

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 19 OCTOBER 2010

CARL ASKEW
Chief Executive Officer

22 October 2010

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

The Presiding Officer announced the meeting opened at 7:03pm.

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

Mayor Kevin Morgan	Presiding Member
Cr Greg Boland	
Cr Ian Woodhill	
Cr Rob Rowell	
Cr Dan Cunningham	
Cr Davina Goldthorpe	Deputy
Cr Jay Birnbrauer	Deputy

Officers Present

Carl Askew	Chief Executive Officer
Graham Pattrick	Manager Corporate & Community Services
Geoff Trigg	Manager Engineering Services
Christina Guelfi	Community Development Officer

Apologies

Cr Patricia Carmichael
Cr Victor Strzina

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

Jenita Enevoldsen – 5/34 Marine Parade, Cottesloe – Re: item 10.1.2 -
Wilderness Society of WA event at Cottesloe Civic Centre

Ms Enevoldsen spoke in relation to the request by the Wilderness Society to hold a community event on the main lawn at the Civic Centre. The purpose of

the event is to raise awareness of the need to protect the Kimberley and their aim is to bring together community members and groups. There will be four speakers, some stalls and small band afterwards. The speeches will take place at approximately 11:00am. Whilst there will be some focus on the James Price point gas development and jetty proposal the event will also focus on the need to protect the Kimberly in general. Ms Enevoldsen requested that Council support their application to use the Civic Centre.

Mr Jack Walsh, Grant Street Cottesloe – Removal of Vera View Dog Beach Curfew

Mr Walsh advised Committee that, further to the circulated documents, he will be tabling a petition on Monday night at Council, the prayer of which reads “we the undersigned request that the Cottesloe Council remove the dog curfew from Vera View Dog Beach”. Mr Walsh indicated that he would move this as a motion at Council.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Woodhill, seconded Cr Boland

[Minutes September 21 2010 Works and Corporate Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 21 September 2010 be confirmed.

Carried 7/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

9.1 BRETT POLLOCK – MEN’S SHED

The proposed Men’s Shed at Mosman Park is sponsored by the Rotary Club of Mosman Park and there has been significant community support to date for its establishment. The Town of Mosman Park have committed a 630sqm area of land to build on Tom Perrot Reserve, Lotterywest has been approached for capital funding of \$800,000 and Healthways have been approached for “fit out” costs.

In support of the project the Men’s Shed have approached all local governments in the Western Suburb who form their catchment area (Cottesloe, Claremont, Mosman Park and Peppermint Grove) and requested “seed funding” of \$20,000 each (\$10,000 for Peppermint Grove) for the first two years of their operations.

The purpose of the Men's Shed is to address men's physical and mental health. It will have a workshop, kitchen, computer room and garden, as well as space for storage. There will also be mentoring projects for young men and youth run from the facility.

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

- 10.3.1 Statutory Financial Reports for the month of September 2010
- 10.3.2 Schedule of Statutory Financial Reports for the month of September 2010
- 10.3.3 Accounts paid for the month of September 2010
- 10.3.4 Property & Sundry Debtors Report for September 2010

10 REPORTS OF COMMITTEES AND OFFICERS

10.1 ADMINISTRATION

10.1.1 MEN S SHED AT THE TOWN OF MOSMAN PARK

File No: SUB/1107
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattick
Manager Corporate Services

Proposed Meeting Date: 19 October 2010

Author Disclosure of Interest Nil

SUMMARY

THAT Council agree to consider the inclusion of \$20,000 funding for the Men's Shed in the budget for each of the next 2 financial years commencing in 2011/12.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

This is outside the guidelines of the Donations Policy.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The request is for \$20,000 each year for 2011/2012 & 2012/2013

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

There has been extensive research carried out by the proponents for this concept. They have primarily been working with staff and elected members of the Town of Mosman Park but also have involved staff and elected members of the Town of Claremont and Shire of Peppermint Grove as well as staff from the Town of Cottesloe. There has been consultation with Lotterywest, Office of Crime Prevention, Healthway and WA Police as well as local community groups like Probus and the Rotary Club.

STAFF COMMENT

The Mosman Park Men's Community Shed is a project to build a diverse workshop, wood and metal working area, kitchen and meeting room. The theme is about men feeling useful and contributing again to their communities, learning or sharing their skills, making friends, networking and availing themselves of health information programmes and opportunities. Men's Sheds are under the auspices of a variety of organisations whose ethos they tend to exemplify.

The target for the Men's Shed is to provide men over the age of 55 within the local government area of the G4 (Cottesloe, Claremont, Mosman Park & Peppermint Grove) with an environment where they can mix with their peers and strengthen the local communities. Research indicates there are 2,500 men who meet these criteria in the G4. The organisers are aiming for an initial membership of 200 people in the first year.

The \$780,000 construction costs of the shed are proposed to be met with a grant that has been lodged with Lotterywest. The \$250,000 fit-out costs are proposed to be met by Healthway. The Town of Mosman Park have donated the land required for the project. The Mosman Park Rotary Club is providing \$30,000 to cover the initial running costs.

The Town of Mosman Park and the Town of Claremont have been approached to fund \$20,000 pa for the next 2 years. The Shire of Peppermint Grove have been approached to fund \$10,000 pa for the next 2 years.

The Men's Shed aims to provide activity, identity and meaning for older, unemployed, job-redundant, 'downsized', isolated, depressed and happily retired, active, creative, enthusiastic men. Men's Sheds are recognized as vital, viable places to fulfil these needs and provide relaxed, happy creative spaces for men to enjoy.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Birnbrauer, seconded Cr Goldthorpe

THAT Council agree to consider the inclusion of \$20,000 funding for the Men's Shed in the budget for each of the next 2 financial years commencing in 2011/12.

Carried 7/0

10.1.2 WILDERNESS SOCIETY OF WA EVENT AT COTTESLOE CIVIC CENTRE

File No: SUB/126
Attachments: [Wilderness.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

The Wilderness Society of WA have requested permission to hold a 'Protect the Kimberley' community forum at the Civic Centre. This report recommends Council approve this request.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The Outdoor Concerts & Large Public Events policy and guidelines are both relevant when considering this application. As stated in the policy:

(b) All outdoor concerts and major public events shall comply with the Town of Cottesloe's Guide to Outdoor Concerts and Large Public Events.

In additional the policy states that:

(f) An application for an event is to be made to Council on the Event Application and Checklist Form not less than 90 days prior to an event. The CEO may request additional information or action as deemed appropriate

(g) The in-principle support of the Council of the Town of Cottesloe to stage an outdoor concert or large public event does not constitute an approval. Approval for an event will only be given by the CEO upon satisfactory compliance with all statutory and other requirements at least 24 hours prior to the commencement of an event.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

As the Wilderness Society is a charitable organisation and there is anticipated to be less than 500 patrons to this event, it is classified as Category 1 in our fees and charges. This means the Wilderness Society will be required to pay a \$550 fee (including GST) and a refundable \$1,000 bond.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

This request was discussed at the Events Committee on Tuesday the 5th of October, 2010 and it was agreed to be referred to Council for a decision.

STAFF COMMENT

The Civic Centre is a good venue for an events and functions. The event is unlikely to cause a disturbance to local residents as it finishes early, is family based and will not have loud music.

The event is scheduled to run on November 28th from 9am to 1pm with the forum section going for an hour from 11am to noon. The organisers want to have 2 or 3 stalls set up on the northern end of the main lawn. They plan to have 3 or 4 guest speakers using a small PA system and want to have a small jazz band playing.

The organisers estimate that there will be approx. 450 people.

VOTING

Simple Majority

Cr Greg Boland disclosed a Impartiality interest in Item 10.1.2 due to being a member of the Wilderness Society and declared that as a consequence there may be a perception that his impartiality on the matter may be affected. He declared that he will consider the matter on its merits and vote accordingly.

COMMITTEE DISCUSSION

Committee discussed the matter including the nature of the event and the appropriateness of the Civic Centre for such a rally. There were concerns raised in relation to the potential nature of the subject and the association that may be drawn if Council provides the venue. In addition there were also more practical concerns with the physical impact upon the facility itself, as well as other events scheduled to occur within the grounds o the same day.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Birnbrauer, seconded Cr Goldthorpe

THAT Council:

- 1. Approve the Wilderness Society hosting a community forum in the grounds of the Civic Centre on the 28th of November, 2010;**
- 2. Class the event as a charity community event, category 1, with a \$550 fee and a \$1000 bond.**

Carried 4/3

10.1.3 ORDINARY ELECTION - APPOINTMENT OF STATE ELECTORAL COMMISSIONER AS RETURNING OFFICER FOR POSTAL VOTE ELECTIONS

File No: SUB/1121
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

A recommendation is made to declare, in accordance with section 4.20(4) of the *Local Government Act, 1995*, the Electoral Commissioner to be responsible for the conduct of the 2011 ordinary elections together with any other elections or polls which may also be required and to decide, in accordance with section 4.61(2) of the *Local Government Act, 1995*, that the method of conducting the election will be as a postal election.

BACKGROUND

To assist in budget preparations the WA Electoral Commission has provided Council with an estimate for the next scheduled ordinary elections, planned for 15 October 2011.

The current procedure required by the *Local Government Act, 1995* is that the Electoral Commissioner's written agreement is to be obtained before the vote is taken. To facilitate the process, the letter received by the Town from the Electoral Commissioner can be taken as agreement to be responsible for the conduct of the ordinary elections in 2011 for the Town of Cottesloe, together with any other elections or polls that may also be required.

STRATEGIC IMPLICATIONS

The following section of the Town of Cottesloe Future Plan applies:

Section 4: Underpinning sustainability principles

- (3) *Good Governance: Leadership, transparency, accountability, probity, proper management, effective services, equitable access to services, commitment to partnership working and organisational capacity building.*

Council acknowledges the views and interest of all components of the community and strives to achieve a balanced and proactive position on issues which affect public, commercial and private sectors.

To the extent that postal elections encourage broader participation in local government elections, postal elections can be seen as strengthening the acknowledgement that Council gives to "... the views and interest of all components of the community."

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act, 1995 – Sections 4.20(4) and 4.61(2) which read as follows:

4.20 CEO to be returning officer unless other arrangements are made

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for an election.*

*** Absolute majority required**

- (3) An appointment under subsection (2) has no effect if it is made after the 80th day before election day.
- (4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election.

*** Special majority required**

- (5) A declaration under subsection (4) has no effect if it is made after the 80th day before election day.
- (6) A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.

4.61 Choice of methods of conducting the election

- (1) The election can be conducted as a -
“postal election” which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
“voting in person election” which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted, or delivered, in accordance with regulations.

- (2) The local government may decide* to conduct the election as a postal election

*** Special majority required**

- (3) A decision under subsection (2) has no effect if it is made after the 80th day before election day.
 - (4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.
 - (5) *A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.*
 - (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.*
-

- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

FINANCIAL IMPLICATIONS

The estimated cost for the 2011 election is \$23,000 plus GST, which has been based on the following assumptions:

- 5,450 electors;
- response rate of approximately 50%;
- 5 vacancies; and
- count to be conducted at the premises of the Town of Cottesloe.

Costs not incorporated in the estimate include:

- non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising);
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns; and
- one local government staff member to work in the polling place on election day.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Given that Council's previous election was held via postal elections and voter turnout was increased, this method of voting is recommended for the 2011 Ordinary Elections.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Woodhill

That Council:

- 1. Declare, in accordance with section 4.20(4) of the Local Government Act, 1995, the Electoral Commissioner to be responsible for the conduct of the 2011 ordinary elections together with any other elections or polls which may also be required; and**
- 2. Decide, in accordance with section 4.61(2) of the Local Government Act, 1995, that the method of conducting the election will be as a postal election.**

Carried 7/0

10.2 ENGINEERING

10.2.1 NORTH COTTESLOE PRIMARY SCHOOL - DONATION FOR STEEL METAL STATUE SILHOUETTES

File No: SUB/143
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

At its May 2010 meeting, Council resolved to:

- 1. Seek advice from Main Roads WA and LGIS on the suitability and liability issues raised by the proposed installation of five steel silhouette figures to be installed on Eric Street road verge fronting the North Cottesloe Primary School.*
- 2. Inform the North Cottesloe Primary School on Council's decision, which will not affect the grant application approval but may affect the final location or material of the proposed structures.*

Main Roads WA and LGIS advice is now available. The recommendation is that Council resolve to inform the North Cottesloe Primary School that due to concerns and advice provided by Main Roads WA and Council's insurers, approval can not be given to the installation of a number of steel silhouettes on the Eric Street road verge in front of the North Cottesloe Primary School and that the alternative sites inside the school boundaries would be recommended.

BACKGROUND

The North Cottesloe Primary School requested and were approved a \$5,000 donation for the creation and installation of a series of steel cut out figures (5) in the shape of children, to be installed behind the Eric Street kerb line fronting the school. The steel thickness is 5 millimetres and the aim is to slow vehicles on Eric Street down as they pass the school and to reduce the use of vehicles past the school. The problem is the safety and liability of such steel figures close to cyclists and vehicles using Eric Street, and the level of distraction to drivers and cyclists.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Main Roads WA has concerns with obstructions on the road verge which do not collapse to reduce damage or injury. Council's liability regarding potential accidents therefore becomes pertinent.

FINANCIAL IMPLICATIONS

\$5,000 is the donation cost. Ongoing maintenance, including removal of graffiti, would be a further recurrent cost. If Council is liable for injury claims, (because of the road reserve location), then such costs could be substantial.

SUSTAINABILITY IMPLICATIONS

Nil, apart from energy efficiency where slower vehicles would use less fuel and less car use to deliver or pick up children at the school.

CONSULTATION

The results of consultation with Main Roads WA and Council's insurers – LGIS – is included.

STAFF COMMENT

The proposed silhouettes, as covered by the Main Roads WA letter are proposed to attract the driver's attention and to advertise a message. Regardless of the value of the message, the silhouettes will form a series of shapes on a busy and often confusing section of Eric Street. The increase in the number and variety of signs and devices or road verges is reducing the effectiveness of control signs for pedestrian and vehicular traffic. Installing multiple large silhouette children shapes close to Eric Street in front of the school may impact on child safety and potential liability.

If these sheet steel shapes are to be installed permanently near Eric Street, the potential for vandalism and graffiti also increases, including the shapes being pulled out and either stolen or thrown onto the street.

The alternative location suggested inside the school grounds would remove these issues.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Birnbrauer, seconded Cr Woodhill

THAT Council inform the North Cottesloe Primary School that due to concerns and advice provided by Main Roads WA and Council's insurers, approval can not be given to the installation of a number of steel silhouettes on the Eric Street road verge in front of the North Cottesloe Primary School and that the alternative sites inside the school boundaries be recommended.

Carried 7/0

10.2.2 POLICY REVIEW - TRAFFIC MANAGEMENT

File No: POL/37
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

Council is required to regularly review its policies. Its policy on "Traffic Management" was adopted in August 2002.

The recommendation is for Council to note the review of its Traffic Management policy and resolve to continue with its application and inclusion in the Policy Manual, unchanged.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Review of existing policy.

STATUTORY ENVIRONMENT

This policy relates to Councils obligations to provide safe infrastructure to allow for the movement of pedestrians, cyclists, motorists and public transport. It includes the construction of various assets which restrict or control the movement of vehicles at intersections or to slow down vehicles to the zoned speeds.

Control of vehicle speeds and movement is a Police duty, bound by state legislation. All new traffic installations must first be approved by Main Roads WA for the legal installation of line marking and control signage.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Under this policy, the Objectives, Principles and Issues remain and are correctly expressed. The Road Hierarchy has been established by Main Roads WA in liaison with metropolitan councils. There is currently a move to join the regional and metropolitan road hierarchies together to create one state wide hierarchy.

The Traffic Management Strategy provision remains applicable and the consultant traffic study undertaken in recent years was an example of the need for an 'all of Cottesloe' approach to traffic management. Pedestrians and Cyclists remain a strong consideration for traffic management, particularly at intersections. Road Classification is controlled by Main Roads WA and the design aspect, in recent years, has tended to be centred on Black Spot, road safety at intersections and speed control on residential and local collection and distribution roads.

Schedule 3 of the policy deals with intervention guidelines. Council has a number of modern computerised vehicle classifiers (upgraded car counters) which provide speeds, types of vehicles and the volumes of the different vehicle types on the roads or streets being counted, for every hour of the count. This allows for a more developed understanding of vehicle movement within the Town of Cottesloe, with the intervention levels in the policy being made easier to apply.

Under Councils 5 year management programs for infrastructure, the 5 year plan for Road Safety Improvement and Speed Restrictions allows Council to budget, annually for priority needs to ensure safe and effective traffic movement and management.

VOTING

Simple Majority

OFFICER RECOMMENDATION

THAT Council note the review of its Traffic Management policy and continue with its application and inclusion in the Policy Manual, unchanged.

COMMITTEE DISCUSSION

Committee discussed the attached policy and identified potential changes in both wording and content to better reflect the intention of the policy to include traffic calming and safety treatment as well as to reflect and reference the more recent changes identified through the EBD process.

AMENDMENT

Moved Cr Boland, seconded Mayor Morgan

That Committee refer the item back to administration for further review and report back to Council.

Carried 7/0

THE SUBSTANTIVE MOTION WAS PUT

Carried 7/0

10.2.3 POLICY REVIEW - TEMPORARY CROSSINGS - INSTALLATION AND REMOVAL

File No: POL/31
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

Council is required to regularly review its policies. The policy on “Temporary Crossings – Installation and Removal” has not been reviewed since its adoption in 1999.

The recommendation is for Council to remove the policy “Temporary Crossing – Installation and Removal” from the Policy Manual.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Review of existing policy

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

This policy has not been referred to by staff, as far as is known, for over 6 years. It is very prescriptive and the road verge bond system plus staff site inspections have replaced this policy in practical terms.

Building sites needing access by demolition machines, materials delivery trucks etc often arrange to have part or all of the footpath concrete slabs removed and the alignment replaced with compacted limestone. At the end of the house construction, the slabs are replaced by the builder or a new in-situ concrete footpath is negotiated (at the builders cost). If the requirement is only for a short section of a path or the old crossover removed to allow heavy vehicle access, the process is easier to arrange.

Therefore, this policy is considered to be no longer required for staff use and can be removed from the Policy Manual.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Cunningham

THAT Council remove the policy “Temporary Crossings – Installation and Removal” from the Policy Manual.

Carried 7/0

10.3 FINANCE

10.3.1 STATUTORY FINANCIAL REPORTS FOR THE MONTH OF SEPTEMBER 2010

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

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 September 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 net profit or loss of \$310,434 as at 30 September 2010. Operating Revenue is below budget by \$46,401 (1%). Operating Expenditure is \$227,469 (9%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 30 September 2010 is shown on page 7.

The Capital Works Program is listed on pages 22 - 27 and shows total expenditure of \$1,541,657 compared to YTD budget of \$1,630,543. Included in this section is an

anomaly relating to the new library. The report currently shows YTD expenditure against this project of \$1,181,266 compared to a total budget of \$789,848. Part of the reason for the \$391,418 unfavourable variance is that we have not received our share of the grant funds (\$790,049) from the Shire of Peppermint Grove.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Goldthorpe

THAT Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 September, 2010, as per the attached Financial Statements, submitted to the 19 October 2010 meeting of the Works and Corporate Services Committee

Carried 7/0

10.3.2 SCHEDULE OF INVESTMENTS AND LOANS AS AT 30 SEPTEMBER 2010

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

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 30 September 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 18 of the Financial Statements shows that \$3,067,684.76 was invested as at 30 September 2010.

Reserve Funds make up \$649,240.82 of the total invested and are restricted funds. Approximately 58% of the funds are invested with the National Australia Bank, 8% with Westpac, and 34% with BankWest.

The Schedule of Loans on page 19 shows a balance of \$6,763,104.69 as at 30 September, 2010. There is \$459,792.00 included in this balance that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Goldthorpe

THAT Council receive the Schedule of Investments and Schedule of Loans for the period ending 30 September 2010, as per the attached Financial Statements, as submitted to the 19 October 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.3 ACCOUNTS PAID FOR THE MONTH OF SEPTEMBER 2010

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

Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the list of accounts paid for the period ending 30 September 2010 to Council, as per the attached 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 list of accounts commencing on page 9 of the Financial Statements has the following significant payments that are brought to your attention:

- \$10,088.60 to Synergy for street-lighting charge for August 2010
 - \$14,346.33 to WA Local Government Superannuation Plan for superannuation contributions.
 - \$14,635.89 to WA Local Government Superannuation Plan for superannuation contributions.
 - \$27,129.29 to BCITF for July 2010 deductions
 - \$20,150.90 to ADH Vehicles for a new motorised cart for the depot
 - \$136,337.79 to the Shire of Peppermint Grove for contribution toward the new library
-

- \$224,801.73 to the WA Treasury Corp for loan repayment 107
- \$34,751.63 to Transpacific Cleanaway for waste collection services.
- \$39,694.65 to Subaru Osborne Park for purchase of new vehicle
- \$24,987.57 to LGIS Liability for Councils payment of property scheme insurance for 2010-2011.
- \$321,364.80 to Fire & Emergency Services WA for FESA levy for the 1st quarter
- \$105,203.95 to the Shire of Peppermint Grove for contribution toward the new library
- \$12,332.33 to Western Metropolitan Regional Council for transfer station tipping fees.
- \$11,220.00 to Breac Pty Ltd for environmental health services.
- \$23,925.00 to Boya Equipment for purchase of mower
- \$131,738.48 to the Shire of Peppermint Grove for quarterly contribution toward library management
- \$10,128.34 to WALGA for acquisition of new ROMAN software and recruitment advertising
- \$64,166.27, \$64,061.03 & \$65,695.00 for staff payroll.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Goldthorpe

THAT Council receive the List of Accounts for the period ending 30 September 2010, as per the attached Financial Statements, as submitted to the 19 October 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.4 PROPERTY & SUNDRY DEBTORS REPORT FOR SEPTEMBER 2010

File No: SUB/145
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Patrick
Manager Corporate Services
Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 30 September 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 20 of the Financial Statements and shows a balance of \$83,115.51 of which \$20,814.94 relates to the current month. The balance of aged debtors over 30 days stood at \$62,300.57

Property Debtors are shown in the Rates and Charges analysis on page 21 of the Financial Statements and show a balance of \$2,860,149.22. Of this amount \$204,328.83 and \$425,283.38 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 \$2,654,204 in 2010 compared to \$2,116,409 last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Goldthorpe

THAT Council receive the Property and Sundry Debtors Report for the period ending 30 September 2010, as per the attached Financial Statements, as submitted to the 19 October 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

Moved Mayor Morgan, seconded Cr Rowell

That the report on the Annual General Meeting and Acceptance of 2009/2010 Annual report be considered as Urgent Business.

Carried 7/0

12.1.1 GENERAL ELECTORS MEETING & ACCEPTANCE OF 2009/2010 ANNUAL REPORT

File No: SUB/19
Attachments: [Town of Cottesloe - Annual Report 2009 2010.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

A recommendation is made to accept the annual report for the 2009/10 financial year and to hold the General Electors Meeting on Wednesday, 8 December 2010.

BACKGROUND

The annual report (see attached) is made up of a number of reports including those of the Mayor and CEO, an overview of the plan for the future, the annual financial statements, the auditor's report and other statutory and prescribed reports and information. The last General Meeting of Electors was held on Wednesday, 2 December 2009. Subject to Council's acceptance of the Annual Report, the proposed date for the electors meeting is Wednesday, 8 December 2010.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

The relevant sections of the *Local Government Act 1995* read as follows:

5.27. Electors' general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

5.29. Convening electors' meetings

- (1) *The CEO is to convene an electors' meeting by giving -
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice,of the date, time, place and purpose of the meeting.*
- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain -
 - (a) a report from the mayor or president;
 - (b) a report from the CEO;
 - [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
 - (f) the financial report for the financial year;
 - (g) such information as may be prescribed in relation to the payments made to employees;
 - (h) the auditor's report for the financial year;
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*;
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including -
 - (i) the number of complaints recorded in the register of complaints;*

(ii) how the recorded complaints were dealt with; and

(iii) any other details that the regulations may require; and

(i) such other information as may be prescribed.

5.54. Acceptance of annual reports

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

** Absolute majority required.*

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

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Regulations 15 and 19B of the *Local Government (Administration) Regulations, 1996* require that:

15. Matters for discussion at general electors' meetings s. 5.27(3)

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

19B. Annual report to contain information on payments to employees s. 5.53(2)(g)

For the purposes of section 5.53(2)(g) the annual report of a local government for a financial year is to contain the following information -

(a) the number of employees of the local government entitled to an annual salary of \$100 000 or more;

(b) the number of those employees with an annual salary entitlement that falls within each band of \$10 000 over \$100 000.

FINANCIAL IMPLICATIONS

The cost to produce, print and distribute the Annual Report and report summary is under \$8,000 and is accommodated within the 2010/11 Budget.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The proposed date for the Annual General meeting of Electors of 8 December 2010 is the most suitable in terms of ensuring that the Annual Report summary (the small, coloured version of the Annual Report which is printed on recycled paper) is distributed to all households in advance of the meeting.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Woodhill

That Council:

- 1. Accept the Annual Report for the 2009/10 Financial Year, and**
- 2. Call for the Annual General Meeting of Electors to be held in the War Memorial Town Hall, Cottesloe Civic Centre, on Wednesday, 8 December 2010 commencing at 7.00pm.**

Carried 7/0

Moved Mayor Morgan, seconded Cr Goldthorpe

That the report on the Donation Request – Cottesloe Primary School report be considered as Urgent Business.

Carried 7/0

12.1.2 DONATION REQUEST – COTTESLOE PRIMARY SCHOOL

File No: SUB/143
Attachments: [Memo to Councillors re Donation Request Cottesloe Primary School.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 19 October 2010
Author Disclosure of Interest Nil

SUMMARY

This report recommends Council support and approve a request from Cottesloe Primary School P&C Association for a donation of \$500 towards their upcoming fete on Saturday 20 November 2010.

BACKGROUND

A written request has been forwarded to the Mayor for a donation to the Cottesloe Primary School P & C Association for their upcoming fete. They will be raising funds for school playground equipment.

The Donations Policy does not allow any discretion for requests to be handled administratively outside of the budget process, hence the need to have the matter dealt with by Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The recommendation is for \$500 and will require an absolute majority as it is an unbudgeted item. Whilst there is no allocation in the current budget for requests outside of those already considered and approved there is budget capacity and the forward prediction, at this early stage of the year, is for a positive end of year position.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Elected Members

STAFF COMMENT

The request from Cottesloe Primary School meets the policy guidelines and had the request been received in April when Council considered its donation requests and budget, it would have been recommended for approval.

Whilst there is currently no limitation in the policy stopping someone applying for a donation at any time, the current practice has been to refer such applications to the next round of donations – i.e. March 2011. Clearly that is not a consideration in this case as the fete is next month. Neither Cottesloe Primary School nor the P&C were an applicant for a donation this year.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Goldthorpe

THAT Council support and approve the request from Cottesloe Primary School P&C Association for a donation of \$500 towards their upcoming fete on Saturday 20 November 2010 from it's 2010/11 Donations account.

Carried 7/0

12.1.3 VERA VIEW DOG BEACH CURFEW

Cr Boland, in recognition of the comments by Cr Walsh and the proposed petition to be presented, suggested that Committee advise Council that the proposal be put out for public comment. The urgency was based upon the imminent timing of the curfew's introduction and the need to commence any consultation process as soon as possible. If approved as Urgent Business, his intended recommendation would be as follow; "That Council put out for public comment that the dog curfew be removed from Vera View Dog Beach"

Moved Cr Boland, seconded Cr Cunningham

That the matter of the seeking of public comment that the dog curfew be removed from Vera View Dog Beach be considered as Urgent Business.

Lost 3/4

13 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 8:10pm

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