus delivery has been received from the original bin surround manufacturer for a kit to convert each recycling bin surround into a normal waste receptacle. To this must be added the cost to move each double bin to the depot, cut the connection welds, install the new waste 'splash tray', reweld and return the bins to their original location, a total estimated cost of \$400.00 each. If 33 bins are converted, a total estimated cost of \$13,200.00 would apply.

In regards to the commercial area, typical replacement costs for the 17 existing commercial style bins are \$1000 to \$1800 each, giving a maximum installed estimated cost of \$34,000. These bins would be metal insert type bins removable from the top rather than metal surrounds for 'sulo' type 240L or 120L bins as on the beach foreshore area.

It is recommended that these bins be stainless steel, without colouring, to assist in cleaning and graffiti removal. In it's 2008/09 budget, Council allowed for the expenditure of \$93,150 from the Waste Management Reserve on new waste/recycling/litter bins. This expenditure has not yet occurred. Because it is from a reserve account, this \$93,150 can only be allocated to waste disposal type expenditure.

**Principal Environmental Health Officer:**

There is a requirement for trucks to service beach litter bins at a time when the number of beach users is at a minimum. On most days this is early in the morning. Trucks are not permitted to enter this area during times of high use due to the safety of pedestrians, particularly children who can not be seen by a reversing vehicle.

The requirement to separate the recyclable material has presented two issues, both with regard to safety. The truck used to collect recyclable materials is the same truck used for general waste. It is washed out at the transfer station before returning to do recycling. Therefore, the contractor who arrives early to service the litter bins is emptying the contents of recycling bins into bins to be stored in the central bin store at the bottom of the ramp. A recycling truck must then return later in the day to collect these bins. This process is an occupational safety risk for the contractor and a safety risk for both pedestrians and the contractor. As the principal contractor the Town has a responsibility to reduce or if possible remove such risks.

The Town has always endeavoured to 'do the right thing' with regard to separating and collecting recyclables. However, the standard of the material collected from the litter bins is poor and a large percentage of this must be discarded to landfill. With the commencement of the Dicom process at Brockway Transfer Station any recyclable materials will be separated prior to the organic component being composted. This shift from separating at the source, in this case, a public place, to sorting at the waste facility will require some community education but will result in the capture of more recyclable materials.

The placement of the sets of bins and the need to unlock and lock them has resulted in additional time and cost for servicing the bins. This is reflected in the new contract rates. The cost of servicing a general waste bin is \$3.90 and a recycling bin is \$6.45, exclusive of GST.

Converting the recycling bins to general waste will result in a service cost saving of \$19,691 per annum. This will cover the cost of \$13,200 to convert the recycling bins to general waste bins within the first 12 months.

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Finance is available from Councils' Waste Management Reserve Account, which was budgeted for expenditure in 2008/09.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

That Council:

1. Arrange for the conversion of 33 recycling bin surrounds on the Cottesloe Main Beach foreshore to be converted to normal waste disposal bins and
2. Arrange for the replacements of waste/litter bins in the Cottesloe commercial area in stainless steel, to a style acceptable to PROCOTT, with both changes being funded from Councils' Waste Management Reserve Account.

**COMMITTEE COMMENT**

Committee discussed the issues of waste management and recycling in the report and agreed to amend the officer recommendation to include an additional part 3 related to community education.

**AMENDMENT**

Moved Cr Carmichael, seconded Mayor Morgan

That a point (3) be added to the recommendation to state:

That there be signage and education for the Community regarding the change process particularly including that the mingled waste will be sorted into recyclable material and composted material.

Carried 7/0

**COMMITTEE RECOMMENDATION**

**That Council:**

- 1. Arrange for the conversion of 33 recycling bin surrounds on the Cottesloe Main Beach foreshore to be converted to normal waste disposal bins and**
- 2. Arrange for the replacements of waste/litter bins in the Cottesloe commercial area in stainless steel, to a style acceptable to PROCOTT, with both changes being funded from Councils' Waste Management Reserve Account.**
- 3. Request that there be signage and education for the Community regarding the change process particularly including that the mingled waste will be sorted into recyclable material and composted material.**

Carried 7/0

**10.2.5 TOWN OF COTTESLOE PRIVATE LANEWAYS**

**File No:** SUB/274  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Attachment** Dept of Local Government Letter  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

**Declaration of Interest**

*In accordance with the Local Government Act 1995 (section 5.65 & 5.68) and the written advice of the Department of Local Government and Regional Development (attachment 10.2.5) giving approval for members to participate in the discussion of a report relating to the ownership of private laneways, Cr's Utting, Cunningham, Strzina and Mayor Morgan declared a proximity interest in item 10.2.5 Town of Cottesloe Private Laneways in that their property abuts to and/or they use public/privately owned laneways as access to their properties.*

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**SUMMARY**

At it's meeting in April 2008, Council resolved

*That Council request staff to:*

- 1. Address the concerns raised by the owner of 12 Jarrad Street.*
- 2. Provide a report to Council on a strategy to obtain ownership of all existing privately owned right-of-ways.*
- 3. Investigate the rating of privately owned right of ways.*

However, six out of the eleven Councillors declared an interest and left the chamber, leaving less than a quorum to vote on this issue. The same situation would also apply to any vote on a staff report regarding laneways. A letter was written to the Department of Local Government and Regional Development requesting permission for all Councillors to debate and vote on this issue. That approval has formally arrived.

This item presents a report on private laneways within the Town of Cottesloe and recommends that all owners of private laneways within the Town of Cottesloe be sent a letter, offering the conversion of the laneway ownership into Town of Cottesloe ownership, with all legal and administrative costs to be met by Council, and no offer of an additional purchase price of the laneway being made. The letter also fully explains the responsibilities and risks of private laneway ownership where public access applies, with the potential for future rating. Noting that if the results of this offer are negligible, Council consider the imposition of a minimum rate levy on all individual privately owned laneways, within the Town of Cottesloe.

**BACKGROUND**

This matter arose from a discussion regarding concerns raised by the owner of 12 Jarrad Street regarding the condition of Right of Way 34, on the west side of Barsden

Street, Cottesloe. This laneway is privately owned, with the owner showing no interest in improving the poor condition of the laneway, which is used, legally, by a number of adjacent property owners for access.

In May 2008, the then Minister for Local Government was asked for permission for all Councillors, including the 6 affected Councillors, to debate and vote on the matter of a strategy to obtain ownership of all existing privately owned right of ways within the Town of Cottesloe. The letter from the Department of Local Government and Regional Development is attached to this agenda (Attachment 10.2.5) Additional supporting correspondence between Council staff and the Department is available upon request.

Approval has been given by the Department of Local Government and Regional Development for one single meeting of Council, with conditions attached, for discussion and voting on this matter by all Councillors.

### **CONSULTATION**

Nil

### **STAFF COMMENT**

A 2005 survey of all laneways in Cottesloe provided a list of 77 laneways, totalling 13.265 kilometres in length. Of this length, 2.8 kilometres (21%) was Crown Land/Public Street status, 7.534 kilometres (57%) is owned (freehold) by the Town of Cottesloe and 2.930 kilometres (22%) is owned (freehold) by a variety of individuals or companies.

Council records show 12 total or sections of laneways owned by ten individuals, companies or organisations at this time. Two laneways have been purchased by Council in recent years, for the cost of the legal and administrative arrangements totalling less than \$1000 per laneway.

Arrangements are underway for one total and two portions of private laneway to become Council property.

Private Laneway responsibilities – the remaining privately owned laneways in Cottesloe have been used for general public access for many years. The following applies to these laneways:

1. Because they are private property, Council funds may not be used for upgrading or general maintenance works.
2. Council can decide to impose a rating structure on these private laneway properties, probably a minimum rate currently set at \$750
3. No installations can be approved on public access/private owned laneway which would prevent public access, nor can public access be prevented by the owner.
4. Many of these laneways contain sewer lines which must be accessible for maintenance at all times.
5. The private owners are legally responsible for any injury or accident which occurs on the laneway due to the laneway condition.
6. Poor quality fencing leaning into the laneway, vegetation growing over the boundary fences, poor quality surfacing, drainage water running off the

laneway onto private properties can all be legal/liability issues to be dealt with by the laneway owner.

From the list above, there appears to be little reason why anyone would want to own a laneway accessible by the public, in the Town of Cottesloe.

Council's policy regarding Right of Ways/laneways clearly spells out the intention to eventually have all such access in Cottesloe as Crown Land, with no ownership by Council or individual private property owners or companies.

In the interim, Council is to achieve ownership of all privately owned laneways, remove all illegal obstructions, adverse possession claims and other restrictions on full public access, prior to a handover to the Crown.

Council is then clear to maintain all Right of Ways/laneways in the Town of Cottesloe, using Council maintenance funds, to ensure safe and full access to the public, including abutting properties.

In the case of Right of Way 34 on the west side of Barsden Street, detailed investigations by staff have revealed that the original ownership advice given by Landgate was incorrect. The legal owner has been located and a discussion completed with that owner regarding potential handover of ownership to Council. The owner is not interested in a 'handover' of this laneway, with all of the responsibilities, to Council unless a negotiated commercial value was paid by Council.

#### **POLICY IMPLICATIONS**

Councils' Policy on Right of Ways/Laneways applies (see attachments). In this policy one objective is "To establish a procedure for sections of private laneways to become Crown land, including land held by Council as private property and used by the public as access. Also one of the Principles of this policy is:

(5) To recognise that any Right of Way or Laneway used by the general public should be Crown land vested in Council for the purpose of public access, maintained by Council through the normal annual budgeted maintenance programs.

Under the 'Issues' section of the policy, the following applies:

5 The mixture of Crown control, private ownership and Council ownership of ROW's and Laneways has created confusion in the past for staff to maintain these accesses while trying not to expend Council funds on privately owned sections.

6 The amount of privately owned laneway sections (by Council and individuals) requires a lot of control regarding actions, filing, knowledge of ownership etc which could be greatly simplified by their surrender to the Crown.

In the actual policy document, item 1 and 2 directly relate to this matter:

1. Council's attitude towards the status of ROW's/Laneways is that all such accesses should be Crown land, where they are used by the general public rather than for a specific restricted property access function.
2. Any sections of ROW's/Laneways owned by the Town of Cottesloe will be surrendered to the Crown for Crown land.

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

Nil, other than the requirement that Council funds not to be spent on private property, including privately owned rights of ways or laneways.

**SUSTAINABILITY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The cost, per laneway transfer, is estimated at \$1000 per laneway, if Council covers all legal and administrative costs, but does not pay commercial values on these public access ways.

Once owned in 'fee simple' and eventually passed into Crown ownership, Council will be fully responsible for maintenance of these laneways, at an additional estimated cost of \$15000 per year.

There is potential for these laneways to be rated to achieve additional income. Such rating has not applied for many years, but the rating issue was the original reason for the wholesale handover of private laneways in 1990/91.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Strzina, seconded Cr Utting.

**That Council authorise letters to be sent to all owners of private laneways within the Town of Cottesloe;**

1. a) offering the conversion of the laneway ownership into Town of Cottesloe ownership, with all legal and administrative costs to be met by Council, and no offer of an additional purchase price of the laneway being made  
b) Fully explaining the responsibilities and risks of private laneway ownership where public access applies, with the potential for future rating.
2. Noting that if the results of this offer are negligible, Council will consider the imposition of a minimum rate levy on all individual privately owned laneways within the Town of Cottesloe.

Carried 7/0

**10.3 FINANCE****10.3.1 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 28 FEBRUARY, 2009**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Attachment** Financial Statement  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

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

**BACKGROUND**

The Financial Statements are presented monthly

**CONSULTATION**

Nil

**STAFF COMMENT**

The Operating Statement on page 2 of the Financial Statements shows a favourable variance between the actual and budgeted YTD operating surplus of \$313,294 as at 28 February 2009. Operating Revenue is ahead of budget by \$45,718 (1%). Operating Expenditure is \$153,731 (3%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 28 February 2009 is shown on pages 7-8.

The Capital Works Program is listed on pages 24 - 26 and shows total expenditure of \$3,701,296 compared to YTD budget of \$6,970,063. The reason for the significant difference is the delay with the library.

A more detailed analysis is contained within the budget review item before Council.

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

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

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**SUSTAINABILITY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Cunningham, seconded Mayor Morgan

**That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 28 February 2009, as per attachment 10.3.1 and as submitted to the 17 March 2009 meeting of the Works and Corporate Services Committee.**

Carried 7/0

**10.3.2 SCHEDULE OF INVESTMENTS AND SCHEDULE OF LOANS FOR THE PERIOD ENDING 28 FEBRUARY, 2009**

**File No:** SUB150 and SUB/151  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Attachment** Financial Statement  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 28 February 2009 to Council.

**BACKGROUND**

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

**CONSULTATION**

Nil

**STAFF COMMENT**

The Schedule of Investments on page 17 of the Financial Statements shows that \$1,201,642.72 was invested as at 28 February, 2009.

Reserve Funds make up \$1,193,342.44 of the total invested and are restricted funds. Approximately 78% of the funds are invested with the National Australia Bank, 22% with BankWest.

The Schedule of Loans on page 18 shows a balance of \$566,014.04 as at 28 February, 2009. There is \$513,263.86 included in this balance that relates to self supporting loans

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

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

**SUSTAINABILITY IMPLICATIONS**

Nil

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**FINANCIAL IMPLICATIONS**

Nil

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

Moved Cr Cunningham, seconded Mayor Morgan

That Council receive the Schedule of Investments and Schedule of Loans for the period ending 28 February 2009, as per attachment 10.3.1 and as submitted to the 17 March 2009 meeting of the Works and Corporate Services Committee.

**AMENDMENT**

Moved Mayor Morgan, seconded Cr Strzina.

That the recommendation be amended to include a part 2 which requests that Council review its investment policy to provide that Council will endeavour to retain as much of its investment funds in banks that have a branch in Cottesloe.

Carried 7/0

**COMMITTEE RECOMMENDATION**

**That Council:**

- 1. Receive the Schedule of Investments and Schedule of Loans for the period ending 28 February 2009, as per attachment 10.3.1 and as submitted to the 17 March 2009 meeting of the Works and Corporate Services Committee.**
- 2. Request a report reviewing its investment policy to provide that Council will endeavour to retain as much of its investment funds in banks that have a branch in Cottesloe.**

Carried 7/0

**10.3.3 ACCOUNTS FOR THE PERIOD ENDING 28 FEBRUARY 2009**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Attachment** Financial Statement  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the List of Accounts for the period ending 28 February 2009 to Council

**BACKGROUND**

The List of Accounts is presented monthly.

**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:

- \$16,193.47 to WA Local Govt Super Fund for staff deductions
- \$11,358.00 to Synergy for street lighting for January 2009
- \$15,257.67 to WA Local Govt Super Fund for staff deductions
- \$40,981.47 to Mosman Park for roundabout construction at Jarrad/ Broome St
- \$45,036.03 to Roads 2000 for construction project on Melville Street
- \$22,401.53 to WMRC for disposal and tipping fees
- \$339,102.78 to KMC for building progress claim 7
- \$14,875.30 to Wilson Technology for GPRS software module
- \$15,652.16 to Surf Life Saving WA for contract for January 2009
- \$12,408.00 to C&D Recycling for loads of aggregate
- \$106,490.77 to Transpacific Cleanaway for domestic & commercial waste disposal in December 2008
- \$222,148.96 to KMC for building progress claim 8
- \$19,800.00 to KA Adams for EbD consultancy
- \$63,254.70 and \$64,800.91 for staff payroll

**POLICY IMPLICATIONS**

Nil

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**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

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

**SUSTAINABILITY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

Moved Cr Cunningham, seconded Mayor Morgan

**That Council receive the List of Accounts for the period ending 28 February 2009, as per attachment 10.3.1 and as submitted to the 17 March 2009 meeting of the Works and Corporate Services Committee.**

Carried 7/0

**10.3.4 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 28 FEBRUARY, 2009**

**File No:** SUB/145  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Graham Pattrick  
Manager Corporate Services  
**Attachment** Financial Statement  
**Proposed Meeting Date:** 17-Mar-2009  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 28 February 2009 to Council.

**BACKGROUND**

The Property and Sundry Debtors Reports are presented monthly.

**CONSULTATION**

Nil

**STAFF COMMENT**

The Sundry Debtors Report on pages 19-22 of the Financial Statements shows a balance of \$220,079.46 of which \$116,079.04 relates to the current month. The balance of aged debt greater than 30 days stood at \$104,000.42 of which \$75,970.45 relates to pensioner rebates that are being reconciled by the Senior Finance Officer.

Property Debtors are shown in the Rates and Charges analysis on page 23 of the Financial Statements and show a balance of \$852,371.70. Of this amount \$222,519.55 and \$258,934.96 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 \$646,347 in 2009 compared to \$517,034 last year.

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**STATUTORY REQUIREMENTS**

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

**SUSTAINABILITY IMPLICATIONS**

Nil

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**FINANCIAL IMPLICATIONS**

Nil

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Cunningham

**That Council receive and endorse the property debtors report and the sundry debtors report for the period ending 28 February 2009; as per attachment 10.3.1 and as submitted to the 17 March 2009 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**

Nil

**13 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 8.20pm

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