

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

**MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 20 OCTOBER 2009**

WORKS AND CORPORATE SERVICES COMMITTEE

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER.....	1
3	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	3
4	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
5	PUBLIC QUESTION TIME.....	3
6	PUBLIC STATEMENT TIME.....	3
7	APPLICATIONS FOR LEAVE OF ABSENCE.....	3
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	3
9	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	4
10	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	4
10.1	ADMINISTRATION.....	5
10.1.1	BEACHFRONT RUBBISH BINS	5
10.1.2	BIOENERGY AUSTRALIA 2009 CONFERENCE	8
10.1.3	MEETING DATES 2010	12
10.1.4	CHIEF EXECUTIVE OFFICER'S ANNUAL PERFORMANCE REVIEW	15
10.1.5	EMAIL MANAGEMENT POLICY	22
10.1.6	BROWNS BROTHERS EVENT	24
10.1.7	HAVAIANAS THONG CHALLENGE	27
10.1.8	WEST COAST 1000	29

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

10.2	ENGINEERING.....	31
10.2.1	NEW FOOTPATH POLICY	31
10.2.2	NORFOLK ISLAND PINE TREES - JOHN STREET, COTTESLOE	34
10.2.3	STREET TREE MANAGEMENT BEST PRACTICE	39
10.2.4	TOWN OF COTTESLOE OPERATIONS CENTRE – SALE OF EXISTING SITE & RELOCATION OF SERVICES	42
10.3	FINANCE.....	54
10.3.1	STATUTORY FINANCIAL STATEMENTS FOR THE MONTH ENDING 30 SEPTMBER 2009	54
10.3.2	ACCOUNTS FOR THE MONTH ENDING 30 SEPTEMBER 2009	56
10.3.3	SCHEDULE OF INVESTMENTS AND LOANS FOR THE MONTH OF SEPTEMBER 2009	58
10.3.4	PROPERTY AND SUNDRY DEBTORS REPORT FOR THE MONTH OF SEPTEMBER 2009	60
11	ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	62
11.1	NOTICE OF MOTION FROM MAYOR MORGAN.....	62
11.1.1	FREMANTLE PORT INNER HARBOUR AND CHANNEL DEEPENING, RECLAMATION AT ROUS HEAD AND OFFSHORE PLACEMENT OF DREDGED MATERIAL	62
12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING	65
12.1	LATE ITEM – HULLABALOO LIQUOR LICENCE APPLICATIONS.....	65
13	MEETING CLOSURE.....	68

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Chief Executive Officer announced the meeting opened at 7:05pm.

2 APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER

Section 5.12 of the Local Government Act (1995) provides that the members of a committee are to elect from amongst themselves a Presiding Member and Deputy Presiding member.

The election is to be conducted by the CEO and nominations for the office are to be given to the CEO in writing.

If a Councillor is nominated by another elected member, the CEO cannot accept the nomination unless the nominee has advised the CEO orally or in writing that he or she is willing to be nominated for the office.

If there is more than one nomination, elected members are to vote on the matter by secret ballot as if they were electors voting at a **first past post** voting election. The votes cast are to be counted and the successful candidate determined, as if those votes were votes cast at an election – provided there is not an equality of votes. If there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and not more than 7 days later, a special meeting of the Council is to be held. Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.

Once nominations have been received and, if required a ballot is taken, the Presiding Member is then declared and the presiding member assumes responsibility for the meeting, including the nomination and election of the Deputy Presiding Member using the same approach as described above.

The CEO called for nomination for Presiding Member of the Works and Corporate Services Committee. The Mayor nominated himself. There being only one nomination the Mayor was duly elected to the position of Presiding Member for the Works and Corporate Services Committee.

COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Carmichael

That Council appoint Mayor Morgan as the Presiding Member of the Works and Corporate Services Committee.

Carried 7/0

The Mayor called for nominations for the position of Deputy Presiding Member. Councillor Carmichael nominated Councillor Boland who accepted the nomination. There being no further nominations, Cr Boland was duly

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

elected to the position of Deputy Presiding member of the Works and Corporate Services Committee.

COMMITTEE RECOMMENDATION

Moved Cr Carmichael, seconded Mayor Morgan

That Council appoint Cr Boland as the Deputy Presiding Member of the Works and Corporate Services Committee.

Carried 7/0

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

Present

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

Officers Present

Mr Carl Askew	Chief Executive Officer
Mr Graham Pattrick	Manager Corporate Services
Mr Geoff Trigg	Manager Engineering Services
Ms Ruth Levett	Principal Environmental Health Officer
Ms Janna Lockyer	Community and Events Support Officer

Apologies

Nil

Officer Apologies

Nil

Leave of Absence (previously approved)

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Nil

6 PUBLIC STATEMENT TIME

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

Moved Cr Cunningham, seconded Cr Strzina

[Minutes September 22 2009 Works and Corporate Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 22 September 2009 be confirmed.

Carried 7/0

9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

10 PETITIONS/DEPUTATIONS/PRESENTATIONS

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

- 10.3.1 Statutory Financial Statements for the Period Ending 30 September 2009
- 10.3.2 Schedule of Investments and Schedule of Loans for the Period Ending 30 September 2009
- 10.3.3 Accounts for the Period Ending 30 September 2009
- 10.3.4 Property and Sundry Debtors Reports for the Period Ending 30 September 2009

10.1 ADMINISTRATION

10.1.1 BEACHFRONT RUBBISH BINS

File No: SUB/323
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ruth Levett
Principal Environmental Health Officer

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

This report is responding to an item of Business of an Urgent Nature put by Cr Utting at the most recent meeting of Council. It is recommended that staff continue to monitor the situation at the commencement of each summer and introduce the Summer Litter Collection Service at the September/October long weekend if the weather is forecast to be fine with temperatures above 20.C.

STRATEGIC IMPLICATIONS

Objective 3: Beach Foreshore Enhancement

To enhance beach environment

POLICY IMPLICATIONS

None known.

STATUTORY ENVIRONMENT

- None known

FINANCIAL IMPLICATIONS

There are no current resources allocated and this will need to be considered as part of next budgetary process.

The litter collection is budgeted on a Summer and Winter cycle of 26 weeks each cycle. The Main Beach litter collection, that is the Stainless steel litter bins only, is \$468 per week for the Winter service and \$1,638 for the Summer service.

SUSTAINABILITY IMPLICATIONS

None applicable.

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

CONSULTATION

Nil.

STAFF COMMENT

At the meeting of Council dated 29 September 2009 it was resolved:

That Council request staff provide a report to the October round of meetings on steps to better attend to the emptying of beachfront rubbish bins during peak times.

The Summer litter collection cycle is scheduled to commence on the first week of October and to finish at the end of March. There is some flexibility to amend dates where the weather is particularly warm or cold and servicing can be scheduled accordingly.

During the week leading up to the long weekend of 26-28 September 2009, the weather forecast was monitored and the contractor was alerted to the possibility of the Summer service commencing on Saturday, 26 September.

As the weekend approached, the forecast was for a fine Sunday with a temperature of 23.C but Saturday and Monday to be cool and cloudy with some rain. Based on past experience, the litter bins overflow when the weather is much warmer than was forecast for this weekend. As a litter collection was already scheduled for Monday morning it was decided not to commence the Summer service.

As indicated above there is an additional cost of \$1,170 per week to service the Main Beach bins during the Summer litter collection service. In addition, the Summer service requires that all litter bins commence servicing at the requested commencement date. The overall additional cost is therefore \$2,620.80 per week.

Due to substantial increases in waste charges this year, the budget has been reduced to an absolute minimum operating expenditure. It was felt that the mild weather forecast did not justify the additional expenditure required to commence the Summer litter collection service and it was decided to withhold the start date until the warmer weather commenced. The service commenced one week later on Saturday, 3 October 2009.

To avoid any possible problem with overflowing litter on the Main Beach in future, Council may wish to determine that to the commencement of the Summer litter collection service. It is recommended that the Summer litter collection service be commenced at the September/October long weekend if the weather is forecast to be fine with temperatures above 20.C.

VOTING

Simple Majority

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council introduce the Summer Litter Collection Service at the September/October long weekend if the weather is forecast to be fine with temperatures above 20.C.

AMENDMENT

Moved Mayor Morgan, seconded Cr Carmichael

That the recommendation be amended to read;

That Council introduce the Summer Litter Collection Services *during September* if the weather is forecast to be fine with temperatures above 20.C *and in any event by the September/October long weekend.*

Carried 7/0

COMMITTEE RECOMMENDATION

That Council introduce the Summer Litter Collection Services during September if the weather is forecast to be fine with temperatures above 20.C and in any event by the September/October long weekend.

The Substantive Motion was put

Carried 7/0

10.1.2 BIOENERGY AUSTRALIA 2009 CONFERENCE

File No: SUB/83
Attachments: [Bioenergy Australia Conference.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ruth Levett
Principal Environmental Health Officer

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Report recommends Principal environmental Health Officer attends conference.

SUMMARY

The Bioenergy Australia 2009 conference will cover all aspects of bioenergy development and will assist in the understanding and assessment of alternative waste treatment projects, in particular the Dicom facility, currently being trialled at the Jim McGeogh Resource Recovery Facility, previously know as Brockway Transfer Station. The conference will be held in Queensland from 8th to 10th December 2009. This report requests approval to attend this conference by the Principal Environmental Health Officer who is the Council's technical officer for the Western Metropolitan Regional Council.

STRATEGIC IMPLICATIONS

Objective 5: Infrastructure

To maintain infrastructure and council buildings in a sustainable way

- Support Waste resource and conservation studies/initiatives.

POLICY IMPLICATIONS

Conferences: (Resolution No: P50, Adopted: November,1997)

CONFERENCES

OBJECTIVE

Provide guidelines for the approval of attendance of Members and Officers at Conferences/Seminars/Training.

PRINCIPLES

Council supports the attendance of Members and Officers at conferences/seminars/training when the benefits to the organisation from attendance can be clearly identified.

ISSUES

The extent to which Council supports and funds attendance at conferences is a contentious issue. The benefits of attendance are not always readily

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

identifiable and consequently there can be problems convincing a sceptical community that the expenditure is justified. For this reason, it is important that the benefits of attendance can be readily identified, especially when attendance involves interstate or overseas travel.

POLICY

Employees who wish to attend a conference/seminar/training shall complete a Request for Training application form and submit it to the Chief Executive Officer through their Supervisor.

The Chief Executive Officer is authorised to approve attendance by Officers at intrastate conferences, seminars and training that forms part of the normal training and professional development of those Officers.

The Chief Executive Officer is authorised to actively promote and approve the attendance of elected members at training courses provided under WALGA's Elected Members Development Program.

In determining attendance, the Chief Executive Officer shall take into account identified priorities and funding availability.

When funding for a conference/seminar/training is not provided in the budget, authorisation must be sought through the Corporate Services Committee.

Attendance at any interstate or international conference must be the subject of an application to be considered by the Chief Executive Officer and referred to the Works & Corporate Services Committee for recommendation to Council.

The following expenses for approved conferences/seminars/training will be met by Council:

- (a) Registration fees;
- (b) Return fares and other necessary transport expenses;
- (c) Reasonable accommodation and living expenses.

Where possible expenses are to be prepaid.

All expenditure is to be accounted for prior to reimbursement.

STATUTORY ENVIRONMENT

None Known

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. The estimate for the conference attendance including registration, accommodation, meals and travel for this conference is approximately \$3,000. The 2009/2010 draft budget includes, under allowances for employees costs, an allowance of this amount for conferences and training costs for the Principal Environmental Health Officer. There is a small 'earlybird' saving of \$100 for bookings closing on 30 October 2009.

SUSTAINABILITY IMPLICATIONS

Bioenergy has significant environmental benefits. By utilising feedstocks such as putrescibles wastes, plantation and crop waste and other bi-products as biomass to produce heat and energy there are enormous savings to be made. A waste product

that would otherwise be landfilled can be turned into a viable alternative product and the energy produced can supplement the more environmentally unacceptable products currently being used for power generation.

CONSULTATION

Nil

STAFF COMMENT

This conference is an excellent opportunity to gain further knowledge regarding waste treatment methods and the production of energy. An outline of the conference is attached.

The conference program will have over 90 presentations, covering policies and programs, bioenergy projects and project development case studies, and will cover:

- biomass feedstocks and supply aspects;
- biomass heat and power;
- pyrolysis;
- gasification;
- first and second generation liquid biofuels;
- algae for biofuels;
- carbon sequestration via biochar;
- anaerobic digestion and livestock wastes;
- energy from waste; and
- overarching aspects such as greenhouse gas emissions and life cycle analyses of bioenergy systems.

There will also be a preceding technical tour to biomass and bioenergy facilities as part of the conference. The tour, on 8 December 2009, is planned to visit the 30 MWe Rocky Point sugar mill cogeneration power plant, two different anaerobic digester plants – one using ultrasonics to stimulate gas production, the other using a floating cover at a piggery, a bioreactor facility producing biogas for electricity generation, a Pongamia (tree legume for biomass oil) research plot and a small scale gasification test rig.

The conference will also include sessions provided by international speakers from the International Energy Agency's Bioenergy program's Task on Short Rotation Crops for Bioenergy. The program will also include an extended panel discussion, entitled "Bioenergy: From Opportunity to Implementation" to build on the conference presentations. There will be a poster session and a trade exhibition.

Keynote speakers are:

- Dr Göran Berndes, Department of Energy and Environment, Chalmers University, Sweden and Task Leader of IEA Bioenergy Task 30 Short Rotation Crops for Bioenergy.
- Professor Michael Borowitzka, Algae R&D Centre, Murdoch University, Western Australia.
- Professor Ralph Sims who has been working at the IEA in Paris.

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

The conference will bring together biomass feedstock producers and suppliers, waste management organisations, project developers, energy companies, equipment suppliers, investors, government agencies, research and research funding bodies to address factors crucial to the development of bioenergy in Australia.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Rowell

That Council approve the attendance of the Principal Environmental Health Officer at the Bioenergy Australia 2009 Conference, to be held in Queensland from 8th to 10th December, 2009, and a report to be provided to Council within two months of the conference.

Carried 7/0

10.1.3 MEETING DATES 2010

File No: sub/383
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Krystal Shenton
Executive Assistant

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

A resolution is required to set Council and Committee Meetings for 2010.

STRATEGIC IMPLICATIONS

Objective 7: Organisation Development

To effectively manage Council's resources and work processes.

- Deliver high quality professional governance and administration

POLICY IMPLICATIONS

None Known.

STATUTORY ENVIRONMENT

Regulation 12 of the Local Government (Administration) Regulations applies:

Public Notice of Council or Committee meetings –s.5.25(g):

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.**
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub-regulation (1).*

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

None Known.

CONSULTATION

Nil

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

STAFF COMMENT

The proposed changes to the Anzac Day and Queen's Birthday meeting dates from the Monday night to the Tuesday night means that Council business can be attended to without the delay of a week. This was very successful in the 2009 round of Council meetings.

Council also has the option to change the time of the meetings to ensure that there is consistency and no confusion with varying starting times for each committee. Whilst Development Services Committee commenced at 6pm during 2009 and other committees at 7pm it is recommended all meeting times be aligned. Council has the option to have all meetings at 6pm or 7pm, or at another time to be determined.

In addition it is advised that meetings in the Spring and Summer months be catered by light finger food after the meeting and that the meetings in the autumn and winter months be a warmer, heartier food after the meeting. In line with Council's preferred purchasing position, all catering, where possible, will use local suppliers.

VOTING

Simple Majority

AMENDMENT

Moved Cr Cunningham, seconded Cr Strzina

That the words "*and Strategic Planning Committee (as required)*" be inserted into the Officer Recommendation in point three after the words "*Development Services Committee*" and that recommendation five (5) per adjusted accordingly.

Lost 5/2

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Carmichael

That Council adopt the following meeting dates for 2010 and:

- 1. Observe a recess in January 2010, with no ordinary meeting of Council;**
- 2. Advertise the ordinary Council meeting dates for 2010 as the fourth Monday in the month commencing at 7:00pm;-**

January	No meeting
February	Monday 22nd
March	Monday 22nd
April	Tuesday 27th - Change due to Anzac Day
May	Monday 24th
June	Monday 28th
July	Monday 26th
August	Monday 23rd
September	Tuesday 28th - Change due to Queens Birthday
October	Monday 25th
November	Monday 22nd
December	Monday 13th - To avoid proximity to Christmas

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

3. **Advertise the Development Services Committee meeting dates for 2009 as the third Monday in the month commencing at 7:00pm;-**

January	No meeting
February	Monday 15 th
March	Monday 15 th
April	Monday 19 th
May	Monday 17 th
June	Monday 21 st
July	Monday 21 st
August	Monday 16 th
September	Monday 20 th
October	Monday 18 th
November	Monday 15 th
December	Monday 6 th - To avoid proximity to Christmas

4. **Advertise the Works & Corporate Services Committee meeting dates for 2010 as being held on the day after the Development Services Committee meeting commencing at 7:00pm**

January	No meeting
February	Tuesday 16 th
March	Tuesday 16 th
April	Tuesday 20 th
May	Tuesday 18 th
June	Tuesday 22 nd
July	Tuesday 22 nd
August	Tuesday 17 th
September	Tuesday 21 st
October	Tuesday 19 th
November	Tuesday 16 th
December	Tuesday 7 th - To avoid proximity to Christmas; and

5. **Advertise the Strategic Planning Committee meeting dates for 2010 being held on the day after the Works & Corporate Services Committee meeting in the months of February, May, August & November commencing at 7:00pm as:-**

February	Wednesday 17 th
May	Wednesday 19 th
August	Wednesday 18 th
November	Wednesday 17 th

And the required notice of the dates be published

Carried 7/0

10.1.4 CHIEF EXECUTIVE OFFICER'S ANNUAL PERFORMANCE REVIEW

File No: PER/94
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer

Proposed Meeting Date: 20-Oct-2009

Author Disclosure of Interest The author has an interest in the matter as it directly relates to his employment.

SUMMARY

This report recommends that Council confirm the establishment and appointment of the Performance Review Panel for the Chief Executive Officer's annual performance appraisal in order to make recommendations to Council in accordance with Clause 8 of the Chief Executive Officer's contract of employment. It further recommends that Council invite a representative from WALGA's Workplace Solutions to join the panel to provide independent facilitation and professional advisory services.

BACKGROUND

In accordance with the Position Description for the Chief Executive Officer the principal Objectives of the position are;

- Provides visionary leadership and strategic management and direction for the Town of Cottesloe.
- Provides the primary link through effective engagement between the Council, Staff, Stakeholders and the Community to achieve the Town's goals and objectives.
- Responsible for ensuring the highest level of business excellence, integrity, corporate governance and accountability, which is demonstrated within an environment of transparency, trust, openness, honesty and fairness for all.
- Commits to "Broad Objectives for the Future" in the Future Plan 2006 – 2010, namely:
 - Protecting and enhancing the lifestyle of residents and visitors.
 - Resolving the divisive nature of the configuration of the railway and main roads.
 - Enhancing beach access and the foreshore.
 - Managing the complexities involved in pressures for development.
 - Managing infrastructure and council buildings in a sustainable way.
 - Earning the community's confidence in council.

Clause 7 of the CEO's contract reads as follows;

7. PERFORMANCE CRITERIA & KEY RESULT AREAS

The following performance criteria apply to this contract:

- *Provide accurate and timely advice to Council based on available and appropriate information;*
- *Works collaboratively with Council;*
- *Facilitate the development and achievement of the Local Government's strategic plan through the involvement of stakeholders and the persistent application of effort;*
- *Maintain a work environment that facilitates the development of people and encourages them to perform at a high level;*
- *Ensure the effective and accountable application of financial and physical resources;*
- *Develop and implement continuous improvement strategies to enhance service delivery;*
- *Initiate the development, implementation and review of Policy.*

These performance criteria may be varied and any other criteria may be included by agreement between the parties at any time during the term of this contract.

Key Result Areas

Key Result Areas will be developed for each 12-month period of the Contract.

Key Result Areas are not intended to cover all aspects of the position, only those which are most clearly linked to the achievement of the Local Government's strategic objectives and Future Plan.

Key Result Areas will be tangible and measurable and within the Employee's area of control and authority.

Clause 12 of the CEO's contract reads as follows;

12. REMUNERATION

12.2.1 The remuneration package referred to in sub-clause 12.1 shall be reviewed annually by Council. A review shall not result in a decrease in the remuneration package.

As part of the Town's Future Plan 2006 to 2010 there are a number of Strategic Priorities and *Priority Dynamic Projects*. In relation to both the Action Plan and Dynamic Projects, the following strategies were identified by Council as ongoing priorities for 2009/10 at its May 2009 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
- 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

In May 2009 Council also resolved as follows;

That Council nominate the following strategies and Key Result Areas for the Chief Executive Officer for 2009;

- 1. Substantially progress and finalise the Town Planning Scheme No. 3 for submission to the West Australian Planning Commission and Minister for Planning*
- 2. Develop a long term asset management plan and accompanying financial plan that takes into account the community call for better quality public buildings*
- 3. Progress the development of new joint library facilities*
- 4. Finalisation of Council's Reform Submission to the Minister for Local Government*

5. *Progress and report possible medium to long term solutions for Council's Depot.*
 6. *Complete the Civic Centre additions and renovations on budget and on time.*
 7. *Revitalisation and ongoing management of the Civic Centre Functions, Events & catering services*
- Administration of a successful Council election in October 2009.*

STRATEGIC IMPLICATIONS

The achievement of Council's Future Plan is directly related to the performance of the Chief Executive Officer.

POLICY IMPLICATIONS

None known

STATUTORY ENVIRONMENT

The relevant sections of the Local Government Act read, in part, as follows:

5.23. Meetings generally open to the public

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
 - (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
 - (a) *a matter affecting an employee or employees;*
 - (b) *the personal affairs of any person;*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

5.39. Contracts for CEO's and senior employees

(1) *Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.*

(1a) *Despite subsection (1) -*

*(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and
(b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.*

(2) A contract under this section -

*(a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
(b) in every other case, cannot be for a term exceeding 5 years.*

(3) A contract under this section is of no effect unless -

*(a) the expiry date is specified in the contract;
(b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and
(c) any other matter that has been prescribed as a matter to be included in the contract has been included.*

(4) A contract under this section is to be renewable and subject to subsection (5), may be varied.

(5) A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.

(6) Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.

(7) A report made by the Salaries and Allowances Tribunal, under section 7A of the Salaries and Allowances Act 1975, containing recommendations as to the remuneration to be paid or provided to a CEO is to be taken into account by the local government before entering into, or renewing, a contract of employment with a CEO.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Mayor

STAFF COMMENT

The appointment of the Chief Executive Officer occurred in January 2009. At that time, and given the need to “settle in”, it was agreed between the Mayor and Chief Executive Officer that time would be allowed for the Chief Executive Officer to

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

familiarise himself with the current objectives, projects and operations of the Town's Administration prior to determining key result areas for the remainder of 2009.

As listed above, a number of strategies were identified by Council as ongoing priorities for 2009/10 whilst a number of Key Result Areas (KRA's) for the CEO were also identified in May 2009.

In addition, 2009 has seen significant additional changes placed before Council, specifically the future of WESROC, the implementation of the WESROC strategy *Rising to the Challenge: Reform Options for the Western Suburbs* and the announcement by the Minister for Local Government related to Structural Reform and voluntary amalgamations. The Minister's reform agenda includes potential 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. A formal detailed submission by Council was required by 30 September 2009. These issues were captured as part of the KRA's set for the CEO.

The review process is conducted by the Review panel under the auspices of the Mayor (whose role is to *"liaise with the CEO on the Local Government's affairs and the performance of its functions"*) and it is suggested that evaluation of performance should also invite input from all elected members.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Cunningham

That Council:

1. Confirm the appointment of the Mayor, Deputy Mayor and Presiding Members of the Development Services and Works & Corporate Services Committees as members of the CEO's Performance Review Panel with its role/responsibility being to;
 - a. Conduct the CEO's annual performance review based upon the performance objectives set for 2009
 - b. Make recommendations to Council on the CEO's contract and performance objectives for 2010
2. Invite a representative from WALGA's Workplace Solutions to join the panel to provide independent facilitation and professional advisory services.

AMENDMENT

Moved Mayor Morgan, seconded Cr Cunningham

That a point three be added to the recommendation to read

3. *"Arrange for the Panel to be provided with the CEO's self assessment and convene to meet and report to Council in December each year.*

Carried 7/0

AMENDMENT

Moved Mayor Morgan, seconded Cr Carmichael

In point one of the recommendation the word '*Deputy*' be entered before the words "*Presiding Member*".

Carried 7/0

COMMITTEE RECOMMENDATION

That Council:

- 1. Confirm the appointment of the Mayor, Deputy Mayor and Deputy Presiding Members of the Development Services and Works & Corporate Services Committees as members of the CEO's Performance Review Panel with its role/responsibility being to;**
 - a. Conduct the CEO's annual performance review based upon the performance objectives set for 2009**
 - b. Make recommendations to Council on the CEO's contract and performance objectives for 2010**
- 2. Invite a representative from WALGA's Workplace Solutions to join the panel to provide independent facilitation and professional advisory services.**
- 3. Arrange for the Panel to be provided with the CEO's self assessment and convene to meet and report to Council in December each year.**

The Substantive Motion was put

Carried 7/0

10.1.5 EMAIL MANAGEMENT POLICY

File No: POL/71
Attachments: [Email Management Policy.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Lisa Oliver
Record Keeping Plan Project Officer

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

A recommendation is made to adopt a new email management policy.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

This is a new policy.

STATUTORY ENVIRONMENT

The *State Records Act 2000* (“Act”) has specific provisions relating to the responsibility to create, manage and dispose of records in accordance with principles and standards issues by the State Records Commission.

Electronic mail transmissions are included within the meaning of the Act’s definition of a “record” which includes *“anything on which information has been stored or recorded, either mechanically, magnetically, or electronically”*.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

There is no current formal documentation relating to the management of emails at the Town of Cottesloe. The Town’s Recordkeeping Plan requires the development of policies and procedures for Email Management, including the capture, retention and authorised disposal of email messages to ensure accountability.

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

This policy applies to all staff that use the Town's electronic mail system, including permanent, temporary and part-time employees and contractors. It is to be noted that Elected Members are not covered in this policy. Guidelines will be created to identify Elected Member email management responsibilities in the near future.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council adopt the Email Management Policy and include it in the Policy Manual.

Carried 7/0

10.1.6 BROWNS BROTHERS EVENT

File No: SUB/126
Attachments: [Browns Brothers Event Application.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Janna Lockyer
Community & Events Support Officer

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

Mustard Catering have prepared an application for the Brown Brothers event to occur on 27 March 2010.

The recommendation is that Council:

1. Endorse the 2010 Browns Brothers Event in principle subject to:
 - a. Approval being given from Department of Environmental and Conservation (DEC) to hold the Event without incurring the Reg 18 process.
 - b. The Event being managed as in previous years in regards to noise levels with noise monitoring costs to be paid by Mustard Catering.
 - c. All fees to be paid prior to the Event.
2. Endorse the Friday night Private function subject to the noise level reductions and the additional fee of \$1,000.

STRATEGIC IMPLICATIONS

None known.

POLICY IMPLICATIONS

The Outdoors Concerts and Large Public Events policy applies.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The Browns Bothers Event is being classed as a Corporate Event under category 3. The Event will have a fee of \$2,000 and a bond of \$1,000 with a \$350 per day bump in and out. The total of fees for the Event would be \$4,450.

Should the Private function on the Friday evening be approved, there will be no bump in fee for the day but an additional fee of \$1,000. This would bring the total fees for the Event to \$5,100.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Browns Brothers Event is held in March/April each year and requires the support and endorsement of Council to continue in its present form.

The Event has been held for the last eight years at the Cottesloe Civic Centre with great success. Noise monitoring occurred at the 2009 event and the report from the Acoustic Technician confirmed that the noise levels exceeded the permissible levels. As such the Event is now to be classified as a Regulation 18 event unless an exemption is sought and granted by the Department of Environment and Conservation.

At the meeting of the Events Committee in April the Committee recommended the following for the Event:

"That Committee

- 1. Approve the Browns Brothers Event for 2010*
- 2. Recommend report from the Principal Environmental Health Officer be submitted to the Works and Corporate Services Committee.*
- 3. Endorse a letter being sent to Mustard Catering in regard to the Brown Brothers Event stating that the 2010 event must ensure that noise levels are reduced and managed, and are not to exceed permissible noise levels as a condition of approval. i.e. the event is not to be carried on as a Reg 18 event."*

Since this meeting staff have been working with Greg Corne of Mustard Catering to ensure an outcome that satisfies the Committee's request. An application was received for the Event with an attempt to reduce the noise levels. The Principal Environmental Health Officer was then in contact with the Acoustic Technician to obtain an assessment on the predicted sound levels.

As these events are scheduled to be held at times when the permissible noise levels are lower, that is after 7.00pm in the evening and on Sunday, it is not possible to achieve noise levels that will comply with the Regulations. Some reduction will be achieved if the stage is relocated to within the marquee with speakers positioned to deflect sound inwards. The applicant is willing to make this adjustment.

This year there is an additional request for a Private function on the Friday evening. The function is for a well known musician playing a short set from 7.00pm to 8.30pm for approximately 400 people.

Should the Council give support to these applications, the DEC will give consideration to an exemption from the classification of a Regulation 18 event. The purpose of a Regulation 18 event was primarily to control those large events such as

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

concerts and outdoor functions attended by very large crowds that can impact significantly on the amenity of residents.

Mustard Catering continues to organise this event with excellent communication between their staff and Council staff, providing a well run event for the Town of Cottesloe. The standard of this event and the level of organisation are very professional with all food safety, crowd safety and control managed well. There have been no complaints received regarding this event in the past and the area is well maintained and cleaned throughout and following the event.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Cunningham

That Council:

1. **Endorse the 2010 Browns Brothers Event in principle subject to:**
 - a) **Approval being given from Department of Environmental and Conservation to hold the Event without incurring the Reg 18 process.**
 - b) **The Event being managed as in previous years in regards to noise levels with noise monitoring costs to be paid by Mustard Catering.**
 - c) **All fees to be paid prior to the Event.**
2. **Endorse the Friday night Private function subject to the same conditions with an additional fee of \$1,000.**

Carried 7/0

10.1.7 HAVAIANAS THONG CHALLENGE

File No: SUB/550-02
Attachments: [Havaianas Event Application.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Janna Lockyer
Community & Events Support Officer

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

The Town has received an application for a company to run an event on Australia Day to be held on Cottesloe Main Beach.

Urban Media is requesting to hold the event on the Tuesday 26 January 2010 for Australia Day. The Event involves an attempt at a world record for the largest chain of people floating out on the water on blow up lilo's (Havaiana Thong). An example of previous events is attached on the application. Entry to the event is \$30 with \$10 from each registration going to the Cottelsoe Surf Life Saving Club Nippers.

This report recommends that Council:

1. Approve the Event on the 26 January 2010 subject to:
 - a. Extensive Risk Management Plan
 - b. Adequate arrangements for rubbish collection and removal, including the provision for recycling.
 - c. Compliance with noise regulations.
 - d. Compliance with relevant health and safety.
 - e. Appropriate public liability insurance of not less than \$10 million.
 - f. All fees to be paid prior to the Event.
2. Class the Event as a Charity/Community Event category 3 with a \$1,000 fee and a bond of \$1,000.
3. Inform the applicant of Council's decision and requirements.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The Beach policy requires consideration with this report.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. According to the Fees and Charges in Councils 2009/10 Budget the Event is required to pay fees and bonds.

If the Event were to be classed as a Charity/Community event, the fees are \$1,000 and a bond of \$1,000. However, should the event be classed as a Commercial event the fees would be \$6,000 and a bond of \$4,000.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Havaiana Thong Challenge is an Event which will attract many people to the Cottesloe Beach for Australia Day and will support the local Cottesloe Surf Life Saving Club (Nippers) in the process. The Event also appears to be well supported by a previous Council and the Cottesloe Surf Life Saving Club. The City of Joondalup has sent a letter of recommendation for the event with the application based on a past event held on one of their beaches. The Cottesloe Surf Life Saving Club has sent a letter of support for the 2010 event.

The Event could be classed in two ways as outlined in the Financial Implications. As the Event is supporting the Cottesloe Surf Life Saving Club (Nippers), It could be classed as a Charity /Community Event category 3. This will mean the organisers will have to pay a fee of \$1,000 and a bond of \$1,000 prior to the commencement of the event.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Strzina

That Council:

- 1. Approve the Event on the 26 January 2010 subject to:**
 - a. Extensive Risk Management Plan**
 - b. Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
 - c. Compliance with noise regulations.**
 - d. Compliance with relevant health and safety.**
 - e. Appropriate public liability insurance of not less than \$10 million.**
 - f. All fees to be paid prior to the Event.**
- 2. Class the Event as a Charity/Community Event category 3 with a \$1,000 fee and a bond of \$1,000.**
- 3. Inform the applicant of Council's decision and requirements.**

Carried 7/0

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

10.1.8 WEST COAST 1000

File No: SUB/550-02
Attachments: [West Coast 1000 Event Application.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Janna Lockyer
Community & Events Support Officer

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

The West Coast 1000 has requested to again hold the Record Breaking swim from Cottesloe Beach on Saturday 28 November 2009. The Event will be starting at 9.00am and finishing at 1.00pm. There is no events on the Cottesloe Beach on this day however, the Hullabaloo Event is being held in business district.

This report recommends that Council:

1. Approve the West Coast 1000 Swim Event for 28 November 2009 subject to:
 - a. Adequate arrangements for rubbish collection and removal, including the provision for recycling.
 - b. Compliance with noise regulations.
 - c. Compliance with relevant health and safety legislation with regard to food, hygiene.
 - d. Appropriate public liability insurance of not less than \$10 million.
2. Inform the West Coast 1000 Swim Organisers of the new fees for 2010.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The following policies are to be considered;

- Beach, and
- Outdoor Concerts & Large Public Events.

STATUTORY ENVIRONMENT

Health Act 1958

FINANCIAL IMPLICATIONS

No financial resource impact. This Event, based upon the Fees and Charges Schedule, is listed under a Concert classification as a *Charity/Community* and there would be a fee of \$1,000 and a bond of \$1,000. An additional cleaning fee would also be required for the Indiana toilets of approximately \$120 for each additional clean.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The West Coast 1000 Event was ran for the first time in Cottesloe. The Event went well demonstrating great cooperation between Council, the organisers and the local Cottesloe Surf Life Saving Clubs.

The event aims to promote a healthy lifestyle and is focused on participation and raising funds for charities. The event also offers an eight week training program for participants.

This year the organisers are extending to include an event for the more advanced swimmers. There will be three races on the day, a 1000m swim for the beginner, a 1600m swim for the more advanced and a 500m invitational race.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Rowell

That Council:

- 1. Approve the West Coast 1000 Swim Event for 28 November 2009 subject to:**
 - a. Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
 - b. Compliance with noise regulations.**
 - c. Compliance with relevant health and safety legislation with regard to food, hygiene.**
 - d. Appropriate public liability insurance of not less than \$10 million.**
- 2. Inform the West Coast 1000 Swim Organisers of the new fees for 2010.**

Carried 7/0

10.2 ENGINEERING

10.2.1 NEW FOOTPATH POLICY

File No: SUB/208
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

A recommendation is made to adopt a new footpath construction policy.

STRATEGIC IMPLICATIONS

Objective 5: Infrastructure

To maintain infrastructure and council buildings in a sustainable way

POLICY IMPLICATIONS

This is a new policy.

STATUTORY ENVIRONMENT

None known

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Any new footpath will improve access within the suburb for pedestrians making it easier to travel by means other than motor vehicles.

CONSULTATION

This policy has been recommended by the Disability Services Advisory Committee as the appropriate manner for residents to request a new footpath. It has also been advertised for public comment. That period has closed, with no comments received.

STAFF COMMENT

There is no current formal method for residents to apply for a new footpath or to assess the viability of such an application. The matter was originally raised at the

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

Disability Services Advisory Committee as an issue relating to universal access within the suburb.

The Manager Engineering Services undertook research and presented the proposed policy to the Disability Services Advisory Committee.

VOTING

Absolute Majority

COMMITTEE COMMENT

Cr Strzina enquired as to whether the policy mentioned a colour for the new footpaths as the residents have expressed a preference toward the limestone colour. The Manager of Engineering Services explained that a draft style guide was produced in 1999 and wasn't adopted by Council.

Cr Boland raised a point that a Walking School Bus has started at the North Cottesloe Primary School and on his recent attendance he noted that were areas that the Walking School bus took which had no footpaths in place and that these streets be reviewed by Council for consideration.

Cr Rowell raised that in the past all owners adjacent to footpaths were sent letters to remind them to keep foliage from their properties clear of the footpath. Manager of Engineering responded with Councils current practice that the staff do a full inspection of paths every two years and inform the owners of any issues of this nature directly. This review is due to be conducted this financial year.

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Woodhill

That Council adopt the New Footpath Construction Policy and include it in the Policy Manual.

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

That the recommendation be amended with the addition of two new points as follows;

2. *“Request the most recent draft of the ‘style guide for street furniture’ to be re-presented for the possible adoption.*
3. *Suitably amend any policies to ensure that future footpaths are comprised of limestone coloured concrete.”*

Carried 7/0

COMMITTEE RECOMMENDATION

That Council:

1. **Adopt the New Footpath Construction Policy and include it in the Policy Manual.**

2. Request the most recent draft of the 'style guide for street furniture' to be re-presented for the possible adoption.
3. Suitably amend any policies to ensure that future footpaths are comprised of limestone coloured concrete.

The Substantive Motion was put

Carried 7/0

10.2.2 NORFOLK ISLAND PINE TREES - JOHN STREET, COTTESLOE

File No: SUB/466
Attachments: [John Street Norfolk Island Pines.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

At its meeting in February 2009, in regards to future action regarding Norfolk Island Pine trees in John Street, Council resolved:

"That Council defer the item pending a report from the Consultant on the impact of the tree removal on the neighbouring trees, allocates funds for the immediate removal of the tree at number 68 John Street and for the expert to review his recommendation on the remaining trees in light of the condition of the removed tree."

The tree at 68 John Street was cut down and a variety of samples were analysed by the Department of Agriculture and Food, particularly the plant pathologist.

Council's arboriculture consultant has provided comments on the results.

This report on these issues recommends that Council:

1. Note and receive the content of reports from AGWEST laboratories and John Banks Arboriculture consultant on the results on tests undertaken on the removed Norfolk Island Pine tree adjacent to number 68 John Street, Cottesloe.
2. Consider, for commencement in the 2010/2011 budget, a long term program to remove and replace the four potential most damaging trees in the event of collapse, based on expert opinion and subject including discussion with landowners and residents adjacent to these trees, within the Town of Cottesloe.

BACKGROUND

Two Norfolk Island Pine trees have fallen in John Street in the past two years, both in heavy wind and storm conditions. Other minor damage has been done by falling branches. Many of these trees are now over 100 years old and efforts have been made to determine the reasons for collapse and the likelihood of more collapses, possibly due to age and/or disease.

Councils Arboriculture Consultant undertook an inspection of all trees in this street and reported the results in November, 2008.

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

A copy of this report was delivered to all properties in John Street, with a request that residents comment on the report. The report had recommended that four trees be removed, based on their comparative loss of foliage density.

In February 2009, Council considered the responses received and resolved as shown in the summary.

The worst tree of the four recommended for removal was cut down and all parts were sampled for analysis. The plant pathologist report was received and has been commented on by Councils Arboriculture consultant, in relation to his original recommendation.

STRATEGIC IMPLICATIONS

None known

POLICY IMPLICATIONS

Councils Street Trees policy applies.

STATUTORY ENVIRONMENT

Council has a vested control and responsibility of road reserves in the Town of Cottesloe. This includes the ownership and stewardship of all street trees, including Norfolk Island Pine Trees.

FINANCIAL IMPLICATIONS

Removal of any large street tree normally costs \$2,000 - \$3,000 each. Replacement trees then have to be purchased and established. The Street Tree Maintenance allocation will normally fund 2 – 4 large tree removals a year. The ongoing use of consultants to study and analyse the problems of large street trees has to be accommodated in existing budget expenditure.

SUSTAINABILITY IMPLICATIONS

None known.

CONSULTATION

Significant consultation has occurred with residents of John Street, other Local Government authorities with similar tree issues and specialists in tree investigations and analysis.

STAFF COMMENT

Issues regarding the safety of large street trees and potential injury, damage and public liability for such trees has always created issues for local government.

If the most potentially dangerous trees in Cottesloe were to be removed, it is possible that the large old Sugar Gums in Napier Street from Railway Street to Stirling Highway would be high on that list for removal, as well as old Norfolk Island Pine trees.

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

Long term depot based staff experience has been that two trees have fallen over in storms in John Street, in the last ten years. Like many trees, falling branches have also contributed to property damage in this street.

A long list of negative impacts have been experienced by the old Norfolk Island Pine trees in John Street, the latest of which appears to have been reduced rainfall and warmer temperatures at a time in the trees life when more water would be required.

Of the two trees that have fallen, one appears to have had roots wrapped around a loose section of limestone rock, while the other appeared to have suffered root damage, possibly from the installation of underground services years ago.

Both of these trees appeared healthy prior to the strong winds finally causing their collapse.

In line with Councils requirements that the apparent 'worst condition' tree in John Street be cut down and all components of the tree analysed, the pine tree opposite number 68 was cut down on the 5 May 2009 with staff, Councils consultant John Banks and a technician for the WA AGWEST Plant Laboratories present.

A report was eventually received from the AGWEST Plant Laboratories plus comments from John Banks on the results received for the analysis.

These reports show that, for this tree, there was no sign of insect damage, soil or plant diseases that would have caused the tree to die in the near future.

The only pathogen causing the tree serious harm was a fungus, which would normally enter the tree through wounds. Fungus damage to a tree depends on the health and vigour of the tree. A healthy tree may suffer no damage. Fungal activity will increase a trees canopy sparseness. The poor condition of a number of trees in John Street appear to be from a combination of age and stresses from various reasons, including lack of water, damage to root systems, surface compaction and pollution of surrounding soils.

This analysis program has shown that there is no obvious way to predict which trees may fall over next, storm or no storm. This includes the level of foliage density.

In regards to a previously suggested way to reduce the chances of these large trees blowing over in strong winds - the removal of 1/3 to 1/2 of the total tree height and hence the 'sail' area – the following points were made by the consultant:

- It is possible to remove or reduce the sail areas of large trees to reduce the effects or power of strong winds on foliage area. However, each pruning effort will create potential access to the entry of a variety of reasons for decay that will spread to the trunk below.
- The entry of such reasons for decay will normally reduce tree life and weaken the ability for the tree to cope with strong winds.
- These trees are some of the oldest in Perth. It is not known how long these trees can live in Perth or the potential life reduction pruning the top section may cause.

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

- The classic Norfolk Island Pine tree shape, which has a high aesthetic appearance, would be converted to a line of abnormally shaped stubs of the original cone.

Whilst the removal of 1/3 to 1/2 of their height of all large pine trees in John Street may make some residents feel safer, it will create no guarantee that these pruned trees will not blow over in a storm. The two trees that have blown over in the past ten years appeared healthy, were not the largest in the street and were in different locations. Council staff remove two to four dead large pine trees each year in Cottesloe. These trees have died 'standing up' and did not blow down once dead.

One possibility for consideration is a long term program to remove and replace, each year, a number of the largest, oldest or potential most dangerous trees in Cottesloe, including trees of other species known to be particularly dangerous e.g. Sugar gums in Napier Street.

This would preserve the 'icon' nature of the Norfolk Island Pine tree but progressively install new stock of the same species removed, or of a more acceptable species more suited to the region.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council:

1. Note and receive the content of reports from AGWEST laboratories and John Banks Arboriculture consultant on the results of tests undertaken on the removed Norfolk Island Pine tree adjacent to number 68 John Street, Cottesloe.
2. Consider, for commencement in the 2010/2011 budget, a long term annual program to remove and replace the four potential most damaging trees in the event of collapse, based on expert opinion and including discussion with landowners and residents adjacent to these trees, within the Town of Cottesloe.

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

That at the end of recommendation two the following words be added; "*on the basis that any Norfolk Island Pine tree is replaced with another Norfolk Island Pine tree unless Council determines otherwise.*"

Carried 7/0

AMENDMENT

Moved Mayor Morgan, seconded Cr Strzina

That recommendation two be amended after the words *'a long term annual program to remove and replace the four'* to include *'most unstable and'*.

Carried 7/0

COMMITTEE RECOMMENDATION

That Council:

- 1. Note and receive the content of reports from AGWEST laboratories and John Banks Arboriculture consultant on the results of tests undertaken on the removed Norfolk Island Pine tree adjacent to number 68 John Street, Cottesloe.**
- 2. Consider, for commencement in the 2010/2011 budget, a long term annual program to remove and replace the four most unstable and potentially most damaging trees in the event of collapse, based on expert opinion and including discussion with landowners and residents adjacent to these trees, within the Town of Cottesloe, on the basis that any Norfolk Island Pine Tree is replaced with another Norfolk Island Pine tree unless Council determines otherwise.**

The Substantive Motion was put

Carried 7/0

10.2.3 STREET TREE MANAGEMENT BEST PRACTICE

File No: SUB/165
Attachments: [Best Practice Manual Trees and Tree Root Management.pdf](#)
Responsible Officer: Carl Askew
Author: Chief Executive Officer
Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

With the ongoing discussions regarding the large older Norfolk Island Pine Trees in John Street and the general growing concern relating to local government liability for damage caused by street trees, staff have met with Councils' insurers on this matter.

As a result it is recommended that a Best Practice Manual for Trees and Tree Root Management be adopted by Council.

BACKGROUND

As Councils' stock of street trees mature and grow in size, the number of complaints and the scale of concerns being faced by Council is increasing.

Many street trees in Cottesloe are mature and would appear to be degenerating in some instances. Those trees are not just Norfolk Island Pine Trees, and a number of species have been proven after many years growth, to be unsuitable as street trees in Cottesloe.

Several large trees die each year from a number of causes and are removed and replaced by staff. Heavy storm impacts can result in a tree being blown down and/or large branches doing damage to private property, including cars, houses and fences.

Tree root invasion has caused a variety of damage to Council infrastructure and private property, much of it from species which should not have been planted near such 'hard' built structures.

Tree species such as figs, willows, and poplars are known for their unsuitability due to root growth. Other species cause health problems, demonstrate structural weakness of large limbs, attract insect infestation and generally prove that they should not be used as street trees in Cottesloe.

Council is left with the results of over 100 years of street tree plantings, with a growing public expectation that Council must bare the costs of all street tree damage including to private property and that such trees should be safe at all times, including during gales or storms.

This is balanced by the very high value placed on 'icon' street trees which must be preserved at all costs, add high aesthetic value to the Town and provide a beauty and shade quality impossible to replace by any other provision.

Council must therefore provide a system to manage street trees to the maximum level of community value but at the lowest exposure to legal liability.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council policies on Street Trees and Street Tree Species apply.

STATUTORY ENVIRONMENT

Council has vested control and responsibility for road reserves in the Town of Cottesloe other than those controlled by Main Roads WA. This includes the ownership and stewardship of all street trees.

FINANCIAL IMPLICATIONS

Potential for the reduction of liability claims and hence reduction in expenditure.

SUSTAINABILITY IMPLICATIONS

Councils stock of street trees fulfil an important role in Cottesloe regarding CO² removal, cooling of land surface, wind protection, generation of oxygen etc.

CONSULTATION

Over years, with various residents, other councils and tree 'experts' regarding liability and tree damage issues. Local Government Insurance Service has also been fully consulted on this matter.

STAFF COMMENT

Senior staff, including depot supervisory staff, met with Councils insurers to discuss the issue of large street trees, public liability, potential damage caused by seemingly healthy street trees and Councils need for some form of document to provide guidance to all staff involved with the management of street trees.

Council's insurers have provided the attached document for consideration. There are members of the community that suggest that large trees near their properties should be removed, but who strongly support retention of street trees elsewhere. There are others who support retention of all healthy trees, regardless of damage it has caused (cracked paths, kerbs, fences, drains, buildings) or what it may do in the future.

There are a number of species of street tree already planted and mature that either should not have been planted in Cottesloe or not planted where they currently exist. Given time, these trees will be removed (as they die or cause unacceptable damage or concern) and replaced with more proven, appropriate, species.

There are few people in Cottesloe who do not highly value street trees, particularly the mature 'icon' Norfolk Island Pine trees. However, those same valued large trees, as they grow, increase in the potential to cause injury or significant damage if they fall.

The adoption of the contents of the Best Practice Manual for Tree and Tree Root Management, including an annual inspection of all large street trees and trees giving cause for concern, would greatly add to Councils provision for public safety while underlining its commitment to the retention of mature street trees throughout the Town of Cottesloe.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Strizina

That Council:

- 1. Adopt the Best Practice Manual for Trees and Tree Root Management, as attached, as a guide to all staff involved with the management of street trees in the Town of Cottesloe, with annual recorded inspections of all large street trees and trees of concern to be included.**
- 2. Consider, in the 2010/2011 Budget the inclusion of \$10,000 funding for an annual consultant condition inspection of all large trees in Cottesloe.**

Carried 7/0

**10.2.4 TOWN OF COTTESLOE OPERATIONS CENTRE – SALE OF EXISTING
SITE & RELOCATION OF SERVICES**

File No: SUB/220
Attachments: [Depot Site Attachments.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

Two items regarding the current depot site were discussed by Council at its August 2009 meeting.

The first under the heading “*Town of Cottesloe Operations Centre – Existing Site*” resulted in the following resolution:

“That Council:

- 1. Proceed with detailed planning for the relocation of its existing depot facilities and;*
- 2. Receive a report, in the near future, on all matters required to be decided by Council to progress the depot relocation, including the community consultation process, an appropriate Business Plan, options for the level of Council involvement in the redevelopment and designs and quotations for a replacement facility.*
- 3. Request that the report include options which consider the potential implications of local government reform.”*

The second item, under the heading “*Town of Cottesloe Operations Centre – Alternative Sites*” had Council adopt the following:

“That Council:

- 1. Request the CEO liaise with potential partners and stakeholders who may have an interest in a new operations centre site within or close to the Town of Cottesloe, including Government Authorities.*
- 2. Request a detailed public consultation process for any such proposal.*
- 3. Receive a further report, which includes the results of (1) and (2) and will include a financial plan to resource the establishment of a new operations centre site prior to the sale of the existing site.”*

This item supplies the requested extra information and recommends that Council:

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

1. Proceed with a contaminated site investigation, using GHD Consultants, for the existing Cottesloe Depot Site, at a quoted cost of \$36,879, to be funded from the Area Improvement Reserve.
2. Support and advertise the attached Business Plan covering the proposed sale of the existing depot site in order to advance the project and inform residents and ratepayers.
3. Undertake a preliminary Structure Plan for the existing depot site, aided by a town planning consultant, as a foundation for the formal structure planning process in the future, and to establish Council-supported concepts for the site's development.
4. Ensure that residents, especially those adjacent to the existing depot site and the proposed new site, are kept informed of Council decisions on this matter.
5. Prepare a concept plan for the proposed new site, and authorise officers to continue to negotiate with the Seaview Golf Club for a formal agreement on the proposal, in preparation for a Development Application to be sent to the Western Australian Planning Commission.

BACKGROUND

Council has discussed this matter and considered a variety of alternative sites for its depot facilities for the last ten years. In that time, there have been few changes to the existing infrastructure of the depot other than a continuing decline in conditions and an increase in maintenance costs. Given the high value of the land area encompassed by the depot, Council has consistently resolved to continue investigating alternative sites, with the intention of redevelopment of the current site for some form of residential subdivision. However, this can only take place when a new location is found, the site developed and Council's operations staff, machine fleet and supporting infrastructure successfully relocated.

Staff have collated the most applicable documents relating to this matter from the past ten years, commencing with a consultant engineering report from November 1998 and ending with a letter to the State Premier in October 2008 requesting his Government's help to locate to a new site.

All efforts over this period, with a wide range of sites and development partners considered, have not eventuated in a solution to the issue.

Council's options remain unchanged:

1. Do nothing – depot to remain in existing site, long term. This will require substantial upgrading of existing facilities including addressing any environmental issues at the current site as well as installing new security fencing, buildings, etc.
2. Relocate to another site, to share with one or more other WESROC councils. This has already been attempted over several years, with no success, so far.
3. Relocate to another site, on a commercial basis on private property zoned for the purpose of light industry/depot, by purchase or rental, outside the Town of Cottesloe.

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

4. Relocate to alternative land such as a Crown Reserve, within or very close to the Town of Cottesloe, with the current vested purpose of that site being capable of receiving a depot.

With regard to previous sites considered and investigated, and the reasons for not progressing them to date, the following comments are made;

1. Shared depot site with Nedlands and Claremont – John XXIII Avenue. Site removed from consideration due to State Government land required for Perry Lakes Complex redevelopment.
2. Shared depot site with Nedlands and Claremont – Existing City of Nedlands depot site, Carrington Street, Nedlands. Initially supported by Nedlands but eventually formally rejected by a Council (Nedlands) resolution.
3. Shared depot site with Town of Mosman Park – existing McCabe Street depot. Future plans for \$4.5m redevelopment.
4. Civic Centre, Broome Street – below the ‘Western Lawn’ – rejected by Council resolution (26 June 2000).
5. Marmion Street, Toy Library property – too small in area.
6. Portion of John Black Dune Park – conflicts with Council’s adopted Natural Areas Management Plan.
7. Portion of contractor yard, West Coast Highway, adjacent to SAS Barracks, Swanbourne. – ‘Spotless’ contractor contacted twice. No interest shown. Site appears fully occupied and would be too small for Council use.
8. McCall Centre – This site may, be vacated in the next two years. The site has major buildings of little use for an operations centre and was found to be too small in area.
9. Wearne Hostel – There is a section of undeveloped land on this site, accessible from Warton Street. This was inspected and the file consulted. Plans exist for the Wearne Hostel’s future expansion over the site. Zoning and heritage-listing for the area not inclined towards a depot use, although structure planning of this and/or the Deaf Institute Site could contemplate such our integrated component, in the future.
10. Existing Town of Cambridge depot – Staff from Cambridge believe there is not sufficient land available beyond their future expansion needs however this could be further investigated.
11. Purchase or long term lease of industrial land in North Fremantle. Enquiries have not revealed any currently available however in the future, land may become available. Rental would be the order of \$25 to \$40/m²/annum, and the Town currently requires approximately 2000m².
12. Retain small portion of existing depot site and redevelop the balance. This would first need the depot functions to be temporarily relocated while the site was redeveloped and new depot sheds etc built, at considerable cost. The value of the remaining developed lots would be substantially reduced.
13. Police Station, Curtin Avenue – this site may be vacated when a new Police ‘Hub’ is established. The site is a Crown Land reserve. It is unknown when it may be available. The proposed new width of an extended West Coast Highway would remove most of the site.
14. West side of Broome Street, immediately north of the Rugby Club building. This option was rejected due to the exposed nature of site and probable outcry from local residents.

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

15. Reserve on south east side of the Hamersley Street/Hawkstone Street intersection – across the road from Grant/Marine Parade – rejected due to access problems, probable outcry from local residents.
16. Seaview Golf Club – Potential exists for a small, rationalised operations vehicle facility to be installed plus a materials storage yard, within the current lease area.
17. Public Transport Authority Land immediately north of Western Power Sub Station – this area is proposed for high value development as part of a new West Coast Highway extension. Also, access and exit for this site would be of concern.

After reconsideration of these 17 sites, in order to remove definite 'non-starters' from the list, the following points were made:

1. Many of the sites were too small, not zoned for a depot site or the control organisation or the site had no interest in considering a depot site proposal. These sites were No's 4, 5, 7, 8, 9, 10, 15 and 17.
2. Several sites had absorbed large amounts of staff time, without success, with little hope of future progress. These sites were No's 1, 2 and 3.
3. Other sites were seen to be extremely controversial, not available for years in the future, clashed with Council future plans or were not helpful for the best long term use by Council – No's 6, 12, 13 and 14.
4. In regards to number 11 – long term lease in Fremantle, these sites would require extensive funds being spent outside the townsite with no future return on investment and would place depot facilities well away from where all works are undertaken.
5. This left the Seaview Golf Club site as a potential solution to Councils requirements and with a number of benefits to the local community. Any funds spent on works undertaken would remain in the Town. A high degree of synergy could result from shared facilities and staff capacity, a local sporting activity would be strengthened, both physically and financially, and all of Councils depot based capacity would be retained at a site central to resident needs.

On this basis, since the August 2009 Council resolutions on this matter, staff have been gathering information from a number of sources to provide the additional details requested by Council, including discussion with the Seaview Golf Club as a possible preferred site(s) for a future Operations Centre base.

STRATEGIC IMPLICATIONS

In May 2009, Council set, as one of the Key Performance Objectives of the CEO – "Progress and Report possible solutions for Council's depot."

Council's Future Plan 2006-2010:

Under Objective 4 – "To Manage development pressures" Council's Major Strategy 4.5 states "Consider undeveloped Government-Owned land for higher density development provided there is both public support and benefit for the Cottesloe Community". This could also apply to Council-owned land.

Under Objective 5 – “Maintain Infrastructure and Council Buildings in a sustainable way”, Major Strategy number 5.1 states “Adopt a policy position on assets that have a realisable value such as the Depot and Sumps”. Major Strategy 5.4 states “Maximise income from non-rates sources”. Major Strategy 5.6 states “Develop a long term asset management plan and accompanying financial plan”.

POLICY IMPLICATIONS

The following Council policies apply to this item:

Community Consultation
Investment of Surplus Funds
Investments
Occupational Safety & Health
Regional Cooperation
Sale of Council Property
Assets with Realisable Value

STATUTORY ENVIRONMENT

A Development Application would be required for Western Australian Planning Commission (WAPC) approval to establish an operations centre on any area of land reserved under the Metropolitan Region Scheme (MRS), including the Seaview Golf Club area.

The Heritage Council of WA (HCWA) is also involved, in the case of State heritage listed sites such as the golf course.

Redevelopment of the existing depot site is governed by Current TPS2 and future LPS3 in terms of zoning, land use, development control and structure planning.

FINANCIAL IMPLICATIONS

There are no current financial resources included in the 2009/2010 Budget for construction of a new Operations Centre in Cottesloe. The receipt of any income from the sale of the existing depot is also not included.

There are unallocated funds within Reserve accounts which could be directed to this project if required.

SUSTAINABILITY IMPLICATIONS

There is potential to achieve a number of sustainability improvements with this proposal. Any environmental problems with the existing site could be addressed and any new dwellings built on a redeveloped site would have to meet modern sustainability standards.

A new depot construction would also feature the highest level of environmental and sustainability provision, regarding infrastructure and operation.

The matter of connecting a number of Council buildings into the Water Corporation’s deep sewer network would also be considered.

CONSULTATION

Consultation has previously taken place with a number of WESROC councils, as well as a local real estate agency, the Seaview Kindergarten, the Seaview Golf Club and several consultant firms.

An initial discussion also took place with the Heritage Council regarding their potential requirements relating to the heritage values of the golf club sites.

STAFF COMMENT

A number of sub-headings are provided to deal with issues relating to this project, which apply to both the existing and potential new site:

Depot Site as a Potentially Contaminated Site

As has been previously explained, the existing depot site has a number of issues regarding known and potential contamination.

There exists substantial asbestos content on depot buildings roofs, gutters and downpipes. Two underground fuel tanks still exist unused for approx seven years.

The depot is unsewered and there is probably a variety of vegetation control sprays and chemicals in the soil. All surface water in the depot drains to one site which has no control for water-borne pollutants.

GHD Consultants have a contract through WALGA to supply contaminated site investigation studies to WA Local Government Authorities.

Upon request, a Site Investigation Fee Proposal has been supplied by that company.

The proposed soil sampling and analysis plan is estimated at approx \$37,000. Any need for groundwater investigations would depend on soil investigations. A further \$14,800 - \$24,100 is estimated for one to three investigation wells.

Once the results from these studies were available, a program of works would be required to treat or remove any contamination or source of contamination.

The most simple issues for solution would be the removal of all buildings, including all asbestos products by an approved method, plus the excavation and removal of the two existing fuel tanks.

It is possible for Council to relocate all staff, machinery and materials to a new site and sell the existing site as it stands, without treatment or the removal of any contamination.

However, full disclosure is required if potentially contaminated land is to be sold. Council would still have to establish, prior to purchase, what contamination is present, or risk responsibility for the remediation in the future.

WORKS AND CORPORATE SERVICES COMMITTEE MINUTES 20 OCTOBER 2009

Obviously, a remediated site free of buildings and fuel tanks would be more valuable for sale but the cost of remediation and the time required for such works would be negative factors for Council in resolving the issue of relocation to a new site and disposal of the existing depot in the near future. However, it would be more responsible for Council in terms of its environmental and community charter to undertake remediation prior to sale.

Public Consultation Process

Under Council's Community Consultation Policy this project could be seen to be in the category "*site specific*", with two specific sites (existing depot and any potential new site) being involved.

As such, the requirements are an advertisement in the paper, the same content on the web page, a letter to the local properties nearest to the sites, a letter to any ratepayer group and potentially media articles in local newspapers.

Both the existing depot sale and any proposed new site development (DA) would be included and a request for public comments by a particular date would be part of the process.

A Business Plan (as included in 'Attachments') must be advertised separately in regards to the sale of the existing site.

Potential Funding Sources for New Depot/Operations Centre Construction

Council currently has no budgeted capital works item to construct a new Operations Centre, in the 2009/2010 Budget. However, approximately \$150,000 could be made available from unallocated Reserve funds.

In addition \$40,000 is expected to be unspent from already budgeted capital works projects and could be reallocated.

In regards to 2010/2011, without resorting to any expenditure of rates income, funds could be made available for a 'once off' redirection of funds from footpath and road resealing to an Operations Centre establishment, with such funds being returned from the income for the existing depot sale proceeds.

A new Operations Centre could be established on a 'bare bones' provision initially to achieve a relocation of staff and machinery as early as possible. Completion of all internal components etc could be undertaken in the next financial year and/or when funds become available from the sale of the current depot. However, the golf course site may warrant complete up-front development in order to fulfil the regional open space/landscape, environmental, heritage, and amenity considerations of a development approval (DA).

Potential Investment Areas from Funds Made Available from Sale of Existing Depot Site

- New depot construction
- Early payment of loans for Civic Centre and Joint Library
- Foreshore redevelopment
- New foreshore toilets/potential boat storage for surf life saving
- Completion of footpath upgrading program
- Redevelopment of both Station Street car park sites
- Resurface Nos 1 and 2 car parks, Marine Parade
- Redevelopment of No. 2 car park
- Finish playground sun shade program
- Cottesloe Civic Centre roof repairs/upgrading
- Disability access ramp from Marine Parade level to main beach.
- Townsite/commercial area infrastructure upgrade.
- Bicycle facility forward plan.
- Climate change study – location of foreshore rock areas
- Road safety installations and speed controls.
- Street lighting upgrade to national standards
- Scout Hall site redevelopment or relocation.

Potential Use of Established Depot Facilities at Golf Club site if Amalgamation Occurs

If, at some time in the future, the amalgamation of the Town of Cottesloe with adjacent municipalities occurs, and this Council had already established a new depot base at a new location such as the Seaview Golf Club site, it is likely that the following uses would still require a Cottesloe base for local government depot operations:

1. The Golf Club requires a storage facility for fertilisers, sprays and weedicide, which would be amalgamated with the Town of Cottesloe requirements for such supplies for local use. This need will not disappear.
2. For local area emergencies of any type, a local base is required for the urgent provision of signs, lights, sand bays, chainsaws, etc.
3. Recent tender prices offered to Cottesloe for waste management services by private contractors has given rise to a growing interest in owning waste collection trucks for an 'in-house' waste collection capacity. A combined council would require a larger truck fleet, part of which could be based in Cottesloe for collection efficiency.
4. It would be inefficient to park three small machines away from a Cottesloe base. These machines are two small 'runabout' four wheel drive/beach access cars and one self-propelled sweeper/vacuum machine which are fully used in the Cottesloe district.
5. Cottesloe Coast Care owns a beach maintenance trailer which Council stores at its existing depot. This trailer is proposed to be placed at a new Cottesloe depot site.

6. The beach cleaning tractor/cleaning machine combination owned by a contractor is parked at the existing depot. It is proposed to allocate parking for these machines at a new depot base, for ease of beach access and lower costs.
7. At least half of Council's depot-based trucks and machines are fully committed to grass, tree and foreshore maintenance every day, week, month and year with no 'let up' or spare time. The closer the fleet is to the work site the more efficient and sustainable the operations. Even in an amalgamated Council with another main depot base, a Cottesloe depot storage capacity would still make sense.
8. For ongoing maintenance of Cottesloe-based infrastructure, there will remain an ongoing need for stockpiles of bricks, concrete slabs, drainage components, sand/limestone/roadbase/mulch, etc. To have this stockpile kilometres away from the work site will only 'build-in' inefficiencies as staff have to cover this distance to pick up materials.
9. For emergency management access in a crisis, the flat, open spaces of a golf course are perfect for helicopter evacuation sites in the event of a coastal disaster. To have nearby access, at the same site, to a depot base with power, water, toilet, communication and computer access facilities might prove to be wise planning for the future.
10. At various times, contractor machinery has been stored at the depot during large projects for efficiency and lower costs to Council. This need would not disappear if amalgamation occurs.

PLANNING CONSIDERATIONS

Existing Depot

Redevelopment of the existing depot site would occur under impending LPS3 which includes specific guidance in this respect. The site is identified as Development Zone 'B' which requires a structure plan to manage land use, subdivision and development. The zone objectives are focussed on comprehensive and detailed planning, compatibility and amenity, heritage where relevant, and community facilities/services and the public domain. The structure planning provisions cover: a range of dwelling types (including consideration of aged persons housing), sizes and densities; height of development control; the RDC and any design guidelines; access, circulation and parking; open space; and functioning, character and amenity.

Through the consultative statutory structure planning process Council, the community and prospective developers will experience a high degree of thoroughness and certainty in determining the residential composition and urban design of the precinct. Council could either take the lead and prepare a structure plan to market with the site, or oversee a developer-prepared structure plan after disposal of the depot. Alternatively, Council could produce a preliminary structure plan (as it is for the railway lands development zone) as a foundation for the formal structure planning process in future. This would engage the community at an early stage, work through

aspects and firm-up on the preferred direction and ingredients of formal structure planning and eventual redevelopment.

Golf Course site

The Sea View Golf Course and the playing fields are classified as Parks and Recreation Reservation under the MRS, whereby development applications require determination by the WAPC. While an operations centre would not ordinarily be envisaged for such land, the WAPC is able to approve of compatible proposals and as mentioned the operations centre would offer benefits in terms of synergies and sustainability in the management and maintenance of this regional open space.

As the golf course is listed on the State Register of Heritage Places, being the first links golf course in WA, the proposal would also require referral to and the support of the HCWA.

From a local planning perspective relevant considerations would include vehicular access and circulation, urban design in the open space context (visual amenity, materials and finishes, landscaping), interfaces with the kindergarten and golf club complex, and a clean (minimal impacts) operation.

The Town has liaised with the HCWA for preliminary advice, including a site visit. Officers have indicated that the operations centre proposal would be assessed in relation to how it may affect the significance of the heritage place, and that the kindergarten and club buildings parts of the golf course area are seen to be of little significance. The main heritage values to be protected are the landmark, scenic and natural vegetation qualities of the open space and the associated community sense of place.

The Town has also liaised with the WAPC for preliminary advice. Officers have advised that particular WAPC planning strategies or policies may apply to the consideration of proposals for regional open space. Aspects include the nature of the reservation, land tenure, orderly and proper planning, preservation of amenity, suitability within the established framework of the district, and traffic management.

Moving to the next phase of concept planning would facilitate consultations and the preparation of a formal development application to address all the planning considerations and design details involved.

Initial discussions have taken place with representatives of the Seaview Golf Club on this proposal, with a general agreement, in principle, being reached, totally dependent on successful ongoing negotiations.

Further verbal information will be available at the meeting.

VOTING

Simple Majority

Mayor Morgan declared a financial interest in Item 11.2.4 due to owning a property immediately opposite to the Golf course and being a financial member of the Golf

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

Club, and may therefore receive an indirect financial benefit, and left the meeting at 8.10pm.

Cr Strzina declared a Financial interest in item 11.2.4 due to also being a member of the Seaview Golf Club, and may therefore receive an indirect financial benefit, and left the meeting at 8.10pm.

As Deputy Presiding Member Cr Boland assumed the "chair".

COMMITTEE DISCUSSION

Committee discussed the report at length and background information was verbally provided to members from the CEO and Manger Engineering Services. Discussion focussed on the draft business plan and the need for Council to ensure that associated preliminary structure plan for the existing depot site was prepared in consultation with and guided by Council. There was also discussion in relation to having the preliminary structural plan prior to advertising the business plan so it can be a support document to it. Committee discussed the recent structural reform (amalgamation) issues and Council's position with respect to future depot services. After discussion and explanation from the officers the chair moved each point of the officer recommendation separately.

AMENDMENT

Moved Cr Boland, seconded Cr Carmichael

That the following words in attachment 11.2.4 Business Plan Section (c) (i) '*a number of private properties on*' to be deleted.

Carried 5/0

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Carmichael

That Council:

- 1. Proceed with a contaminated site investigation, using GHD Consultants, for the existing Cottesloe Depot Site, at a quoted cost of \$36,879, to be funded from the Area Improvement Reserve.**

Carried 4/1

Moved Cr Cunningham, seconded Cr Carmichael

That Council:

- 2. Support and advertise the attached Business Plan covering the proposed sale of the existing depot site in order to advance the project and inform residents and ratepayers.**

Carried 5/0

Moved Cr Cunningham, seconded Cr Carmichael

- 3. Undertake a preliminary Structure Plan for the existing depot site, aided by a town planning consultant, as a foundation for the formal structure planning process in the future, and to establish Council-supported concepts for the site's development.**

Carried 5/0

Moved Cr Cunningham, seconded Cr Carmichael

- 4. Ensure that residents, especially those adjacent to the existing depot site and the proposed new site, are kept informed of Council decisions on this matter.**

Carried 5/0

Moved Cr Boland, seconded Cr Cunningham

- 5. Prepare a concept plan for the proposed new site, and authorise officers to negotiate with the Seaview Golf Club for a formal agreement on the proposal, in preparation for a Development Application to be sent to the Western Australian Planning Commission.**

Carried 5/0

Mayor Morgan and Cr Strzina returned to the meeting at 8.45pm

10.3 FINANCE

10.3.1 STATUTORY FINANCIAL STATEMENTS FOR THE MONTH ENDING 30 SEPTMBER 2009

File No: SUB/137
Attachments: [Financial Statements Period Ending 30 Sept 09.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

Proposed Meeting Date: 20-Oct-2009

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 2009, to Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Operating Statement on page 2 of the Financial Statements shows a favourable variance between the actual and budgeted YTD operating surplus of \$171,327 as at 30 September 2009. Operating Revenue is above budget by \$67,785 (1%). Operating Expenditure is \$115,352 (5%) less than budgeted YTD. A report on the

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

variances in income and expenditure for the period ended 30 September 2009 is shown on pages 7-8.

The Capital Works Program is listed on pages 24 - 26 and shows total expenditure of \$987,009 compared to YTD budget of \$1,982,358. The reason for the significant difference is a timing delay with the library and delayed general capital expenditure due to cashflow restrictions at the start of the year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 September, 2009, as per the Financial Statements attachment submitted to the 20 October, 2009 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.2 ACCOUNTS FOR THE MONTH ENDING 30 SEPTEMBER 2009

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

Proposed Meeting Date: 20-Oct-2009

Author Disclosure of Interest
Nil

SUMMARY

The purpose of this report is to present the List of Accounts for the period ending 30 September 2009 to Council, as included commencing on page 9 in the Attachment entitled Financial Statements.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The following significant payments are brought to Committee/Council's attention which are included in the list of accounts commencing on page 9 of the Financial Statements:

- \$17,793.39 to Cobblestone Concrete for footpath construction
- \$15,431.02 to WA Local Govt Super Fund for staff deductions
- \$18,975.62 to Cobblestone Concrete for footpath construction
- \$14,891.98 to WA Local Govt Super Fund for staff deductions
- \$15,236.46 to WMRC for disposal and tipping fees

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

- \$241,917.94 to Shire of Peppermint Grove for contributions to joint library project
- \$124,082.01 to WATC for loan repayment
- \$15,400.00 to Structerre Consulting Group for report on Civic Centre roof
- \$15,236.46 to WMRC for disposal and tipping fees
- \$34,801.30 to Transpacific Cleanaway for domestic & commercial waste disposal
- \$11,199.66 to Kulin Group for repairs to Pylon
- \$27,467.29 to LGIS for second premium instalment
- \$11,550.00 to encapsulate for licence fee for 2009/2010
- \$25,080.00 to Street Furniture Australia for supply of 20 monsoon bins
- \$47,278.68 to Claremont Asphalt and Paving for soakwell installation
- \$50,875.00 to Informed Decisions Consulting for purchase of service on behalf of WESROC
- \$13,345.45 to WATC for loan repayment
- \$11,000.00 to Informed Decisions Consulting for purchase of service on behalf of WESROC
- \$69,747.72, \$64,588.59 and \$64,736.05 for staff payroll

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council receive the List of Accounts for the period ending 30 September 2009, as per the financial statement attachment submitted to the 20 October 2009 meeting of the Works and Corporate Services Committee.

Carried 7/0

**10.3.3 SCHEDULE OF INVESTMENTS AND LOANS FOR THE MONTH OF
SEPTEMBER 2009**

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

Proposed Meeting Date: 20-Oct-2009

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 2009 to Council, as per the Attachment entitled 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 Schedule of Investments on page 19 of the Financial Statements shows that \$8,970,584.56 was invested as at 30 September, 2009.

Reserve Funds make up \$896,232.27 of the total invested and are restricted funds. Approximately 36% of the funds are invested with the National Australia Bank, 23% with BankWest, 32% with Westpac and 9% with Commonwealth Bank.

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

The Schedule of Loans on page 20 shows a balance of \$6,997,671.64 as at 30 September, 2009. There is \$478,142.12 included in this balance that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council receive the Schedule of Investments and Loans Report for the period ending 30 September, 2009, as per the financial statements attachment submitted to the 20 October, 2009 meeting of the Works and Corporate Services Committee.

Carried 7/0

**10.3.4 PROPERTY AND SUNDRY DEBTORS REPORT FOR THE MONTH OF
SEPTEMBER 2009**

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

Proposed Meeting Date: 20-Oct-2009

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 2009 to Council, as per the Attachment entitled 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 Sundry Debtors Report on pages 21-22 of the Financial Statements shows a balance of \$100,986.05 of which \$73,748.17 relates to the current month. The balance of aged debt greater than 30 days stood at \$27,237.88.

Property Debtors are shown in the Rates and Charges analysis on page 23 of the Financial Statements and show a balance of \$2,345,072.95. Of this amount \$226,546.71 and \$326,953.67 are deferred rates and outstanding ESL respectively.

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

As can be seen on the Balance Sheet on page 4 of the Financial Statements, rates as a current asset are \$2,116,409 in 2009 compared to \$2,151,919 last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council receive the Property Debtors and the Sundry Debtors Report for the period ending 30 September, 2009, as per the financial statements attachment submitted to the 20 October, 2009 meeting of the Works and Corporate Services Committee.

Carried 7/0

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

11.1 NOTICE OF MOTION FROM MAYOR MORGAN

The following notice of motion was received from Mayor Morgan and circulated to members:

11.1.1 FREMANTLE PORT INNER HARBOUR AND CHANNEL DEEPENING, RECLAMATION AT ROUS HEAD AND OFFSHORE PLACEMENT OF DREDGED MATERIAL

Motion

- 1. That the Fremantle Port Authority and the Environmental Protection Authority be invited to publicly present the best evidence they have that the proposed dredging, reclamation and offshore waste disposal will not risk dangerous contaminants entering our coastal waters and will not unduly or unnecessarily impact the aesthetic, recreational or other uses of our coastline.*
- 2. If either of those invitations is accepted, the presentation is to be scheduled to take place at a public forum from 6pm to 7pm on Monday 26 October 2009 at the Civic Centre, which presentation is to be advertised by Council in this week's Post Newspaper.*
- 3. That if need be Council establish suitable processes to identify current beach, water and sea-life conditions and to monitor any changes to these that may be caused in the event that the proposed dredging, reclamation and offshore disposal does occur.*
- 4. That Council as soon as practicable obtain legal advice on what if any options the Town has to ensure that the dredging, reclamation and offshore waste disposal proposed by the Fremantle Port Authority is done without risk of dangerous contaminants entering the coastal waters under Council's control (such as thru leaching from the proposed reclamation area or from the water that will be expelled from that area) and without unduly or unnecessarily impacting aesthetic, recreational or other uses of the waters.*

Reason

Beach-users quite properly expect nowadays that the pristine waters of the world's best beach would never be allowed to be put at risk, at least not simply to satisfy a commercial quest to expand a port and expand a commercial landholding by reclaiming ocean.

Without in anyway wishing to be rude or demean the intentions or integrity of any individual or agency, it does strikes me that we may be less than diligent in our duty to protect Cottesloe beach, if we simply took at face value any assurances by the State that its proposed dredging, reclamation and disposal works will not unsafely or unnecessarily impact our beach waters. It is

**WORKS AND CORPORATE SERVICES COMMITTEE MINUTES
20 OCTOBER 2009**

incumbent upon us to look behind any assurances to see that they are backed by conclusive evidence, particularly given the political erosion in recent years of the independence safeguard of many State agencies, and known public safety risks at the Esperance Port Authority.

All the more so in this case where we are not even given much assurance, but instead are told that the works will cause a plume anticipated “as far north as Cottesloe” and which will “have impacts on aesthetic and recreation values” of Cottesloe beach for the best part of next year, without much elaboration or conclusive proof on the magnitude, effect and necessity of these adverse impacts.

The proposal appears to be premised on the idea that so long as you sufficiently dilute contaminants in enough water then there is a safe level at which you can still dump dangerous contaminants into the ocean immediately adjacent to WA’s most popular beach. Apart from the obvious cost savings, why would you ever contemplate using potentially contaminated material to reclaim the sea? Why would not all of the dredged material be disposed of on land, and instead use non-contaminated soil for the reclamation?

The only assurances we are expected to rely upon is a report by another of the State’s agencies. The EPA report appears surprisingly scant on detail and largely devoid of conclusive proof on what will happen to the dangerous contaminants that the report conclusively establishes will be released from silt and re-suspended into the water during the proposed dredging and reclamation.

There appears to be no independent consideration of any commercial alternatives, such as whether it is practicable to dispose of all dredged materials on land, and whether doing so would be more environmentally beneficial than the proposed offshore disposal. There is no discussion on whether the adverse impact on beaches would be reduced without the offshore disposal area, nor whether this is contrary to the spirit if not the letter of the *Environmental Protection (Sea Dumping) Act* and an international treaty.

The Council was recently told that in January 2009 the Council was invited to make a submission on the EPA assessment of the FPA proposal. Council has no record of receiving an invitation. Only a handful of people other than State agencies made a submission.

Moved Mayor Morgan, seconded Cr Strzina

That the motion be approved and considered as urgent business

Carried 7/0

COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council request:

1. That the Fremantle Port Authority and the Environmental Protection Authority be invited to publicly present the best evidence they have that the proposed dredging, reclamation and offshore waste disposal will not risk dangerous contaminants entering our coastal waters and will not unduly or unnecessarily impact the aesthetic, recreational or other uses of our coastline.
2. If either of those invitations is accepted, the presentation is to be scheduled to take place at a public forum from 6pm to 7pm on Monday 26 October 2009 at the Civic Centre, which presentation is to be advertised by Council in this week's Post Newspaper.
3. That if need be Council establish suitable processes to identify current beach, water and sea-life conditions and to monitor any changes to these that may be caused in the event that the proposed dredging, reclamation and offshore disposal does occur.
4. That Council as soon as practicable obtain legal advice on what if any options the Town has to ensure that the dredging, reclamation and offshore waste disposal proposed by the Fremantle Port Authority is done without risk of dangerous contaminants entering the coastal waters under Council's control (such as thru leaching from the proposed reclamation area or from the water that will be expelled from that area) and without unduly or unnecessarily impacting aesthetic, recreational or other uses of the waters.

Carried 7/0

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

12.1 LATE ITEM – HULLABALOO LIQUOR LICENCE APPLICATIONS

The following late item was tabled by the Community and Events Support Officer and requested to be considered as an item of urgent business due to the impending Community event (Hullabaloo) and the need for Council support for extensions to liquor licenses for the event.

File No: SUB/838
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Janna Lockyer
Community & Events Support Officer
Proposed Meeting Date: 20-Oct-2009
Author Disclosure of Interest Nil

SUMMARY

At the Council meeting in July, it was resolved:

“That Council:

1. *Support the Procott Event “Hullabaloo in the Village” as per W&CS attachment 10.1.3 subject to;*
 - a. *The organisers of the event addressing the following matters, with appropriate collaboration and assistance of Council Staff, to the satisfaction of the Chief Executive Officer;*
 - i. *Provision of a transport/parking plan and appropriate access/signage to and from the event.*
 - ii. *Adequate arrangements for rubbish collection and removal, including the provision for recycling.*
 - iii. *Compliance with noise regulations.*
 - iv. *Compliance with relevant health and safety legislation with regard to food, hygiene and provision of toilet facilities.*
 - v. *Appropriate public liability insurance of not less than \$10 million.*
 - vi. *Compliance with additional relevant sections of the Outdoor Concerts and Large Public Events Guidelines.*
 - b. *The event incorporating the community and sustainability elements of the Sea Dragon festival i.e. the facilitation of local clubs and community groups participating in the event to promote themselves and their services.*
2. *Commit sufficient funds, which are currently allocated to the Sea Dragon festival in the 2009/10 Budget, to the Hullabaloo in the Village to enable Council to;*
 - a. *Support local clubs and community groups with their attendance, set up, display and promotion.*
 - b. *Manage the associated administrative costs for the event related to Council’s involvement.”*

Planning for the Event has been progressing, incorporating the above conditions as authorised by Council. Liquor Licenses have now been applied for and need the support of Council. This report recommends that Council support the requested extended liquor licenses for:

- Van's Café – extended trading area, for general café dining for 50 people, from 7am to 6pm.
- Lamont's Cottesloe – extended trading area, for the long table lunch for 80 people, from 11am to 4pm.
- Albion Hotel – extended trading area, in the style of a beer and wine festival for 200 people from 12noon to 10pm.

Subject to the approval of road closures from Main Roads, the WA Police and Council staff.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The Outdoor Concerts & Large Public Events Policy.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

In the report presented to Council in July, the staff comment stated:

"Hullabaloo in the Village requires the support from Council for extended liquor licenses for Vans, Phillips, Cimbalino, Lamonts and the Albion Hotel. These extended liquor licences will be applied to and approved by the Department of Liquor and Gaming but having the support of Council is recommended."

The extended liquor licenses being applied for are as below:

- Van's Café – extended trading area, for general café dining for 50 people, from 7am to 6pm.
- Lamont's Cottesloe – extended trading area, for the long table lunch for 80 people, from 11am to 4pm.
- Albion Hotel – extended trading area, in the style of a beer and wine festival for 200 people from 12noon to 10pm.

VOTING

Simple Majority

OFFICER RECOMMENDATION

That Council support the requested extended liquor licenses for:

- Van's Café – extended trading area, for general café dining for 50 people, from 7am to 6pm.
- Lamont's Cottesloe – extended trading area, for the long table lunch for 80 people, from 11am to 4pm.
- Albion Hotel – extended trading area, in the style of a beer and wine festival for 200 people from 12noon to 10pm.

Subject to the approval of road closures from Main Roads, the WA Police and Council staff.

Moved Cr Rowell, seconded Cr Carmichael

That the report be considered as new business of an urgent nature introduced by officers by decision of meeting

Carried 7/0

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Carmichael

That Council support the requested extended liquor licenses for:

- **Van's Café – extended trading area, for general café dining for 50 people, from 7am to 6pm.**
- **Lamont's Cottesloe – extended trading area, for the long table lunch for 80 people, from 11am to 4pm.**
- **Albion Hotel – extended trading area, in the style of a beer and wine festival for 200 people from 12noon to 10pm.**

Subject to the approval of road closures from Main Roads, the WA Police and Council staff.

Carried 7/0

13 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 9.20pm.

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