

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

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

CARL ASKEW
Chief Executive Officer

13 February 2009

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

Cr Miller declared the meeting open at 7:00pm.

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

Cr Bryan Miller	Chairman
Cr Patricia Carmichael	
Cr Dan Cunningham	
Cr John Utting	
Cr Ian Woodhill	
Cr Jo Dawkins	Deputy
Cr Boland	Observing (7:30 – 8:23pm)

Officers Present

Carl Askew	Chief Executive Officer
Graham Pattrick	Manager, Corporate Services
Geoff Trigg	Manager Engineering
Wayne Richards	Finance Manager
Jade Hankin	Sustainability Officer
Krystal Shenton	Executive Assistant

Apologies

Mayor Kevin Morgan

Officer Apologies

Nil

Leave of Absence (previously approved)

Cr Victor Strzina

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PUBLIC STATEMENT TIME

Paul Foster – President Procott – Item 10.2.12 – Sealed Laneway Resurfacing.

Mr Foster spoke to Committee in relation to the item on “sealed laneway resurfacing” (page 64 of agenda) and advised of Procott’s intention to promote and improve the Cottesloe Village’s safety, appeal and cleanliness. Having the Laneways in good repair is one of the tangible ways to promote and enhance the activity within the business area.

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Woodhill, seconded Cr Cunningham

[Minutes December 09 2008 Works and Corporate Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 9 December 2008 be confirmed.

Carried 6/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

For the benefit of the members of the public and specialist Officers present the Chairman determined to consider the following reports first;

- 10.2.12 Sealed Laneway Resurfacing
- 10.1.4 Sustainability Health Check – Final Report
- 10.3.1 Budget Review

At this juncture of the meeting the Chairman then returned to the printed order of the agenda.

10 REPORTS OF COMMITTEES AND OFFICERS**10.1 ADMINISTRATION****10.1.1 GENERAL ELECTORS MEETING - CONSIDERATION OF DECISIONS**

File No:	Sub/19
Attachment	<u>Annual General Elector's Meeting Minutes</u>
Responsible Officer:	Carl Askew Chief Executive Officer
Author:	Carl Askew Chief Executive Officer
Proposed Meeting Date:	17-Feb-2009
Author Disclosure of Interest	Nil

SUMMARY

A recommendation is made to note for the record that there were no decisions made at the General Electors Meeting held on 26 November 2008.

BACKGROUND

Aside from the Mayor, Councillors and Senior Staff, three electors attended the General Electors Meeting held on 26 November 2008 in the Mayor's Parlour.

CONSULTATION

Nil.

STAFF COMMENT

Nil.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Section 5.32 of the *Local Government Act 1995* requires the CEO to "...cause minutes of the proceedings at an electors' meeting to be kept and preserved; and ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered."

A copy of the minutes of the General Electors Meeting held on the 26 November 2008 is enclosed with this agenda.

Section 5.33 of the *Local Government Act 1995* requires that all decision made at an electors meeting are to be considered at the next ordinary Council meeting where practicable.

If Council makes a decision in response to a decision made at an electors meeting, then the reasons for the decision are to be recorded in the minutes of the Council meeting.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Dawkins, seconded Cr Woodhill

That Council:

- 1. Receive the minutes of the Annual General Meeting of Electors held on 26 November 2008 as presented as per attachment 10.1.1.**
- 2. Note for the record that no decisions were made at the General Electors Meeting held on 26 November 2008.**

Carried 6/0

10.1.2 STATUTORY COMPLIANCE AUDIT - 2008 RETURN

File No: SUB/390
Attachment Compliance Audit 2008
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer

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

SUMMARY

A recommendation is made to:

- (1) Adopt the Compliance Audit Return for 2008; and
- (2) Authorise the Mayor and CEO to certify same so that it may be returned to the Department of Local Government and Regional Development.

BACKGROUND

Each year the Department of Local Government and Regional Development issues a Statutory Compliant Audit return that covers a wide range of mandatory actions required of staff, elected members and the Council as a whole under the provisions of the *Local Government Act (1995)*.

CONSULTATION

Nil

STAFF COMMENT**POLICY IMPLICATIONS**

Nil

STRATEGIC IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Section 7.13 of the *Local Government Act (1995)* provides, in part, that

Regulations may make provision-

- (1) *Requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –*

- (i) *Of a financial nature or not; or*
- (ii) *Under*

Regulation 13 of the *Local Government (Audit) Regulations 1996* sets out the specific areas that are subject to audit.

Regulation 14 of the *Local Government (Audit) Regulations 1996* reads as follows:

14. Compliance audit return to be prepared

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3) *A compliance audit return is to be –*
 - (a) *Presented to the council at a meeting of the council;*
 - (b) *Adopted by the council; and*
 - (c) *Recorded in the minutes of the meeting at which it is adopted.*

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Miller, seconded Cr Utting

That Council adopt the Compliance Audit Return for 2008 as per attachment 10.1.2 and authorise the Mayor and CEO to certify same so that it may be returned to the Department of Local Government and Regional Development.

Carried 6/0

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

File No: SUB/390
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer

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

SUMMARY

A recommendation is made to declare, in accordance with section 4.20(4) of the *Local Government Act, 1995*, the Electoral Commissioner to be responsible for the conduct of the 2009 ordinary elections together with any other elections or polls which may also be required and to decide, in accordance with section 4.61(2) of the *Local Government Act, 1995*, that the method of conducting the election will be as a postal election.

BACKGROUND

To assist in budget preparations the WA Electoral Commission has provided Council with an estimate for the next scheduled ordinary elections, planned for 17 October 2009.

The current procedure required by the *Local Government Act, 1995* is that the Electoral Commissioner's written agreement is to be obtained before the vote is taken. To facilitate the process, the letter received by Council from the Electoral commissioner can be taken as agreement to be responsible for the conduct of the ordinary elections in 2009 for the Town of Cottesloe, together with any other elections or polls that may also be required.

CONSULTATION

Nil.

STAFF COMMENT

Given that Council's previous election was held via postal elections and voter turnout was increased, this method of voting is recommended for the 2009 Ordinary Elections.

POLICY IMPLICATIONS

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

4.20 CEO to be returning officer unless other arrangements are made

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

Commissioner, appoint a person other than the CEO to be the returning officer of the local government for an election.*

*** Absolute majority required**

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

*** Special majority required**

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

4.61 Choice of methods of conducting the election

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

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

*** Special majority required**

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

STRATEGIC IMPLICATIONS

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

Section 4: Underpinning sustainability principles

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

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

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

STATUTORY REQUIREMENTS

Local Government Act, 1995 – Sections 4.20(4) and 4.61(2)

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The estimated cost for the 2009 election is \$22,500 plus GST, which has been based on the following assumptions:

- 5,300 electors;
- response rate of approximately 50%;
- 6 vacancies; and
- count to be conducted at the premises of the Town of Cottesloe.

Costs not incorporated in the estimate include:

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

VOTING

Special Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Dawkins

That Council:

1. **Declare, in accordance with section 4.20(4) of the *Local Government Act, 1995*, the Electoral Commissioner to be responsible for the conduct of the 2009 ordinary elections together with any other elections or polls which may also be required; and**
2. **Decide, in accordance with section 4.61(2) of the *Local Government Act, 1995*, that the method of conducting the election will be as a postal election.**

Carried 6/0

10.1.4 SUSTAINABILITY HEALTH CHECK - FINAL REPORT

File No: SUB/
Attachments: Sustainability Health Check - Findings
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Jade Hankin
Sustainability Officer

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

SUMMARY

As part of the Sustainability Officer's portfolio, a recommendation was made in September 2008 to assess and review the Town of Cottesloe's organisational sustainability, utilising the framework of the NSW Local Government Sustainability Health Check (SHC).

This report provides an overview of findings based on the SHC framework and recommends that Council note the initial findings and approve Priority Actions and remains aware that ongoing evaluations will take place,

BACKGROUND**The Concept of Sustainability**

Organisations are increasingly attempting to incorporate sustainability practices and management systems into their operations. Local governments in Western Australia are particularly recognising the need for improved sustainability management. The *Local Government Act 1995* was amended in 2004 to require that the function of Local Government be related to sustainability.

Section 1(3) (3) of the Local Government Act now states: *In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.* However there is no guidance or standard available to assist Local Councils to manage this process or ensure that objectives and targets are met. This Health Check can assist in providing such standardisation.

Sustainability Health Check

The Sustainability Health Check produced by Sustainable Futures Australia, the Local Government Managers Association (NSW), and Department of Environment and Conservation (NSW) is a tool to assist councils in their transition to sustainability. It allows councils to assess and monitor to what extent sustainability principles are understood and used in their social, economic and environmental decision-making.

The *NSW Local Government Sustainability Health Check* (SHC) is a management tool that can improve a council's performance by integrating the different elements and principles of sustainability throughout the organisation. It focuses on corporate systems, strategic planning and operations. It also examines the relationships

councils have with their communities, including leadership, promoting change and being responsive to community needs, The SHC helps councils identify weaknesses and strengths, and opportunities and ways to improve their overall sustainability.

This SHC is considered to be one of the most relevant SHC to use in analysing sustainability within a local government setting. There are no other specific tools developed within Western Australia with which to achieve the same results.

CONSULTATION

Nil.

STAFF COMMENT

The Sustainability Health Check (SHC), Part B was completed between October 2008 and Dec 2008 through a series of meetings, brainstorming sessions and desktop reviews with the following staff:

Laurie Vicary, Acting Chief Executive Officer
Graham Pattrick, Manager, Corporate Services
Geoff Trigg, Manager Engineering Services
Andrew Jackson, Manager Planning Services
Jade Hankin, Sustainability Officer

The Sustainability Officer coordinated the completion of the Check and this subsequent report on the findings (**as per attachment 10.1.4**).

There were 6 sections to Part B with each consisting of between 6 and 8 questions.

These were as follows:

1. Corporate Systems;
2. Strategic Planning;
3. Operations and Activities;
4. Leading by Example;
5. Promoting Change; and
6. Listening and Responding.

Each of these contained the following areas for consideration:

- Answers and Notes
- Issues and Challenges; and
- Ideas and Future Actions

After providing answers and comments, each question within the worksheets were ranked (there were between 4 and 6 questions for each). This was based on the following system:

- 0 Not at all/Never** Council is not applying this sustainability initiative to any meaningful degree within the organizational system or relationship;

- | | | |
|---|---------------------------------------|--|
| 1 | Slightly/
Occasionally | Council is slightly or occasionally applying this sustainability initiative; |
| 2 | Moderately/
Sometimes | Council is moderately or sometimes applying this sustainability initiative. |
| 3 | Well/
Most of the time | Council is applying this sustainability initiative well and most of the time. |
| 4 | Very well/
All of the time | Council is applying this sustainability initiative very well and almost all of the time. |

These rankings contributed to an overall score for the particular area of assessment (or worksheet). This shows where council is performing well and where there are opportunities for improvement.

Key Outcomes and Priority Actions

The following is the score received based on the assessment of each criterion (out of 4):

1.	Corporate Systems	1.71
2.	Strategic Planning	1.25
3.	Operations and Activities	2.29
4.	Leading by Example	3.00
5.	Promoting Change	2.50
6.	Listening and Responding	2.25

The areas of Strategic Planning, Corporate Systems and Listening and Responding are areas where future improvements should be focused .

The following are key actions for consideration &/or implementation:

- Review the Town of Cottesloe Sustainable Development Plan. 2
- Develop an integrated 'sustainability' or 'ecological footprint' policy for the Town of Cottesloe.
- Develop an action plan of all recommendations (in attachment 1) derived from the SHC including priorities, officer responsible for implementation, budget etc.
- Complete Part C of the SHC by September 2009.

POLICY IMPLICATIONS

An overarching 'Sustainability Policy' for council operations should be investigated and developed. Other policies to be considered in the future may include:

- Climate Change
- Risk Assessment and Emergency Management

STRATEGIC IMPLICATIONS

Many of the results have direct strategic implications within the Town of Cottesloe. This is especially true for Section 4: Underpinning sustainability principles, of the Town of Cottesloe's Future Plan: This section states:

Under legislation, the council is required to meet the needs of current and future generations in a sustainable way. In carrying out its functions, the council is committed to the 4 inter-connected principles of sustainability:

- 1. **Sustainable development:** To embrace and integrate sustainable development principles including social, economic, environmental and cultural aspects when planning for the district.*
- 2. **Community participation:** Effective community participation in decisions about the district and its future.*
- 3. **Good governance:** Leadership, transparency, accountability, probity, proper management, effective services, equitable access to services, commitment to partnership working and organisational capacity building.*
- 4. **Co-operation:** The exchange of good practice, support and mutual learning and partnerships with government and other stakeholders to progress the Town.*

To ensure that sustainable principles will be incorporated into major strategies council will use its policy making role to set out criteria that will assist the council to make decisions in the interests of the community and its future. Major strategies will go through a sustainability and capacity assessment process before the council makes a final commitment to move forward.

When the future plan is next formally reviewed by Council, it is recommended that this section be reviewed to ensure that sustainability is adequately and appropriately integrated.

STATUTORY REQUIREMENTS

There are various pieces of legislation that identify the importance of sustainability at both a global and local level.

Global

In 1987, under the authority of the United Nations Brundtland Commission, *the Brundtland Report* was released. This report deals with sustainable development and the change of politics needed for achieving that. The commission was originally created to address growing concern about the accelerating deterioration of the human environment and natural resources and the consequences of that deterioration for economic and social development. In establishing the commission, the UN General Assembly recognised that environmental problems were global in nature and determined that it was in the common interest of all nations to establish policies for sustainable development. In the *Brundtland Report* 'Sustainable Development' is outlined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

Local

ICLEI – Local Governments for Sustainability (ICLEI) is an international, not for-profit association of local governments and local government organizations that have made a commitment to sustainable development. ICLEI's mission is to build a movement of councils to achieve tangible improvements in environmental conditions through the cumulative impact of local action.

The Town of Cottesloe is involved in the ICLEI program, with both the Cities for Climate Protection (CCP) program and the Water Campaign. The program works through the establishment of goals and the meeting of these goals over a period of time, through a range of actions.

SUSTAINABILITY IMPLICATIONS

The content of this report relates directly to the issue of sustainability and is addressed throughout the report.

FINANCIAL IMPLICATIONS

Financial implications may result from a change in operational procedures as highlighted by the SHC and any accompanying *Action Plan* that is developed. These will be considered on a case by case basis with funding provided through the Town of Cottesloe budget and assistance through external funding where possible.

VOTING

Simple Majority

COMMITTEE COMMENT

Cr Boland requested that the Sustainability Working Group reconvene to work with the Sustainability Officer in relation to the implementation of the Priority Actions for the next 12 months. The CEO agreed that this matter could be progressed administratively.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Carmichael

That Council:

1. **Note the findings of the Sustainability Health Check outlined as per attachment 10.1.4;**
2. **Approve the following *Priority Actions*, to be undertaken over a 12 month period from March 2009;**
 - **Conduct a review of the Town's sustainability vision, goals and outcomes;**
 - **Develop an integrated sustainability or ecological footprint policy for the Town.**
 - **Develop an action plan for all recommendations derived from the Sustainability Health Check (SHC);**
 - **Complete part C of the SHC by September 2009.**
3. **Note that annual reviews of the SHC and Action Plan will be undertaken by the Sustainability Officer, with the first review to be reported to Council in February 2010.**

Carried 6/0

10.1.5 PARKING AND PARKING FACILITIES LOCAL LAW

File No: SUB/176
Attachment Parking and Parking Facilities Local Law
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

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

SUMMARY

A recommendation is made to endorse the proposed amended Parking and Parking Facilities Local Law.

BACKGROUND

The purpose for these changes are:

- to rationalise the Town of Cottesloe's parking laws;
- to formalise the residential parking permit process;
- to include clauses to facilitate the management of the new technology that is being trialled; and,
- to include a required clause from the state government to prohibit the Town of Cottesloe making local law to include fees and charges at the beachfront (Sector B).

There are currently inconsistencies in the penalties between sectors. For example, the penalty for overstaying a time restriction at the beachfront attracts a \$100 infringement notice whereas the same offence in the town centre incurs a \$35 penalty. In addition, there is also a discrepancy between the level of severity of offences and the resulting penalties. For example, the penalty for overstaying a time restriction attracts a \$100 infringement notice whereas stopping in a 'no stopping' area incurs a \$60 penalty ('no stopping' areas are considered high risk areas for accidents if vehicles stop).

The Local law has been reviewed by our lawyers and minor amendments made. The proposed changes have been sent to the Department for Local Government and Regional Development. These were advertised state-wide on April 5 2008.

There have been no submissions received following advertising for public comment.

CONSULTATION

Public Statewide advertising.

STAFF COMMENT

The proposed changes will provide a fairer and more consistent approach to traffic management within the Town of Cottesloe. The residential parking permit process has been an ongoing bone of contention as a result of grey areas of understanding. The suggested changes clarify exact entitlements and conditions for residents and tenants.

The attached local law has all the changes highlighted in red.

POLICY IMPLICATIONS

Parking and Parking Facilities Local Law (attachment).

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

Section 3.5 & 3.12 of the Local Government Act applies.

3.5. Legislative power of local governments

1. *A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.*
2. *A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 3.6.*
3. *The power conferred on a local government by subsection (1) is in addition to any power to make local laws conferred on it by any other Act.*
4. *Regulations may set out –*
 - (a) matters about which, or purposes for which, local laws are not to be made; or*
 - (b) kinds of local laws that are not to be made,*

and a local government cannot make a local law about such a matter, or for such a purpose or of such a kind
5. *Regulations may set out such transitional arrangements as are necessary or convenient to deal with a local law ceasing to have effect because the power to make it has been removed by regulations under subsection (4).*

3.12. Procedure for making local laws

1. *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*

2. *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
3. *The local government is to –*
 - (a) *give Statewide public notice stating that –*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- 3a. *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
4. *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

*** Absolute majority required.**
5. *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
6. *After the local law has been published in the Gazette the local government is to give local public notice –*
 - (a) *stating the title of the local law;*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
7. *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
8. *In this section –*

making ~ in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Regulation 3 of the Local Government Functions and General Regulations provides the following.

3. Notice of purpose and effect of proposed local law - s. 3.12(2)

For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that –

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and*
- (b) the minutes of the meeting of the council include the purpose and effect of the proposed local law*

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

The budget for 2008/2009 includes a provision for \$585,0800 for parking revenue. There are a number of increases for penalties for the town as well as some new infringements relating to damage of council property. It is estimated that these changes will result in approximately \$16,000pa increased income.

VOTING

Absolute Majority

MOTION TO REFER BACK

Moved, Cr Utting

To refer the report back to the Administration to assess and/or reduce the amount of fees being charged.

The motion lapsed for want of a seconder.

COMMITTEE COMMENT

At the request of Committee the attachment of the Local Law was required to have some administrative errors corrected prior to being tabled at Council. The amended attachment is to be available to Elected Members with the agenda, prior to the Council Meeting.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Miller, seconded Cr Cunningham

That Council adopt the proposed amended Parking and Parking Facilities Local Law as per attachment 10.1.5.

Carried 5/1

**10.1.6 LIBRARY FOR COTTESLOE, MOSMAN PARK & PEPPERMINT GROVE.
MANAGEMENT/ORGANISATIONAL STRUCTURE IN DEVELOPMENT PHASE**

File No: Sub/547
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer

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

SUMMARY

To adopt an organisational framework to manage the construction phase of the Joint Library Facility.

BACKGROUND

In December 2008 the President of the Shire of Peppermint Grove met with the Mayors of the Towns of Cottesloe and Mosman Park to discuss the management of the construction phase of the joint library project. The CEO's of the three Local Governments were also in attendance.

The library currently operates through the use of a legal agreement that provides the basis for how the service is managed and the method of levying financial contributions. Given the significance and size of the proposed library and community centre development it was proposed that a Steering Committee be formalised, included in the legal agreement and given the responsibility to manage the project. Subsequently a Tender Evaluation Committee was established to assess and determine the tender process for the project.

At the most recent meeting of the Library Tender Evaluation Committee an agreement was put forward to establish a system of control with regard to the management of the construction phase of the library project.

CONSULTATION

The CEO's have also met with and discussed the matter of an organisational framework with a representative from Corrs, Chambers and Westgarth solicitors.

STAFF COMMENT

The Tender Evaluation Committee was appointed by the Project Steering Committee however it was not determined how the project was to be managed once a tender had been accepted. The view was expressed that the Project Steering Committee does not have the flexibility to arrange meetings at short notice (due to the number of representatives on the Committee) to deal with matters of urgency during the building stage.

While the Shire of Peppermint Grove had accepted responsibility for project management it was thought this will be beyond the resources of the Shire unless a specialist Project Manager is also appointed.

After some discussion it was agreed the Tender Evaluation Committee should be retained until a tender is accepted and adopted by the participating Councils.

It has been proposed that when a tender is adopted and matters such as finance and land tenure have been resolved, the construction phase will be managed by a Project Control Group working with the aid of a project manager appointed by the Shire of Peppermint Grove and with the assistance of the Project Steering Committee. The project manager will be expected to provide written reports in a format that provides both background information and recommendations. It is intended the Shire of Peppermint Grove appoint a project manager in consultation with the other local governments. The cost of that person will be shared by all three Local Governments on the basis previously agreed.

When the project is completed, the ongoing management and maintenance of the joint facility will rest with the Library Management Committee as in the past.

The solicitor who advised on the organisational framework also proposed a range of general governance provisions and the recommendation to this report proposes the use of Standing Orders based upon those of the Town of Cottesloe, amended as required by the decisions concerning the committee structures. The Standing Orders adopted for use by the Committees should not include the requirement for members to stand when addressing the chair and allow members to speak more than once.

POLICY IMPLICATIONS

None known

STRATEGIC IMPLICATIONS

The successful conclusion of the Joint Library Project is an important part of the strategy of the Council for the provision of high standard facilities for the use of residents.

STATUTORY REQUIREMENTS

None known

SUSTAINABILITY IMPLICATIONS

The building design that has been accepted includes a variety of features that are intended to increase the sustainability of the building and many of those features are unique in public buildings in the State. An application for financial support under the Green Precincts Fund has been submitted for those elements of the project.

FINANCIAL IMPLICATIONS

There are a number of implications that must be taken into account. The first is that the price submitted by the preferred tenderer is well above the original estimate of cost. An application for funding (\$2.8m) under the Regional and Community Infrastructure Program - if successful - will bring the tendered price within reach. An

application has also been submitted for funding (\$1.365m) under the Department of the Environment, Water, Heritage and the Arts – Green Precincts Fund. Expressions of interest closed on 22 November and a response has been received requesting a more detailed submission be prepared and submitted by 17 March 2009.

VOTING

Simple Majority

AMENDMENT

Moved Cr Utting, seconded Cr Woodhill

That the Town's of Cottesloe and Mosman Park get two votes each and the Shire of Peppermint Grove one vote to better reflect their size and population base.

Status Quo Lost 4/3

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Miller, seconded Cr Dawkins

That Council endorse the following organisational framework for the construction phase of the joint library project which includes the Shire of Peppermint Grove, the Town of Mosman Park and the Town of Cottesloe (the participants): -

1. Project Steering Committee

- 1.1 Purpose: Control, direct and manage the library project including construction of the buildings pursuant to the construction contract (the construction contract having been entered into following approval by all Participants).**
- 1.2 Membership: 2 representatives appointed by each Participant.**
- 1.3 Voting: 1 vote each.**
- 1.4 Decisions: By simple majority, but majority must include at least 1 representative from each Participant.**
- 1.5 Quorum: 4 out of 6, including at least 1 representative appointed by each Participant.**
- 1.6 Delegation: Each Participant must delegate limited powers and responsibilities to the CEO to enable decisions relating to the project to be resolved without waiting for a Council meeting.**

2. Tender Evaluation Committee

- 2.1 Purpose: Call for (including, if necessary, re-calling) and evaluate tenders, negotiate with one or more preferred tenderers and make recommendations to the Participants in relation to the**

appointment of a contractor and in relation to the pricing, form and content of the proposed construction contract.

- 2.1 **Membership:** 2 representatives appointed by each Participant.
- 2.3 **Voting:** 1 vote each.
- 2.4 **Decisions:** By simple majority, but majority must include at least 1 representative from each Participant.
- 2.5 **Quorum:** 4 out of 6, including at least 1 representative appointed by each Participant.

3. Project Control Group

- 3.1 **Purpose:** To manage the construction phase of the library and provide advice to the Steering Committee on matters pertaining to the construction of the Library
- 3.2 **Membership:** 2 representatives appointed by each Participant plus an officer of the Council who would not be entitled to vote other than in the absence of one of the Council representatives.
- 3.3 **Voting:** One vote each
- 3.4 **Decisions:** By simple majority, but majority must include at least 1 representative from each Participant.
- 3.5 **Quorum:** Seven representatives including at least 1 representative from each Participant.

4. Library Management Committee

- 4.1 **Purpose:** To determine issues of policy and all other matters associated with the day to day management of the library.
- 4.2 **Membership:** 1 representative appointed by each Participant.
- 4.3 **Voting:** 1 vote each.
- 4.4 **Decisions:** By simple majority.
- 4.5 **Quorum:** 2 out of 3.

5. General governance provisions

- 5.1 There will be some general governance provisions which apply to the governance and operation of each of the above committees, including:

- 5.2 the appointment of a presiding member who does not have a casting vote;
 - 5.3 the manner in which meetings are convened and conducted and minutes kept; (based upon the Standing Orders of the Town of Cottesloe amended as necessary).
 - 5.4 each representative must be an elected member or employee of the relevant Participant; and
 - 5.5 each Participant may at any time and from time to time, remove and replace any of its representatives, or appoint alternates.
- 6. Contracts**
- 6.1 **Construction contract: May only be entered into following the unanimous approval of all Participants.**
 - 6.2 **Construction phase: All other contracts and agreements relating to project construction must be approved by the Project Steering Committee.**
 - 6.3 **Library management phase: All contracts relating to the management of the library must be approved by the Library Management Committee.**
- 7. Budgets**
- 7.1 **Pre construction contract: Budgets and expenditure to be as approved by the Tender Evaluation Committee.**
- 8. Day to Day Management**
- 8.1 **Day to day management during all phases is vested by the Participants in the Manager (initially Shire of Peppermint Grove). The Manager will employ a project manager who will report to the Project Control Group.**

Carried 5/1

10.2 ENGINEERING**10.2.1 DRAFT POLICY - ASSETS WITH REALISABLE VALUE**

File No: SUB/108
Attachment: Draft Policy Assets with Realisable Value
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

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

SUMMARY

At its meeting in November 2008, Council resolved to advertise for public comment the draft policy "Assets with Realisable Value", with the results of the process to be considered by Council in the February 2009 meeting.

The advertising period for public comment on this policy has ended.

The report provides the result of public consultation on this draft policy and recommends:

That the policy "Assets with Realisable Value" be adopted and included into Council's Policy Manual.

BACKGROUND

Council has sold, by public auction, three drainage sump properties the drain function of which had been removed. The funds generated allowed Council to undertake a range of public works without significant impact on rates income.

There are other properties, particularly the existing Council depot site, which this or a future Council may wish to dispose of, to relocate the realisable value into other assets of public works to the benefit of residents and rate payers within the Town of Cottesloe.

Staff were requested by Council to provide a draft policy covering Assets with Realisable Value, as part of the Future Plan development.

This draft policy was provided to Council in November 2008. Council resolved to seek public comment on this proposal.

The advertising period on this matter has now ended.

CONSULTATION

This report provides the results of public consultation on this draft policy.

STAFF COMMENT

No comments were received on this draft policy during the public consultation period. No changes are proposed to the original draft document.

POLICY IMPLICATIONS

This report proposes a new policy for the disposal of assets with a realisable value.

STRATEGIC IMPLICATIONS

This policy for the disposal of assets with a realisable value, supports the requirements of Strategy 5.1 of Council's Future Plan 2006-2010.

STATUTORY REQUIREMENTS

Council is under no statutory obligation to either retain or dispose of any of its existing assets. If a substantial land sale is to be considered, as in the cases of the three drainage sumps sold in recent years, Sections 3.58 and 3.59 of the Local Government Act, 1995 apply.

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None for the 2008/09 Financial Year. There is potential for an impact on a future budget year, particularly regarding the possible sale of the Cottesloe Council Depot site.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council adopt the policy "Assets with Realisable Value" as per attachment 10.2.1 and include it in Council's Policy Manual.

Carried 6/0

10.2.2 DRAFT REVISED POLICY RESIDENTIAL VERGES

File No: SUB/763
Attachments: Draft Policy – Residential Verges
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

At its December 2008 meeting Council resolved:

That the draft Residential Verge policy as amended in the 15 December 2008 Council Meeting be re-advertised for public consultation and the matter brought back to Council for a decision and those residents who made previous comments be informed of Council's decision.

The recommendation is for the adoption of this policy.

BACKGROUND

Council considered a draft/modified Residential Verges policy in December 2008, particularly to deal with verge herb/vegetable gardens. This received substantial modifications, to the extent where the changes required re-advertising to obtain public comments on the new changes. The advertising period has ended and the received comments can be considered by Council.

CONSULTATION

This report provides the result of the public consultation process for the draft new policy, as a second attempt to complete the final policy.

STAFF COMMENT

No comments have been received on this re-advertised, revised Residential Verges policy. Therefore, it is recommended that this revised version become Council's new Residential Verges policy.

POLICY IMPLICATIONS

Council's existing Residential Verges policy applies until any revised version is adopted by Council.

STRATEGIC IMPLICATIONS

Nil.

STATUTORY REQUIREMENTS

Under the *Local Government Act 1995*, Council has vested power over road reserves within the Town of Cottesloe other than MRWA controlled highways. This included the control of road reserves, where responsibility for the care, control and management rests with the Town of Cottesloe. This applies to all local governments in the state.

Council's local law on "Activities on Thoroughfares and Trading in Thoroughfares and Public Places" also applies in regards to establishing and enforcing Council's control of road reserves.

SUSTAINABILITY IMPLICATIONS

The highest level of environmental sustainability would pursue the planting of local, native vegetation species on road verges. If lawn is planted then the reduction of water and fertiliser use would be a major objective. Vegetable gardens, to be successful, use substantial quantities of water and require animal manure and/or various fertilisers to promote growth. Such fertilisers entering the water aquifer is seen as a negative environmental impact.

FINANCIAL IMPLICATIONS

The major potential costs to Council are:

1. Extra staff time to control and police vegetable/herb gardens on road verges.
2. With no bond, any clean up work on verges to remove abandoned vegetable gardens would be charged to verge maintenance.
3. The liability exposure to Council because of any damage to service facilities on verges and injury caused by gardens from such damage to power and gas lines is unknown at this stage.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Carmichael, seconded Cr Dawkins

That Council adopt the revised "Residential Verges" policy as per attachment 10.2.2 and include it in Council's Policy Manual.

Carried 4/2

10.2.3 FIVE YEAR CYCLING FACILITIES PLAN

File No: SUB/707
Attachment 5 Year Plan – Cycling Facilities
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

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

SUMMARY

At its August 2008 meeting, Council adopted the following resolution:

- (1) *Adopt the Town of Cottesloe Bike Plan 2008-2013, unchanged, with the document to be the basis of a 5 year plan for cycling facilities to be provided to Council in February 2009.*
- (2) *Have the first 5 year plan for cycling facilities address the works listed under “potential Improvements to Existing Facilities” in the Bike Plan plus give consideration under “Proposed Major Improvements/Studies” to the widening of the existing Marine Parade dual use path and the provision of a 3m wide shared use path in Forrest Street from Curtin Avenue to Marine Parade.*
- (3) *Make a submission to the Minister for Planning that the Perth to Fremantle Principal Shared Path (PSP) extension from Grant Street Railway Station south through Cottesloe along the railway line is long overdue and should be constructed as soon as possible and that a copy of that submission be copied to the Member for Cottesloe.*

This report provides a draft 5 Year Cycling Facilities Plan, with the recommendation:

- (1) Adopt the draft 5 Year Program for Cycling Facilities; and
- (2) Include Year 1 of the program in to the draft 2009/10 budget document for funding considerations.

BACKGROUND

Over a number of years, Council has had various cycling paths and facilities installed, based on the old regional bike plan priorities.

With the new Bike Plan adopted and recognised by the Department for Planning and Infrastructure, the priorities recommended in the plan become worthy of consideration for bicycle network annual grant funding. The Bike Plan must also be the basis of Council’s budgeted works program to justify consideration for grant funding.

Therefore the recommended priorities included in the Bike Plan form the basis of the 5 year program.

CONSULTATION

Occurred as part of the process to establish the new Bike Plan in 2008.

STAFF COMMENT

The draft Five Year Cycling Facilities Plan has been completed and includes the majority of the recommended 'Spot' and Minor Route Improvements in the first 5 years. It also includes in two stages, the conversion of the footpath on Forrest Street from Curtin Avenue to Marine Parade into a dual use path by a widening to 3.0 metres.

A number of the recommended 'Spot' treatments would be the responsibility of Main Roads WA, Claremont Town Council, Shire of Peppermint Grove or the Public Transport Authority, where the works are proposed on land controlled by those organisations.

An application has been made in January (2009) for a DPI Cycling grant to cover 50% of the total Forrest Street path to dual-use path conversion. This project was also a priority on the road safety improvement program. If successful, this early project would complete works in both categories, with a 50% grant contribution.

Funding in Year 1 is proposed to develop a standard treatment of existing roundabouts and an installation plan for a bypass or safety improvement for cyclists riding through a roundabout. A specialist consultant would develop this treatment.

To be considered by DPI for a cycle facility grant, Council must have the project(s) listed on a forward construction plan, hence its inclusion into the first two years of the five year program.

The two other major projects for consideration in future programs is the widening and in some locations, the relocation of the dual use cycle path on the west side of Marine Parade and potential cycle lane down one side of Marine Parade in place of one line of parking bays on the east or west side of this street. These are both substantial projects which could be controversial. Therefore, staff will investigate both proposals and report to Council during 2009 on the issues involved before any inclusion is made to the 5 Year Plan for cycle facilities.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

The Town Cottesloe Future Plan 2006-2010 provides for bicycle use.

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, Cott Cat, Travelsmart, limited parking and the needs of pedestrians, cyclists and other non-vehicle traffic"; and in

Objective 3 – Enhance beach access and the foreshore.

Strategy 3.5 states "Improve bicycle and disabled access to beach facilities".

STATUTORY REQUIREMENTS

Nil.

SUSTAINABILITY IMPLICATIONS

Improvement of cycling facilities will increase the use of bicycles and reduce the use of vehicles on Councils' road system.

FINANCIAL IMPLICATIONS

This is a new 5 Year program which has not been included in previous budgets as a standard inclusion. At various times, different improvements have been funded on an 'as needed' basis.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council:

- 1. Adopt the draft 5 Year Program for Cycling Facilities as per attachment 10.2.3; and**
- 2. Include Year 1 of the program into the draft 2009/10 budget document for funding consideration.**

Carried 6/0

10.2.4 FIVE YEAR FOOTPATH REPLACEMENT PROGRAM

File No: SUB/707
Attachment 5 Year Plan – Footpath Replacement Program
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

An updated five year list of proposed footpath replacement and new construction projects, commencing in the 2009/10 financial year, is recommended.

A copy of the proposed program is attached.

BACKGROUND

The Town of Cottesloe's first *Five Year Footpath Replacement Program* was adopted by Council in May, 2004. This report extends that program by one extra year, with year two becoming year one – 2009/10. The majority of Council's planned 2008/09 footpath works have now been completed.

CONSULTATION

All works are based on condition surveys. Any works budgeted in 2009/10 will take place after all affected residents have been informed by a letter drop undertaken by Council's footpath contractor.

STAFF COMMENT

The Town now has approximately 18.3km of pre-cast concrete slab footpaths remaining to be upgraded. These footpaths can be found throughout the Town primarily in residential streets and some commercial precincts. In 2008/2009, 1487metres will have been replaced with in-situ concrete.

This is in addition to approximately 38.6km of existing in-situ concrete, limestone, asphalt and brick paved paths.

The objective is to progressively replace all pre-cast concrete slab paths based on an indicative five year Capital Works Program.

1.5metre wide paths are recommended based on minimum standards unless pedestrian numbers or other needs are identified. The current minimum width is considered to be acceptable for prams and manual/electric wheelchairs etc. The latter has become a significant consideration in recent years, as has the adoption of the Australian Road Rules (December 2000) in relation to children under 12 years of age riding 'as of right' on footpaths.

An original assessment of footpaths was completed in 2004/05 based on a condition survey and footpath location in relation to schools, commercial precincts, parks etc. This survey has been repeated and the proposed program sees the worst condition paths receiving the earliest attention.

The estimated cost is based on current dollars and the contracted rates per square metre for slab replacement with in-situ concrete.

POLICY IMPLICATIONS

The most relevant policy on this matter is *Footpath Replacement – Residential Streets*, adopted in May, 2004 which states:

OBJECTIVE

The Town of Cottesloe aims to replace pre-cast concrete slab footpaths with in-situ concrete in residential areas to improve access, public safety and amenity and provide universal access for all users including people with prams, children, the elderly and people with disabilities.

POLICY APPLICATION

Various factors influence the priority of replacement of concrete slab footpaths. These include:

- *condition rating*
- *history of repairs, e.g. tree roots, vehicles, building works*
- *usage levels*
- *proximity to pedestrian generators/attractors*
- *user needs and age groupings, e.g. aged persons homes, hospitals*
- *existing utility services, e.g. underground power, water mains, telecommunications*
- *single or parallel footpaths, e.g. a majority of streets have footpaths on both verges*

The minimum width of a new in-situ concrete footpath in a residential street will be 1.5metres, increasing to 2.0metres where increased use and traffic generators e.g. shopping centres, schools, hospitals, aged persons complexes etc justify this increased width. Major access routes, e.g. from the railway stations, to the Cottesloe Beach area will also require an increased width.

In assessing the factors, the intent is to avoid replacement of existing serviceable slab footpaths with a low maintenance history ahead of higher priority paths. On this basis, condition rating and history of repairs will have the highest weighting for priority.

Usage levels, pedestrian generators and attractors, user needs and age groupings are prioritised as follows:

- *aged persons hospitals/homes complex*
- *medial centres*
- *schools*
- *local shops*
- *parks/reserves*

Where there are footpaths on both sides of the road within a street block where one of the above facilities is located, preference is to be given to the footpath replacement on the side which abuts the facility.

Following adoption of the annual program, the residents abutting the footpaths to be replaced will be advised in writing of the Council resolution.

Prior to commencement of works, a minimum of one (1) week notice will be provided to abutting residents detailing the extent and duration of works.

STRATEGIC IMPLICATIONS

Under Council's *Future Plan 2008-2013*, Objective 5 is to maintain infrastructure and Council buildings in a sustainable way. This five year program complies with that objective.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

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

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Utting

That Council adopt the *Five Year Footpath Replacement Program* as per attachment 10.2.4 and use year one as the basis for inclusion in the draft 2009/10 financial year budget.

Carried 6/0

10.2.5 FIVE YEAR LOCAL ROAD REHABILITATION PROGRAM

File No: SUB/707
Attachment 5 Year Plan – Local Road Rehabilitation Program
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

An updated program of local road rehabilitation and improvement projects, over a five year period, commencing in the 2009/10 financial year, is recommended.

A copy of the proposed program is attached.

BACKGROUND

Cottesloe has streets totalling 48.5km in length. These include residential streets and the higher traffic volume use distributor and arterial roads. Local roads, in this context, total some 29.8km in length.

Traffic volumes and age are the major impacts on street surface condition and pavement strength in the town rather than other variables such as high water table and poor soil conditions, which are factors in other areas.

To maintain the asset condition sustainable for any road system, routine resurfacing of the total road pavement is required on a 15 to 20 year cycle. In general terms, roads require major reconstruction every 40 years. This time can change depending on weight and volume of traffic use, differing soil conditions, quality of materials used and maintenance efficiency.

In Cottesloe the typical resurfacing technique is to remove the old surface and portion of the pavement and replace it with a combination of asphaltic concrete mixes. The base layer initially added is 'Thicklift' which is an open grade mix used as a strengthening and connective layer, laid up to 100mm thick, with depth increase dependant on proposed use. The finish or upper layer is the wearing course, which is denser, of better quality and relatively more expensive. It provides the majority of strength and a smooth trafficable surface. This technique is efficient, causes minimal disruption to residents and motorists and is cost effective. Alternative treatments, using various asphalt mixes, are also being trialled.

The proposed program is based on a combination of the data provided from the Town's ROMAN road management software package and from visual inspection of all Town streets. The selected projects are 'local roads' only, with no 'major roads'

(higher use distributor/arterial roads) included. A separate program covers the 'major road' projects.

The objective of the proposed program is sustainable asset management to bring the road network to a long term quality condition using all available sources of funding.

CONSULTATION

Nil.

STAFF COMMENT

All Town roads and streets have been visually inspected, with every road section being allocated a 1-5 score (1 being excellent through to 5 being very poor).

The actual age of the sprayed seal or asphalt surfaces plus the level of obvious cracking in many streets are the two main generators for the need to resurface.

Apart from the actual estimated cost for surface replacement, the total estimated project cost includes kerb replacement, if needed, modifications to existing crossover connections to the new seal or kerb edge, plus relocation of behind kerb reticulation systems if needed.

If 2007/08, the 3 year supply contract for road surfacing asphalt was recalled. The new contract prices had risen substantially, between 33% and 45%, depending on the type of asphalt used, when compared with the previous 3 year contract. Incremental price increases have taken place since the original contract was accepted.

These extra costs have been factored into the individual asphalt overlay jobs, with a resultant increase in annual costs to complete the normal 2.0 to 2.5km of road length resurfacing.

In addition, in Year 1 – 2009/10, only one MRRG resealing project will be undertaken compared to the normal three. Normally, one third of each of these jobs is funded by Council and two-thirds by MRWA. For 2009/10 the 'saved' level of contribution has been redirected into residential street resurfacing to achieve the 5% of total road surface reseal level required for good asset rehabilitation.

Any replacement of drainage grates with soak pits and/or entry pits are included in the four year National Water Initiative project.

A separate report was provided to Council on the needs of the road system in terms of the cost of ongoing sustainability of this asset, rather than the funding levels available from the original Principal Activity Plan. That report was received by Council in October, 2004 with the following four part resolution being adopted:

That Council:

- (1) *Recognise the need to budget, annually, for a sustainable road pavement replacement effort, with a minimum of 2.4km of the town's road surface length being replaced annually;*

- (2) *Include the aim of the existing Five Year Local Road Rehabilitation program to achieve at least 2.0km of road surface replacement, within five years, for local roads and streets as part of Council's commitment to a sustainable road network;*
- (3) *Agree that funds received from the Federal Government Roads to Recovery Mark 2 Program for four years, starting 2005/06 be additional to the projects to be funded through the Five Year Local Road Rehabilitation program; and*
- (4) *Ensure that submissions made for MRRG works concentrate on shorter lengths of the lowest condition arterial roads in the network, and that these submissions not include allowance for non-road surface works, with such non-surface works e.g. drainage, kerbs, verge and crossovers, being funded separately by Council.*

The proposed program is based on streets categorised as level 4-5 poor to very poor condition. This list is revisited every year in February/March.

The *Five Year Local Road Rehabilitation Program* is therefore based on an approximately 2km minimum street resurfacing effort independent of other government grants.

All road works proposed on the major roads e.g. Marine Parade, Curtin Avenue, Broome Street etc are included in the separate *Five Year Major Road Rehabilitation and Improvement Program*.

POLICY IMPLICATIONS

The most relevant policy relating to this matter is *Long Term Engineering Programs*, adopted by Council in May 2004 which states:

Objective

The provision of long term programs for the construction, upgrading and rehabilitation of all significant infrastructure within the Town of Cottesloe.

Principle

Within the context of a ten year capital works program and Principal Activities Plan, five year forward plans for urban roads, drainage, footpaths, parks and gardens, parking areas and other significant infrastructure areas are to be created and reviewed annually, with updated programs being available to the public.

STRATEGIC IMPLICATIONS

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

The same annual lengths of streets resurfaced have been retained, with the cost of this work rising in line with the new asphalt prices (accepted in 2008) with the new three year asphalt supply and lay tender.

STATUTORY REQUIREMENTS

There is no specific legislation relevant to this report.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

This program will allow Council to consider the projects proposed for local road enhancement and rehabilitation, as compared to available finance and the sustainable level required for asset preservation.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council adopt the updated Five Year Local Road Rehabilitation Program as per attachment 10.2.5 and use year one as the basis for inclusion in the draft 2009/10 financial year budget.

Carried 6/0

10.2.6 FIVE YEAR PLANT REPLACEMENT PROGRAM

File No: SUB/707
Attachment 5 Year Plan – Plant Replacement Program
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

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

SUMMARY

The Town of Cottesloe has a long term replacement program for its vehicles and machinery based on need and the levelling of annual expected expenditure levels in future years.

This report provides an updated five year program covering all anticipated capital expenditure on vehicles and machinery.

A copy of the proposed program is attached.

BACKGROUND

Local government fleets of vehicles, machinery and general plant fall into several categories:

1. Enforcement and inspectorial vehicles, including 'internal' staff and Ranger vehicles.
2. Transport, supervisory and other light vehicles based at the depot including utilities and vans.
3. Machinery for construction and maintenance duties e.g.; trucks, tractors, trailers, large ride-on mowers, street cleaning machines, skid steer loaders.
4. Small equipment normally carried in larger machines e.g.; air blowers, whipper snippers, walk-behind mowers, edgers, plate compactors, saws, trimmers, grinders etc.

For budget and management purposes, all equipment with a value in excess of \$1,000 value is included in the Capital Works Program of the budget regardless of whether it is replacing an existing asset or being purchased as an additional item.

Small items of plant and equipment below \$1000 in value are not capitalised and are treated as consumables for accounting purposes.

Because the Town of Cottesloe does not have a dedicated construction crew, most major works are undertaken by the Town of Mosman Park or other contractors. This removes the need to own large construction items such as backhoe/endloaders, loaders, rollers, graders and large tip trucks.

CONSULTATION

No public consultation has taken place or is proposed on this item.

STAFF COMMENT

In the period from 2000/2001 to 2006/2007, Council's budgeted expenditure on the replacement or changeover of its plant and vehicles fleet varied between \$107,700 and \$172,000 (i.e. nett of any allocation for the purchase of additional items). The 2007/08 cost of vehicle and plant changeover or replacement was below \$110,000 due to the vehicle policy adopted in 2007 requiring vehicles to be retained for three years. This has meant that only approximately one-third of the vehicle fleet will be replaced per year.

Variations in the amount of expenditure are mainly due to timing differences in the replacement of light vehicles.

The changeover figure is a relatively low figure when compared to other local governments that have construction crews requiring expensive heavy machinery. As an example, the purchase of a new grader for road construction is likely to cost a rural shire in excess of \$300,000 without a trade-in.

The replacement intervals for Town of Cottesloe vehicles and machinery are based on the following local government industry standards which are geared to maximise the return on investment for each acquisition given prevailing taxation and depreciation regimes.

Sedans, station wagons, work vans, utilities:	3 years / 75,000 kms
Light trucks, tractor loaders, skid steer loaders:	5 years
4WD motorbike utilities, ride-on mowers, Vacuum machines	2 to 4 years
Lawn mowers, chain saws, compactors:	1 to 3 years
Water tanks, Trailers:	5 years plus

From time to time, machine types will be changed due to factors such as new technology and the removal or addition of multi-tasking capabilities. Efficiency savings obtained from contractors using specialist equipment rather than generalist equipment may also influence capital expenditure decisions.

The five year plant program will be modified as machines prove unsuitable, wear out faster or last longer. The program gives a strong indication of expected needs over five years for vehicle and plant replacement.

Costs are based on current values and exchange rates. CPI movements and the value of the Australian dollar will affect the program in future years. This will be adjusted each year with each updated program.

The major non-vehicle plant replacement is listed.

POLICY IMPLICATIONS

The following Council policies have application:

- Purchasing

- Vehicle Fleet Administration
- Disposal of Surplus Good and Equipment

STRATEGIC IMPLICATIONS

Under Council's Future Plan 2008-2013, Objective 5 is to maintain infrastructure and Council buildings in a sustainable way. This five year program complies with that objective.

STATUTORY REQUIREMENTS

The *Local Government Act 1995* currently requires that any purchase by the Town of Cottesloe in excess of \$100,000 is to be tendered out in all but limited circumstances.

Tenders are advertised and registered in accordance with the regulations. The decision to accept a tender rests with Council alone.

Other purchases and sales below the threshold values of \$100,000 are governed by Council's purchasing policy.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The vehicle and plant replacement program has a substantial impact on each budget adopted by Council.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That council adopt the new Five Year Plant Replacement Program as per attachment 10.2.6 and use year one as the basis for inclusion in the draft 2009/2010 Financial Year Budget.

Carried 6/0

10.2.7 FIVE YEAR PLAYGROUND CAPITAL IMPROVEMENT PROGRAM

File No: SUB/707
Attachment 5 Year Plan – Playground Capital Improvement Program
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

The Town of Cottesloe has a long term plan for the upgrading and development of children's playgrounds. The purpose of this report is to provide and obtain approval for an updated five year program, with your one being 2009/2010.

A copy of the proposed program is attached (10.2.7).

BACKGROUND

The Town of Cottesloe has a total of nine public playground sites, spread fairly well across the total town area. The two exercise sites on the beach/verge of Marine Parade are not included in this total.

The individual comments received in recent years have related to particular pieces of equipment needing replacement, the need for protective fences at sites near busy streets, the possible need for sun protection and the need for extra equipment at all sites.

A playground safety specialist consultant has inspected all playground equipment twice in the past two years. All equipment is in good condition, but a variety of small replacements and repairs are taking place following the inspections.

Rubber soft-fall material is now used as a replacement for sand pits under playground equipment. This obviates safety problems associated with broken glass or syringes being hidden in the sand. It also overcomes problems with sand being pushed away from the required areas due to heavy use. Raking is not required on rubber soft-all surfacing as compared to sand areas.

There are no recorded complaints or demands outstanding for additional playgrounds on file. Accordingly, the five year plan does not envisage new sites being established.

CONSULTATION

The 2002 and 2005 *Town of Cottesloe Community Services Surveys* provided feedback on community attitudes to playgrounds. Affected parents taking children to

particular sites will often make comments regarding the need for repairs or improvements, which are followed up by staff.

No other consultation with residents has been undertaken, apart from ongoing comments received by playground users.

STAFF COMMENT

The Town is responsible for the care, control and management of playground equipment and other park furniture. While play equipment provides significant amenity value in parks, it nonetheless has attendant liability risks if not maintained or replaced regularly.

Playgrounds, playground equipment and park furniture are susceptible to various external factors that cause them to deteriorate over time.

Proactive management of the Town's assets requires recognition of useful life expectancy and the planned replacement of assets to manage the community's resources in the best long-term interest of all.

Staff undertake a comprehensive visual and operational inspection of all park furniture at least once a month and inspections are recorded on file for liability purposes. Basic playground maintenance is carried out in-house. Major repair issues are resolved by the manufacturer or the manufacturer's designated agent.

Replacement of play equipment and parks furniture should be programmed on the basis of useful life expectancy so as to reduce the Town's liability risk and ensure that annual expenditure does not exceed available funding.

For the last four years, the Town of Cottesloe has engaged an independent, expert consultant to audit all its existing play structures for safety and compliance with AS/NZS4486.1.1997. The audit includes a list of compliance issues, a brief description of the work required and a photographic record. A structured system of identifying actions required to meet compliance include:

- Compliance modifications required.
- General repairs required, soon as possible.
- Equipment deteriorated – budget replacement.

For the past four years the Town's focus has been on progressively upgrading play equipment to meet Australian Standards. The improvement strategy includes:

- Allocating sufficient funds per year to provide for maintenance, repairs and minor unit/component replacements.
- Conducting playground compliance and safety inspections, to ensure that changes to playground standards are considered.
- Developing a soft fall material and containment improvement program including fall zone requirements.

Standards Australian 4486.1.1997 points out that:

The best way to minimise risk to children using a playground is not to include the hazards in the first place and to back this up with a plan for dealing with problems as they arise.

The proposed new five year program seeks to provide for all of these factors as well as creating an attractive, protected and imaginative setting for children's play activities.

POLICY IMPLICATIONS

There are no existing Council policies applicable to this subject.

STRATEGIC IMPLICATIONS

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

STATUTORY REQUIREMENTS

Cottesloe's playgrounds are situated either on the road verge or on reserves vested in Council for 'Recreation' or similar purposes. As such, the construction, maintenance and public liability responsibility for playgrounds rests with the Town of Cottesloe. The Town is required to comply with AS/NZ Standard 486.1:1997 for playground installations.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

This report covers the orderly planning for a five year period of expenditure on playground development for use in the draft budget document.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Dawkins, seconded Cr Utting

That Council adopt the *Five Year Playground Capital Improvement Program* as per attachment 10.2.7 and use year one as the basis for inclusion in the draft 2009/10 financial year budget.

Carried 6/0

10.2.8 FIVE YEAR RETICULATED AREAS AND GROUNDWATER BORES PLAN

File No: SUB/707
Attachment 5 Year Plan – Reticulated Areas and Groundwater Bores Plan
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

An updated five year program of proposed improvements to reticulation systems, including bores, delivery pipelines, storage tanks and areas watered by these systems has been prepared.

A recommendation is made to adopt the *Five Year Plan for Reticulated Areas and Groundwater Bores* and use year one as the basis for inclusion in the draft 2009/2010 financial year budget.

A copy of the proposed program is attached. (10.2.8)

BACKGROUND

The Town's use of irrigation water comes under close scrutiny from local residents and visitors alike. All watering carried out by the Town is in accordance with the statutory requirements set out by the Department of Water.

The groundwater licence issued to the Town of Cottesloe in October 2007 approves the use of 106,125 kilolitres of groundwater per year. This represents a 34% reduction on the Town's historic allocation, however, the Cottesloe Tennis Club is now responsible for its own bore water licence and therefore their court area has been removed from Council's reticulation area.

The Town of Cottesloe has a number of reticulation systems, most of which are fed by groundwater bores. A number of other smaller areas are connected to the Water Corporation schemes supply.

Areas that are reticulated range from active recreation grounds through to small neighbourhood parks, landscaping around Council buildings and carparks, plus several large areas of road verge.

Water is also used to assist with the establishment of juvenile street trees – either planted as replacements or additions to the existing stock of mature, non-reticulated verge trees.

The Town's reticulation and bore systems have been installed over time by external contractors to varying specifications. This has led to a considerable variation in the quality and effectiveness of watering circuits. The variety of sprinkler pipelines, sprinkler design and layout has led to the practice of repair or replacement on an 'as required' basis.

When coupled with the varying nature of groundwater in the Cottesloe area and the absence of planned replacements, reticulation failures have compromised the capacity of the irrigation system to maintain landscape quality, utilisation of open space by user groups and budget control. This is most evident when the Town's reticulation systems are heavily used over the drier months from October to April.

Where groundwater quality is good and is non-corrosive, the average useful life expectancy of a bore is 20 years. However this can vary. A groundwater bore may typically require air or chemical redevelopment after years of use. It is not unusual for a bore to require redevelopment annually as it approaches the end of its useful life. The need to redevelop annually is a good indicator that collapse may be imminent and where possible this situation should be avoided.

Due to the below ground location of this infrastructure, problems can go undetected and failure is often sudden. The resulting down time can be considerable when bore infrastructure requires removal to allow investigation to identify the cause of the problem.

To identify potential problems, and to program replacement or repairs on a priority basis, bores and pumps need to be assessed on an annual basis. Typical problems encountered include:

- faulty or damaged pumps,
- faulty or damaged bore columns,
- bores requiring redevelopment due to collapse or contamination.

If the problem is pump related, the pump has to be dismantled and a detailed investigation of the problem undertaken.

Where a bore fails completely and requires replacing, the Town is required to apply to the Department of Water for a licence to install a new bore. Such applications can take two months or more to process. Two months without irrigation can have a large impact on the Town's recreation grounds and parks during the summer months. Proactive management of the Town's assets requires recognition of useful life expectancy and the planned replacement of such assets to manage the community's resources in the long-term interests of all.

The proposed five year program takes into consideration the age and condition of the Town's bores, pumps, wells and reticulation systems, their useful life expectancy, known problems, the need to rationalise on the areas under reticulation and the volume of water used.

The Town of Cottesloe also has consultant reports regarding protection of the groundwater resource and systems rationalisation going back over 20 years. Salt

levels for most of the bores and wells have been recorded for approximately 28 years.

Several consultant reports are available over this time period, with the following list of subjects being the main concerns.

- (a) Limited groundwater resource.
- (b) Reduced recharge from rainfall/reduced rainfall.
- (c) Unsustainable draw in certain areas.
- (d) Rising salinity in certain areas.
- (e) Increased demand.

The following list of initiatives was recommended to Council in 2003. Following the receipt of Hydro-Plan in March, 2003 many of these initiatives have now been taken up:

- (i) Soil moisture driven irrigation.
- (ii) Rationalisation of Council bore locations.
- (iii) Reduced extraction rates over long periods.
- (iv) Implementation of a storage and distribution network.
- (v) Reduction of irrigation areas.
- (vi) Responsible use by large users such as golf courses.
- (vii) Monitoring of salinity and flows.
- (viii) Reduction of uncontrolled residential use.
- (ix) Education of stakeholders and regular policy review.
- (x) Increased efforts to recharge stormwater.
- (xi) Drought tolerant plantings with low volume irrigation.

The following update is provided for Council's information:

1. **Soil moisture driven irrigation**

Staff have undertaken investigations regarding the use of soil moisture sensors controlling large reticulation systems on reticulated reserves. Other local governments have had problems with their use and have moved to other systems such as small weather stations linked to controllers. These are expensive and need much higher technical support.

2. **Rationalisation of Council bore locations**

The locations of Council's groundwater bores are not proposed to change in 2009/2010. The future relocation of bores will be considered as replacements are needed, with the main aim being the removal of groundwater bores from the edge of the 'groundwater lens' and the replacements being located at or near the thickest part of the 'lens' near the railway reserve.

Napier Street Bore

The installation of a new bore close the intersection of Napier Street and Curtin Avenue was completed at the end of the 2005/2006 financial year. This is close of the centre of the freshwater 'lens' and delivers water to the Civic Centre and Marine Parade foreshore. It has allowed the closure of the old and failing (with a high saline level) Civic Centre bore and its removal.

Pearse Street Bore

The recent installation of a 135k/litre concrete storage tank on the west side of the Rugby Oval near Pearse Street and a 90k/litre storage tank at the corner of Marine Parade and Pearse Street has allowed both tanks to be filled from the Pearse Street bore (near Curtin Avenue). This is a high-volume, low salt quality supply which is also close to the centre of the available fresh water aquifer.

The storage tanks have allowed the closure of the two existing bores reticulating Cottesloe Oval and Harvey Field. Both of these bores had a high level salt content and both were approaching the stage where major upgrading or replacement would have had to be undertaken.

North Cottesloe Primary School Bore

Council currently obtains reticulation water from the North Cottesloe Primary School bore, for which it has no extraction licence. This water is used to reticulate lawns on the Eric Street road reserve from Stirling Highway to Railway Street. The Primary School does not use this bore and Council is the only user. This bore is in average to poor condition and will need a major service the next few years. A provision has been made for Council expenditure on this Education Department asset in 2012/2013, however this bore could fail at any time due to its age and condition.

The reticulated lawn on Eric Street provides an entry statement to Cottesloe when turning off Stirling Highway. An improved and more responsible statement could be achieved with native vegetation species being planted on both verges of Eric Street as a display, between the highway and Mann Street. This could initially be reticulated by trickle pipe to establish these plants with the rest of the reticulation sprinkler system being eventually turned off and the bore shut down.

Eric Street Bore (Flour Mill)

This bore failed in 2006/07 and its use has now been discontinued.

A portion of this reserve was planted with a variety of native trees and shrubs during 2006/07 and 2007/08.

3. Reduced extraction rates over longer periods

During 2005/06, the new bore at the corner of Curtin Avenue and Napier Street was installed, along with the pressure deliver pipeline. This system delivers water to the rehabilitated underground water tank under the Civic Centre main lawn. The bore slowly delivers water, at a low pressure extraction rate, to the tank.

Two new concrete tanks were installed in 2007/08 on the north side of Pearse Street.

Another storage tank is budgeted for installation this financial year (2008/09) at Grant Marine Park, to be filled at that site but also to be eventually connected

by a pipeline that connects to the OBH well source and the Napier Street pipeline.

4. **Implementation of a storage and distribution network**

The comments regarding storage tanks at the Civic Centre and Cottesloe Oval/Harvey Field complex also apply to this heading.

A fully functioning distribution network will be of great advantage in the event of a bore breakdown, sudden salt intrusion at one of the bores or damage to a delivery pipeline. Under the proposed network the existing bore at the Pearse Street/Curtin Avenue site, the new bore in Napier Street near Curtin Avenue and the Golf Club bore in Forrest Street near Curtin Avenue will be linked together. All three bores will have delivery pipelines up to Broome Street. These three lines will then be connected along Broome Street, with the two storage tanks near Pearse Street and the new Golf Club bore also being interconnected. The Broome Street connection pipeline between Pearse Street and Napier Street was installed during 2007/08.

The Pearse Street bore pipeline already runs through to Marine Parade, as does the Napier Street pipeline. The reticulation system on the west side of Marine Parade runs south of Pearse Street, but also north to a point north of John Street.

In addition, for year 3 (2011-2012), it is proposed to connect the Marine Parade pipeline north along Marine Parade from Napier Street, to the Grant Marine Park pipeline, via the existing OBH well source. This would connect to the 90k/litre storage tank (underground) at Grant Marine Park which will receive bore water at that site when the tank is installed during 2008/09.

These changes could create a substantial storage and distribution network between the main bore sources. Coupled with the new bore in Napier Street the four main areas salinity concerns (Civic Centre, Cottesloe Oval, Harvey Field and Grant Marine Park) will have been addressed.

5. **Reduction of irrigation areas**

The Town of Cottesloe has irrigation systems in a range of different areas. The following priority categories are listed in terms of community impact if the system failed or could not be renewed:

- (a) Active recreation reserves:
 - Cottesloe Oval
 - Harvey Field
 - Tennis Courts – now responsible for own reticulation and bore water licence.

- (b) Passive recreation reserves and major presentation sites:
 - Jasper Green
 - Grant Marine Park
 - Eric Street foreshore
 - General foreshore area, Grant Street to Beach Street

- Andrews Park
 - Lawn terraces on both sides of Indiana Tea House.
- (c) Road verges and minor reticulated areas:
- Cottesloe Flour Mill Reserve (reticulation now ceased)
 - Eric Street road verges – Stirling Highway to Railway Street
 - Tennis Courts – Broome Street and Napier Street verge frontages
 - Napier Street, south side verge fronting Civic Centre
 - Railway reserve land, north west corner of Railway Street/Claremont Railway Bridge
 - Vlamingh Memorial Park (reticulation now ceased)
 - Forrest Street median island, Railway Street to Stirling Highway
 - Napier Street carpark, corner Marine Parade and Napier Street.

No changes are proposed to cut back the reticulated areas of categories (a) and (b).

The following changes are proposed or have been undertaken to category (c):

- (1) *Cottesloe Flour Mill Reserve:* Over two years convert to native vegetation with minimal mowing. Use of bore water has ceased – completed.
- (2) *Eric Street Road Verges:* Establish quality native vegetation entry statement off Stirling Highway. End the use of bore water after two years. Close down bore. Aid property owners to take over sections of old Council reticulation system or convert to native vegetation.
- (3) *Tennis Courts and Road Verge Frontages on Broome Street and Napier Street:* The Tennis Club is now fully responsible for their own reticulation, with all costs of the well/pump system being funded by the Club. A bore licence has been arranged by the Club for the well, with Council's licence no longer covering the tennis courts. The Broome Street lawned verge has had piping changed so that the verge is now reticulated from the Napier Street Council pipeline, leaving the tennis courts as the only reticulated area covered by the tennis courts well.
- (4) *Napier Street – South Side Frontage to Civic Centre:* This is reticulated from the Civic Centre bore. The proposal is to replace the embankment lawn with trickle pipe watered native vegetation.
- (5) *Railway Reserve Land/Park Adjacent to the Rail Reserve, near Swanbourne Railway Bridge:* This area is on rail reserve land and is watered from the water main. Water use could be greatly reduced with native vegetation rather than lawn.
- (6) *Vlamingh Memorial Park:* This park is now not reticulated with low water use native species replacing the original Buffalo grass lawn.

- (7) *Forrest Street Median Island, East of Railway Street:* This lawn area is watered from main, with manual relocation of surface sprinklers. The old sump area is now native vegetation.
- (8) *Napier Street Carpark, Lawn on South West Corner of Carpark:* This is reticulated from the Civic Centre bore. A conversion to native vegetation, initially watered by trickle pipe, would be a more effective use of water and labour.
- (9) *Grant Marine Park:* The area of Grant Marine Park separated by Hamersley Street and Hawkstone Street from the main park area is reticulated and mowed lawn, used by no-one for any purpose. It could be converted to native/local species initially watered by trickle pipe. This would reduce bore water use.

6. **Responsible use by large users such as golf courses**

Golf courses and other large users are now required to be fully involved with Department of Water, with monitoring salinity, volume used etc, and by the use of Management Plans.

As a group, by far the largest users are private property owners. Estimates suggest that up to 100 new bores are installed in the peninsula annually, with no requirements of monitoring or State Government control. This matter requires formal discussion and action by the affected State and Local Governments.

Recent State Government restrictions on the use of private bores to 3 days per week have been a 'step in the right direction' in regards to reducing the removal of ground water.

7. **Monitoring of salinity and flows**

Monitoring of salinity has been occurring at least since 1980 for salinity and more recently for volume/flow.

8. **Reduction of un-controlled residential use**

See point #6. Also, the verge policy proposes that increased efforts be undertaken to persuade local residents and bore owners to consider replacing reticulated lawns with native vegetation.

9. **Education of stakeholders and regular policy review**

This is occurring regarding new policy issues (*Residential Verges*, proposed policies on related issues), annual reconsideration of existing policies and the requirements of the *Consultation* policy.

The WESROC ongoing Water Quality Management Strategy Implementation Committee's work includes a large education strategy for water saving and related matters.

The 4 year National Water Initiative Project will deliver a total of 3 separate information packages on the value of water sources over 3 years, particularly the underground water aquifer.

10. **Increased efforts to recharge stormwater**

This is the central effort of Council's four year drainage project, with approximately 100 soakage pits being installed on town streets per year, over four years. Ocean outfall drains are also being progressively converted to recharge/soak pits, during this period.

11. **Drought tolerant plantings with low volume irrigation**

This matter is covered under point #5, with the creation of three demonstration sites in 2005 for the use of low water-use plants. Drought tolerant plantings with low volume irrigation feature in the *Residential Verge* policy. All Blackspot works such as new roundabouts feature low water use species being used for landscaping.

CONSULTATION

Council's first *Five Year Plan for Reticulated Areas and Groundwater Bores* was last advertised for comment in November 2004. Only one response was received and it came from the Sea View Golf Club.

It is not intended that this latest revision be put out for formal community consultation. It is largely the continuation of an existing plan which has already received formal community input.

STAFF COMMENT

Planned replacement programs for reticulation infrastructure on the basis of a 10 year life cycle is now industry standard. Reactive repair and/or replacement of infrastructure is not considered appropriate when that infrastructure group of assets needs to be relied on to provide a critical service.

Groundwater irrigation is considered to be the most sustainable method of irrigating the Town's parks and reserves. The current focus on scheme water restrictions and reduced water availability provides a strong incentive to review the Town's use of scheme water for irrigation of landscapes on a continuous basis.

An equally pressing need in the Cottesloe peninsula area is to address the growth in the number of bores being installed to access what is a limited groundwater supply.

The Town of Cottesloe's practical response to managing a limited resource is to lead by example through the minimisation of the number of bores and the reduction of areas that are reticulated.

The current four year program for extensive road drainage soak pit installation is also aimed at preserving the groundwater resource. This program will end in 2009/2010.

An updated *Five Year Plan for Reticulated Areas and Groundwater Bores* is now proposed, to include all works/actions proposed within this report. If implemented,

the five year program will provide an integrated pipeline network for the distribution of bore water, storage tanks and reticulation systems operating from those tanks.

Completion of the program will minimise any potential salinity problem, reduce the volume of groundwater used and ensure that reticulation systems on all reserves are brought up to scratch.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

STATUTORY REQUIREMENTS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The reduction of the number of bores, pumps and areas reticulated will reduce the costs of running these systems and overall water consumption.

The five year program contemplates a commitment to the overhaul of existing systems to higher efficiency levels through annual capital works.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council adopt the *Five Year Plan for Reticulated Areas and Groundwater Bores* as per attachment 10.2.8 and use year one as the basis for inclusion in the draft 2009/2010 financial year budget.

Carried 6/0

10.2.9 FIVE YEAR PLAN - NATURAL AREAS MANAGEMENT

File No: SUB/707
Attachment 5 Year Plan – Natural Areas Management Plan
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 17-Feb-2009

Author Disclosure of Interest

SUMMARY

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

That Council:

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

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

BACKGROUND

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

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

CONSULTATION

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

STAFF COMMENT

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

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

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

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

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

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

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

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

The 5 Year program also includes proposed expenditure on the eastern end of Eric St between Railway St and Stirling Highway for the road verges, the western end of Grant St on the median islands, the west side verge of Marine Parade just north of Curtin Avenue, the area immediately south of the Cottesloe S.L.S.C. building, road verges adjacent to the railway corridor and John Black Dune Park.

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

Median Strips/Grant St (p49):

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

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

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

Entry Statements, Curtin Ave/Marine Pde (p49):

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

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

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

wise. Examples of the current status of the extensive lawn verges along Marmion Avenue may be revegetated are shown in **Figures 13 & 14**.

Road Verges/Rail Corridor (p52):

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

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

John Black Dune Park (p56):

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

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

West of Marine Parade/South of Cottesloe SLSC: (p41/42):

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

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

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

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

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

STATUTORY REQUIREMENTS

None known

SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING

Simple Majority.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Miller

That Council adopt the Natural Areas Management 5 Year Plan as per attachment 10.2.9 and Year 1 be used as the basis for inclusion in the draft 2009/2010 financial year budget for funding consideration.

Carried 5/1

10.2.10 FIVE YEAR PROGRAM - ROAD SAFETY IMPROVEMENT AND SPEED RESTRICTION

File No: SUB/707
Attachment: 5 Year Plan – Road Safety Improvement and Speed Restriction Program
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest: Nil

SUMMARY

At the August 2008 meeting, Council resolved to:

- (1) Consider a new 5 Year Program for Road Safety Improvement and Speed Restriction in February 2009 with Year 1 to be 2009/2010.
- (2) Inform the authors of both comments on the 2008 Traffic Study of Council's decision in this matter.

This report provides the requested 5 Year Program for Road Safety Improvement and Speed Restriction, with the recommendation that Council:

- (1) Adopt the draft 5 Year Program for Road Safety Improvement and Speed Restriction; and
- (2) Include Year 1 of the program into the draft 2009/2010 budget document for funding considerations.

BACKGROUND

After the extensive public consultation program, site inspections and a search of road files for comments and complaints relating to road safety problems in the Town of Cottesloe, Council's Traffic Consultants delivered the final version of the Town of Cottesloe Traffic Study.

This study contains a list of intersection and mid block changes to the existing road network to reduce speeding and improve safety for pedestrians, cyclists and vehicles in the Town of Cottesloe.

The 5 Year Program is based on the list contained in the study plus the practical knowledge regarding safety issues gathered by staff over many years.

CONSULTATION

The basis of this 5 Year Program comes from the 2008 Town of Cottesloe Traffic Study, which included a substantial public consultation program.

STAFF COMMENT

This proposed 5 Year Program is based on the Porter Consulting Town of Cottesloe Traffic Study adopted by Council in August 2008.

At an expenditure rate of approximately \$100,000 per year, many of the points raised and recommended for solution will not be treated in the 5 year period of this program. Each additional year, further issues will be included for treatment.

Several issues raised are multi functional and could be included in other programs. As examples, the widening of Forrest Street footpath to a dual use path from Marine Parade to Curtin Avenue could (and will) be applied for under the DPI Cycling grant system, to reduce its cost to Council.

The Torrens Street new footpath could be included under the disability program to provide paths in streets that do not have them.

A number of other treatments will be applied for through the Main Roads WA Black Spot grant program, which should reduce the cost to Council and speed the program up.

A balance of needs has been created in this first 5 Year Program, balancing the safety needs of drivers, cyclists and pedestrians, as well as the aim of reducing driving speeds on busy roads.

POLICY IMPLICATIONS

Council's *Traffic Management Policy* applies.

STRATEGIC IMPLICATIONS

The Future Plan 2006-2010 contains no major objectives or strategies relating to traffic management.

STATUTORY REQUIREMENTS

The care, control and maintenance of public road reserves is vested in the Town of Cottesloe. These powers however, do not include the setting of speed zones. These are determined and signposted by Main Roads WA (MRWA). The Police are then expected to enforce speed zone limits. The construction of traffic control devices on public roads normally requires some form of control or advice signage. These signs must be approved and installed by MRWA which ensures that MRWA can monitor the use of such devices.

Where high speeds are recorded and practical methods exist to reduce such speeds back to legal limits, there is a general expectation that the relevant authorities will 'design' and retro-fit the appropriate speed inhibitors into the road layout.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The annual costs for the various projects are listed in the 5 Year Program, for consideration for funding Year 1 in the 2009/10 financial years budget.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Cunningham

That Council adopt the draft 5 Year Program for Road Safety Improvement and Speed Restriction as per attachment 10.2.10 and include Year 1 of the program into the draft 2009/10 budget document for funding consideration.

Carried 6/0

10.2.11 FIVE YEAR MAJOR ROAD REHABILITATION AND IMPROVEMENT PROGRAM

File No: SUB/707
Attachment 5 year Plan – Major Road Rehabilitation and Improvement Program
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

An updated program of major road rehabilitation and improvement projects for the next five years has been provided.

The recommendation is made to:

Adopt the *Five Year Major Road Rehabilitation and Improvement Program* and use year one as the basis for inclusion in the draft 2009/10 financial year budget.

A copy of the program is attached (10.2.11)

BACKGROUND

The projects listed in this report are eligible for funding through the Metropolitan Regional Road Grants (MRRG) pool of funds. These projects attract two-thirds funding from the State Government.

Generally those roads having a traffic threshold of 2000 vehicles per day and classified as Local Distributor, District Distributor A or District Distributor B are eligible.

MRRG funding is for pavement rehabilitation (reconstruction) where the focus is on the road pavement component rather than major streetscape, footpath, street lighting and/or drainage improvements. The submission guidelines incorporate a weighted point scoring system that allows comparison with other projects across the metropolitan area.

A major factor in the point score achieved is the efficiency calculation wherein the project's estimated overall per square metre rate is compared to benchmark figures. This calculation effectively penalises those grant submissions that are based on expensive reconstruction techniques or excessive embedded costs designed to offset the expense of ancillary works such as footpaths etc.

Main Roads WA requires that a five-year forward program of projects be updated and submitted annually with detailed submissions for the first two years. The list of projects proposed for submission later this year is attached.

All roads involved are Council's full responsibility. If MRRG contributory funding is not forthcoming then the Town Council is entirely responsible for all costs associated with road reconstruction.

The level of road grant funds changes from year to year, which moves the 'cut off' line for approvals. This means that higher scoring jobs will receive approval before lower scoring ones are included.

The Minister normally approves the annual program prior to May each year. The remaining four years in the proposed program have been configured so as to achieve the highest scores per year, thereby maximising the chance of obtaining high levels of road grant income in future years.

CONSULTATION

Consultation will take place for each road project on a case by case basis, when funds are approved and draft designs completed. The majority of these projects involve the simple replacement of failing asphalt surfacing and kerbing, plus the upgrading of grated drainage pits to side entry pits and soak pits.

STAFF COMMENT

The benefits of a strategic approach to road reconstruction include:

- Forward planning of MRRG project submissions;
- More detailed planning within the framework of a long term Capital Works Program;
- Synergies gained through integration of road rehabilitation and other road-type programs, e.g. local street works, laneway improvements and footpath projects.

The proposed five-year program is aimed at maximising the income from the Metropolitan Regional Road Grants based on maximising the points scored in each road submission. It should be borne in mind that while the visually worst roads might recommend themselves in the first instance, they are often not the technically worst roads after road testing has been completed.

POLICY IMPLICATIONS

The applicable policy is *Long Term Engineering Programs* adopted by Council in May 2004 which states:

Objective

The provision of long term programs for the construction, upgrading and rehabilitation of all significant infrastructure within the Town of Cottesloe.

Principle

Within the context of a ten year capital works program and a Principal Activities Plan, five year forward plans for urban roads, drainage, footpaths,

parks and gardens, parking areas and other significant infrastructure areas are to be created and reviewed annually, with updated programs being available to the public.

STRATEGIC IMPLICATIONS

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

STATUTORY REQUIREMENTS

No specific statutory requirements are associated with this report. The current five year program facilitates the forward planning of major road projects that are intended to satisfy State Government guidelines for the metropolitan Regional Road Grants funding.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Identifying potential projects over a five year timeframe allows the town to seek significant grants from government sources and significantly reduces the potential financial burden on the Town.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Carmichael

That Council adopt the Five Year Major Road Rehabilitation and Improvement Program as per attachment 10.2.11 and use year one as the basis for consideration for inclusion in the draft 2009/10 financial year budget with the remaining year's being included within Council's long-term financial plan.

Carried 6/0

10.2.12 SEALED LANEWAY RESURFACING

File No: SUB/707
Attachment Policy – Rights of Way / Laneways
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Attachments: Policy on Rights of Way / Laneways
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

Council has a number of sealed laneways many of which are old, in poor condition and in need of resurfacing.

This item describes the problem areas and recommends:

That the surface condition of all Council controlled public access laneways be considered at the same time as all public street surface conditions, with resurfacing of the lowest condition sealed laneways to be included in the Five Year Local Road Rehabilitation Program, commencing in 2010/2011.

BACKGROUND

Over many years, Council has had a number of public use laneways asphalt sealed. Little to no resurfacing has taken place in recent years to keep these accesses in good condition, apart from patching of particularly poor condition areas.

Requests have been received by staff for such laneways to be included in future budgets for resurfacing. For most other types of infrastructure, forward plans have been created to ensure a sustainable program of refurbishment is maintained, and it is appropriate that Council consider and prioritise the maintenance and refurbishment of it's sealed laneways.

CONSULTATION

Nil.

STAFF COMMENT

The Town of Cottesloe contains approximately 13.3km of laneways, of which approximately 3.0km are Crown Land and 7.8km owned in 'fee simple' by the Town of Cottesloe. The rest are privately owned.

Of these laneways either vested in or owned by Council, several kilometres are asphalt sealed. After approximately 20 years, most sealed surfacing needs resurfacing or maintenance (pothole patching) becomes continuous and expensive.

The only budget allocations in recent years for any laneway upgrading works has been \$20,000 in the past two years to be spread out over all drainage, kerbing, reshaping and similar needs. This has allowed no consideration of resurfacing requirements and private ratepayers and groups such as ProCott have been advised accordingly.

The most recent requests for laneway resurfacing has been for DeNardi Lane, Clapham Lane, the sealed laneway to the south of TAPPS between Railway Street and Stirling Highway, McNamara Way and Pennefather Lane.

In some cases the Council owned sealed laneway is a similar width and condition to Council owned public streets, which have been included in ongoing 5 year plans for road resurfacing.

Laneways such as DeNardi Lane, Clapham Lane and McNamara Way would carry more traffic and heavier truck traffic compared with a number of quiet residential streets. There is therefore, a case for such sealed laneways to be included with public streets when asphalt resurfacing is being prioritised in 5 year programs.

POLICY IMPLICATIONS

Right of Way / Laneways Policy (see attachment 10.2.12)

STRATEGIC IMPLICATIONS

In Council's Future Plan 2006-2010, Objective 5 states "Maintain infrastructure and council buildings in a sustainable way. Major strategy 5.3 under the heading states "Develop an integrated Town Centre plan to improve all aspects of the infrastructure of the Town Centre. Laneways are part of that infrastructure.

STATUTORY REQUIREMENTS

Nil.

SUSTAINABILITY IMPLICATIONS

Councils' lack of funding to keep its sealed laneways in a good condition is not sustainable with such surfaces continually degrading.

FINANCIAL IMPLICATIONS

As the sealed laneways age and deteriorate, asphalt patching costs continue to rise. Eventually, resurfacing will not be capable of restoring the surface and full reconstruction will be required, at a much higher financial cost to Council.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Dawkins

That Council consider the surface condition of all Council controlled public access laneways at the same time as all public street surface conditions with resurfacing of the lowest condition sealed laneways to be included in the five year local road rehabilitation program, commencing in 2010/2011.

Carried 6/0

10.2.13 MARINE PARADE / JARRAD STREET INTERSECTION MODIFICATIONS

File No: SUB/479
Attachments: Aerial Photo of Intersection
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

It is probable that Marine Parade from Salvado Street to Jarrad Street will be resurfaced in 2009/2010, using a $\frac{2}{3}$ Main Roads Cost Subsidy.

The original shape of the previous intersection with Jarrad Street, as a 'hump' on the east side, remains in place and needs to be levelled prior to the resurfacing.

This item describes the engineering issue and recommends:

That a section of Marine Parade adjacent to the old Jarrad Street intersection be reshaped in 2009/2010, prior to the resurfacing of Marine Parade from Salvado Street to Jarrad Street at an estimated cost of \$16,600 in the 2009/2010 budget.

BACKGROUND

It is expected that the Minister will approve a surface rehabilitation grant (for resurfacing) for Marine Parade from Salvado Street to Jarrad Street for expenditure in 2009/2010.

This work will complete the resurfacing of the entire length of Marine Parade, with the Metropolitan Regional Road grant program funding $\frac{2}{3}$ of the total cost. Jarrad Street originally had an intersection onto Marine Parade with the shape of the eastern side of Marine Parade being 'humped' to allow easy connection between these two streets at the tee-junction.

Jarrad Street has been closed for 21 years and the surface ripped up and replanted as part of the golf course.

Resurfacing over this 'hump' on the east side of Marine Parade does not make sense and reshaping prior to the resurfacing appears logical.

CONSULTATION

Nil.

STAFF COMMENT

The existing mis-shapen section of Marine Parade for approximately 20 metres was only built, many years ago because of the need to provide for vehicles using the tee-junction with Jarrad Street. This affects approximately 20m of the eastern lane of Marine Parade.

Given the permanently closed status of Jarrad Street east of Marine Parade, it is timely that the shape of Marine Parade be modified to remove the 'hump' prior to a new layer of asphalt being applied. This includes the adjacent footpath. The estimated cost of this work is \$16,600.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The cost of any reconstruction of this old intersection would be included in Council's 2009/2010 Budget.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Cunningham

That Council approve a section of Marine Parade adjacent to the old Jarrad Street intersection as per attachment 10.2.13 to be reshaped prior to the resurfacing of Marine Parade from Salvado Street to Jarrad Street at an estimated cost of \$16,600, with costs included in the 2009/2010 budget.

Carried 5/1

10.2.14 NORFOLK ISLAND PINE TREES - JOHN STREET COTTESLOE

File No: SUB/466
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil.

SUMMARY

At its November 2008 meeting, Council resolved:

That:

- (1) *A full version of the consultants report on Norfolk Island Pine trees in John Street be prepared and delivered to all properties in that street, with a commitment that all such trees removed would be replaced with the same species.*
- (2) *Submissions are invited on the recommendation of the consultants report.*
- (3) *Subject to Council considering the responses to invitation to submissions to arrange for four trees to be removed from the frontage of 49, 19, 21 and 68 John Street.*
- (4) *Maintenance to be undertaken as covered in item 6.5 and 6.6 in the consultants report.*
- (5) *A budget allocation is made in the 2009-2010 budget for inspection of all Norfolk Island Pine trees in Cottesloe according to a programme devised by Council state.*

Items 1, 2 and 4 have now occurred.

This report deals with the results of the consultants report being delivered to every property in John Street and the comments received with the recommendation:

That the Norfolk Island Pine Trees in front of 49, 19, 21 and 68 John Street be removed and replaced with the same species in July 2009 and a budget allocation be made for that purpose.

BACKGROUND

Council received the consultant report in November 2008. In addition, a report was also recently received on the results of the use of Ground Penetrating Radar to locate potential voids in two trees in John Street. Copies of the John Banks report on the Norfolk Island Pine trees were delivered to all properties in that street, with a request for comments.

The time for public comments has now ended.

CONSULTATION

This report supplies the results of the request for public comment from all properties in John Street.

STAFF COMMENT

Three responses have been received which apply to the condition of the John St Norfolk Island Pine trees. One letter commends Council on its approach to this matter, agrees with the November 2008 resolution, requests early action to remove the tree in front of No. 19 and further requests that an extra pine tree be planted in front of No. 17a when the replacement tree is planted in front of No. 19,

The second response (from 50 John St) provided the following points:

- The tree collapse in July 2008 was due to a weakness in the root system.
- Such weaknesses may be identifiable by detecting small changes in the angle of lean of the trees, by using surveying instruments normally used on areas such as mine pit walls.

Comment:

This type of testing was discussed with the consultant. Unfortunately, with large trees being living things with varying soil condition, moisture content, timber weakness and strengths, number and locations of different cavities and flaws etc., they cannot be compared with built structures and mine walls.

Different trees flex and lean differently with the same wind loadings. Many trees develop a lean angle due to prevailing wind direction on one season, but change this angle or fully recover, due to wind direction changes.

The third response provided the following points:

- The separate report on the trees outside 64 and 37 John St – why was it separate and can it be made available?
- Branches falling from trees in John St are not rare.
- Trees will need to be removed and replaced in a way that retains shade, in a professional and sensitive way.
- Tree replacements should be the same as the existing species, for the whole street.
- There should be a harvesting program for cones from Norfolk Island Pine trees when they seed every 2 years.

Comment:

The separate report for trees outside 64 and 37 John St, is now available. It reports on the use of Ground Penetrating Radar to inspect root systems and investigate potential voids associated with these two trees. No definite recommendations on tree health or danger of collapse could be provided from this report.

Norfolk Island Pine trees drop less branches than most same age or sized trees of other species e.g., gum trees. It is certainly known that branches do fall from pine trees for various reasons.

All pine tree removals in John Street will require the same species or sub species of Norfolk Island Pine tree to be used as that removed, to match the total street planting. A few pine trees in John St and Cottesloe in general appear to be slightly different in habit. These were planted before the current staff experience.

With regards to the harvesting of pine cones from mature and semi mature Norfolk Island Pine trees, every 2 years, the cost would be significant, with the following applying:

Trees to be 'harvested' would be in excess of 500 throughout Cottesloe.

From experience approximately six trees could be treated per day with a large truck-mounted cherry picker. Council pays \$100-\$150 per hour for such large units. (Assume \$120 per hour).

Therefore, \$120 ph = \$1000 per day
500 trees being treated at six trees per day = 83 days
\$1000 per day x 83 days = \$83,000
83 working days = over 4 months

The cones are not mature in the trees for 4 months, therefore, at least 2 large machines would be needed, if they were available, for over 2 months each.

The volume of gathered nuts would be substantial and would need to be stored/disposed of at a suitable site, with additional costs for transportation and storage/disposal fees.

Council will have to consider whether this level of funding every 2-3 years is justified, compared to other projects aimed at removing liability.

From the submissions made, there appears to be no negative attitude towards the removal of the listed mature (over 100 years old) Norfolk Island Pine trees from John St, so long as it is done professionally, with all care and the trees removed are replaced with the same species.

Council can consider the case for immediate removal of four trees versus the removal in July, with a separate budget allocation for this work (\$10,000 - \$12,000) and, the immediate replacement of these trees in cooler, moist conditions.

It is proposed that no funding be included in annual budgets for the harvesting of Norfolk Island Pine tree nuts.

POLICY IMPLICATIONS

Councils Street Trees policy applies.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

Due to the heavy demands from street tree maintenance and tree removals, Council's Street Tree Maintenance allocation for 2008/09, from which any tree removals in John Street would be funded, appears headed to over expenditure by the end of June.

The cost of each tree removal in John Street will be approximately \$2,000 to \$3,000.

VOTING

Simple Majority

AMENDMENT

Moved Cr Carmichael, seconded Cr Cunningham

To remove number 49 John Street Cottesloe from the recommendation to remove that tree.

Status Quo Lost 4/3

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Miller

That Council endorse the removal and replacement of the Norfolk Island Pine Trees in front of 49, 19, 21 and 68 John Street with the same species in July 2009 and a budget allocation be made for that purpose and that a copy of the report be provided to the resident's at 64 and 37 John Street.

Carried 6/0

10.2.15 RESTORATION OF THE GROUNDWATER AQUIFER - NATIONAL WATER INITIATIVE

File No: SUB/415
Attachment: Report to National Water Commission – July to December 2008
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest: Nil

SUMMARY

The Town of Cottesloe commenced this four year project in June, 2006. The project budget includes a one-third grant from the Federal Government under the National Water Initiative. One of the grant conditions is the preparation of a formal report on progress and expenditure every six months. This will be the fifth six-month report for this project.

It is recommended that Council adopt the report and forward it to the National Water Commission.

Copy of the report is attached (.).

BACKGROUND

Council has previously resolved to undertake this project over a four year period, with the practical tasks to be completed being:

1. The construction of 280 individual soak pits.
2. The removal of 10 separate ocean outfall pipelines with the water being redirected into the water table.
3. The replacement of 7 existing open sumps with replacement structures to remove debris and pollutants prior to their entry into the aquifer.
4. The provision for the interception and removal of debris and pollutants from all structures.
5. A community education programme to change public attitudes to reducing groundwater use and changing garden types.

Each year of the project has its own milestones for the completion of set portions of the above mentioned tasks.

CONSULTATION

Nil.

STAFF COMMENT

The project is progressing well, with no current concerns regarding the rate of progress or the level of expenditure.

All required milestones have been met for the first half of the third year of this project.

The works undertaken have received strong support from within the community and others who are concerned with the future of the Cottesloe aquifer and metropolitan water supplies in general.

In 2007/08, the first of three education packages was created and distributed to all properties in Cottesloe, to achieve attitudinal change in regards to the preservation of the Cottesloe freshwater aquifer. Two more packages will be created in the next two financial years as per the grant agreements, with the second package planned for March/April 2009.

The Department of Water has agreed in writing to a \$100,000 grant over 3 years to assist this project, particularly for public education. A formal agreement is also in place for this grant with \$33,333 being funded per year for 3 years.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Council's *Future Plan 2006-2010* has as objective No. 5 the aim to maintain infrastructure and Council buildings in a sustainable manner. This project is centred on sustainability of the underground water aquifer and long term sustainable drainage structures.

STATUTORY REQUIREMENTS

All work for this four year project takes place on land controlled by the Town of Cottesloe and involves drainage works of various types.

Council is responsible for the long term construction and maintenance of stormwater drainage systems.

The Federal Government grant for this project required the signing of a legal agreement which places reporting requirements on the Town of Cottesloe.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The total project cost is \$2.346m (plus GST) over four years with the Federal Government agreeing to a \$782,000 (plus GST) grant through the National Water Initiative. The State Department of Water has been requested for assistance with this project and an agreement has been finalised by the Department of Water for a

\$100,000 grant over 3 years. 2008/09 will be the second year of this agreement for the State Department of Water grant provision.

Council's 2007/08 budget includes \$611,000 expenditure for this project, plus a grant income from the National Water Initiative of \$220,000 (plus GST) and \$33,000 from the State Department of Water.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Woodhill, seconded Cr Dawkins

That Council adopt the report as per attachment 10.2.15 and forward it to the National Water Commission.

Carried 6/0

10.3 FINANCE**10.3.1 BUDGET REVIEW**

File No: SUB/59
Attachment: Budget Review
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

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

SUMMARY

Local governments are required to conduct a budget review between 1st January and 31st March each financial year. This budget review consists of a detailed comparison of the year-to-date actual results with the budget.

BACKGROUND

In the September 2008 Council meeting the Manager Corporate Services reported that at the time of the budget adoption process around the end of June 2008 the carry forward surplus estimated was \$561,365. The actual surplus was \$52,821 which represents an unfavourable variance of \$508,544.

There are two main causes for the variance: overspending on the Water Smart initiative of \$194,700 and overspending on roadworks for Curtin Avenue and blackspot projects of \$164,827.

The Manager of Engineering Services outlined the problem as follows:

- *Dealings with the Town of Mosman Park regarding the installation of drainage pits, large sump conversions and Black Spot works resulted in over expenditures which only became apparent towards the end of the financial year, when it was not possible to cut back on other works to balance these expenditures. Mosman Park issued a number of large invoices late June and even as late as early August for works completed in April/May of 2008. These invoices covered all types of works done by Mosman Park and resulted in most of these jobs being over expended.*
- *For 2008/09, firm quotations for drainage pit installations were received from three contractors plus Mosman Park. As a result, Claremont Asphalt will be undertaking all such installations for this financial year. Mosman Park's quotation suffered from their Council deciding to increase the profit margin to 25%, up from last year's 17% which in turn was 2% more than the original 15%.*

- *The cost of asphalt per tonne dramatically increased in 2007/08, in a year when we had the heaviest asphalt resurfacing program for many years. This resulted in over expenditures for the later jobs, particularly Curtin Avenue and Marine Parade. Curtin Avenue required extra asphalt because of wheel ruts and depressions which were not obvious at the time the original MRWA submission took place. If these large jobs had been undertaken early in the financial year and the over costs had been known, cut backs would have occurred in other work proposed for later in the year.*

The unfavourable result means that the Town of Cottesloe will have to manage its finances far more carefully.

The Manager of Engineering Services has contacted the funding providers for the Water Smart project and informed them that we spent some of the current financial year's (2008/2009) funding last year (2007/2008). They have said that as long as invoices corroborating the expenditure last financial year are available, they are satisfied with a reduction in the current year's expenditure by the relevant overspend from last year and will reimburse the Town for the full amount.

The overspend on roadworks is being addressed in two ways.

Firstly the Manager of Engineering Services has identified a list of capital items whose purchase should be deferred to early next year (dependent on a budget review in February 2009) or even into the next financial year.

- | | |
|---|------------------|
| ▪ <i>No replacement of Kubota SP mower</i> | <i>\$ 26,000</i> |
| ▪ <i>No replacement of Isuzu Truck</i> | <i>\$ 50,000</i> |
| ▪ <i>No replacement of Tennant Vacuum machine</i> | <i>\$ 75,000</i> |

Secondly, cost savings should be sought on the following projects by reducing payments for materials and contractors:

- | | |
|--|------------------|
| ▪ <i>Reduce Drainage Maintenance</i> | <i>\$ 30,000</i> |
| ▪ <i>Reduce Road Maintenance</i> | <i>\$ 40,000</i> |
| ▪ <i>Reduce Car Park Maintenance</i> | <i>\$ 10,000</i> |
| ▪ <i>Reduce Footpath Maintenance</i> | <i>\$ 25,000</i> |
| ▪ <i>Reduce Parks & Reserves Maintenance</i> | <i>\$ 40,000</i> |
| ▪ <i>Reduce Street Tree Maintenance</i> | <i>\$ 40,000</i> |
| ▪ <i>Reduce Laneway Maintenance</i> | <i>\$ 5,000</i> |
| ▪ <i>Reduce Irrigation Maintenance</i> | <i>\$ 5,000</i> |
| ▪ <i>Reduce Street Furniture Construction</i> | <i>\$ 10,000</i> |
| ▪ <i>Reduce Plant, Machinery and Equipment purchases</i> | <i>\$ 2,000</i> |
| ▪ <i>Tighten up on new asphalt overlays for residential streets</i> | <i>\$ 21,100</i> |
| ▪ <i>Water Smart Year 3 – credit for extra works done in 2007/08</i> | <i>\$ 66,000</i> |

These restrictions on expenditure in the short term should provide a total saving of \$445,100, the validity of which can be re-assessed at the February 2009 meeting of Council.

The proposed plant replacements can also be reconsidered at the same time or put off into 2009/10.

All necessary basic maintenance will be undertaken, as required, but any extra works normally booked to those numbers should be put off at least until the second quarter of 2009, particularly for materials and contractors.

While the deferral of the above expenditures deals with the immediate problem of the poor year end result, Council should also be aware that a number of unbudgeted items have already occurred or are in the immediate offing. They relate to:

- *Unforeseen cost variations relating to the Civic Centre project.*
- *CEO recruitment costs.*
- *Increased town planning consultant costs associated with LPS No.3 and the EbD process.*
- *Town planning consultant costs associated with the proposed redevelopment of land in Station Street.*
- *Potential cost escalations with the library project.*
- *Implementation of the strategy to reduce hotel patron numbers.*
- *Repair of the Cottesloe Beach pylon.*

In summary, it is likely that the year end result for 2008/09 will be a significant deficit unless preventative measures are undertaken. Accordingly recommendations are made to endorse the proposed strategy of deferring expenditure and undertaking a comprehensive budget review in February 2009.

CONSULTATION

Nil

STAFF COMMENT

The budget review shows Council's operating position forecast for a deficit of approximately \$176,480. The primary cause for the deficit is the carried forward deficit from last financial year. There has been significant effort from staff to reduce or defer expenditure and this has been escalated since the current review.

To ensure an adequate cash balance for the Council to meet its operating requirements permission is sought to temporarily increase the Council overdraft facility from \$100,000 to \$250,000 until September 2009.

It is important to note that the interest expected to be paid on the library loan has been removed from the forecast. The Budget Review attachment contains a detailed assessment of the strategies the management team have initiated to minimise the impact of the carried forward deficit (more detailed reports are available upon request).

There is another review scheduled to occur on the March 2009 results. The final cost of the EbD should be available at this time as well as some savings anticipated in both the capital & operating budget.

There is a requirement to review the materiality levels each year that trigger a report on significant variances in the budget review. It is recommended that this be

maintained at the same levels as last year, that is, any variance being greater than 15% or \$25,000.

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

Regulation 33A of the Local Government (Financial Management) Regulations 1996 provides the following:

Review of budget

- 1. Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- 2. Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- 3. A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review. *Absolute majority required.*
- 4. Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

There is a small deficit compared to budget based on the forecast. Senior management have been made aware of the current financial position and have been encouraged to limit any non-essential expenditure during the last quarter of the financial year.

VOTING

Absolute Majority.

COMMITTEE COMMENT

Cr Dawkins wanted it noted that the Sculpture by the Sea that the Town usually purchased has been taken out of the Budget for 2009/10 and that this will be very obvious to the Residents.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Miller, seconded Cr Woodhill

That Council adopt the Budget Review as per attachment 10.3.1 and approve the temporary increased overdraft facility until September 2009.

Carried 6/0

10.3.2 STATUTORY FINANCIAL STATEMENTS FOR PERIOD ENDING 31 DECEMBER 2008

File No: SUB/137
Attachment: Financial Statement for period 1 July 2008 to 31st December 2008
Attachments: Financial Statements
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Patrick
Manager Corporate Services

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

SUMMARY

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 December 2008 to Council.

BACKGROUND

The Financial Statements are presented monthly.

CONSULTATION

None known.

STAFF COMMENT

The Operating Statement on page 2 of the Financial Statements shows an unfavourable variance between the actual and budgeted YTD operating surplus of \$64,901 as at 31 December 2008. Operating Revenue is ahead of budget by \$89,866 (1%). Operating Expenditure is \$184,599 (4%) more than budgeted YTD. A report on the variances in income and expenditure for the period ended 31 December 2008 is shown on pages 7-8.

The Capital Works Program is listed on pages 23 & 24 and shows total expenditure of \$2,928,627 compared to YTD budget of \$4,372,155. The reason for the significant difference is the delay with the library.

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

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 December, 2008, as per attachment 10.3.2 and as submitted to the 17 February 2009 meeting of the Works and Corporate Services Committee.

Carried 6/0

10.3.3 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 JANUARY 2009

File No: SUB/137
Attachments: Financial Statement for period 1 July 2008 to 31st January 2009
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 January 2009, to Council.

BACKGROUND

The Financial Statements are presented monthly.

CONSULTATION

None known.

STAFF COMMENT

The Operating Statement on page 2 of the Financial Statements shows an favourable variance between the actual and budgeted YTD operating surplus of \$286,858 as at 31 January 2009. Operating Revenue is unfavourable to budget by \$46,160 (1%). Operating Expenditure is \$146,047 (3%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 31 January is shown on pages 7-8.

The Capital Works Program is listed on pages 22 to 24 and shows total expenditure of \$3,051,923 compared to YTD budget of \$5,644,035. The reason for the significant difference is the delay with the library.

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

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 January 2009, as per attachment 10.3.3 and as submitted to the 17 February 2009, meeting of the Works and Corporate Services Committee.

Carried 6/0

10.3.4 SCHEDULE OF INVESTMENTS AND SCHEDULE OF LOANS FOR THE PERIOD ENDING 31 DECEMBER 2008

File No: SUB/150 & SUB/151
Attachment: Financial Statement for period 1 July 2008 to 31st December 2008
Responsible Officer: Carl Askew
Author: Chief Executive Officer
Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 31 December 2008 to Council.

BACKGROUND

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

CONSULTATION

None known.

STAFF COMMENT

The Schedule of Investments on page 18 of the Financial Statements shows that \$2,756,121.19 was invested as at 31 December, 2008

Reserve Funds make up \$2,447,820.91 of the total invested and are restricted funds. Approximately 57% of the funds are invested with the National Australia Bank, 23% with Bank of Queensland, 11% with Commonwealth Bank and 9% with BankWest.

The Schedule of Loans on page 19 shows a balance of \$566,014.04 as at 31 December, 2008. There is \$513,263.86 included in this balance that relates to self supporting loans.

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive the Schedule of Investments and Schedule of Loans for the period ending 31 December 2008, as per attachment 10.3.2 and as submitted to the 17 February 2009, meeting of the Works and Corporate Services Committee.

Carried 6/0

10.3.5 SCHEDULE OF INVESTMENTS AND SCHEDULE OF LOANS FOR THE PERIOD ENDING 31 JANUARY 2009

File No: SUB/150 & SUB/151
Attachments: Financial Statement for period 1 July 2008 to 31st January 2009
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 31 January 2009 to Council.

BACKGROUND

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

CONSULTATION

None known.

STAFF COMMENT

The Schedule of Investments on page 18 of the Financial Statements shows that \$2,172,799.03 was invested as at 31 January, 2009.

Reserve Funds make up \$2,164,498.75 of the total invested and are restricted funds. Approximately 72% of the funds are invested with the National Australia Bank, 16% with Bank of Queensland, and 12% with BankWest.

The Schedule of Loans on page 19 shows a balance of \$566,014.04 as at 31 January, 2009. There is \$513,263.86 included in this balance that relates to self supporting loans.

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS**STATUTORY REQUIREMENTS**

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive the Schedule of Investments and Schedule of Loans for the period ending 31 January 2009, as per attachment 10.3.3 and as submitted to the 17 February 2009 meeting of the Works and Corporate Services Committee.

Carried 6/0

10.3.6 ACCOUNTS FOR THE PERIOD ENDING 31 DECEMBER 2008

File No: SUB/137
Attachment: Financial Statement for period 1 July 2008 to 31st December 2008
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the List of Accounts for the period ending 31 December 2008, to Council.

BACKGROUND

The List of Accounts is presented monthly.

CONSULTATION

None known.

STAFF COMMENT

The following significant payments are brought to your attention that are included in the list of accounts commencing on page 9 of the Financial Statements:

- \$10,038.00 to Byrnes & Associates for EbD consultancy
- \$21,235.68 to Cobblestone Concrete for footpath installation
- \$11,983.63 to Synergy for power and lights
- \$13,654.95 to WA Local Govt Super Fund for staff deductions
- \$16,816.92 to WA Local Govt Super Fund for staff deductions
- \$10,819.00 to Byrnes & Associates for EbD consultancy
- \$14,518.77 to WA Local Govt Super Fund for staff deductions
- \$13,805.00 to UHY Haines Norton for Audit of FY 2007/2008
- \$13,774.66 to WA Treasury for loan repayment
- \$122,964.97 to Roads 2000 for various construction projects on roads in Cottesloe
- \$14,441.62 to WMRC for disposal and tipping fees
- \$16,721.65 to Claremont Asphalt for asphalt works at Curtin, Forrest & Grant
- \$32,526.34 to B&N Waste for November waste collection
- \$11,000.00 to Informed Decisions for WESROC consultancy
- \$478,054.23 to KMC for building progress claim 5
- \$27,075.10 to WMRC for disposal and tipping fees
- \$28,490.00 to Brian Curtis for EbD consultancy
- \$34,537.42 to Melville Subaru for new vehicle per fleet renewal programme

- \$258,652.50 to FESA for 2nd qtr ESL levies
- \$15,652.16 to Surf Life Saving WA for lifeguard contract for November 2008
- \$14,062.38 to WALGA for Market Force advertising
- \$13,521.33 to WMRC for disposal and tipping fees
- \$72,346.95 and \$68,561.55 for staff payroll

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive the List of Accounts for the period ending 31 December 2008, as per attachment 10.3.2 as submitted to the 17 February 2009 meeting of the Works and Corporate Services Committee.

Carried 6/0

10.3.7 ACCOUNTS FOR THE PERIOD ENDING 31 JANUARY 2009

File No: SUB/137
Attachments: Financial Statement for period 1 July 2008 to 31st January 2009
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the List of Accounts for the period ending 31 December 20089, to Council.

BACKGROUND

The List of Accounts is presented monthly.

CONSULTATION

None known

STAFF COMMENT

The following significant payments are brought to your attention that are included in the list of accounts commencing on page 9 of the Financial Statements:

- \$14,197.32 to WA Local Govt Super Fund for staff deductions
- \$14,953.26 to WA Local Govt Super Fund for staff deductions
- \$17,339.00 to JCT Architects for refund of Development Application fees
- \$15,488.00 to Phillip Griffith Architects for services relating to Civic Centre refurbishment
- \$10,158.50 to Key2Design for Keep Cott Beautiful design
- \$15,652.16 to Surf Life Saving WA for contract for December 2008
- \$15,701.95 to WMRC for disposal and tipping fees
- \$55,182.58 to EcoAID for drainage components for sump conversion
- \$253,148.56 to KMC for building progress claim 6
- \$44,462.00 to PRW Contracting for installation of soak pits
- \$112,143.46 to Shire of Peppermint Grove for quarterly library contribution
- \$80,449.51 to Roads 2000 for construction project on Margaret Street
- \$38,046.40 to Transpacific Cleanaway for domestic & commercial waste disposal in November 2008
- \$12,108.25 to Brian Curtis for EbD consultancy
- \$12,782.00 to Passive Lighting for solar powered street lighting system at Eric & Broome street intersection
- \$63,166.04 and \$71,139.12 for staff payroll

POLICY IMPLICATIONS

None known

STRATEGIC IMPLICATIONS

None known

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known

FINANCIAL IMPLICATIONS

None known

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive the List of Accounts for the period ending 31 December 20089, as per attachment 10.3.3 and as submitted to the 17 February 2009 meeting of the Works and Corporate Services Committee.

Carried 6/0

**10.3.8 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 31
DECEMBER 2008**

File No: SUB/145
Attachment Financial Statement for period 1 July 2008 to 31st December 2008
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

The purpose of this is to present the Property and Sundry Debtors Reports for the period ending 31 December 2008 to Council.

BACKGROUND

The Property and Sundry Debtors Reports are presented monthly.

CONSULTATION

None known.

STAFF COMMENT

The Sundry Debtors Report on pages 20 to 21 of the Financial Statements shows a balance of \$213,697.42 of which \$103,544.70 relates to the current month. The balance of aged debt greater than 30 days stood at \$108,689.31 of which \$82,023.83 relates to pensioner rebates that are being reconciled by the Senior Finance Officer.

Property Debtors are shown in the Rates and Charges analysis on page 22 of the Financial Statements and show a balance of \$1,471,217.38. Of this amount \$222,519.55 and \$302,313.82 are deferred rates and outstanding ESL respectively. As can be seen on the Balance Sheet on page 4 of the Financial Statements, rates as a current asset are \$1,248,743 in 2008 compared to \$1,118,051 last year.

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY ENVIRONMENT

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive and endorse the property debtors report and the sundry debtors report for the period ending 31 December 2008; as per attachment 10.3.2 and as submitted to the 17 February 2009 meeting of the Works and Corporate Services Committee.

Carried 6/0

10.3.9 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 31 JANUARY 2009

File No: SUB/145
Attachments: Financial Statement for period 1 July 2008 to 31st January 2009
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 17-Feb-2009
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 31 January 2009 to Council.

BACKGROUND

The Property and Sundry Debtors Reports are presented monthly.

CONSULTATION

None known.

STAFF COMMENT

The Sundry Debtors Report on page 20 of the Financial Statements shows a negative balance of \$88,204.08. This follows an overpayment from the Officer of State Revenue during the month. We have informed them of the over payment and an adjustment is being made in February 2009.

Property Debtors are shown in the Rates and Charges analysis on page 21 of the Financial Statements and show a balance of \$998,023.29. Of this amount \$222,519.55 and \$294,000.84 are deferred rates and outstanding ESL respectively. As can be seen on the Balance Sheet on page 4 of the Financial Statements, rates as a current asset are \$774,407 in 2009 compared to \$697,649 last year.

POLICY IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS

None known.

STATUTORY REQUIREMENTS

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

SUSTAINABILITY IMPLICATIONS

None known.

FINANCIAL IMPLICATIONS

None known.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Woodhill

That Council receive and endorse the property debtors report and the sundry debtors report for the period ending 31 January 2009; as per attachment 10.3.3 and as submitted to the 17 February 2009 meeting of the Works and Corporate Services Committee.

Carried 6/0

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

Nil

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

Late Report – Planning Institute of Australia 2009 – National Congress.

The late report will be included in the Council's Agenda.

Moved Cr Dawkins, seconded Cr Cunningham

Carried 6/0

13 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 8.55pm.

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