

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, TUESDAY, 20 NOVEMBER 2012

**CARL ASKEW**  
Chief Executive Officer

23 November 2012

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

In the absence of the Presiding Member and the Deputy, the CEO announced the meeting opened at 7:01 PM and called for nominations to Chair the meeting.

Cr Jeanes nominated the Mayor who accepted. There being no further nominations, the nomination was put.

**Moved Cr Jeanes, Seconded Cr Pyvis**

**That Mayor Morgan assume the Chair for the Works and Corporate Services Committee meeting on 20 November 2012.**

**Carried 3/0**

Mayor Morgan assumed the chair of the meeting from the CEO at 7.02PM.

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

Nil

**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**

|                    |                  |
|--------------------|------------------|
| Mayor Kevin Morgan | Presiding Member |
| Cr Victor Strzina  | Arrived 7.04 PM  |
| Cr Sally Pyvis     |                  |
| Cr Peter Jeanes    | Deputy Member    |
| Cr Yvonne Hart     | Observer         |

**Officers Present**

|             |  |
|-------------|--|
| Carl Askew  | Chief Executive Officer                |
| Mat Humfrey | Manager Corporate & Community Services |

Geoff Trigg  
Christy Watterson

Manager Engineering Services  
Administration & Governance Officer

## 6.1 APOLOGIES

Cr Rob Rowell

### Officer Apologies

Nil

## 6.2 APPROVED LEAVE OF ABSENCE

Cr Greg Boland

## 6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 7 DECLARATION OF INTERESTS

Nil

## 8 CONFIRMATION OF MINUTES

**Moved Cr Jeanes, Seconded Cr Pyvis**

[Minutes October 16 2012 Works and Corporate Services Committee.doc](#)

**The Minutes of the Ordinary meeting of the Works and Corporate Services Committee, held on 16 October 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.

The CEO advised that item 10.1.3 Event Application the Wilderness Society W.A. was withdrawn at the request of the event organisers. Cr Pyvis stated

that she would still like to speak to the item, with the Mayor advising it would be discussed following the officer reports.

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

- 10.3.1 Statutory Financial Reports for the Period 1 July 2012 to 31 October 2012
- 10.3.2 Schedule of Investments and Loans as at 31 October 2012
- 10.3.3 List of Accounts Paid For the Month of October 2012
- 10.3.4 Property and Sundry Debtors Report as at 31 October 2012

## 10 REPORTS

### 10.1 ADMINISTRATION

#### 10.1.1 POLICY REVIEW - FIREWORKS POLICY

**File No:** POL/64  
**Attachment:** [Fireworks Policy](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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#### SUMMARY

To consider changes made to the Fireworks Policy, which are a result of the adoption of the Beaches and Beach Reserves Local Law 2012.

#### BACKGROUND

In May 2012, Council adopted the Beaches and Beach Reserves Local Law 2012. There are several policies that have been written under the previous local law, which will need to be reviewed in the near future. The first of these is the Fireworks Policy, which is now being presented to Council.

#### STRATEGIC IMPLICATIONS

As there are no changes to the operative part of the policy, there are no anticipated strategic implications.

#### POLICY IMPLICATIONS

The changes suggested will update the Fireworks Policy.

#### STATUTORY ENVIRONMENT

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### SUSTAINABILITY IMPLICATIONS

Nil

#### CONSULTATION

Nil



**STAFF COMMENT**

The changes being made to the policy do not affect the policy's operation. Some improvements to wording have been made and changes to the references of the Beaches and Beach Reserves Local Law 2012 have been updated.

The purpose of a policy is purely to guide staff in assessing applications and to provide some guidance to members of the public as to the likelihood of an application being approved. That is, if someone makes an applications that complies with every aspect of the policy, they could reasonably expect that it would be approved. Conversely, an event that contravenes several aspects of the policy is likely to be refused.

However, as this is a policy, Council can still exercise its discretion in how and when it applies the policy. Simply because an event complies with the policy does not guarantee approval and conversely, if an applicant isn't able to satisfy every requirement of a policy, Council can still approve it.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, Seconded Cr Jeanes**

**THAT Council adopt the amended Fireworks Policy, as presented to the 20 November 2012, Works and Corporate Services Committee.**

**Carried 4/0**

**10.1.2 APPLICATION FOR FIREWORKS 8 DECEMBER 2012**

**File No:** SUB/550-02  
**Attachments:** [Table 8 2 Minimum clearance distances for aerial fireworks](#)  
[Fireworks Layout Map](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Sherilee Macready  
Community Development Officer  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

An application has been received for a Fireworks Event to be held on Saturday 8<sup>th</sup> December 2012 at 8.30pm for five minutes duration at Cottesloe beach, between Eileen Street and Eric Street. The event is part of a celebratory function to be held at Barchetta Restaurant, 149 Marine Parade, Cottesloe.

**BACKGROUND**

At the Council meeting on 27<sup>th</sup> April 2011, a firework event application was approved with conditions, by Council.

At the Council meeting on 22nd August 2011, a similar application was not approved by Council. Issues relating to the beach closure and public safety were noted as important considerations in making this decision.

The current request has been submitted by the licensed fireworks contractor, Kim Gamble, for the northern end of Cottesloe beach. In the past fireworks have been set up on the Groyne, which is blocked off at the entrance for security and safety during the display. According to the contractor, the fireworks will be set up on the beach between Eileen and Eric Street, therefore requiring more safety which will be provided by four security guards and two North Cottesloe Surf Lifesaving Club lifesavers. Further measures will also be taken to secure the beach area with signs and roping off access points to the beach. The beach will need to be closed between Eileen and Eric Street from 7.00pm to 8.30pm.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Fireworks: (Resolution No: 12.1.2, Adopted: April,1997)

**STATUTORY ENVIRONMENT**

The Town of Cottesloe's Beaches and Beach Reserve Local Law provides that no person shall discharge any fireworks unless approved in writing by the Council.

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**FINANCIAL IMPLICATIONS**

Nil.

**SUSTAINABILITY IMPLICATIONS**

Consideration should be given to minimising the potential damage to sand dune vegetation caused by spectators and fireworks. In addition, consideration must be given to minimise adverse noises for nesting birds.

**CONSULTATION**

The applicant has consulted with North Cottesloe Surf Lifesaving Club, who have agreed to provide two lifesavers in attendance during the event, for added safety and security.

**STAFF COMMENT**

According to the Fireworks Policy the main issues to be considered by Council when approving a fireworks event are:

- potential damage to sand dune vegetations caused by spectators and fireworks;
- litter management and disposal;
- adverse noises for adjacent residents and nesting birds; and
- public liability protection for the Town of Cottesloe.

Mr Gamble has stated the following:

- the display would not affect any sand dune vegetation because viewing will take place from the balcony at 149 Marine Parade, Cottesloe;
- all litter will be collected completely;
- noise will be reduced due to the size of the aerial shells being 75mm and mid-level type fireworks. Additionally the duration will only be 5 minutes and due to the open area of the fireworks, the noise factor will be minimal. The particular fireworks launch site, has been chosen specifically to minimise noise, and at a distance from significant nesting bird sites; and
- A certificate of Currency for \$10m for public liability insurance will be provided to the satisfaction of the CEO prior to the event.

Section 7 of the Government of Western Australia, Department of Mines and Petroleum Firework Event Notice shows the various departments which have been notified regarding the possible firework event. These are:

- Department of Planning and Infrastructure (Marine Safety Branch)
- Local Volunteer Marine Rescue
- Local Police
- FESA

Additionally a cadastral map has been attached showing a 50m radius from the event site, in accordance with type of fireworks listed in the application to the department of Mines and Petroleum. The standard supporting the 50m radius is listed in the first row of the table attached.

The Firework Policy also states that, 'Applications will not be approved for events within 500m of a Protected Place or for hours outside Restricted Times or for events

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beginning later than 8.30pm'. The event is scheduled to take place between 8.15pm to 8.20pm and is 500m from a Protected Place.

Including set up and pack down, the fireworks will make the area of the beach between Eric and Eileen Street unavailable from 7.00pm to 8.30pm. Access for a vehicle is possible through a pathway in front of North Cottesloe Surf Life Saving Club and no other events have been scheduled for North Cottesloe Beach on this date. The beach will therefore need to be closed between Eileen and Eric Street from 7.00pm to 8.30pm.

At the 16 August 2011 Works and Corporate Services Committee meeting, discussion included, "Issues of beach closure and public safety were noted as important considerations. There was also a general consensus that the "groyne" was perhaps the only place that might be considered suitable as a location for fireworks displays and that this should be noted for staff benefit when considering future applications."

In considering this matter Council has a number of options including:

1. Approve as requested
2. Approve with conditions
3. Approve but for a different location i.e. groyne
4. Not approve

If Council wishes to approve the fireworks with closure of and vehicle access to the beach at 7.00pm on Saturday 8th December, it would be advised to apply the following conditions:

- Litter will be collected completely.
- Duration of fireworks display not to exceed 10 minutes.
- Applicant to pay for notice in local newspaper notifying residents of closed section of the beach.
- Vehicle access to the beach to be via North Cottesloe Surf Life Saving Club
- Submission of an acceptable plan detailing how and when the beach will be closed, and the affected area kept clear and safe, and traffic managed.
- Road closures will be between the following times.

Closure of a public beach, even for short periods, is a significant decision and does affect members of the general public. The safety of the public is also a factor to be considered. On that basis, the officer recommendation is not to approve the application as submitted.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Committee discussed the report with Cr Jeanes supporting the application with conditions as outlined in the officer report. Concern was raised in relation to closure of the beach for 1.5 hours and the restrictions this places on other users. It was also suggested that the groyne was a preferable location for fireworks.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Pyvis**

**THAT Council:**

- 1. Not approve the application for fireworks at 8.30pm on Saturday the 8<sup>th</sup> December 2012.**
- 2. Advise the applicant of Council's decision accordingly.**

**Carried 3/1**

**10.1.3 EVENT APPLICATION THE WILDERNESS SOCIETY W.A.**

*Item 10.1.3 Event Application the Wilderness Society W.A. was withdrawn at the request of the event organisers.*

**File No:** SUB/550-02  
**Attachments:** [Event Application Form](#) [community art installation Letter of application to the CEO for community beach event](#)  
[Community art installation Proposal](#)  
[Site options for the community art installation event](#)  
[Certificate of currency](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Sherilee Macready  
Community Development Officer  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

An application has been received from the Wilderness Society WA to hold a "Community Art Installation" on Saturday, 8 December 2012, at Cottesloe Beach, between 10.00am and 12.00pm.

This report recommends that Council *decline* the application for this event.

**BACKGROUND**

The event organisers have advised that the event will invite members of the public to join a free community beach event, to hear public speakers, enjoy musical entertainment, participate in family friendly beach activities and view a community art installation piece exhibited temporarily during the event. This is not a ticketed event and no promotion or advertising is mentioned. It is likely that the target audience will be those attending the beach for other reasons or people who are associated with the organisation promoting the event.

The primary aim of the event is to promote what the Wilderness Society believe to be sustainable and appropriate coastal development. Members from several community action groups would be given the opportunity to speak on the topic of sustainable and appropriate coastal development, by means of an amplified PA system, accompanied by local musical entertainment.

The event is being proposed by The Wilderness Society W.A., and three local artists, who are creating the temporary art installation. *At this stage the content of the installation is not known.* The art piece will be placed on a flat bed truck, prior to the event, which will then be displayed at the event on the path alongside Cottesloe Beach, south of Indiana Tea Rooms, as shown on the attached map.

Family based activities organised by The Wilderness Society W.A.'s Marine Conservation Officer are proposed to take place on the sand in front of the flat bed

truck. They include “finding dinosaur footprints” in the sand and community education stalls.

Two local community action groups and one local community group would be invited to exhibit information stalls located on the path adjacent to the flatbed truck display.

### **STRATEGIC IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Event Classification Policy

Outdoor Concerts and Large Public Events Policy

### **STATUTORY ENVIRONMENT**

Beach Policy – this event could be classified as a ‘Significant Beach Event’.

Beaches and Beach Reserves Local Law 2012 has provisions for the maintenance and management of the beaches and beach reserves.

Environmental Protection (Noise) Regulations 1997

### **FINANCIAL IMPLICATIONS**

Below we have outlined the fees associated with Public Events / Multiple Area Events/ Event for over 500 people, as per the Town’s Schedule of Fees and Charges for the year ending 30<sup>th</sup> June 2013.

|            |                        |                  |
|------------|------------------------|------------------|
| Charity    | Nil                    |                  |
| Community  | (<1000 people)         | \$550 per day    |
| Community  | (>1000 ~ <3000 people) | \$1,100 per day  |
| Commercial | (<1000 people)         | \$3,000 per day  |
| Commercial | (>1000 ~ <2000 people) | \$6,000 per day  |
| Commercial | (<2000 ~ <3000 people) | \$10,000 per day |

The organisers, The Wilderness Society W.A., are a not-for-profit organisation, with their parent organisation, The Wilderness Society Inc. being a registered charity organization. As such, if Council were to approve the event, it is recommended that Council classify this event as a charitable event – which has no fees.

The event organisers have indicated that they are anticipating in excess of 300 members of the public to attend the event. However as it is not ticketed, and participants don’t necessarily register, no firm number will be available.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

The Principal Environmental Health Officer has requested compliance with the Environmental Protection (Noise) Regulations 1997.

**STAFF COMMENT**

Given the following:

- One of the family friendly events is “searching for dinosaur footprints on the beach”;
- There is no mention of how the event will be advertised;
- The temporary art installation has not yet been created (and hence can’t be viewed);
- No specific information on what the speakers will be talking about; and
- The Wilderness Society are actively campaigning against the proposed Gas Hub at James Price Point. Details of their campaign can be found on their website at [www.wilderness.org.au](http://www.wilderness.org.au).

Together with discussions with the group revealing:

- Media will be encouraged to attend; and
- The event organiser (person who filled in the application form) is also the person listed as the “marine campaigner” for the Kimberly campaign.

It could be suggested that this activity is a part of the Wilderness Society’s Kimberly campaign.

Event organisers have advised officers that they would like to;

- Use PA system with a microphone, for one hour during the event, to amplify event speeches, and during the musical entertainment portion of the event to amplify the vocalists who accompany the acoustic musicians;
- Have at least four speakers from attending community action groups to give speeches at the event;
- Use a flat bed truck that will have a tray with measurements approximately six metres in length, two metres in width; and
- Use a shade structure measuring 3m x 3m will be erected to provide shade for stallholders during the event.

The Beach Policy is largely silent on both “temporary art installations” and events that are part of a wider campaign. While event organisers have suggested that it is a “significant event” under the Beach Policy, the examples given in the Beach Policy do not talk about speaking events, they only describe participation events, such as the Rottneet Channel Swim.

Further the Beach Policy does state that;

*“The Town of Cottesloe has a responsibility to maintain a balance between recreation and beach conservation for the community, which has a right to enjoy the beach environment free from nuisance”.*

Officers recommend that the application for this Community Art Installation event, proposed to be held on Saturday 8 December 2012, be declined, on the grounds that:



- It is likely that it will impact on beach users who are not participating in the event; and
- Once commenced, this event will be exceptionally difficult to control if the event organizers were to stray from any conditions placed on the event

## VOTING

Simple Majority

## OFFICER RECOMMENDATION

### THAT Council:

1. **Does not approve the Community Art Installation event, proposed to be held at Cottesloe Beach on Saturday, 8 December 2012, from 10.00am to 12.00pm.**
2. **Inform the applicants of Councils decision.**

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*Item 10.1.3 Event Application – Wilderness Society WA was withdrawn at the request of the event organisers.*

Committee discussed the application and made reference to previous events organised by the Wilderness Society. Mayor Morgan advised Committee that he had previously attended a walk organised by the Wilderness Society W.A. regarding climate change, and that the organisers were professional, attendees of the walk were well behaved and the walk was in line with what the Town wants, "sustainable development along the beachfront". Cr Jeanes stated that in his opinion, the beach is meant to be a fun place and politically linked rally's should not be permitted. Cr Pyvis stated that this particular event would raise environmental awareness of the marine park off shore. The Mayor concluded by stating that Council should not be to adverse to considering events such as this in the future.

**10.1.4 LOADING ZONE ADJACENT TO INDIANA TEA HOUSE**

**File No:** SUB/992  
**Attachments:** [ITH Plan of Site](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council is being asked to consider creating a loading zone at the beach reserve immediately adjacent to Indiana Tea House, as shown in red on the aerial photo in the attachment.

**BACKGROUND**

The Town of Cottesloe has entered into a lease over the premises commonly known as Indiana Tea House. There are no locations within the leased area that allow for parking or loading/unloading activities. The lease is also silent on the provision of staff parking or parking facilities to the lessee.

One area in particular, marked on the attached map as “proposed loading zone” has been used on a number of occasions for people to load and unload goods. In this same area, the Town periodically has parking issues, whereby a number of people park their vehicles. As a consequence infringements are issued. Some of the drivers involved claim to have permission to park there, but currently no person or company is authorised to park in that location.

The location marked in the attachment is also where bins for Indiana Tea House are stored. They are often left in view of the public, which is not ideal.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Under the Town’s Parking and Parking Facilities Local Law 2009, Council can authorise the creation of a parking stall on a reserve by resolution of Council.

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

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## CONSULTATION

Administration has received many requests from the management of Indiana Tea House for the placement of some form of delivery parking in this area. Internal consultation has taken place with input being received from Rangers and Management.

## STAFF COMMENT

At present there is an issue with deliveries to and works being done at Indiana Tea House (ITH). Drivers are parking either in the place shown as “proposed loading zone” on the aerial photo in attachment 1, or alternatively driving around the marked bollard and parking on the footpath at the front of Indiana Tea House.

When some of these driver’s have appealed the infringements given to them, they have insisted that staff at Indiana Tea House have told them they could park there. Indeed staff from Indiana Tea House have been infringed for parking in this area.

The lease for Indiana Tea House does not cover the area marked as “proposed loading zone”. The pathway to the front of ITH is a part of the leased area, however, it would also be considered a thoroughfare as it has been a thoroughfare for more than the prescribed time. Any attempt to prevent it being used as a thoroughfare (i.e. placing an obstruction or attempting to close it) could be dealt with under the Local Government (Uniform Local Provisions) Regulations 1996. As it is a thoroughfare, it is also covered by the Town’s Parking and Parking Facilities Local Law 2009.

The most concerning element of recent infringements is that people appear to be being told to drive around the bollard (shown on attachment 1) and to proceed down the pathway to make deliveries. This has been communicated to the Town by more than one person appealing an infringement and has been reported by the Rangers following discussions with staff and infringed drivers. While it’s dangerous enough driving forward on a footpath, reversing or performing a three point turn (which would be required to exit this area) is even more of a hazard.

As this area is a reserve and not a gazetted road, there is some doubt as to whether or not the third party insurance cover, or indeed people’s motor vehicle insurance, would cover drivers in the event of an accident. As there are a high number of pedestrians in this area, particularly during the summer months, it would be ideal to keep vehicles out of this area.

The area marked as “proposed loading zone” is adjacent to where the bins are collected from for ITH. It is a wider area and there are no obstructions preventing access. If a loading zone is to be installed, this would be the most appropriate area. However, it could also be requested that the area be cleaned up before the loading zone is placed in this location, otherwise there is a chance that rubbish and the bins themselves will interfere with the loading zone.

In order to use a loading zone, a vehicle must be;

1. A commercial vehicle (or vehicle capable of being a commercial vehicle);
2. Must be being used for the loading or unloading of commercial goods (ie not private goods); and

3. Must not remain in the bay for more than 15 minutes.

Such a bay would allow for deliveries and pickups, however it would not be available for general parking. In enforcing loading bays, some discretion is used by rangers for people delivering goods from passenger vehicles. That is, if a driver is dropping off goods for a commercial purpose or event, and leaves immediately after, an infringement is not normally issued. This is because there is no way of knowing at the time of issuing an infringement whether a vehicle is registered as a commercial vehicle. If a driver is picking up goods as a part of retail a transaction (ie take away food or drinks) they would be infringed.

Council has previously advised that they did not wish for parking to be allowed in this area. This was in the context of parking for ITH staff and / or general public, which a loading zone could not be used for due to the 15 minute time restriction. This restriction could be easily enforced by rangers as a part of their normal patrols of that area.

A sign for the loading zone could be erected on the side of the leased area and would be discrete in this location, but visible for anyone using the loading zone. Loading zones are marked with yellow paint, with the words "loading zone" stencilled on the ground. In the event the loading zone were removed, the paint can be removed using a high pressure water cleaner.

While there is a loading zone close by on Marine Parade, the 40 metres down the steep path has been given as grounds for not using this area, particularly by people making large deliveries to ITH or people involved in waste collection (used oils and waste from grease traps).

Any person parking outside of the loading zone, for any reason, will be infringed as per current arrangements.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Committee discussed the request from Indiana Tea House for delivery parking. The Mayor advised that Indiana staff have used the area in the past to park private staff vehicles, and that he had brought this to the attention of the Town's rangers. Cr Strzina stated that in his opinion, having a loading zone located in close proximity to pedestrian traffic, could potentially put the public at harm, as large vehicles drive in and reverse out of the area.

Committee further discussed the location of Indiana's bins and agreed that at present they are unsightly, and questioned whether they could be screened or stored in what used to be the "children's play area".

## **OFFICER RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Jeanes**

THAT Council:

1. Request that Indiana Tea House place their bins away from publicly visible areas, or install a screen in this location and that once this is complete;
2. Authorise the placement of 1 “loading zone” bay as marked on the map in attachment 1.

**AMENDMENT**

**Moved Mayor Morgan, seconded Cr Strzina**

**That point (2) of the officer recommendation and the words “and that once this is complete;” in point (1) of the officer recommendation be deleted.**

**Carried 3/1**

**COMMITTEE RECOMMENDATION**

**THAT Council request that Indiana Tea House place their bins away from publicly visible areas, or install a screen in this location.**

**AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 4/0**

**10.1.5 NAPOLEON STREET PARKING ADJUSTMENT**

**File No:** SUB/485  
**Attachments:** [Napoleon Street Plan](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

A minor change to parking arrangements is being proposed for Napoleon Street, Cottesloe, being the reassignment of four 15 minute bays to 1 hour bays – following a request from the ProCott Board.

**BACKGROUND**

The Manager Corporate and Community Services, together with Cr's Rowell and Downes attended the ProCott Board meeting on Tuesday, 13 November 2012. At this meeting the issue of parking in the Town Centre was raised. As a part of this discussion the idea of making the western part of Napoleon Street all 1 hour bays was raised and supported at the board meeting.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

The Town's Parking and Parking Facilities Local Law 2009 gives the Council authority to create or vary parking stalls on thoroughfares within the District.

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

The Manager Corporate and Community Services has liaised with the ProCott board with regards to this matter. The Board have advised that they believe this will reduce confusion over parking restrictions in this area.

Rangers have also been asked for input, particularly with regards to enforcement. Under the current arrangements, enforcing the 15 minute times has been problematic.

**STAFF COMMENT**

Parking within the Town Centre has come under scrutiny in recent times. There has been a change made to parking restrictions in the private car park at 11 Station Street (1 hour to 2 hour) and many discussions amongst business owners and customers as to the ideal mix of parking types in the Town Centre. While consensus on many areas has not been reached, there is a general consensus that there needs to be more consistency in parking restrictions within the Town Centre.

Under the current arrangements there are eleven 15 minute bays on Napoleon Street. This parking regime has been in place for some time, and the mix of vendors on Napoleon Street has changed during this time. The Senior Ranger has noted that he has seen a shift from convenience type stores, where people would need short term parking, to cafés and boutique stores, where generally people stay a little longer.

The proposed changes would reduce the number of 15 minute bays to 7, with 23 one-hour bays (up from 19). This represents a shift from 57% short term bays to 30% short term bays. Given the types of shops now on Napoleon Street, this is most likely the appropriate level.

It's also been noted by the Senior Ranger that the proposal would effectively mean that all parking west of "Elba's" would be 1 hour and east of this location short term or ACROD. It is believed that the physical separation of the two zones, will result in a higher level of compliance and less confusion amongst drivers.

At the same time as reducing the number of 15 minute bays, it's recommended that the restriction for Mondays to Saturdays be removed from the 15 minute bays. At present the 15 minute bays at the eastern end of Napoleon Street are always 15 minutes bays, where as the remainder are only 15 minute bays Monday to Saturday.

This report does not recommend any changes to ACROD bays or Motor Cycle bays on Napoleon Street at this time, as no consensus has been communicated. However this issue will continue to be raised by the ProCott Board who will report through the Council representatives as well as the Manager Corporate and Community Services.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Jeanes**

**THAT Council authorise the variation on parking restrictions on Napoleon Street such;**

- a. That all standard car bays west of 31 Napoleon Street become;**
  - i. 1 Hour Parking**
  - ii. Monday to Friday 8.00am to 6.00pm**
  - iii. Saturday 8.00am to 1.00pm**
- b. That all standard car bays east of 31 Napoleon Street become 15 Minute Parking.**

**Carried 4/0**



### 10.1.6 EVENTS CLASSIFICATION POLICY

**File No:** POL/84  
**Attachments:** [Event Classification Policy](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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#### SUMMARY

Council is being asked to consider the attached Event Classification Policy.

#### BACKGROUND

The Town of Cottesloe has many events held at its facilities each year. They range in size and complexity, from small weddings on the beach, to full scale promotional events.

Previously, the classification of these events as charitable, community or commercial events was done on a case by case basis. As would be expected, event organisers, in seeking to minimise their costs, would always ask for a waiver of fees, usually because they believe their event is in the community's interest.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

If the recommendation is adopted a new Event Classification Policy would be added to the Policy Manual.

#### 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

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## **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**

This policy will provide guidance to staff in recommending fees for events that require Council approval. It will also provide event organisers with a reasonable level of certainty as to the fees they will be charged for their event, before applying for event approval.

As this would be a policy, Council at its own discretion, can set aside the policy when making the final determination on an event application. In this way, if Council believed that factors outside the criteria listed meant that it was more appropriate to charge a different fee (or Council wished to set fees aside completely) it is still possible to do so.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Cr Hart addressed Committee and stated that it would be good to have a policy of this nature, but in her opinion, the policy required further time to be considered and suggested that Committee defer the matter for a month. Mayor Morgan advised that the Committee was the appropriate forum for suggested changes to be made to the policy, and requested that officers provide Cr Hart with the document in “word” format for electronic review and edit prior to the next Council meeting. Committee also discussed the criteria for deeming an event to be “charitable”.

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Strzina**

**THAT Council adopt the attached Event Classification Policy as submitted to the Works and Corporate Services Committee on 20 November 2012.**

**Carried 4/0**

## 10.2 ENGINEERING

### 10.2.1 TENDER FOR THE PROVISION OF DRAINAGE COMPONENTS, STATION STREET SUMP, COTTESLOE

**File No:** SUB/935  
**Attachments:** [Confidential](#) - [Tenders Received](#)  
[Confidential](#) - [Images of products tendered](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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#### SUMMARY

At its meeting on 24<sup>th</sup> September 2012, it was resolved:

*THAT Council:*

- 1) Call a tender for the supply of materials for the construction of a large drainage cell in the Station Street sump, capable of carrying all design traffic of a heavy use car park as a surface load, with no tender necessarily being accepted.*
- 2) Conduct community consultation on any car park design and landscape plan, in the event that a tender is accepted.*

This report details the tenders received for the supply of drainage materials to be used in the address part (1) of the above resolution and Station Street drainage sump, to convert it to an underground drainage cell.

#### BACKGROUND

Council has already resolved to expend Cash In Lieu reserve funds to convert the existing open sump in Station Street to an underground drainage cell equipped with pollution traps, plus a street level surface car park. The first ‘test’ of this proposal is to ensure that available funds are sufficient to undertake the works. The tender, called for the design of the drainage cell and supply of all required drainage components, is required because the value of the components will be in excess of \$100,000, which is the minimum expenditure level requiring tenders to be called, under Tender regulations.

#### STRATEGIC IMPLICATIONS

In Council’s 2006-2010 Future Plan, Objective 5 is “Maintain Infrastructure and Council Buildings in a Sustainable Way.”

Major Strategy 5.3 within this objective states “Develop an Integrated Town Centre Plan to Improve all Aspects of the Infrastructure of the Town Centre.” This proposed project is aimed at improving the Town Centre parking provision, as part of that strategy.

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**POLICY IMPLICATIONS**

Council's "Engineering Programs – Long Term" applies.

**STATUTORY ENVIRONMENT**

Council owns the majority of the sump site and has the vesting control of the eastern end drainage reserve property. The drainage Reserve No. 40348 was originally under Main Roads WA control but was given over for Council vesting on the basis that drainage of Stirling Highway would always be permitted into that site. Council therefore has an obligation to have highway drainage water enter any new drainage installation in the sump. In addition, all cash in lieu funds must go towards the creation or improvement of parking facilities. Both of these requirements will be met in the proposed installation.

**FINANCIAL IMPLICATIONS**

Council has not budgeted to undertake this work in the 2012/2013 budget. However, the Parking Reserve is available and can be legally allocated to fund the work. The Parking Reserve was \$395,234 in July 2012 and is predicted to rise to \$409,510 by June 2013, with interest earned on the account. The estimated cost of the car park construction still appears adequate. The drainage cell component of cost is the subject of this tender and report.

**SUSTAINABILITY IMPLICATIONS**

The main sustainability objective is to install a system that allows for the removal of pollutants from drainage off Stirling Highway and town centre streets then direct the water into the below ground aquifer in the most efficient way.

**CONSULTATION**

No formal consultation on this proposal has taken place other than it being discussed with Procott. Debate over the development of this site has occurred for many years, with a variety of Council agenda items on the subject and local newspaper coverage.

**STAFF COMMENT**

The tender advertisement was published in the West Australian newspaper on 20<sup>th</sup> October 2012. The advertising period for the design and supply of drainage components for the Station Street sump has closed, with 6 tenders being received.

Of the tenders received, two were for large solid concrete components or large diameter plastic pipes, with expensive gross pollution traps, both of these systems were judged as being too expensive for the available budget.

Of the remaining four tenders, all being relatively light plastic components, two were from the same company, Cubic Solutions.

Cubic Solutions, Global Synthetics and Geofabrics have all tendered components previously used in the seven sump upgrade works undertaken in Cottesloe during the four year Water Smart program.

The Global Synthetics tender uses 'box' type components which fit together and are wrapped in geotextile sheeting.

The Cubic Solutions #1 or compliant tender of \$191,000 includes required materials ready for installation. This includes 1000m<sup>3</sup> of crushed recycled concrete aggregate (rather than new crushed rock) as a \$39,500 cost.

The second tender from Cubic Solutions was the #1 tender cost less all connection piping, junction pits, pollution traps and crushed recycled concrete. This material is sometimes supplied from other sources.

The Geofabrics tender also does not include the provision of connection piping, junction pits, pollution traps and crushed recycled concrete.

The difference of cost in the two Cubic Solutions tenders is \$95,200, which covers the difference between all materials being supplied versus only the plastic drainage components.

The Cubic Solutions tender of \$191,000 for full component supply or \$95,800 for plastic components plus geotextiles is based on a very similar design to Geofabrics, with the size of the 'U' shaped components being larger in the Cubic Solutions design.

The recommendation is for the adoption of the Cubic Solutions compliant tender of \$191,000 (ex GST) for all components, including 1000m<sup>3</sup> of crushed recycled concrete, being supplied.

With the total budget of \$400,000, this leaves approximately \$200,000 to install the drainage cell and construct the car parking area. Installation is estimated below \$80,000 and the car park construction approximately \$110,000.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Cr Jeanes asked whether the drainage cell tendered by Cubic Solutions would allow a multistorey development at a later date. The Manager Engineering Services advised that the drainage cell would need to be removed to allow for the installation of appropriate foundations for a multistorey development.

Mayor Morgan commented that parking on the eastern side of the railway is imperative for local businesses and shoppers.

**OFFICER & COMMITTEE RECOMMENDATION****Moved Mayor Morgan, seconded Cr Strzina****THAT Council:**

- 1. Accept the tender lodged by Cubic Solutions for the supply of all materials for the construction of a 1100 cubic meter drainage cell at the Station Street sump for a tender cost of \$191,000.**
- 2. Agree to increase the size of the drainage cell by 100m<sup>3</sup> capacity at a cost of \$9,900 to \$16,000.**
- 3. Thank all unsuccessful tenderers for their tenders.**
- 4. Arrange for a design of the car park at the site, with emphasis on landscaping, closure of any access/egress with the north side rear lane and a solid barrier from sound on the sump north side boundary.**

**Carried 4/0**

**10.2.2 POLICY REVIEW - TRAFFIC MANAGEMENT**

**File No:** POL/37  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Attachment:** [Traffic Management Policy](#)  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council is required to regularly review its policies. It's policy on "Traffic Management" was reviewed in November 2010, however, recent Council decisions on the installation of traffic control devices as well as comments on required consultation justifies reconsideration of parts of this policy.

**BACKGROUND**

Problems with the applicability of the current policy are:

1. Under policy Principals, item (h) states: "Ensure full consultation is undertaken when assessing traffic management issues." Clarification of the meaning of "full consultation" is required.
2. Schedules 2 and 3 provide for Assessment Procedure and Intervention Guidelines relating to traffic treatments. However in Schedule 3, item (8) states "Traffic treatments that are warranted on traffic safety grounds would be exempted from meeting the criteria of this policy". Most of the traffic treatments considered in Cottesloe relate to traffic safety and are therefore exempted from this policy.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Review of existing policy.

**STATUTORY ENVIRONMENT**

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

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

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Existing Policy

**STAFF COMMENT**

The original policy had been a modified version of a much larger Council policy, particularly regarding consultation, which tended to cover much larger scale traffic management changes. Most of the policy is still applicable, apart from an understanding of what “full consultation” means and changes to Schedules 2 and 3 to make them more practical, particularly with small scale installations.

Item 8 of Schedule 3 could be clarified by the additional words “State or National Black Spot submission” before the words “traffic safety grounds”. The priority then applying is the accident statistics at a particular site and the need to install a device to solve a problem at that site.

In regards to consultation, there should be a scale applying to the level of such consultation, ranging from affected properties where a street ‘splitter’ island or pedestrian crossing island is concerned through to a major change to the way a strategic route is used. This could be closure of a section of Marine Parade or Broome Street requiring Town wide advertising and a request for public submissions. This occurred when Jarred Street through the Seaview Golf Club reserve was closed.

The use of the word “Precinct” tends to indicate large portions of a local government authority. It is not applicable for a small intersection or mid block improvement when no road closure is involved and the aim is only to slow speeding traffic or tighten up turning movements at an intersection. The attached proposed modified policy includes the removal of Schedule 2 and a modified Schedule 3 (now numbered #2).

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Strzina**

**THAT Council adopt the modified version of its Traffic Management Policy as presented to the 20 November 2012, Works and Corporate Services Committee meeting.**

**Carried 4/0**



**10.2.3 DESIGN FOR COTTESLOE MAIN BEACH DISABILITY ACCESS PATH**

**File No:** SUB/1390  
**Attachments:** [Copy of GHD Consultants display plan](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

GHD Consultants were engaged by the Town, in September 2012, to undertake a design for a Disability Access Path to the beach level at the Cottesloe Main Beach. After working through options with staff, a final design concept was put to Council's Disability Services Advisory Committee in October for comment. The design concept and location for the path was supported by the committee.

The recommendation is that Council adopt the GHD Consultant designs for the proposed Cottesloe Main Beach Disability Access Ramp and forward developed copies of those plans to the West Australian Planning Commission and the Heritage Council to request approval for construction.

**BACKGROUND**

Council received confirmation in July 2012 that its application to Lottery West for a \$200,000 grant towards a new Disability Access Path at the Cottesloe Main Beach was successful. The 2012/2013 budget includes a project of \$300,000 expenditure, \$200,000 grant income.

In July, a full site survey was undertaken, including levels and the location of all trees and infrastructure. In August, this site survey was the basis of a request to three consultancy firms to provide quotations to initially undertake the design process and, once considered by the Disability Services Advisory Committee, and approved by Council, WAPC and the Heritage Commission, draw up construction plans to be used for a tender to be called for full construction. Construction is proposed to take place commencing April 2013. GHD was the successful consultancy firm engaged to undertake landscape and engineering architectural services for the project.

Site discussions have taken place and a number of draft concept plans have been generated to finalise the concept, including alignment, cross sections, the locations of hand rails, modifications to site retaining walls and the creation of new walls. Senior staff considered these concepts and made comments.

The final concept plan and display views were put to the Disability Services Advisory Committee on the 30<sup>th</sup> October, with full endorsement of the concepts and alignment plus the suggestion of some seating near the path alignment.

After the Disability Services Advisory Committee accepted the proposed design and alignment, a site visit took place with the Manager Engineering Services, Manager Development Services, Dr Linley Lutton and the GHD designer inspecting the application of the design to the site.

### **STRATEGIC IMPLICATIONS**

Council's 2006-2010 Future Plan, under Objective 1 – "Protect and enhance the lifestyle of residents and visitors", has under Major Strategies, item 1.7 "Develop a Strategy to ensure access and inclusion of aged persons and persons with disabilities".

Under Objective 3 – "Enhance beach access and the foreshore", Major Strategy item 3.5 states "Improve bicycle and disabled access to beach facilities.

The Disability Access Path is a major step towards meeting these objectives.

### **POLICY IMPLICATIONS**

Council's Disability Access and Inclusion policy applies.

### **STATUTORY ENVIRONMENT**

The Disability Services Act (1993) requires a Disability Access and Inclusion Plan to be created by all local government authorities. Obligations under this plan include the construction of access capacity to all of Council's facilities, including the Cottesloe Main Beach for all people including aged and disabled members of the community.

### **FINANCIAL IMPLICATIONS**

Council has a budgeted expenditure of \$300,000 for this project and an income of \$200,000 from the approved Lottery West grant.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

This path has been included as a component for several years during the development and advertising of the Foreshore Redevelopment Plan. For many years, the community has requested this type of access to meet the needs of the aged, disabled and parents using prams for young children.

### **STAFF COMMENT**

GHD Consultants have developed initial concepts with some options in relation to the alignment, cross section design and the location of items such as hand rails, support walls and garden beds. This concept development, after a number of referrals to staff for comment, including all Executive staff, has resulted in the design shown to the Disability Services Advisory Committee, where the presentation was fully endorsed by all members of the committee. A suggestion was made by the Committee to place one or two seats on the edge of the path as a 'rest station', and was put back to GHD to be included.

Dr Linley Lutton was also shown the proposed plans, and a site visit with the GHD designer took place. Dr Lutton proposed changes to the design on site. These changes were further modified when contours and levels at the site were considered by Dr Lutton.

Dr Lutton's concept, if installed, would require an existing tree to be removed. There is also a question on whether the 1 in 14 grade plus flat 'landings' every 9m could be achieved. The GHD design meets all disability access standards, without any tree removals.

In order to give WAPC and the Heritage Council sufficient time for consideration of these plans, plus create sufficient time after approval is received, for documentation to be completed and a tender called for construction starting in April 2013, submission to WAPC and the Heritage Council in 2012 is recommended.

### **VOTING**

Simple Majority

### **COMMITTEE DISCUSSION**

Committee discussed the proposal in detail including issues related to path alignment, use and location of hand rails, potential site works and retaining walls. Committee requested that officers liaise with GHD consultants and Dr Linley Lutton with a view to ensuring that the final outcome created an environment that was pedestrian and user friendly, compliant with Disability requirements and standards and improved the overall appearance and functionality of the terraces. Committee also noted the timeframes required to approve a final design and submit it to WAPC and the Heritage Council for approval in order for construction works to commence in April 2013.

### **OFFICER RECOMMENDATION**

THAT Council adopt the GHD Consultant designs for the proposed Cottesloe Main Beach Disability Access Ramp and forward developed copies of those plans to the West Australian Planning Commission and the Heritage Council to request approval for construction.

### **NEW MOTION / COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Strzina**

**THAT Council defer consideration of this matter, for the shortest possible time, for further investigation of the final design outcome for the Disability Access Path.**

**Carried 4/0**

**10.2.4 PEDESTRIAN LIGHT CONTROLLED CROSSING PROPOSAL - CURTIN AVENUE / FORREST STREET INTERSECTION, COTTESLOE**

**File No:** SUB/610  
**Attachments:** [Letter Agreement In Principle Pedestrian Traffic Signals Curtin Avenue Forrest Street Intersection](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 16 October 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

At its meeting in April 2012, Council resolved:

*THAT Council send the results of it's video survey of pedestrians crossing Curtin Avenue and the traffic counting survey for Curtin Avenue to Main Roads WA with a case for the installation of a light controlled pedestrian crossing across Curtin Avenue at Forrest Street.*

Main Roads WA has provided an answer to the request for consideration of this proposal. The local Member's office has also received a letter from the Minister for Transport's office on the same matter.

This item discusses the contents of these responses, and recommends that Council not proceed with any further action regarding the installation of a light controlled pedestrian crossing over Curtin Avenue at Forrest Street, Cottesloe.

**BACKGROUND**

There is a strong flow of pedestrians between the Cottesloe railway station and the Cottesloe main beach, along Forrest Street and over its intersection with Curtin Avenue. This flow is heavy in summer and light in winter. The traffic flow on Curtin Avenue, apart from Stirling Highway, is the highest in the Town of Cottesloe, and includes road trains and other heavy transport.

Because of accident statistics, Council was able to claim a Black Spot grant in 2004/05, and the Curtin Avenue / Forrest Street intersection was widened and median crossing islands installed. Main Roads WA's (MRWA) response to Council's request for a light controlled crosswalk over Curtin Avenue, similar to Grant Street, contained a standard requirement for support information relating to the volume of pedestrian crossing and the flow of traffic on Curtin Avenue.

There is no financial commitment from MRWA, for this type of crossing, to fund all works if pedestrian and vehicle numbers at the intersection reach a pre-set level. MRWA may agree, eventually, with the proposal if proof is provided as requested in their reply of the serious nature of the threat to pedestrians crossing.

However, without substantial accident statistics, as was the case at Grant Street, no \$2: \$1 grant basis under Black Spot grant requirements would normally apply.

Main Roads WA, even if Council funded the full installation (est. cost \$300,000 to \$400,000), still has the veto power to prevent such an installation if the design offered by Council is unacceptable or if it has unwarranted negative impact on other MRWA concerns, e.g. traffic flow on Curtin Avenue.

### **STRATEGIC IMPLICATIONS**

Under Councils' Future Plan 2006 to 2010, Objective 1 is "Protect and enhance the lifestyle of residents and visitors". Under this heading, Major Strategy 1.1 is "Develop an integrated transport strategy that includes park and ride, Cott Cat, Travelsmart, limited parking and the needs of pedestrians, cyclists and other non-vehicular traffic.

The needs of pedestrians applies to this location.

### **POLICY IMPLICATIONS**

Council has no policy dealing with pedestrian crossings.

### **STATUTORY ENVIRONMENT**

There is no statutory requirement for Council to install light controlled pedestrian crossings. Main Roads WA policy controls the installation of new crossings, with several standards to be met if MRWA approval is to be given and signage plus line marking is to be installed by MRWA contractors.

### **FINANCIAL IMPLICATIONS**

The vehicle / traffic count on Curtin Avenue was undertaken 'in house', by Council staff. The 24 hour pedestrian video survey was undertaken by a consultant for \$2,900. The potential cost for a specialist consultant to complete designs and specifications for the light control system is likely to be in excess of \$20,000.

Due to the lack of significant accident statistics, it is unlikely that Council would be granted a \$2:\$1 Black Spot grant for the installation of pedestrian crossing lights at this location. Therefore, if approved by MRWA, a cost in excess of \$300,000 would be expected to be funded by Council.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

Only with Main Roads WA.

### **STAFF COMMENT**

The Main Roads WA response gives "Agreement in Principle" to the installation of a system of light controls for pedestrians at this intersection, but with a number of conditions. The main issue is that Main Roads WA will not provide funds for installation but also for the process of design, creation of specifications and for software documentation.

No guarantee is given that the Department would eventually give any formal approval for any installation to take place, even after all initial conditions have been met and substantial investment undertaken by Council.

The letter from the Minister for Transport to the local Member's office repeats the basis of the MRWA letter.

The bottom line is that if Council wants this installation to take place, it must first fund \$20,000+ for a specialist consultant to prepare documentation to cover all works. That will then go to Main Roads WA which may, or may not approve the works. If approved, a cost will be obtained from the only approved contract firm (by MRWA) to install the lighting system. Council would then have to fund that quotation, probably in excess of \$300,000. The installation would then become the property of Main Roads WA.

If Council is not fully committed to providing approximately \$300,000 in the 2012/13 budget for the installation works, there is a good chance that the \$20,000+ needed for all design and preparation documentation would be wasted, if Council resolved to continue with the project, at its full cost. At a future time, when West Coast Highway is extended through Cottesloe, this intersection will be affected by some form of re-design, with an impact on any light controlled pedestrian crossing at the site.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Committee discussed the busy crossing, with Cr Strzina stating that in his opinion there is potential for accidents and Council should pre-empt such concerns where possible.

Cr Jeanes advised Committee that Cr Downes had been dealing with the local member for Cottesloe, on the matter, and commented that he was under the impression that something would be happening on this matter.

Mayor Morgan commented that it is a busy crossing, and the area is likely to get busier with future works to Cottesloe and that the public transport situation needs to be looked at. Mayor Morgan suggested that Council lobby local politicians and the State Government for funding and proposed a new part 2 to the officer recommendation.

## **OFFICER RECOMMENDATION**

### **Moved Mayor Morgan, seconded Cr Strzina**

THAT Council not proceed with any further action regarding the installation of a light controlled pedestrian crossing over Curtin Avenue at Forrest Street, Cottesloe, unless a commitment from the State Government is received for a minimum grant of two thirds of the design and installation cost.

**AMENDMENT**

**Moved Mayor Morgan, seconded Cr Strzina**

**That the officer recommendation become part (1) and a new part (2) be added that states “Write to Local and State politicians and the Ministers for Transport and Tourism requesting that consideration be given to meeting 2/3<sup>rds</sup> of the cost of these important safety initiatives for visitors arriving on public transport to this key WA tourism destination of Cottesloe beach, bearing in mind the State’s long delay in upgrading Curtin Avenue to cope with the increasing level of traffic it now carries”.**

**Carried 3/1**

**COMMITTEE RECOMMENDATION**

**THAT Council:**

- 1) Not proceed with any further action regarding the installation of a light controlled pedestrian crossing over Curtin Avenue at Forrest Street, Cottesloe, unless a commitment from the State Government is received for a minimum grant of two thirds of the design and installation cost.**
- 2) Write to Local and State politicians and the Ministers for Transport and Tourism requesting that consideration be given to meeting 2/3<sup>rds</sup> of the cost of these important safety initiatives for visitors arriving on public transport to this key WA tourism destination of Cottesloe beach, bearing in mind the State’s long delay in upgrading Curtin Avenue to cope with the increasing level of traffic it now carries.**

**AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 3/1**

## **10.3 FINANCE**

### **10.3.1 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2012 TO 31 OCTOBER 2012**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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#### **SUMMARY**

The purpose of this report is to present to Council the Statement of Financial Activity, the Operating Statements by Program and by Nature and Type, the Statement of Financial Position, and other supporting information for the period 1<sup>st</sup> July 2012 to 31<sup>st</sup> October 2012 as included in the attached Financial Statements.

#### **BACKGROUND**

Nil

#### **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 Statement of Financial Activity on page 1 of the attached Financial Statements shows a favourable operating revenue of \$273,027. Operating expenditure is \$251,549 less than year to date budget. Material variances are outlined on pages 7 to 10 of the Variance Analysis Report in the attached Financial Statements.



**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, Seconded Cr Strzina**

**THAT Council receive the Statement of financial Activity, Operating Statements by Program and by Nature and Type, Statement of Financial Position, and other supporting financial information as included in the attached Financial Statements for the period 1 July 2012 to 31 October 2012, as submitted to the 20 November 2012 meeting of the Works and Corporate Services Committee.**

**Carried 4/0**

**10.3.2 SCHEDULES OF INVESTMENTS AND LOANS AS AT 31 OCTOBER 2012**

**File No:** SUB/150 & SUB/151  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans as at 31 October 2012, as included in the attached Financial Statements, to Council.

**BACKGROUND**

Nil

**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 20 of the attached Financial Statements shows that \$5,054,102.35 was invested as at 31 October 2012. Approximately 39% of these funds were invested with Westpac Bank, 31% with National Australia Bank, 15% with Commonwealth Bank and 15% with Bankwest.

The Schedule of Loans on page 21 of the attached financial Statements shows a balance of \$6,041,950.58 as at 31 October 2012. Included in this balance is \$359,499.60 that relates to self supporting loans for local community organisations.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, Seconded Cr Strzina**

**THAT Council receive the Schedule of Investments and the Schedule of Loans as at 31 October 2012. These schedules are included in the attached Financial Statements as submitted to the 20 November 2012 meeting of the Works and Corporate Services Committee.**

**Carried 4/0**

**10.3.3 LIST OF ACCOUNTS PAID FOR THE MONTH OF OCTOBER 2012**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the List of Accounts Paid for the month of October 2012, as included in the attached Financial Statements, to Council.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil;

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The List of Accounts Paid in October 2012 is included in the report on pages 12 to 17 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$25,482.99 to the Australian Taxation Office for the September Business Activity Statement
  - \$124,082.01 to WA Treasury Corporation for a loan repayment
  - \$26,180.00 to ID Consulting for services relating to a WESROC project.
  - \$29,601.33 to WMRC for waste disposal charges.
  - \$37,425.66 to Transpacific Cleanaway for waste disposal charges.
  - \$37,200.40 to Subaru Wangara for a new passenger vehicle.
-

- \$90,796.92 to PROCOTT Inc being extra monies raised by way of a differential rate.
- \$120,137.17 to LGISWA being Council insurances for 2012-2013.
- \$475,000.00 & \$335,000.00 to National Australia Bank being transfers to the Investment Account.
- \$70,514.58 & \$80,159.46 to Town of Cottesloe Staff for fortnightly payroll.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, Seconded Cr Strzina**

**THAT Council receive the List of Accounts Paid for the month of October 2012 as included in the attached Financial Statements, as submitted to the 20 November 2012 meeting of the Works and Corporate Services Committee.**

**Carried 4/0**

**10.3.4 PROPERTY AND SUNDRY DEBTORS REPORTS AS AT 31 OCTOBER  
2012**

**File No:** SUB/145  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 20 November 2012  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Property and Sundry Debtors Reports as included in the attached Financial Statements, to Council.

**BACKGROUND**

Nil

**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 22 and 23 of the Financial Statements shows a balance of \$162,821.18 of which \$130,384.92 relates to the current month. The balance of aged debtors is \$32,436.26.

The Rates and Charges analysis on page 24 of the attached Financial Statements shows a total balance outstanding of \$2,513,578.89. Of this amount, \$205,419.79 and \$470,636.42 are deferred rates and outstanding emergency services levies respectively. The Statement of Financial Position on page 4 shows rates outstanding as a current asset of \$2,549,730 as compared to \$2,661,334 this time last year.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Morgan, Seconded Cr Strzina**

**THAT Council receive the Property and Sundry Debtors Reports as at 31 October 2012. These reports are included in the attached Financial Statements as submitted to the 20 November 2012 meeting of the Works and Corporate Services Committee.**

**Carried 4/0**

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

**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 Presiding Member announced the closure of the meeting at 8:15 PM.

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