

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 4 DECEMBER 2012

CARL ASKEW
Chief Executive Officer

12 December 2012

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WORKS AND CORPORATE SERVICES COMMITTEE
TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	DISCLAIMER	1
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	1
4	PUBLIC QUESTION TIME	1
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	1
4.2	PUBLIC QUESTIONS	1
5	PUBLIC STATEMENT TIME.....	1
6	ATTENDANCE	2
6.1	APOLOGIES	2
6.2	APPROVED LEAVE OF ABSENCE	2
6.3	APPLICATIONS FOR LEAVE OF ABSENCE	2
7	DECLARATION OF INTERESTS.....	2
8	CONFIRMATION OF MINUTES.....	2
9	PRESENTATIONS	3
9.1	PETITIONS.....	3
9.2	PRESENTATIONS	3
9.3	DEPUTATIONS.....	3
10	REPORTS	4
10.1	ADMINISTRATION.....	4
10.1.1	TOWN OF COTTESLOE CARBON INVENTORY REPORT 2011/2012	4

10.1.2	APPOINTMENT OF DEPUTY MEMBER - WORKS AND CORPROATE SERVICES COMMITTEE	7
10.1.3	WMRC REGIONAL FUNDING PROGRAM	9
10.1.4	EVENTS CLASSIFICATION POLICY	13
10.1.5	STANDING ORDERS AMENDMENT LOCAL LAW 2012	16
10.1.6	SIGNS, HOARDINGS AND BILL POSTINGS LOCAL LAW	19
10.1.7	FREEDOM OF INFORMATION STATEMENT REVIEW 2012	22
10.2	ENGINEERING.....	24
10.2.1	BLACKSPOT APPROVED PROJECT - PEDESTRIAN CROSSING ISLANDS ON CURTIN AVENUE NEAR PRINCES STREET	24
11	ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	27
12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....	27
12.1	ELECTED MEMBERS.....	27
12.2	OFFICERS	27
13	MEETING CLOSED TO PUBLIC	27
13.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	27
13.2	PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC.....	27
14	MEETING CLOSURE.....	27

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 7:02 PM.

2 DISCLAIMER**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Cr Rowell addressed Committee and noted this was the last committee meeting for 2012. He suggested that in the coming year a focus be placed on "improving the appearance of Cottesloe". Cr Rowell cited examples of where the Administration might focus their attention. Cr Rowell also suggested that the Civic Centre gardens could be further enhanced so they remain "something to be proud of". Cr Rowell suggested that administration prepare the next budget with a view to considering the financial implications of his suggestions.

Cr Boland advised Committee that he had received some positive feedback from the community regarding the Town's recent cleanup efforts after the last storm, and commented that the clean up was performed very quickly and the staff involved should be commended. Cr Rowell echoed Cr Boland's sentiments, commenting that the east ward, in particular Alexandra and Congdon Streets, were cleaned up very efficiently.

Cr Rowell also requested Councillors receive a copy of the Department of Local Government's advice on declarations of interest. The CEO confirmed that a copy would be circulated to all elected members.

4 PUBLIC QUESTION TIME**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Nil

6 ATTENDANCE**Present**

Cr Rob Rowell	Presiding Member
Cr Greg Boland	
Cr Sally Pyvis	
Cr Yvonne Hart	Observer

Officers Present

Carl Askew	Chief Executive Officer
Mat Humfrey	Manager Corporate & Community Services
Geoff Trigg	Manager Engineering Services
Christy Watterson	Administration & Governance Officer

6.1 APOLOGIES

Mayor Kevin Morgan
Cr Victor Strzina

Officer Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 DECLARATION OF INTERESTS

Nil

8 CONFIRMATION OF MINUTES

Moved Cr Pyvis, seconded Cr Boland

[Minutes November 20 2012 Works and Corporate Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 20 November 2012 be confirmed.

Carried 3/0

9 PRESENTATIONS

9.1 PETITIONS

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

The Presiding Member dealt with the reports as per the published order of the agenda.

10 REPORTS

10.1 ADMINISTRATION

10.1.1 TOWN OF COTTESLOE CARBON INVENTORY REPORT 2011/2012

File No: SUB/1161
Attachments: [Carbon Inventory Report 2011 2012](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Nikki Pursell
Sustainability Officer
Proposed Meeting Date: 04 December 2012

SUMMARY

The 2011/2012 Carbon Inventory Report summarises the findings from the 2011/2012 greenhouse gas (GHG) Inventory recently completed for the Town of Cottesloe. The Report and Inventory provides the third consecutive year of carbon accounting for the Town. As the Town aims to become Carbon Neutral by 2015, annual data collection and reporting is necessary to track progress and highlight areas for improvements. The 2011/2012 Inventory calculated 478 tonnes of Carbon Dioxide equivalent (CO_{2-e}) emissions from the Town's operations for the period 1 July 2011 to 30 June 2012. This compares to a baseline GHG footprint of 806 tonnes of CO_{2-e} in 2009/2010.

The large reduction in Council emissions was largely a result of changes in reporting of streetlights emissions.

BACKGROUND

The Town produces an annual Carbon Inventory in order to document GHG emissions resulting from the Town's activities. This informs the process of becoming Carbon Neutral, which Council committed to achieve by 2015.

On 21 June 2011, Council was presented with the baseline measurements of the Town's carbon footprint along with a report entitled *Town of Cottesloe's Carbon Inventory Report (June 2011)*. The document summarised the Town's GHG profile for the 2009/2010 financial year (the baseline year), concluding that the Town had a carbon footprint of 806 tonnes of CO_{2-e}. The development of this inventory marked the completion of Step 1 in the process to become Carbon Neutral.

In March 2012, Council was presented with a second annual inventory report, presenting a carbon footprint of 724 tonnes of CO_{2-e}. This was a reduction of 82 tonnes compared to the baseline year.

Discussion of the 2011/12 inventory

The 2011/2012 Inventory calculated 478 tonnes of CO_{2-e} emissions from the Town's operations for the period 1 July 2011 to 30 June 2012. Primary emissions-generating activities were:

1. Petrol combustion from fleet vehicles for transportation (includes work and private use of vehicles);
2. Purchased electricity for Council buildings and infrastructure;
3. Purchased electricity for Western Power-owned streetlights; and
4. Construction and demolition waste to landfill.

Most activities either demonstrated a slight increase in emissions or remained static between 2010/2011 and 2011/2012. Fleet emissions increased marginally between 2010/2011 and 2011/2012, as did waste emissions, whilst emissions from business travel decreased over the same period. The most significant change related to streetlight emissions. Whilst the consumption data remained virtually the same, reporting of streetlight emissions has changed for 2011/2012. In previous years emissions relating to purchased electricity for streetlights were reported as Scope 2 emissions. Recent changes in the way Western Power reports emissions, as well as advice from WALGA, means that Local Governments can now report streetlights as Scope 3 emissions. As emissions relating to purchased electricity for street lighting were the Town's greatest source of emissions, this change has led to a significant reduction in the Town's overall carbon footprint and better reflects the emissions that Council has operational control over.

FINANCIAL IMPLICATIONS

One of the goals of annual carbon reporting is to highlight areas that require attention and focus abatement actions. This report, along with the recently developed *Town of Cottesloe GHG Reduction Plan*, highlights potential measures to reduce emissions. These actions are not currently within the Sustainability budget allocation. As measures are investigated, further budget requests may be made. Many actions will result in both emissions and financial savings due to improved energy and resource efficiency.

SUSTAINABILITY IMPLICATIONS

Measuring and publishing the Town's emissions profile is an important step in taking responsibility for the Town's impact on the environment. Shifting the Town's reliance away from emissions-intensive resources and suppliers puts the Town in a better position to respond to the Federal Government's Carbon Price as well as respond to the growing threat of climate change.

Measuring our emissions and therefore our resource use highlights opportunities to use resources more efficiently.

CONSULTATION

In developing the attached report, the Sustainability Officer consulted with management, contractors and utility providers. The Sustainability Officer also undertook training in carbon management at the West Coast Institute of Training to gain adequate expertise in this technical and dynamic field.

STAFF COMMENT

The 2011/2012 Inventory illustrated a significant decrease in Council related emissions. Since the baseline year, the total carbon footprint has decreased from 806

to 478 tonnes of CO_{2-e}. This significant reduction in total emissions is indicative that the Town is on track for its goal of reaching Carbon Neutral status by 2015. However, while emissions have demonstrated a very positive downward trend, it should be noted that some activity areas have recorded an increase in emissions since last year. With the recent completion of the *Town of Cottesloe Greenhouse Gas Reduction Plan*, a number of target areas for abatement have been highlighted and these will be addressed over the next year.

The Town of Cottesloe's Carbon Inventory Report 2011/2012 demonstrates the Town's ongoing commitment to becoming Carbon Neutral. For the purposes of transparency and improved community awareness it is recommended that this report be published on the Town's website.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the Carbon Inventory Report for 2011/2012 and commented that the report accurately reflected the changes made by WALGA with regard to accounting for the Town's street lighting. Cr Rowell commented that the Council previously had a policy to undertake community education regarding recycling and queried whether this is something that the Sustainability Officer could be involved in. Cr Boland agreed that the improvements cited in the report came about in part as a result of an accounting practice, rather than an improved process and stated that the Town needs to work harder to reduce emissions and reach the targets set.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Pyvis

THAT Council:

- 1. Note the completion of the Carbon Inventory Report for 2011/2012 and the progress made in reducing the Town's emissions.**
- 2. Publish the Report on the Town's website.**

Carried 3/0

10.1.2 APPOINTMENT OF DEPUTY MEMBER - WORKS AND CORPORATE SERVICES COMMITTEE

File No: SUB/1261
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Christy Watterson
Administration and Governance Officer
Proposed Meeting Date: 04 December 2012
Author Disclosure of Interest Nil

SUMMARY

This report recommends the appointment of Cr Hart, in a deputy capacity, in addition to the existing members of the Works and Corporate Services Committee.

BACKGROUND

At the Special Council Meeting on 17 October 2011 (the first meeting of the new Council) the membership of the Works and Corporate Services Committee was endorsed as the Mayor, Cr's Rowell, Strzina, Walsh and Boland, with Cr's Downes and Jeanes endorsed as deputy members.

At its meeting on 31 October 2011, Council rescinded the decision to appoint Cr Walsh as a member of the Works and Corporate Services Committee and appointed Cr Pyvis as a member of the Committee.

STRATEGIC IMPLICATIONS

The Works and Corporate Services Committee is a standing committee which meets monthly and reports to Council on a range of matters as outlined in Council's Policy for Standing Committee Roles.

POLICY IMPLICATIONS

Standing Committee Roles Policy

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 5, Division 2

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Consultation took place with Cr Hart.

STAFF COMMENT

As part of the appointment process for each Standing Committee some elected members are appointed as “deputy” members, so that in the event that a member cannot attend, a deputy can take his/her place and assist with maintaining meeting quorums. Two such appointments were made for the Works and Corporate Services Committee. This report recommends that a third deputy member be appointed to the Committee and has been made after discussion with and agreement of Cr Hart.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell asked Cr Hart if she was prepared to be nominated as a deputy to the Works and Corporate Services Committee. Cr Hart confirmed she was happy to be nominated.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Pyvis, seconded Cr Boland

THAT Council appoint Cr Hart to be a deputy for the Works and Corporate Services Committee.

Carried 3/0

10.1.3 WMRC REGIONAL FUNDING PROGRAM

File No: SUB/378
Attachments: [WMRC Regional Investment Plan Bulky Waste Sorting](#)
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Darrell Monteiro
Principal Environmental Health Officer
Proposed Meeting Date: 04 December 2012
Author Disclosure of Interest Nil

SUMMARY

Council is being asked to consider and endorse the Western Metropolitan Regional Council's Regional Investment Plan, titled "Bulky Waste Sorting", and authorise the Chief Executive Officer to sign the Regional Investment Plan, presented as an attachment to this report.

BACKGROUND

In May 2007, a funding program for local governments to deliver waste management initiatives was announced through the development of the Zero Waste Plan Development Scheme. The scheme involved the establishment of Regional Council Groups (RCG) and allocated funding for the development and implementation of Strategic Waste Management Plans (SWMP). Following the endorsement of SWMPs by the Department of Environment and Conservation (DEC), RCG were eligible to apply for funding between 2008 and 2010 to implement projects identified in the SWMP.

The Town of Cottesloe formed a RCG with the Town of Claremont, Town of Mosman Park, City of Nedlands, Shire of Peppermint Grove and City of Subiaco. The Western Metropolitan Regional Council (WMRC) was the lead authority for administering the RCG's SWMP grant funding.

The WMRC's SWMP was finalised in 2009 and includes the following regional priorities:

- Minimise the direct and indirect environmental impacts of waste and its management in the region over the next five years.
- Manage waste in a sustainable manner.
- Increase community awareness of the impact of waste issues on the environment.

The Plan includes 36 key actions; four of which were completed with \$135,754 SWMP funding:

1. Appointment of a Waste Officer to implement the SWMP (a consultant was engaged)
2. Upgrade the recycling area at the Waste Transfer Station.

3. Install signage in the recycling area at the Waste Transfer Station.
4. Development of a Waste Management Sustainability Policy.

Many of the other actions identified in the SWMP have been completed since its development. This includes investigating the potential for joint tendering of waste and recycling services, establishment of a permanent household hazardous waste facility in the region, construction of the DiCOM system, introduction of Living Smart courses, adoption of a waste wise schools program, establishment of e-waste recycling at the Waste Transfer Station and a study into improvements in verge waste collections.

In May 2011, the Minister for Environment and Water announced the establishment of the Regional Funding Program (RFP) as the preferred method to support the ongoing implementation of SWMPs. In 2011 all RCG members approved the WMRC to manage the RFP, as it was the entity that managed the SWMP process.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The RFP funding will contribute towards one third of the total project cost. The remaining works will be funded by the WMRC and have been included in WMRC's 2012/13 Annual Budget.

SUSTAINABILITY IMPLICATIONS

The proposed project will increase the quantity of waste recovered for recycling and reuse at the Brockway Waste Transfer Station.

CONSULTATION

Nil

STAFF COMMENT

Applications for RFP funding must be submitted in the form of a Regional Investment Plan (RIP) and be approved by all members of the RCG. The funding program is structured as follows:

- 1 July 2011 – 28 June 2013: Fixed funding stream.
- 2014 – 2016: Competitive bid funding stream.

A fixed funding allocation of \$208,708 (ex GST) is available to the WMRC led group, to implement projects that are identified in the SWMP and will contribute towards achieving one or more of the Waste Strategy targets (identified in 'Western Australian Waste Strategy: Creating the Right Environment', 2012).

Outstanding actions in the WMRC's SWMP include:

- Resource sharing feasibility study (joint infrastructure)
- Encourage builders to recycle investigation
- Commercial recycling promotion
- Event recycling strategy development
- Charitable partnerships investigation (home bulky waste collections)
- Land acquisition (followed by):
 - Greenwaste processing expansion
 - Wood waste recycling
 - Construction and demolition (C&D) recycling
- Public place recycling
- Biodegradable workplace study

It is proposed that the SWMP funding be utilised for civil works at the Brockway Waste Transfer Station to:

- Expand the residential / self-haul recycling drop-off area; and
- Construct a hardstand to receive and sort bulky hard waste.

The proposed project aligns with the SWMP actions identified for after additional land is acquired, without the need to acquire additional land. The project will also contribute towards achieving the Waste Strategy targets for municipal solid waste and commercial waste.

Advice from the Department of Environment and Conservation on 3 September 2012 states:

“RIPs are required to be endorsed by all RCG members to ensure that all member LGAs have had an appropriate level of input into the process of determining regional priorities, proposed activities and expected outcomes. RIPs submitted by RCGs that fall under the governance of a formal regional council or an incorporated group may be signed by the Chief Executive Officer (CEO), subject to provision of evidence of delegation of decision making powers to the regional council or incorporated entity for the current RFP. If this is not available, RIPs must be signed by all member LGA CEOs. For those RCGs without a formal governance arrangement, RIPs must be signed by all member LGA CEOs.”

It is proposed that all RGC members delegate authority to their CEO to sign the WMRC's RIP application. The RIP application is attached.

Another outstanding SWMP action that was considered suitable for RIP funding was 'public place recycling'. It was proposed that receptacles be developed for residents to drop off batteries, fluorescent lights and mobile phones. Discussions with the DEC suggested this project would be unlikely to be approved as it is something they would prefer to see done on a metropolitan-wide scale with a DEC developed standard.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell commented that Cottesloe was one of the first metropolitan Councils to recycle. Cr Boland advised Committee that in the 1990's Mayor John Hammond and himself were involved in the creation of a video that promoted recycling and this kind of education could be employed again. Cr Boland acknowledged the sustainability Calender and its efforts to promote sustainability initiatives, and suggested that further education regarding the kinds of materials that can be recycled be conducted in the Town. The CEO advised that administration would take on the comments and discuss with the WMRC as a potential issue that could be collectively tackled by the member Councils. Committee discussed the possibility of producing educational stickers for rubbish bins. Committee concluded by highlighting a concern that e-waste is a growing issue and the community needs to be educated on the appropriate ways and places to recycle this waste.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Pyvis

THAT Council:

- 1. Endorse the Western Metropolitan Regional Council's Regional Investment Plan titled "Bulky Waste Sorting".**
- 2. Authorises the Chief Executive Officer to sign the Regional Investment Plan, presented as an attachment to this report.**

Carried 3/0

10.1.4 EVENTS CLASSIFICATION POLICY

File No: POL/84
Attachments: [Event Classification Policy December 2012](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 04 December 2012
Author Disclosure of Interest Nil

SUMMARY

A new policy to classify events for the raising of fees is being presented for Council's consideration.

BACKGROUND

At the November meeting, Council deferred consideration of the Events Classification Policy, to allow more time for Councillors to consider the workings of the policy. Administration have made several changes following feedback from elected members and the amended policy is now being presented for consideration.

The aim of this policy is to give event organisers and administration staff guidance on the likely decision that Council is going to make with regard to how an event will be classified and the likely fees that will be charged. This policy does not provide guidance on whether or not an event will be approved or what types of events are acceptable to Council, as this guidance is already available in other policies.

The need for this new policy has become apparent in recent times due to several events having their fees changed from community events to commercial events. When Council was being asked to consider these events, there was no clear guidance as to what was and wasn't a charitable or community event, or even what this status meant.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

A new policy would be created – called the Events Classification Policy.

STATUTORY ENVIRONMENT

Beaches and Beach Reserves Local Law 2012
Local Government Property Law 2001

Both of these local laws contain provisions that allow Council at its discretion, to allow events at facilities controlled by the Town, and to charge fees as appropriate.

FINANCIAL IMPLICATIONS

Ensuring that events are classified consistently and correctly will ensure that the correct fees are raised.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

This policy was presented to the September 2012 Public Events Committee meeting. Committee members commented that it is now common for community and charity groups to employ specialist event organisation companies to organise their events instead of volunteers and agreed that this should not solely be a reason to classify an event as being “commercial”.

Committee commented that in some instances, if Council were to take a fee, they may be taking directly from the charity, not the event organisers, and as such, as a public gesture on Councils behalf, a minimal fee could be considered in such instances.

STAFF COMMENT

Council basically has four levels of events (for fees purposes) at its venues. The first is charitable events, which are events that are for a benevolent purpose. Council has traditionally waived the fees for such events as it was felt that any fees charged would be done so from the charity that the event was seeking to support.

The second category is that of community event. These are events that have some direct benefit to the community and as such usually attract a reduced fee. This is probably the event category that has the most events in it, and the one that causes the most confusion. The aim of the policy is to clarify what is meant by events that have some benefit to the local community.

Commercial events are the third category and possibly the rarest type of event that the Town hosts. As we don't have many venues that can be secured and entry fees charged, most commercial event organisers stay away from the Town. The exception is large scale promotional events, which seek to take advantage of the beach. There have been several small scale promotional events within the Civic Centre in the past, but they have not occurred in recent times.

Lastly, the policy lists an event category named “standard or private events”. These events are events that have a specific charge in Council's fees and charges schedule adopted by Council each year. This includes things such as weddings, or events that are by invitation only in venues such as the War Memorial Hall. As these events are covered in the fees and charges schedule, they are not considered further in the policy document.

While the Chief Executive Officer has the ability under the Beach Policy to approve one large event each month, this ability is rarely used. Instead events are presented to the Events Committee and where approval is required, a report is forwarded through the Works and Corporate Services Committee to Council. The purpose of the

policy is to provide guidance to staff as to what the likely fee will be, which can be conveyed to the applicant at the start of the process, rather than the applicant having to wait until final approval to know what they will be charged. If the applicant requests a reduction in fees, this will be noted in the report for an individual event, however any recommendation would be based purely on the policy.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Hart presented Committee with a *marked up* version of her suggested changes to the Events Classification policy, and stated she felt the policy needed more work. Cr Hart suggested that her policy could be adopted with the view that after a 12 month trial, a cost benefit analysis of holding events could be undertaken by Administration. Cr Hart suggested that the consideration and approval of events could be part of the Town's long term Strategic Plan.

Cr Hart commented that the expense of maintaining public facilities where events are held, should not be borne by residents and ratepayers alone. Cr Rowell commented that whilst Council manages the beach, events held in Cottesloe benefit the community on many levels, citing the financial benefit to local businesses.

Committee discussed the various event categories, comparing the officer policy with Cr Hart's suggested policy. Cr Rowell advised Cr Hart that the Public Events Committee undertake an analysis of all events presented to them and consider the benefit to residents and the community at large. The Manager Corporate and Community Services advised that one of the key criteria in approving events is the principle of "zero impact", whereby depending on the size of an event, organisers of events are required to ensure all litter is disposed of, additional toilet facilities are provided if required and additional ranger requirements are funded. Cr Rowell encouraged Cr Hart to attend a future Public Events Committee meeting to gain insight into the process.

Committee suggested that any requests for fee reductions after an event, not be approved and the CEO advised that any requests for fee reductions are presented to Council for their consideration.

Cr Hart queried whether the item could be deferred to allow more time to consider and work on the existing policy. Committee discussed the possibility of adopting the officer's Events Classification Policy, to ensure that a guide was in place, and continue to refine the policy with the assistance of Cr Hart.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Boland

THAT Council adopt the Events Classification Policy as attached.

Carried 3/0

10.1.5 STANDING ORDERS AMENDMENT LOCAL LAW 2012

File No: CLL/5
Attachments: [Standing orders amendment local law](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 04 December 2012
Author Disclosure of Interest Nil

SUMMARY

The Standing Orders Amendment Local Law 2013 is being presented for Council's consideration.

BACKGROUND

At its meeting on 24 September 2012, Council gave an undertaking to the Joint Standing Committee on Delegated Legislation (JSCDL) that it would amend its Standing Orders Local Law 2012. Based on this undertaking, the JSCDL allowed the local law to pass. However the undertaking must be published at every location that the local law is published.

Purpose: To amend the Town of Cottesloe Standing Orders Local Law 2012 to comply with an undertaking provided to the Joint Standing Committee on Delegated Legislation.

Effect: The undertaking required the deletion of a clause that contained provisions that are covered within the Local Government (Administration) Regulations 1996. The clause has been replaced by the words "The disclosure of interests by other persons is covered in the Regulations".

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 – s3.5 contains the provisions for making a local law.

FINANCIAL IMPLICATIONS

This local law will be required to be advertised, as all Local Laws are. The costs can be met within operational budgets and will be placed alongside similar advertisements where possible to reduced costs.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The amendment local law will be subject to the placement of notices of the undertaking at every location that the local law is published and will have a submission period, as is required for any local law. It is likely that the Standing Orders Amendment Local Law 2013, and any submissions received will be presented to the March 2013 Council meeting for final adoption.

STAFF COMMENT

The changes required by the Joint Standing Committee will have little to no operational impact on the Town. The Regulations do provide a mechanism for relevant interests to be disclosed.

While this local law simply amends one clause of the principle local law, it is subject to all of the requirements of local laws, as far as advertising and the calling for submissions. If the recommendation below is adopted, the Council will need to consider the local law again in March 2013, where it will be presented for final adoption.

It is recommended that the local law be adopted for advertising to allow the submission period to begin.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Boland queried the spelling of the word "principle" in the Standing Orders Amendment Local Law, suggesting that it should be spelt "principal". Cr Boland proposed an amendment to have the spelling changed. The CEO advised that administration will investigate the spelling and report back prior to Council.

OFFICER RECOMMENDATION**Moved Cr Pyvis, seconded Cr Rowell**

THAT Council:

1. Endorse the Town of Cottesloe Standing Orders Amendment Local Law 2013 and authorise the Chief Executive Officer to advertise the local law for public comment;
2. Endorse the purpose and effect of the local law as being;

Purpose: To amend the Town of Cottesloe Standing Orders Local Law 2012, to comply with an undertaking provided to the Joint Standing Committee on Delegated Legislation.

Effect: The undertaking required the deletion of a clause that contained provisions that are covered within the Local Government (Administration) Regulations 1996. The clause has been replaced by the words "The disclosure of interests by other persons is covered in the Regulations".

3. Set the final date for submissions as being Friday 22 February 2013.

AMENDMENT**Moved Cr Boland, seconded _____**

That the word "principle" in the attached Amendment Local Law be replaced with "principal".

Motion lapsed for want of a seconder

OFFICER & COMMITTEE RECOMMENDATION**THAT Council:**

1. **Endorse the Town of Cottesloe Standing Orders Amendment Local Law 2013 and authorise the Chief Executive Officer to advertise the local law for public comment;**
2. **Endorse the purpose and effect of the local law as being;**

Purpose: To amend the Town of Cottesloe Standing Orders Local Law 2012, to comply with an undertaking provided to the Joint Standing Committee on Delegated Legislation.

Effect: The undertaking required the deletion of a clause that contained provisions that are covered within the Local Government (Administration) Regulations 1996. The clause has been replaced by the words "The disclosure of interests by other persons is covered in the Regulations".

3. **Set the final date for submissions as being Friday 22 February 2013.**

Carried 2/1

THE SUBSTANTIVE MOTION WAS PUT

10.1.6 SIGNS, HOARDINGS AND BILL POSTINGS LOCAL LAW

File No: CLL/1
Attachments: [Signs Hoarding and Billposting Local Law](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 04 December 2012
Author Disclosure of Interest Nil

SUMMARY

It is recommended that Council begin the review of the Signs, Hoardings and Bill Postings Local Law, with a view to adopting any changes in March 2013.

BACKGROUND

The Signs, Hoardings and Bill Postings Local Law was initially adopted by Council in 1964. It was adopted under the provisions of the Local Government Act 1960 and pre-dates the current Act, all of its regulations, the Planning and Development Act 2005 and Town Planning Scheme No. 2.

The Local Law was last amended in 1988, and there is no evidence to suggest that it has been reviewed since this time.

STRATEGIC IMPLICATIONS

The placement of signage, particularly promotional signage, can have a great influence on the amenity of any place. As such, the rules and regulations that control the placement of these signs will have an impact on any effort to improve an amenity.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

The Local Government Act 1995, at s3.5 provides the ability for a local government to create and adopt local laws.

Section 3.16 of the Local Government Act provides the mechanism under which local laws are to be reviewed and provides that this is to be done at least every 8 years, for each local law.

FINANCIAL IMPLICATIONS

There will be costs associated with reviewing the local law, particularly the cost of advertising and the use of staff resources in formulating the review. These costs can be met with current operational budgets.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The Act requires that the review of the local law be subject to state-wide public notice, with a submission period not less than 6 weeks. In order for the review to be compliant, this will need to be undertaken.

On top of the requirements to seek public comment, staff will liaise with local businesses and business groups, to ensure the views of business with relation to the placement of signs are considered.

Consultation with staff from Planning and Development Services will also be undertaken to ensure that the provisions of the local law do not contradict or crossover the provisions of the relevant planning laws and schemes.

STAFF COMMENT

The Signs, Hoardings and Billpostings Local Law was adopted from the model local laws written in 1963. It contains provisions for the placement of signs for “roster service stations” and makes no mention of electronic signs or variable message boards. No provisions are made for mobile (or trailer mounted signs) or the placement of sign written vehicles for advertising purposes, all of which are now issues faced by the Town on a regular basis.

It is anticipated that the review will show the Local Law (actually referred to as a By-law) is out of date and in need of significant redrafting. With this in mind the main aim of the submission period will be to determine what modern requirements for signage are and how this can be accommodated within the local law. Little focus will be placed on the language of the local law, as administration accepts this will need numerous changes.

In addition to the required advertising, the administration also proposes to undertake targeted consultation with businesses and business groups to ascertain what signage issues are relevant to businesses today.

Council members may also wish to consider making submissions to their own review, particularly for issues such as areas where signage may be additionally restricted or where signage is prohibited absolutely. While Council will have the opportunity to review all of the submissions and make changes appropriately, making a submission to the review process will allow time for the administration to make drafting changes as required, and have relevant parts ready to consider with the remainder of the submissions.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Pyvis

THAT Council:

- 1. Authorise the Chief Executive Officer to commence a review of the Signs, Hoardings and Bill Postings Local Law, and place the notices required for this process; and**
- 2. Set the last date for submissions as being Friday 22 February 2013, with the review to be presented to the March 2013 Council meeting for consideration.**

Carried 3/0

10.1.7 FREEDOM OF INFORMATION STATEMENT REVIEW 2012

File No: SUB/161
Attachments: [Freedom of Information Statement 2012](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 04 December 2012
Author Disclosure of Interest Nil

SUMMARY

The Town is required to publish an information statement under the Freedom of Information Act 1992. A revised statement is being presented to Council for consideration.

BACKGROUND

The Freedom of Information Act 1992, places a number of requirements on local governments and State Government authorities. Most of these requirements have to do with releasing documents where there is a requirement to do so. However another requirement of this Act is to publish an information statement to the public which satisfies a number of criteria. These statements assist people when they are making freedom of information applications.

The Town receives on average, less than 1 freedom of information application per month. This is mainly because most of the information the Town holds is public information. The applications that the Town does receive usually relate to controversial issues of the day. In most cases the requested documents are released, however there have been occasions when access is denied.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Freedom of Information Act 1992.

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Administration have undertaken a desktop review of the statement and have only made minor changes. These changes have to do with changes in staff, changes made in external legislation and policy changes by the Council.

As the Information Statement has been reviewed in the past and found to comply, it is not seen as beneficial at this time to make whole sale changes. This document will again be reviewed during the 2013 calendar year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Pyvis

THAT Council endorse the amended Information Statement as presented in attachment 1.

Carried 3/0

10.2 ENGINEERING

10.2.1 BLACKSPOT APPROVED PROJECT - PEDESTRIAN CROSSING ISLANDS ON CURTIN AVENUE NEAR PRINCES STREET

File No:	SUB/573
Attachments:	Copy of received comments Copy of Council letter and plan sent to residents Copy of plan of affected area
Responsible Officer:	Carl Askew Chief Executive Officer
Author:	Geoff Trigg Manager Engineering Services
Proposed Meeting Date:	04 December 2012
Author Disclosure of Interest	Nil

SUMMARY

At it's August 2012 meeting, Council resolved:

That Council:

- 1. Agrees to accept the \$90,000 State Blackspot grant from Main Roads WA and to provide its requested \$45,000 contribution to the work through a budget amendment for the construction and lighting of crossing islands on Curtin Avenue, opposite the Mosman Park railway station, near Princes Street, Cottesloe.*
- 2. Agrees to undertake these works during the 2012/2013 financial year.*

Letters and a plan of the proposed pedestrian crossing islands work and associated construction were sent to affected properties, fronting Curtin Avenue, for comment. Three letters have been received regarding this proposed work, from affected residents.

The recommendation is that Council:

1. Arrange a formal design for Main Roads WA to approve plans covering the installation of two pedestrian crossing islands opposite the Mosman Park railway station, including a new connection footpath on the Curtin Avenue west side road verge centred on the projected shared boundary line between #79 and #81 Curtin Avenue.
2. Inform property owners who have commented on this project of Council's decision.

BACKGROUND

A safer pedestrian crossing facility at this location on Curtin Avenue has been considered by Council and requested by various residents a number of times in the past. There are no crash statistics for this site, however Council funded a safety audit in 2011, which was used to justify the submission. The safety audit was agreed to after this site was one of several mentioned in a petition, at the time, requesting safer pedestrian crossings.

The approved design (by Main Roads WA) is for two pedestrian crossing islands, a widening of Curtin Avenue on the east side, extra street lighting and a new footpath connection on the west side verge of Curtin Avenue to connect the northern pedestrian crossing island to the existing west side footpath. Letters were sent to property owners, with a plan, to explain the proposal and requested comments.

STRATEGIC IMPLICATIONS

The most applicable provision within the Cottesloe Future Plan 2006/2010 is under *Objective 1 – Protect and enhance the lifestyle of residents and visitors.*

Strategy 1.1 states “Develop an integrated transport strategy that includes park and ride, Cot Cat, Travel Smart, limited parking and the needs of pedestrians, cyclists and other non-vehicular traffic”. Blackspot and similar safety improvements would be part of this objective.

POLICY IMPLICATIONS

The only associated policy is the Traffic Management policy, adopted in 2002. The policy deals with road hierarchy, general overall objectives, the need to foster cycling, pedestrian activity and the use of public transport plus an elaborate series of intervention guidelines when complaints are received regarding potential dangerous sites.

STATUTORY ENVIRONMENT

Main Roads WA (MRWA) is responsible for all traffic control signs and line marking, including ‘Stop’, ‘Give Way’ and speed control signs. The Police Department enforces the law in relation to these lines and signs as well as driver compliance with all posted speed limits. Apart from West Coast Highway and Stirling Highway, all road reserves within the town are vested in the Town of Cottesloe. Therefore responsibility for all road surfaces, kerbing, installation and maintenance of traffic control devices and warning signs rests with the Town of Cottesloe, other than intersection traffic lights.

Blackspot funding is available to assist local governments to install properly designed traffic treatments which will improve the safety of the built road system – particularly at proven accident sites.

FINANCIAL IMPLICATIONS

The project has a budget of \$135,000, with a \$90,000 Blackspot grant plus a contribution from Council of \$45,000 agreed to at the August 2012 meeting.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Letters and a plan were sent to affected property owners fronting Curtin Avenue. This report covers comments received from three property owners.

STAFF COMMENT

Of the three comments received, the comment from 26 Princes Street relates to the parking needs of Princes Street between Curtin Avenue and Broome Street. This has been passed on to be assessed by Council's Rangers for comment or action. The letter also expressed support for an improved pedestrian crossing capacity at that corner.

The other two letters comment on the proposed connection path on the Curtin Avenue west side verge, between No's 79 and 81 Curtin Avenue, to service the northern pedestrian crossing island.

The proposed path is 1.5m wide, concrete, and it would be installed on the projected boundary between 79 and 81 Curtin Avenue, to connect to the kerb line opposite the pedestrian crossing island.

The proposal has been discussed with property owners from both affected properties. There is no vehicle movement on the verge across the projected boundary line. Both verge areas are used for vehicle parking.

The owner of #79 has indicated this path should be moved onto the verge fronting #81, but this has been rejected by the owners of #81.

Currently, train passengers leave the Mosman Park station and cross Curtin Avenue at two locations – close to the northern side of Princes Street and in a general area north of the train station, often using one of the private vehicle crossovers, in a diagonal but generally north direction.

The approved project requires two crossing islands, lit and properly connected to footpaths. The west side connection footpath required for the northern crossing island was positioned to minimise impact on verge parking.

With regards to increased pedestrian traffic and anti-social behaviour, including criminal activity, greater visibility by more people normally means greater security, compared with substantial vegetation screening and minimal pedestrians using the fronting footpath.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Pyvis

THAT Council:

- 1. Arrange a formal design for Main Roads WA to approve plans covering the installation of two pedestrian crossing islands opposite the Mosman Park railway station, including a new connection footpath on the Curtin Avenue west side road verge centred on the projected shared boundary line between #79 and #81 Curtin Avenue.**
- 2. Inform property owners who have commented on this project of Council's decision.**

Carried 3/0

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

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS**

Nil

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

Nil

14 MEETING CLOSURE

The CEO advised that the monthly Financial Reports, including the Schedule of Accounts, will be reported direct to Council on Monday 10 December 2012.

The CEO thanked staff for their efforts during the year in preparing the reports and agendas for Committee and extended his thanks to the elected members for their leadership, direction and support throughout the year and concluded by wishing everyone a Merry Christmas and a Safe New Year.

The Presiding Member announced the closure of the meeting at 8:20 PM.

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