

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 16 NOVEMBER 2010

CARL ASKEW
Chief Executive Officer

19 November 2010

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

The Presiding Member announced the meeting opened at 7:00pm.

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

Mayor Kevin Morgan	Presiding Member
Cr Greg Boland	
Cr Patricia Carmichael	
Cr Ian Woodhill	
Cr Victor Strzina	Arrived at 7:22pm
Cr Rob Rowell	
Cr Dan Cunningham	

Officers Present

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

Apologies

Nil

Officer Apologies

Nil

Leave of Absence (previously approved)

Nil

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PUBLIC STATEMENT TIME

Simon Yeo, 27 Margaret Street, Cottesloe – Vera View Dog Beach

Mr Yeo spoke about the issue of removing the curfew of the Vera View Dog Beach that has come to Council in October. He stated that there needs to be wider public consultation as the issue relates to all beach users and needs to be a fair process. Mr Yeo stated that he wasn't a fan of having dogs on the beach as there are a lot of children who use the beach and dogs and children

do not mix. The Vera View beach is also a great swimming beach and there are other beaches that aren't so conducive to swimming that are more appropriate dog beaches. Mr Yeo also mentioned that there are no dog beaches along the east coast of Australia.

In response to Mr Yeo's comments, and of the benefit of the members of public present, the Mayor advised, by way of clarification, that advice from the Department of Local Government via the CEO has now confirmed that the decision of Council at its 25 October 2010 meeting in relation to the Northern Dog Beach contradicts to our current Dogs Local Law and as such no action can be taken to implement the resolution. In other words, the existing curfew will remain until the local law is reviewed and/or amended.

Bernard Seeber, 33 Margaret Street, Cottesloe – Vera View Dog Beach

Mr Seeber stated that he used the beach every morning. In that time he has been attacked twice by dogs and just the last week there have been two dog fights he has witnessed. The circumstances at the dog beach have changed over the last few years, now the dog density is at a high risk level and the impact is a health and environmental risk and he can no longer take my family there. Mr Seeber stated that no other animal is allowed at the beach, so why should dogs still be allowed.

Melissa Harkins, 68 John Street, Cottesloe – Item 10.2.3 request for new footpath, Charles Street, Cottesloe.

Ms Harkins handed out two sets of two photographs showing children walking to school on the road due to not having a footpath. She explained that she was a leader of the school walking bus and that the absence of a pathway along Charles Street was a safety concern for the children. Mr Harkins reminded the committee that the Council was a big supporter of the walking school bus and that the route that they took was approved by the Department of Transport. When asked for clarification as to which side of the street she felt the footpath should be located, she indicated that her preference was for the western side away from the majority of driveways.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Boland, seconded Cr Cunningham

[Minutes October 19 2010 Works and Corporate Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Works and Corporate Services Committee, held on 19 October 2010 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 present the Chairperson determined to consider the items in the following order:

10.2.3 Request for new footpath, Charles Street, Cottesloe
The remainder of the items from the Works and Corporate Committee were dealt with as per the agenda. The last two financial items, 10.3.3 and 10.3.4 were dealt with *en bloc*.

10 REPORTS OF COMMITTEES AND OFFICERS

10.1 ADMINISTRATION

10.1.1 REVIEW OF DIFFERENTIAL RATING POLICY

File No: POL/5
Attachments: [Policy - Differential Rating.DOC](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The Town of Cottesloe policy for Differential Rating has been reviewed by Council staff. This report recommends that Council adopt the policy.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

This report relates to the Differential Rating policy.

STATUTORY ENVIRONMENT

- Local Government Act 1995
 - ❖ Section 6.33. Differential general rates
 - (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
 - (a) the purpose for which the land is zoned, whether or not under a local planning scheme in force under the *Planning and Development Act 2005*;
 - (b) a purpose for which the land is held or used as determined by the local government;
 - (c) whether or not the land is vacant land; or
 - (d) any other characteristic or combination of characteristics prescribed.
 - (2) Regulations may —
 - (a) specify the characteristics under subsection (1) which a local government is to use; or

- (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.
- (5) A differential general rate that a local government purported to impose under this Act before the *Local Government Amendment Act 2009* section 39(1)(a) came into operation¹ is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

[Section 6.33 amended by No. 38 of 2005 s. 15; No. 17 of 2009 s. 39.]

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Council is required to regularly review its policies. This policy is due to be reviewed. There is no intention to introduce differential rating. This policy details what is involved should such a recommendation be made.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Rowell

THAT Council note the policy has been reviewed and adopt the Differential Rating Policy as per the attachment.

Carried 7/0

10.1.2 REVIEW OF RESERVE ACCOUNT POLICY

File No: POL/18
Attachments: [Policy - Reserve Accounts.DOC](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The Town of Cottesloe policy for Reserve Accounts has been reviewed by Council staff. This report recommends that Council adopt the policy with suggested changes.

STRATEGIC IMPLICATIONS**Objective 5: Infrastructure**

To maintain infrastructure and council buildings in a sustainable way

- Develop a long term asset management plan and accompanying financial plan.

POLICY IMPLICATIONS

This report relates to the Reserve Accounts policy.

STATUTORY ENVIRONMENT

- Local Government Act 1995
 - ◆ Section 6.11. Reserve accounts
 - (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
 - (2) Subject to subsection (3), before a local government —
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose,it must give one month's local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*
 - (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or

- (b) in such other circumstances as are prescribed.
 - (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
 - (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.
- Local Government (Financial Management) Regulations 1996

Reg. 17. Reserve accounts

- (1) A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.
- (2) In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to —
 - (a) in the information required by regulations 27(g) and 38, by its full title; and
 - (b) otherwise, by its full title or by an abbreviation of that title.

Reg.18. Circumstances in which local public notice not required for change of use of money in reserve account — s. 6.11(3)(b)

A local government is not required to give local public notice of a proposed change of use of money in a reserve account —

- (a) where the money is to be used to meet expenditure authorised by the mayor or president under section 6.8(1)(c); or
- (b) where the total amount to be so used does not exceed \$5 000 in a financial year.

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Council is required to regularly review its policies. This policy is due to be reviewed. The policy is needed some minor changes prior to being endorsed until the next review.

The changes allow for clearer management of reserve accounts in line with current legislation.

VOTING

Absolute Majority

COMMITTEE COMMENT:

The Manager Corporate and Community Services tabled an amended Reserve Account Policy, which was considered and accepted by Committee.

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Carmichael

THAT Council note the policy has been amended and adopt the Reserve Account Policy as per the attachment.

Carried 7/0

10.1.3 REVIEW OF SELF SUPPORTING LOANS POLICY

File No: POL/20
Attachments: [Policy - Loans - Self Supporting.DOC](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Patrick
Manager Corporate Services

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The Town of Cottesloe policy for Self Supporting Loans has been reviewed by Council staff. This report recommends that Council adopt the policy with no changes.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

This report relates to the Self Supporting Loans policy.

STATUTORY ENVIRONMENT

- Local Government Act 1995
 - **SUBDIVISION 3 — BORROWINGS**
 - ◆ Section 6.20. Power to borrow
- (1) Subject to this Act, a local government may —
- (a) borrow or re-borrow money;
 - (b) obtain credit; or
 - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,
- to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.
- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (*power to borrow*) and details of that proposal have not been included in the annual budget for that financial year —
- (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
 - (b) the resolution to exercise that power is to be by absolute majority.
- (3) Where a local government has exercised a power to borrow and —
- (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
-

- (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,

the local government may resolve* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

* *Absolute majority required.*

- (4) A local government is not required to give local public notice under subsection (3) —
- (a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or
 - (b) in such other circumstances as are prescribed.
- (5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Council is required to regularly review its policies. This policy is due to be reviewed. The policy is satisfactory in its current format and as such is endorsed until the next review.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Rowell

THAT Council note the policy has been reviewed and adopt the Self Supporting Loans Policy as per the attachment.

Carried 7/0

10.1.4 MEETING DATES 2011

File No: SUB/383
Attachments: [Committee Council Meeting Dates 2011 pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Lydia Giles
Executive Assistant
Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

A resolution is required to set Council and Committee Meetings for 2011.

STRATEGIC IMPLICATIONS**Objective 7: Organisation Development**

To effectively manage Council's resources and work processes.

- Deliver high quality professional governance and administration.

POLICY IMPLICATIONS

None known

STATUTORY ENVIRONMENT

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

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

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The proposed change to the meeting date from Monday 25 April 2011 to the Wednesday 27 April 2011 takes into account the Easter Monday public holiday and ANZAC day and means that Council business can be attended to without the delay of a week. This was very successful in the 2010 round of Council meetings.

For the December round of meetings, it is proposed that Committee meetings will be on 5 and 6 December and Council on 12 December. However given the closeness to the November Council meeting an alternative is to consider the Committee meetings on the 12 and 13 December and Council on 19 December 2011.

Council also has the option to change the time of the meetings to ensure that there is consistency with starting times for each committee. The Development Services Committee currently commence at 6:00pm and other committees at 7:00pm it is recommended that consideration be given to aligning all meeting times. Council has the option to have all meetings commence at 6pm or 7pm, or at another time to be determined.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Woodhill

That Council adopt the following meeting dates for 2011 and:

- 1. Observe a recess in January 2011, with no ordinary meeting of Council;**
- 2. Advertise the ordinary Council meeting dates for 2011 as the fourth Monday in the month commencing at 7:00pm;-**

January	No meeting
February	Monday 28
March	Monday 28
April	Wednesday 27 - Change due to Anzac Day
May	Monday 23
June	Monday 27
July	Monday 25
August	Monday 22
September	Monday 26
October	Monday 24
November	Monday 28
December	Monday 12 -To avoid proximity to Christmas

- 3. Advertise the Development Services Committee meeting dates for 2011 as the third Monday in the month commencing at 6:00pm;-**

January	No meeting
February	Monday 21
March	Monday 21
April	Monday 18
May	Monday 16

June	Monday 20
July	Monday 18
August	Monday 15
September	Monday 19
October	Monday 17
November	Monday 21
December	Monday 5 - To avoid proximity to Christmas

4. Advertise the Works & Corporate Services Committee meeting dates for 2011 as being held on the day after the Development Services Committee meeting commencing at 7:00pm

January	No meeting
February	Tuesday 22
March	Tuesday 22
April	Tuesday 19
May	Tuesday 17
June	Tuesday 21
July	Tuesday 19
August	Tuesday 16
September	Tuesday 20
October	Tuesday 18
November	Tuesday 22
December	Tuesday 6 - To avoid proximity to Christmas; and

5. Advertise the Strategic Planning Committee meeting dates for 2011 being held on the day after the Works & Corporate Services Committee meeting in the months of February, May, August & November commencing at 7:00pm as:-

February	Wednesday 23
May	Wednesday 18
August	Wednesday 17
November	Wednesday 23

AMENDMENT

Moved Cr Boland;

That Council amend the start times for the Strategic Planning Committee from 7:00pm to 6:00pm.

The motion lapsed for want of a seconder

AMENDMENT

Moved Cr Boland;

That Council amend the Committee and Council meeting dates in December 2011 by moving them back one week, i.e. Council Meeting 19 December, Development Services Committee 12 December, Works and Corporate Services Committee Meeting 13 December.

The motion lapsed for want of a seconder

SUBSTANTIVE MOTION WAS PUT

Carried 7/0

10.2 ENGINEERING

10.2.1 EXCAVATION ON DEANE STREET ROAD VERGE

File No: SUB/442
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

A small amount of debris removal took place several months ago by Council staff on the north side of a short section of Deane Street at road level. This debris material was at the base of a limestone cutting through which a section of Deane Street was originally built. The work was originally requested by a resident.

A complaint has been received from another resident of Deane Street who has queried the debris removal and requested a retaining wall to protect against erosion and landfalls.

The recommendation is that Council inform the complainant that no further works through the Deane Street cutting are proposed at this stage for either debris removal or retaining walls, but that the site will be monitored for potential future works if this is considered necessary.

BACKGROUND

The minor works at the foot of this cutting on the north side of Deane Street were undertaken in May of this year. The works were requested by the fronting land owner who had problems with parking on the kerb line. Originally there had been approximately one metre of flat ground behind the kerb which allowed vehicles to be partially off the road. Long term slow erosion had filled over that width, forcing the vehicle to be fully parked in front of the kerb line. The works undertaken in May removed that erosion build up and did not cut into the original cutting.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Minor maintenance costs if left as it is. \$10,000 - \$20,000 cost if a retaining wall is installed.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Only with adjacent residents who first requested the original works.

STAFF COMMENT

Other than this comment, there have been no complaints regarding this minor removal of erosion material build up. Deane Street is narrow through this cutting, with minimal passing width if a vehicle is parked in front of the kerb line. There are no plans and there have been no requests to extend the removal of erosion debris further along the cutting. In regards to parking, residents of Deane Street are not entitled to park on Broome Street verges, as an alternative to parking in Deane Street.

There are no plans, nor does it appear necessary, for a retaining wall through Deane Street cutting.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Cunningham

THAT Council inform the complainant that no further works through the Deane Street cutting are proposed at this stage for either debris removal or retaining walls, but that the site will be monitored for potential future works if this is considered necessary.

Carried 7/0

Prior to discussion of item 10.2.1 Cr Strzina declared an impartiality interest and disclosed that he is a resident of Deane St. As a consequence he advised that there may be a perception that his impartiality on the matter may be affected and declared he would consider the matter on its merits and vote accordingly.

10.2.2 POLICY REVIEW - TRAFFIC MANAGEMENT

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

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

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

The item was considered by Council at its October 2010 meeting, with a resolution that it be further reviewed by Administration. The policy has now been modified and the recommendation is that the modified policy be adopted by Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Review of existing policy.

STATUTORY ENVIRONMENT

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

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

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Existing Policy

STAFF COMMENT

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

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

In regards to the comments included in the policy under the sub-heading "*Road Classification and Design*" upgrading has occurred relating to Curtin Avenue and the output of the "Enquiry by Design" process undertaken in 2008.

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

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

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Cunningham, seconded Cr Strzina

THAT Council adopt the modified Traffic Management Policy.

Carried 7/0

10.2.3 REQUEST FOR NEW FOOTPATH, CHARLES STREET, COTTESLOE

File No: SUB/435
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

There is no footpath in Charles Street between Eric Street and Athelstan Road. This street is used by school children and parents walking to the North Cottesloe Primary School. A request has been received for a new footpath to be built on the verge to provide a permanent and safe walking alignment for all pedestrians using the street, particularly school children.

The recommendation is that Council:

1. Consult with property owners on the west side of Charles Street about a proposal to install a 1.5m wide concrete footpath on the road verge;
2. Install the proposed footpath if there are no pertinent issues against the proposal raised by affected residents, with the matter to be brought back to Council if there are un-resolvable problems;
3. Fund the proposed new Charles Street footpath from savings made from footpath replacement allocations made in the 2010/2011 budget to a total cost of \$12,000; and
4. Inform the applicant of Council's decision.

BACKGROUND

The vast majority of streets in Cottesloe contain existing footpaths, sometimes on both sides of the street. Until recently, no public requests had been recorded for this street to receive a footpath. With increased use by school children and the 'walking school bus arrangement' the need has developed to consider the proposal.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council's policy – New Footpaths applies.

STATUTORY ENVIRONMENT

There is no statutory requirement for Council to build any footpath.

FINANCIAL IMPLICATIONS

The estimated cost of a new footpath in Charles Street is \$12,000. This cost could be funded from surplus funds becoming available from budgeted allocations for slab footpath replacements in 2010/2011.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

None so far. Consultation is recommended with property owners affected by a new path construction on their verge.

STAFF COMMENT

When the "New Footpath" policy was being developed and debated, Charles Street had been mentioned as one street that needed a footpath, however no funds were included in the 2010/2011 budget for this work.

The street is relatively flat and a standard path could be built on either of the two verges. Discussions with the applicant have indicated that the preferred verge for a new footpath is on the west side, crossing the grassed island between the Charles Street service lane to the south side of Eric Street.

With regards to the policy consideration, this proposed path would improve safety, install a missing path link, improve universal access and provide a footpath in a street with no footpaths. The west side of Charles Street has less private properties when compared with the east side, however, property owners will still need to be consulted, as per policy, prior to any final construction decision by Council.

In terms of cost, the estimated cost of \$12,000 could be allocated from budgeted funds allocated to the 2010/2011 Footpath Slab Replacement Program. The three year tender adopted earlier this year for in-situ concrete footpaths, was substantially below the expected costs with savings of approximately \$50,000 in the year predicted. The paths completed to date have provided the expected level of savings.

VOTING

Absolute Majority

OFFICER RECOMMENDATION**THAT COUNCIL:**

1. Consult with property owners on the west side of Charles Street about a proposal to install a 1.5m wide concrete footpath on the road verge;
2. Install the proposed footpath if there are no pertinent issues against the proposal raised by affected residents, with the matter to be brought back to Council if there are un-resolvable problems;
3. Fund the proposed new Charles Street footpath from savings made from footpath replacement allocations made in the 2010/2011 budget to a total cost of \$12,000; and
4. Inform the applicant of Council's decision

AMENDMENT

Moved Cr Boland; seconded Cr Cunningham

That the words "*on the west side*" in point one of the Officer's recommendation be moved from its current position and placed before the words "*the road verge*".

Carried 7/0

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Rowell

THAT COUNCIL:

1. Consult with property owners of Charles Street about a proposal to install a 1.5m wide concrete footpath on the west side of the road verge;
2. Install the proposed footpath if there are no pertinent issues against the proposal raised by affected residents, with the matter to be brought back to Council if there are un-resolvable problems;
3. Fund the proposed new Charles Street footpath from savings made from footpath replacement allocations made in the 2010/2011 budget to a total cost of \$12,000; and
4. Inform the applicant of Council's decision

The Amended substantive motion was put

Carried 7/0

10.3 FINANCE

10.3.1 STATUTORY FINANCIAL REPORT FOR THE MONTH OF OCTOBER 2010

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

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 October 2010, to Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Operating Statement on page 2 of the Financial Statements shows a favourable variance between the actual and budgeted YTD net profit or loss of \$1,027,833 as at 30 September 2010. Operating Revenue is above budget by \$68,732 (1%). Operating Expenditure is \$89,380 (3%) less than budgeted YTD. A report on the variances in income and expenditure for the period ended 30 September 2010 is shown on page 7. It is important to note that the YTD variance is distorted by \$518,018 in grant funds distributed from the Shire of Peppermint Grove relating to the Library project and \$215,000 of parking revenue received as in lieu from development projects.

The Capital Works Program is listed on pages 23 - 28 and shows total expenditure of \$2,163,661 compared to YTD budget of \$2,180,482. Included in this section is an anomaly relating to the new library. The report currently shows YTD expenditure against this project of \$1,181,266 compared to a total budget of \$789,848. Part of the reason for the \$391,418 unfavourable variance is that we have not offset the grant funds (\$581,018 as mentioned above) from the Shire of Peppermint Grove.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

THAT Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 October, 2010, as per the attached Financial Statements, submitted to the 16 November 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.3.2 SCHEDULE OF INVESTMENTS & LOANS FOR OCTOBER 2010

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

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 31 October 2010, as per attachment, to Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

No financial resource impact.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 18 of the Financial Statements shows that \$3,822,029.74 was invested as at 31 October 2010.

Reserve Funds make up \$650,478.95 of the total invested and are restricted funds. Approximately 28% of the funds are invested with the National Australia Bank, 38% with Westpac, 18% with Commonwealth Bank and 16% with BankWest.

The Schedule of Loans on page 19 shows a balance of \$6,679,066.39 as at 31 October, 2010. There is \$440,894.71 included in this balance that relates to self supporting loans.

VOTING

Simple Majority

COMMITTEE COMMENT:

Committee discussed the officer report and financial statements and sought clarification on a number of issues. Manager of Corporate and Community Services provided responses to some questions at the meeting and agreed to advise all Councillors by email in relation to the others.

OFFICER & COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Boland

THAT Council receive the Schedule of Investments and Schedule of Loans for the period ending 31 October 2010, as per the attached Financial Statements, as submitted to the 16 November 2010 meeting of the Works and Corporate Services Committee

Carried 7/0

10.3.3 ACCOUNTS PAID FOR THE MONTH OF OCTOBER 2010

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

Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the list of accounts paid for the period ending 31 October 2010 to Council, as per the attached financial statements.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

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

- \$14,967.18 to WA Local Government Superannuation Plan for superannuation contributions.
 - \$15,138.95 to WA Local Government Superannuation Plan for superannuation contributions.
 - \$38,093.05 to Wangara Volkswagon for purchase of new car
 - \$137,427.46 to WATC for loan repayment
 - \$11,220.00 to Breac Pty Ltd for environmental health services.
 - \$42,328.92 to City Toyota for purchase of 2 new cars
-

- \$44,429.70 to the Shire of Peppermint Grove for contribution toward the new library
- \$36,107.50 to id Consulting for annual subscription (WESROC initiative)
- \$227,326.54 to the Shire of Peppermint Grove for contribution toward the new library
- \$79,352.65 to Pro-Cott being the payment of the Special Area Levy for 2010/2011
- \$24,657.00 to City Toyota for purchase of a new car
- \$10,450.00 to UHY Haines Norton for the audit for 2009/2010
- \$25,801.61 to the Shire of Peppermint Grove for contribution toward the new library
- \$17,748.61 to B & N Waste for bulk/green waste collection in September
- \$20,894.50 to Tyco Flow Control for reticulation upgrade
- \$37,499.71to Western Metropolitan Regional Council for transfer station tipping fees.
- \$35,253.38 to Transpacific Cleanaway for waste collection services.
- \$38,087.35 to Wangara Volkswagon for purchase of new car
- \$20,428.57 to Surf Life Saving WA for contracted services for October 2010
- \$11,151.51to Western Metropolitan Regional Council for transfer station tipping fees.
- \$67,633.48 & \$67,070.71 for staff payroll.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council receive the List of Accounts for the period ending 31 October 2010, as per the attached Financial Statements, as submitted to the 16 November 2010 meeting of the Works and Corporate Services Committee

Carried 7/0

10.3.4 PROPERTY & SUNDRY DEBTORS REPORT FOR OCTOBER 2010

File No: SUB/145
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Graham Pattrick
Manager Corporate Services
Proposed Meeting Date: 16 November 2010
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 31 October 2010 to Council

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report commences on page 20 of the Financial Statements and shows a balance of \$392,049.72 of which \$328,592.74 relates to the current month. The balance of aged debtors over 30 days stood at \$63,456.98

Property Debtors are shown in the Rates and Charges analysis on page 22 of the Financial Statements and show a balance of \$2,445,552.38. Of this amount \$197,617.74 and \$394,828.14 are deferred rates and outstanding ESL respectively. As can be seen on the Balance Sheet on page 4 of the Financial Statements, rates as a current asset are \$2,245,964 in 2010 compared to \$1,840,062 last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council receive the Property and Sundry Debtors Report for the period ending 31 October 2010, as per the attached Financial Statements, as submitted to the 16 November 2010 meeting of the Works and Corporate Services Committee.

Carried 7/0

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

Nil

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

Moved Mayor Morgan, seconded Cr Strzina

That the issue of the black spot treatment on the corner of Grant Street and Mann Street be considered as urgent business.

Carried 7/0

12.1 BLACK SPOT TREATMENT

Information previously emailed to all Councillors on 16 November 2010 was tabled by the Manager Engineering Services in relation to this matter including a written response from the Department of Main Roads advising that the revised submission and proposed treatment for the intersection at Mann and Grant Street was not supported as an alternative.

Moved Mayor Morgan, seconded Cr Strzina

That Council undertake works on originally approved in August 2008, including the "Seagull" island design, with all works to be completed by the end of December 2010 and letters to be sent to all persons who made comment on this matter in May/June 2010 explaining the reasons for Council's actions.

Lost 2/5

COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Rowell

That Council return funds already received from Main Roads WA for the original approved works and request that staff investigate alternative treatments on Mann Street and Grant Street to improve safety at the intersection.

Carried 7/0

Moved Cr Boland, seconded Cr Strzina

That the issue of the removal of two trees by Western Power, on Public Transport Authority land, north of the Western Power substation on Curtin Ave be treated as urgent business.

Carried 6/1

**12.2 WESTERN POWER/PUBLIC TRANSPORT AUTHORITY – TREE
REMOVAL**

Information has been previously circulated to all Councillors by the Manager Engineering Services, who also provided an update at the meeting including latest advise from Western Power. It was noted by Committee that the trees are located on Public Transport Authority (PTA) land.

COMMITTEE RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

That Council write to both Western Power and the Public Transport Authority requesting that every endeavour be made to preserve these two trees.

Carried 7/0

13 MEETING CLOSURE

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

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