

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, TUESDAY, 16 AUGUST 2011

**CARL ASKEW**  
Chief Executive Officer

18 August 2011



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**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 7:04 PM.

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

Cr Greg Boland	Presiding Member
Cr Victor Strzina	
Cr Dan Cunningham	
Cr Patricia Carmichael	
Cr Rob Rowell	
Cr Davina Goldthorpe	(Deputy)

**Officers Present**

Carl Askew	Chief Executive Officer
Mat Humfrey	Manager Corporate & Community Services
Geoff Trigg	Manager Engineering Services
Darrell Monteiro	Principal Environmental Health Officer (left at 7.40pm)
Christy Watterson	Administration & Governance Officer
Megan Norrish	Instep Work Experience (left at 7.40pm)

**Apologies**

Mayor Kevin Morgan

**Officer Apologies**

Nil

**Leave of Absence (previously approved)**

Cr Ian Woodhill

**3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4 PUBLIC QUESTION TIME**

Mr Anthony Marwick – 30 Stock Road Attadale WA 6156 – item 10.1.2 - Litter Bin Memorandum of Agreement - Natsales Australia Pty Ltd – Request for Renewal. Mr Marwick spoke on behalf of Natsales in the capacity of Managing Director, and questioned why Council would consider replacing bin infrastructure to the value of \$100,000, if the Town of Cottesloe, in his opinion, already has these facilities for no cost? Mr Marwick stated his surprise over the officer recommendation to enter into an amended Memorandum of Agreement with a term of 12 months, as he was under the impression that Council was happy with the service Natsales was providing. Mr Marwick spoke

of prior commendations Natsales had received not only for their service but also for their professionalism. Mr Marwick encouraged Council not to base their decision on a few complaints received approximately 10 years ago.

Councillor Boland as the Presiding Member responded to Mr Marwick's question and statement by stating that the issue was covered comprehensively in the agenda and that the issues raised, including costs, would be considered by Committee in determining its recommendation. Councillor Boland thanked Mr Marwick for his comments and concluded by stating that it would be left to the Committee to discuss the merits and timeframe for the contract extension.

## **5 PUBLIC STATEMENT TIME**

Mr Bret Christian – 38 John Street Cottesloe – Item 10.2.1 - Rubber Speed Cushions and Bollards, Broome Street, Cottesloe. Mr Christian advised that he lives on the corner of Broome and John Street in Cottesloe, and by physical proximity is very aware of traffic issues on that section of Broome Street. Mr Christian stated that he was very happy with the introduction of speed cushions trials in the area, and believed they worked well to educate residents and slow traffic. Mr Christian mentioned that his questions may be out of the jurisdiction of Council and should possibly be referred to local police, however he wanted to bring to the attention of Council a "weekend phenomena" whereby "tourist traffic" take their anger out on the speed cushions with heavy breaking, and blowing horns as they ride each cushion. Mr Christian advised that similar practices have been noted in Peppermint Grove, where local police involvement was required to resolve the issue. Mr Christian further highlighted concerns that as the summer months approach, increased traffic in the area, combined with traffic calming signs, speed cushions and roundabouts would put the Town into gridlock.

Mr Bruce Robinson – 2 Barsden Street Cottesloe – Item 10.2.1 - Rubber Speed Cushions and Bollards, Broome Street, Cottesloe. Mr Robinson provided a handout for Councillors that contained commendations for Council over the speed cushions and bollards, a photo of the bollards / speed cushions in use, and road safety statistics. Mr Robinson stated that he regularly uses that section of Broome Street with his granddaughter and believed that the introduction of speed cushions and bollards has made Broome Street a safer place for residents, particularly those with children who cross the road to access the Civic Centre playground. Mr Robinson provided further statistic and examples of road accidents causing harm to pedestrians and stated that the community at large accepts fences around pools as a safety mechanism and these speed cushions and bollards should be regarded in the same light. Mr Robinson finished by highlighting the support amongst various community groups and local newspapers for the speed cushions and bollards.

Mr Kim Gamble – 35 Napier Street, Cottesloe – Item 10.1.1 - Firework Application North Cottesloe Beach. Mr Gamble stated that he had been approached by a friend and fellow Cottesloe resident to perform a fireworks display at his daughters wedding, as he is a licensed firework contractor who possesses a federal dangerous goods licence. Mr Gamble advised that to obtain fireworks licenses and a federal dangerous goods licence, he was

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required to obtain a number of safety checks prior to any display or event and Council should be aware of the extent of regulations required for all fireworks applications. Mr Gamble expressed surprise over the officer recommendation and stated that he had lived in Cottesloe for over 20 years and believed that at the proposed time of the fireworks, there would not be many people at the beach and hence closing the section off for a short period of time would not affect others enjoyment of the beach. Mr Gamble stated that the proposed display would not result in any littering of the beach and that the event would be advertised in the paper to notify residents. Mr Gamble concluded by saying that prior fireworks displays have been enjoyed by spectators and that there is a misconception that fireworks are dangerous, which in Mr Gambles opinion is false.

## **6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Moved Cr Strzina, seconded Cr Cunningham**

[Minutes July 19 2011 Works and Corporate Services Committee.doc](#)

**The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 19 July 2011 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 chairman determined to consider items 10.1.2 Litter Bin Memorandum of Agreement - Natsales Australia Pty Ltd – Request for Renewal and 10.2.1 Rubber Speed Cushions and Bollards, Broome Street, Cottesloe first, then returned to the published order of the agenda.

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

10.3.2 Statutory Financial Reports for the Month of July 2011

10.3.3 List of Accounts Paid For the Month of July 2011

10.3.4 Schedule of Investments and Loans as At 31 July 2011

10.3.5 Property and Sundry Debtors Report For July 2011

## 10 REPORTS OF COMMITTEES AND OFFICERS

### 10.1 ADMINISTRATION

#### 10.1.1 FIREWORK APPLICATION NORTH COTTESLOE BEACH

**File No:** SUB/550-02  
**Attachments:** [Fireworks Cottesloe Beach Map No 1](#)  
[Beach Map No 2](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Meagan Hodgson  
Community Development Officer  
**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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#### SUMMARY

An application has been received for a Fireworks Event to be held on Saturday 15th October 2011 at 7.15pm for fifteen minutes at Cottesloe beach, between Eileen Street and Eric Street. The event is part of a wedding reception to be held at the applicant's home.

#### BACKGROUND

At the Council meeting on 27<sup>th</sup> April 2011, a firework event application was approved with conditions, by Council. The current request has been submitted by the contractor *Fireworks Australia* for the northern end of Cottesloe beach. In the past fireworks have been set up on the Groyne, which is blocked off at the entrance for security and safety during the display. According to the contractor, the fireworks will be set up on the beach between Eileen and Eric Street, therefore *requiring more safety* which will be provided by four security guards. Further measures will also be taken to secure the beach area with signs and roping off access points to the beach. The beach will need to be closed between Eileen and Eric Street from 6.30pm to 8.05pm.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

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

#### STATUTORY ENVIRONMENT

Clause 5 of the Town of Cottesloe's Beaches and Beach Reserve Local Law No.3 provides that in order to protect the quiet and amenity of the beach reserves, no person shall discharge any fireworks except in the course of a function or activities approved in writing by the Council.

#### FINANCIAL IMPLICATIONS

Nil

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**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

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

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

Fireworks Australia have stated the following:

- the display would not affect any sand dune vegetation because viewing will take place from the balcony at 150 Marine Parade, Cottesloe;
- all litter will be collected completely;
- noise will be reduced due to the size of the arial shells being 75mm and mid-level type fireworks. Additionally the duration will only be 15 minutes and due to the open area of the fireworks, the noise factor will be minimal; and
- A certificate of Currency for \$10m for public liability insurance has been attached to the report.

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

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

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

**Table 8.2** Minimum clearance distances for aerial fireworks

Size of aerial shell	Minimum clearance distance
Up to and including 75 mm	45 m
100 mm	75 m
125 mm	100 m
150 mm	150 m
200 mm	200 m
250 mm	250 m
300 mm	300 m
Over 300 mm	As required by the Chief Officer

Western Australian Outdoor Fireworks Code of Practice (<http://www.dmp.wa.gov.au/6684.aspx>)

The Firework Policy also states that, 'Applications will not be approved for events within 500m of a Protected Place or for hours outside Restricted Times or for events beginning later than 8.30pm'. The event is scheduled to take place between 7.15pm to 7.30pm and is 500m from any environmental impact area.

Including set up and pack down, the fireworks will make the area of the beach between Eric and Eileen Street unavailable from 6.30pm to 8.05pm. Access for a vehicle is possible through a pathway in front of North Cottesloe Surf Life Saving Club and no other events have been scheduled for North Cottesloe Beach on this date. The beach will therefore need to be closed between Eileen and Eric Street from 6.30pm to 8.05pm.

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

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

If Council wishes to approve the fireworks with 'closure of' and 'vehicle access to' the Beach at 7.15pm on Saturday 15 October, it should be approved with the following conditions:

- All litter will be collected completely.
- Duration of fireworks display not to exceed 15 minutes.
- Applicants to pay for notice in local newspaper notifying residents of closed section of the beach.
- Vehicle access to the beach to be via North Cottesloe Surf Life Saving Club
- Submission of an acceptable plan detailing how and when the beach will be closed, and the affected area kept clear and safe.

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

**VOTING**

Simple Majority

**COMMITTEE DISCUSSION**

Committee discussed the application and noted the comments from Mr Gamble. Issues of beach closure and public safety were noted as important considerations. There was also a general consensus that the “groyne” was perhaps the only place that might be considered suitable as a location for fireworks displays and that this should be noted for staff benefit when considering future applications. The consensus was to support the officer recommendation.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Goldthorpe**

**THAT Council:**

- 1. Advise the applicant that the application for fireworks at 7.15pm on Saturday the 15<sup>th</sup> October is not approved.**

**Carried 6/0**

**10.1.2 LITTER BIN MEMORANDUM OF AGREEMENT - NATSALES AUSTRALIA  
PTY LTD – REQUEST FOR RENEWAL**

**File No:** SUB/323  
**Attachments:** [Attachment 1 Memorandum of Agreement](#)  
[Attachment 2 Letter from Natsales requesting  
renewal of agreement](#)  
[Attachment 3 Natsales bin locations](#)  
**Responsible Officer:** Andrew Jackson  
Manager Development Services  
**Author:** Darrell Monteiro  
Principal Environmental Health Officer  
**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The Memorandum of Agreement (Attachment 1) between the Town of Cottesloe and Natsales Australia Pty Ltd for the supply of bins with advertising is due for renewal by 13 September 2011.

Natsales Australia Pty Ltd (Natsales) has fulfilled all requirements under the current agreement at no cost to the Town.

The terms and conditions of the proposed new Memorandum of Agreement are unchanged and the service would continue to be offered to the Town on a no cost, no maintenance basis.

If Council decides not to renew the agreement, there will be a cost to the Town (estimated at \$111,925) to replace the litter bins and enclosures currently provided by Natsales along with associated maintenance costs.

**BACKGROUND**

In October 2001, following a Council resolution at the September 2001 meeting, a Memorandum of Agreement was entered into with Natsales Australia Pty Ltd for a term of five years. As per the terms of the agreement (Natsales fulfilling its obligations under the agreement and upon request by Natsales), the agreement was extended in 2006 for a further four (4) years and eleven (11) months. The current agreement will conclude on 14 September 2011.

**The Agreement -**

- Is a legal document.
- Requires Natsales to install and maintain litter bins and advertising shells, as nominated by the Town for upgrade.
- Permits Natsales to profit from advertising by local businesses on three sides of the bin shell with one side provided for advertising of the Town's initiatives or messages.

## Renewal

The Town has received correspondence from Natsales (Attachment 2) requesting renewal of the current arrangement by entering into a new 5 year Memorandum of Agreement with the same set of terms and conditions. Renewal of the Agreement would mean no changes to current mode of operation and no costs to the Town.

## History

- Prior to September 2001, the Town had been issued with a work order from Worksafe as the public bins, 70L white drums, in use at the time due to the manual handling involved in clearing the bins.
- The proposal from Natsales was considered the best option at the time and cost savings of \$79,200 were estimated. The savings comprised of the costs of new bins, new shells and the installation.
- The Town received ten (10) written complaints shortly after the start of the contract. This was followed up by an article in the Post. The underlying concern was the visual pollution caused by the advertising.
- No complaints were found for the remainder of the term of the agreement.
- During the past 10 years, Natsales has continued to provide a professional service, with any damage to the bins being dealt with promptly and at no cost to the Town.
- There are currently 37 Natsales advertising bins located along Marine Parade, Forest Street, Curtin Avenue and Stirling Highway (See attachment 3 for a satellite photo with locations of all Natsales bins [in green]).
- The Town determines on the location and number of bins as part of the Agreement.
- All bins are in use and some are collected daily during the summer months.
- No new Natsales bins have been requested since October 2010.
- Local businesses have had the opportunity to advertise.

In considering this matter there are a number of options available to Council:

### **Option 1 - Not to renew the agreement**

There is an underlying concern that the advertising shells are a cause of visual pollution, such is the trend with bus shelters, park benches and so on.

All Natsales bins are currently in use and should Council decide not to renew the Agreement, all 37 Natsales provided bins and advertising shells would need to be replaced as per the bin replacement options in Table 1.

If enclosures are required for the bins, there is a substantial cost which has not been budgeted for in the 2011-12 financial year. Further, with the contract concluding on 14 September 2011, there would be very little time to process quotes and install (depending on the type of bin enclosure chosen).

Local businesses that have been using the bins for advertising would find that they have lost their advertising space without much prior warning.

Choosing not to renew the agreement is therefore not considered the most preferable option.

**Table 1: Options for replacement of Natsales bins with estimated costs**

Option	Cost of 120L bins	Cost of bin surrounds	Cost of installation	Cost of steel stand	Total cost of option
Replace only the litter bins	\$2,590	\$0	\$1,850	\$3,700	\$8,140
Replace with similar style bin surround.	\$2,590	\$37,000	\$1,850	\$0	\$41,440
Replace with stainless steel bin surrounds	\$2,590	\$94,350	\$14,985	\$0	\$111,925

**Note:**

*Assumptions of unit costs are based on current prices or previous contracts.*

*Annual cost of maintenance of bins and surrounds is estimated at \$1,000 per annum.*

**Option 2 – Renewing the Agreement**

If the agreement is signed as is, it would lock the Town in for another five (5) years with the option to extend for another four (4) years and eleven (11) months.

Assuming that there is still an underlying concern about the visual pollution caused by the advertising, renewing the Agreement is not considered a preferred option.

**Option 3 – Signing an amended agreement with a 12 month term**

If the agreement were to be signed for an amended term of 12 months with no provision for further extensions (assuming Natsales were to agree), it would provide the Town sufficient time to budget for bin enclosures and also to get quotes and prepare for the installation of the bins and enclosures.

This would also provide Natsales with sufficient time to inform its clients of the impending conclusion of the amended agreement.

Taking all matters into consideration, endorsement of an amended agreement with a reduced term of no more than 12 months is considered a preferred option.

**STRATEGIC IMPLICATIONS**

- Maintenance of street furniture installed to prevent litter.
- Endorsement of advertising panels for local businesses.

**POLICY IMPLICATIONS**

The type of bin surrounds provided by Natsales are similar to those recommended in the Streetscape Policy and Manual that was adopted in 1999.

**FINANCIAL IMPLICATIONS**

Renewal of the Agreement – Nil.

Non-renewal of the Agreement –

Will cost the Town an initial set-up cost of between \$8,140 and \$111,925 depending on the option chosen for bin surrounds. There is no budget provision for decommissioning and replacement of Natsales bins in the 2011-12 financial year. However, Council has funds of \$68,562 within its Waste Management Reserve, which could be used for this purpose. In addition, there will be a further opportunity to consider additional funding as part of the mid year budget review.

**STAFF COMMENT**

The Town's current arrangement with Natsales has been effective due to prompt service, cost savings and a reduced workload due to reduced maintenance.

Choosing not to renew the agreement would mean that the Town would have to replace the existing Natsales bins and enclosures. The full costs are estimated at \$111,925, which can be funded by using funds in the Waste Management Reserve and potential surplus funds from the budget review. However, the replacement of bin enclosures would be rushed and businesses that are currently advertising would not have been given much prior warning of the unavailability of advertising spaces.

If the Agreement was renewed in its current form, advertising would be permitted on the bins (potentially) for another ten (10) years.

It is therefore recommended that Council endorse the Town entering into an amended agreement with a reduced term of no more than 12 months and provision be made for their replacement, including enclosures, during the next 12 months.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Carmichael**

THAT Council:

1. Endorse that the Town of Cottesloe enter into an amended Memorandum of Agreement with Natsales Australia Pty Ltd with a reduced term of 12 months.
2. Authorise the CEO to sign the amended Memorandum of Agreement on behalf of Council.

**COMMITTEE DISCUSSION:**

Councillor Strzina commented that a reduced term of 12 months could potentially be a *commercial nuisance* for Natsales and suggested that the term be amended to 3 years to allow time for Council to review budgets and potential bin styles to improve the aesthetics of the district. General comments by members were that they were not aware of any major concerns with the bins but did want an opportunity to consider future plans for the Town with respect to bins and other public furniture and therefore agreed to amend the officer recommendation and extend the term. Committee

requested that the CEO and staff liaise with Mr Marwick in relation to the Committee recommendation.

**AMENDMENT**

**Moved Cr Strzina, seconded Cr Rowell**

**Amend point (1) of the recommendation by replacing the words “12 months” with “3 years”.**

**Carried 6/0**

**COMMITTEE RECOMMENDATION**

**THAT Council:**

- 1. Endorse that the Town of Cottesloe enter into an amended Memorandum of Agreement with Natsales Australia Pty Ltd with a reduced term of 3 years.**
- 2. Authorise the CEO to sign the amended Memorandum of Agreement on behalf of Council.**

**AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 6/0**



*Cr Cunningham declared a proximity interest in Item 10.2.1 due to residing on Grant Street and left the meeting at 8:15 PM.*

### **10.1.3 PARKING ON GRANT STREET MEDIAN STRIP**

**File No:** SUB/457  
**Attachments:** [Minutes 28 April 2009](#)  
[Minutes 23 May 2011](#)  
[Map of Grant Mann Street](#)  
[Parking Residential Policy](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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### **SUMMARY**

At its meeting in May 2011, Council resolved to establish a 3 hour parking zone on a section of the Grant Street median strip between Curtin Avenue and Birkbeck Avenue for the hours of 8am to 6pm, Monday to Saturday with adjacent residents to be issued with parking permits.

The establishment of the 3 hour parking zone has stopped PTA commuters parking on this section of the median strip. However, it has resulted in parking in other areas. Council is being asked to consider further strategies to control parking in this area, to enable residents to park as required, while minimising the impact that patrons accessing PTA facilities have on the amenity of the area.

Further, the previous resolution of Council adopting the Parking and Parking Facilities Local Law, contained a statement that the *“Parking Policy be amended to allow parking on the Grant Street median strip, west of Mann Street.”* This matter also requires attention.

### **BACKGROUND**

In May 2011, Council considered the issue of parking on the Grant Street median strip. This parking had become an issue due to changes in parking arrangements at nearby train stations, that resulted in more people parking at Grant Street to commute via train services.

The action undertaken in May has resulted in reduced parking in the controlled area. There was a small spike in the last week of July, however this has been attributed the resumption of universities and the increased demand for public transport.

Since the May 2011 resolution has been implemented several complaints have been received from residents west of Birkbeck Avenue in regards to people parking on the median strip in this location. Two of the complaints specifically request that the 3 hour restricted zone be extended to cover the frontage of their homes – which have been received in writing.

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Administration has undertaken all of the tasks as required by the May 2011 resolution. At the time of writing this report, we had not received a response from the Town of Claremont. The PTA has almost completed works on a new car park facility west of the Cottesloe train station and the 3 hour time restriction is in place and being actively enforced.

### **STRATEGIC IMPLICATIONS**

Council's Future Plan, under the first objective, "Protect and enhance the lifestyle of residents and visitors", covers the challenge of providing sustainable parking solutions, including parking associated with railway stations.

### **POLICY IMPLICATIONS**

No policy deals with this subject.

### **STATUTORY ENVIRONMENT**

There are no applicable statutory requirements for public parking areas, other than Councils Local Law on Parking.

In regards to Council's Parking and Parking Facilities Local Law, which applies to median strips, the wording is:

*"A person shall not park a vehicle so that any portion of the vehicle is on or adjacent to a median strip, unless a sign or markings on the carriageway indicate otherwise".*

Therefore no parking on any Town of Cottesloe median strip is allowed, except for designated areas sign posted to allow such parking e.g. – in front of Daisies Café.

### **FINANCIAL IMPLICATIONS**

The main thrust of this issue is to have the Public Transport Authority adequately provide for the vehicle parking needs of its patrons, at no cost to Council and on land controlled by that Authority. Therefore, the financial impact on Council should be nil. However there is the potential to increase operational costs (ranger time) in the management of this area, as well as minor costs associated with signage and the administration of permits.

### **SUSTAINABILITY IMPLICATIONS**

The use of public transport is a very positive sustainability pursuit. However, the provision of facilities to expand this objective should be at the cost of the Public Transport Authority, on land more suitable for that purpose controlled by PTA.

### **CONSULTATION**

Public Transport Authority and affected residents in the affected part of Grant Street.

### **STAFF COMMENT**

When the signs were placed as required and cautions issued, a drop in the number of vehicles parking in this location was observed. In the last two weeks, a spike in the number of infringements issued has occurred. It is thought that this is a result of the

resumption of school and universities, which results in a larger number of people using public transport.

The issue of parking and the interaction with rail facilities will become an increasing problem as rail services become more popular. While it is easy to think that PTA patrons are not Cottesloe residents, we have had several requests from Cottesloe residents (who do not live on Grant Street) for parking permits in order to leave their cars at this site and access train services.

Rangers have also observed parking increasing on the eastern side of the railway and on verges in adjoining streets, which can create traffic issues. Parking on verges also creates a unique enforcement issue, as Rangers have no way of telling who owns a vehicle at the time of issuing an infringement. However, if a complaint is received from a land owner about a car parked on the verge at the front of their property, action will be taken and the car will most likely be infringed.

When undertaking background research into this issue, an anomaly was discovered in the resolution adopting the Parking and Parking Facilities Local Law. While it doesn't affect the Local Law in any way, there is a reference to allowing parking (under the Parking Policy) on the Grant Street median strip, west of Mann Street. The Local Law, as it stands, states that "*no person shall park a vehicle so that any portion of the vehicle is on or adjacent to a median strip unless a sign or markings on the carriageway indicate otherwise*". The Parking Policy (copy attached) is more focused on provision of residential parking and verge parking and does not reference this matter.

One solution to this is to place signs in the affected area, allowing parking. However, given the current climate this could be seen as a means of transferring the parking problem from one location to another. Another means of resolving this situation is to place time restrictions along the median strip – which allows parking according to certain restrictions. Residents could be issued with permits, in accordance with the Local Law, effectively implementing the intent of the 2009 resolution.

Unfortunately, even if the Parking Policy were amended to include a statement about allowing parking on the Grant Street median strip, this would not prevail over the Local Law. The Local Law is specific in that to allow parking on a median strip, there must be a "*sign or marking on the carriageway*" indicating that parking is allowed.

There are several ways Council could proceed in order to resolve this issue, all of which have management / operational issues. If the current situation is allowed to remain, people are in fact parking illegally on the Grant Street median strip, anywhere there isn't a sign or marking specifically allowing this. Under the circumstances and in order to fully support the prior resolution of Council, it is recommended that an extension of the current system of timed parking and permits be implemented.

**VOTING**

Simple Majority

**DECLARATION OF INTEREST**

*Cr Cunningham declared a proximity interest in Item 10.2.1 due to residing on Grant Street and left the meeting at 8:15 PM.*

**COMMITTEE DISCUSSION**

Committee discussed the report and attachments and acknowledged that commuters were now parking further along the Grant Street median. There was also concern expressed about potential parking in side streets and noted that officers will continue to monitor the situation. Committee reaffirmed its view that it was PTA's responsibility to provide adequate parking for its patrons and noted that the only land under their control was on the East side of the line.

**AMENDMENT**

**Moved Cr Rowell, seconded \_\_\_\_\_**

**Amend recommendations (1) and (2) by inserting the words "as far as Marmion Street" after the words "west of Mann Street".**

**The motion lapsed for want of a seconder**

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Goldthorpe  
THAT Council:**

- 1. Initiate a 3 hour parking restriction on the Grant Street median strip, west of Mann Street from 8.00am to 6.00pm Monday to Saturday.**
- 2. In accordance with recommendation (1), authorise the issuing of parking permits to affected Grant Street residents west of Mann Street, in accordance with the provisions of the Parking and Parking Facilities Local Law.**

**Carried 3/2**

*Cr Cunningham returned to the meeting at 8:21 PM*

## 10.2 ENGINEERING

### 10.2.1 RUBBER SPEED CUSHIONS AND BOLLARDS, BROOME STREET, COTTESLOE

**File No:** SUB/573

**Attachments:** [24 April 2006 Minutes Broome Street Speed Control Installations](#)  
[25 August 2008 Minutes Traffic Management Study](#)  
[14 December 2009 Minutes Speed Control Rubber Speed Cushions](#)  
[Main Roads WA Proposed Speed Cushions 2008 Study](#)  
[2001 Study](#)  
[Public Comments For Public Comments Against Policy Traffic Management](#)

**Responsible Officer:** Carl Askew  
Chief Executive Officer

**Author:** Geoff Trigg  
Manager Engineering Services

**Proposed Meeting Date:** 16 August 2011

**Author Disclosure of Interest** Nil

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#### SUMMARY

In June 2011, rubber speed cushion were installed at three locations on Broome Street, each side of Loma Street and John Street. Due to the provision for cyclists on each side, Main Roads WA required protective side bollards at each of the three sites.

The use of rubber speed cushions on Broome Street was decided by Council in December 2009, after a Black Spot Treatment at the John Street intersection was abandoned. Both types of installations were aimed at removing the high speed issue suffered by this section of Broome Street for many years.

A number of comments have been received from the public, ranging from total support to total rejection.

The recommendation is that Council:

1. Retain the recently installed speed cushions and bicycle safety bollards in Broome Street for the originally intended 12 month trial period.
  2. Support staff meeting with Main Roads WA to determine any available and acceptable alternative to the Broome Street safety bollards, with any viable alternative being reported back to Council for funding consideration.
  3. Inform all people who have commented on this matter of Council's decision.
-

**BACKGROUND**

The speed problems on Broome Street have been a concern to Council for many years. These problems have been covered by a series of traffic studies:

- 1) February 1989: Traffic Management Study, Sinclair Knight & Partners. Broome Street between Forrest Street and Napier Street mentioned as a speed problem. Main Roads WA annual intersection rankings for 1988, includes Broome Street / John Street as a multiple accident site.
- 2) February 2001: Cottesloe Traffic Management Plan – Sinclair Knight Merz. This study provided a page of description regarding Broome Street speed issues plus a plan showing a proposed treatment of the section between Forrest Street and Napier Street. The plan shows a blister island north of Forrest Street plus a kerbed median island for the full length of the section. These treatments were never constructed by Council.
- 3) May 2008: Town of Cottesloe Traffic Study - Porter Consulting. This study includes extensive advertising, speed data, the study of all recorded complaints on excessive speed and dangerous locations, previous studies, plus a community workshop to establish the issues to be studied. For Broome Street, the study recommendations included traffic / pedestrian islands at Loma Street and John Street.

As a result of the 2008 study, Council resolved to consider a new 5 year program for Road Safety Improvement and Speed Restriction, to start in 2009 /2010. That program eventually commenced in the 2010/2011 budget, with the Broome Street rubber speed cushions being part of that list of works.

Separate to these studies, in 2006, Council considered the results of speed counting, in 2005, on a large number of roads, including Broome Street and resolved in April 2006 due to the high level of speeding on Broome Street, to install four red asphalt speed plateaux in Broome Street, north of Eric Street if residents agreed to the installations. Letters were sent out and 17 responses received, 15 of which supported the works. On this basis works to install the four speed plateaux commenced but were then abandoned after complaints from four people.

In 2008, due to recorded accidents at the Broome Street / John Street intersection, Council was successful in attracting a State Black Spot grant to install pedestrian crossing and speed restriction islands on each of the four 'legs' of the intersection. Designs were completed and approved by Main Roads WA, the island layout survey marked and a corner light pole was relocated. Council resolved to abandon the works after complaints from residents living on the adjacent properties.

In February 2009 Council adopted its first 5 year program for Road Safety Improvement and Speed Restriction, however year 1 of the program was not funded in 2009/10, as a budget reduction. In the 2010/2011 budget, year 1 of the program was both adopted and funded, with three works to be undertaken, including the Broome Street rubber speed cushions. These speed cushions had been agreed to by Council as a replacement to the abandoned Broome Street / John Street Black Spot works.

In due course, design plans were drawn up and, after required changes, Main Roads WA approved the plans. One major change to the plans was the requirement that bollards had to be installed to protect cyclists on the side shoulders through the three rubber speed cushion installations.

All installations were ordered in 2010/2011 but were put in place during July 2011.

### **STRATEGIC IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Councils Traffic Management policy as per the attached documents.

### **STATUTORY ENVIRONMENT**

Main Roads WA sets all speed zone levels in the State and the Police Department is responsible for policing those speeds.

Main Roads WA must also view and give approval for plans to install structures to control speeds and arrange line markings and signage.

Council has the vesting responsibility of Broome Street, regarding care, control and maintenance of the road surface and alignment, including speed control structures.

### **FINANCIAL IMPLICATIONS**

The Broome Street speed cushion installation was included in the 2010/2011 budget as part of a \$100,000 allocation for the Safety and Speed program Year 1. The design, lighting and speed cushion / bollard installation cost Council \$33,500.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

All properties in Broome Street from Napier Street to Forrest Street received information on the proposal.

### **STAFF COMMENT**

There have been a range of comments both for and against the installations in Broome Street agreed to by Council for the 2010/2011 budget, to control speeding at Loma Street and John Street.

All town wide traffic studies undertaken in the last 20 years in Cottesloe have included Broome Street between Napier Street and Forrest Street as a section with speed control issues. A number of recommendations over the years for the installation of speed control measures have either not been started or have been abandoned before construction.

There are a number of basic facts that apply:

1. Speeding of vehicles on Broome Street past Loma Street and John Street have been occurring for years, prior to the speed cushion installations.
2. This section has been a danger to pedestrians and cyclists due to speeding vehicles.
3. The bollards and rubber speed cushions have been installed to Main Roads WA requirements. If the bollards are removed then the speed cushions must also be removed.
4. Since the speed cushions and bollards have been installed, the speeding problem has been under control.
5. The bollards are required by Main Roads WA standards, because of the side lane provision for cyclists, as a protection for cyclists.
6. If the bollards and speed cushions are removed then Council will still have to deal with the speed issue. Therefore there is potential for future accidents in the section which could be attributed to Councils removal of an effective solution on a connection for liability claims by people involved in such accidents.
7. Any alternative treatment must be first approved by Main Roads WA if new line marking or signage is part of the design.
8. Drivers pulling out of the three verge car parks serving the Civic Centre have reported a much improved safety situation compared with the previous speeding traffic over the crest at Loma Street.

In regards to comments received, the following are perceived negative issues applying:

1.
    - a) Worried about the aggravation caused to drivers and the resultant frustrated driving practices.
    - b) The structures are ugly / non-aesthetic.
    - c) The structures increase local noise levels.
    - d) The structures are a danger to cyclists.
    - e) Doubtful if the structures will have any effect on speeding.
    - f) Traffic control on Broome Street has meant new signs being installed, which is becoming overkill.
    - g) The suburb is becoming 'traffic calmed' with unsightly humps, bollards, road realignments and "dozens of roundabouts".
    - h) Cyclists don't need bollard protection – the existing white lines past the Civic Centre are enough protection.
    - i) Broome Street residents would prefer speeding cars to angry motorists, noisy traffic and huge new bumps.
    - j) No objection to the speed humps but the stanchions beside them are unnecessary, unsightly and potentially dangerous.
    - k) Residential Street – gross traffic management overkill.
    - l) Recumbent bikes and elderly people riding Gophers would not fit between the kerb line and stanchions.
    - m) Why couldn't speed humps similar to Claremont Crescent and Railway Street be installed.
    - n) There is very little speeding since the Forrest Street roundabout was installed and the speed humps are far more than required.
    - o) Speed humps were a failure in the past when installed between John Street and Forrest Street, particularly due to empty trucks and trailers.
-



- p) Broome Street in this section should not bear the brunt of traffic calming for the whole street.
- q) The bollards introduce unnecessary visual pollution to a beautiful streetscape.
- r) There is no need for a speed hump from Forrest Street to John Street because of the roundabout.
- s) No public consultation.
- t) What are Councils priorities regarding the aesthetic and amenity of the public realm.
- u) Few cyclists use Broome Street therefore remove the cycle lanes and the protective bollards.
- v) The hill outside the Civic Centre is only one of the five in Broome Street and the other hills don't have cycle lanes over them.

On the 'other side' of the discussion, support comments are:

- 2 a) Thanks for the "little fence" to separate the speed humps in Broome Street near the Civic Centre from the bike lane.
- b) Support given for the Broome Street speed cushions. The "Porsche and Black Holden department" now use Marmion Street. More speed cushions needed approaching Grant Street from the south and between Grant Street and North Street.
- c) It is true that the installation is having a calming effect on traffic.
- d) It is clear that the speed bumps are more than halving vehicle speeds.
- e) The bollards provide strong visual cues to motorists to slow down.
- f) The bollards protect cyclists from intimidation by motorists passing too closely.
- g) It would be criminal for important road safety improvements to be sacrificed for streetscape aesthetics.
- h) The safety of children, parents and grand parents is far more important than a conservative view of what Broome Street should look like.
- i) A 20KPM speed reduction will reduce injury crashes by about 40% and very dramatically reduce injury severity to pedestrians and cyclists.
- j) A pedestrian is eight times less likely to be killed if struck by a car doing 30KPM then if hit by one doing 50KPM.
- k) The poor sight lines on the crest of Broome Street make it dangerous for people with children crossing to go to the popular Civic Centre playground. Drivers and pedestrians cannot see each other unless pedestrians cross at the top of the hill.
- l) Crucial to slow vehicles as they go over the crest of the hill – speed humps achieve this simply and cheaply.
- m) Over 55 Cycle Club, over 300 members, greatly concerned with the lack of consideration for the needs of cyclists shown by many road authorities. Commendation given for the Town of Cottesloe's consideration for cyclist safety.
- n) There have been many Cottesloe Civic Centre staff comments that it is now much safer driving out of the Broome Street car parking onto Broome Street, because of the reduced speed at which vehicles heading north drive over the Loma Street crest. To remove the existing installation will reduce staff safety, making it an Occupational Safety and Health issue.

From the comments given, it is obvious that a significant proportion of Broome Street users see the bollards as un-aesthetic or ugly and that the speed cushions would be more acceptable if the bike safety bollards were removed.

The options regarding the bollards are:

- Remove bollards and edge white line and disregard all issues for cycling safety between Napier Street and Forrest Street.
- Retain existing bollards to ensure cycling safety.
- Build cycle lanes separate to the road surface either on each side (east and west) of the street verge or a 2 direction cycle lane on one side, from Forrest Street to Napier Street, to allow the removal of the cycle provision on the Broome Street asphalt surface.
- Replace bollards with concrete kerbing. This may require a slight widening of the street width to achieve a MRWA approved installation, plus reflectors and extra line marking and signage.

Apart from the debate regarding aesthetics versus safety and speed control, this issue underlines the controversy that often arises about traffic control proposals. Black Spot funding is based totally on accidents, what causes accidents and the most applicable solution to stop those accidents. There is no room for what the community 'feels' about those solutions. If the approved (by Main Roads WA) solution isn't built then the Black Spot grant is not approved. If Main Roads WA doesn't approve an installation then it will not be line marked and signed, which makes it illegal.

Very often, what residents' judge to be aesthetic proves to be unsuccessful in slowing speeding traffic or improving intersection safety.

Unfortunately, there is insufficient time between when the crash data is made available by MRWA and when a consultant can offer solutions to any crash 'hot spots'. Submissions are then sent off for Black Spot grants. This means Council consideration and community debate, which can take several months, cannot take place before the submission is made.

Some form of working party could be considered to go through known road safety and speeding locations to determine acceptable but successful aesthetic solutions for treatments prior to submissions being made or funds spent under Councils long term speed control and road safety program.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Committee discussed the report at length including the positive outcomes since installation i.e. reduced traffic speed and increased safety. The cycle lane and associated vertical stanchions were also discussed both from an aesthetic and practical purpose. Overall the majority view was that the installation was achieving its intended purpose and that it should remain for the full 12 months prior to being reviewed. Concern was raised that this may have caused some vehicles to now use Marmion Street and that this needs to be monitored by staff and police.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Goldthorpe**

**THAT Council:**

- 1. Retain the recently installed speed cushions and bicycle safety bollards in Broome Street for the originally intended 12 month trial period.**
- 2. Support staff meeting with Main Roads WA to determine any available and acceptable alternative to the Broome Street safety bollards, with any viable alternative being reported back to Council for funding consideration.**
- 3. Inform all people who have commented on this matter of Council's decision.**

**Carried 5/1**

**10.2.2 BLACK SPOT APPLICATIONS FOR 2012/2013**

**File No:** SUB/573  
**Attachments:** [Funding Application Marine Pde Eric Street](#)  
[Funding Application Curtin Av Princes St](#)  
[Funding Application Eric St Curtin Ave](#)  
[Funding Application Eric St Railway St](#)

**Responsible Officer:** Carl Askew  
Chief Executive Officer

**Author:** Geoff Trigg  
Manager Engineering Services

**Proposed Meeting Date:** 16 August 2011

**Author Disclosure of Interest** Nil

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**SUMMARY**

Submissions for the 2012/2013 State and Federal Blackspot grants closed on the 15<sup>th</sup> July 2011. Submissions for four locations were submitted on behalf of the Town of Cottesloe.

This report recommends that Council agree in principle that provision be made in the 2012/2013 budget to include up to one third contributory funding for the following State Blackspot projects and that support be given to the National Blackspot project on the Curtin Avenue / Eric Street intersection, subject to these submissions being approved by Main Roads WA and the Minister, for grant funding.

- 1) Curtin Avenue / Princes Street – pedestrian crossing islands
- 2) Curtin Avenue / Eric Street – various intersection upgrades
- 3) Eric Street / Railway Street – increase pre-deflection on northern approach
- 4) Marine Parade / Eric Street – rubber speed cushions on Marine Parade

**BACKGROUND**

Every year, MRWA makes the data collected on crash statistics available to each local government for their immediate area. Requests are then made for funding submissions under the State and Federal Blackspot programs for solutions to the sites most affected by injuries and damage to property.

A specialist consultant then analyses the data provided and works with the Manager for Engineering Services to determine the sites most likely for success as well as the most applicable treatments.

The data collected is over a five year period and pre-computed costs are assigned to each type of accident to determine a total community cost of accidents occurring at each site. The cost of the proposed treatment is calculated and a Benefit Cost Ratio (BCR) is then determined. The higher the BCR, the better chance of the site crash solution being funded from the grant level available. A high BCR may also indicate that the Federal Blackspot program may fund 100% of the treatment rather than two-thirds by the State program.

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## **STRATEGIC IMPLICATIONS**

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

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

## **POLICY IMPLICATIONS**

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

## **STATUTORY ENVIRONMENT**

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

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

## **FINANCIAL IMPLICATIONS**

State Blackspot grants are approved on the basis of a \$2:\$1, State:Council contribution level. Federal Government Blackspot grants provide for 100% of the cost for each approved project. Two of these projects have been submitted for State funding, only one for both State and Federal grants and one for Federal funding only.

Depending on whether a Federal Grant was achieved for the Curtin Avenue / Princes Street crossing, Council would be responsible for either a maximum total of \$81,000 or a minimum of \$36,000 in 2012/2013.

## **SUSTAINABILITY IMPLICATIONS**

Nil

## **CONSULTATION**

No public consultation has occurred on this matter. The submissions for Blackspot funding are based on crash statistics for each site, the applicability of the solution and the benefit cost ratio of the solution. In a minority of cases, a submission can be made based on a safety audit. The Curtin Avenue / Princes Street project for a Curtin Avenue safer pedestrian crossing was based only on a safety audit.

**STAFF COMMENT**

Staff worked with the consultant to analyse the most accident prone sites, the types of accidents occurring and the most applicable solutions for a total for four sites. One of these sites had no accident justification for an application but a safety audit provided the basis for the grant application. Submissions were then developed and submitted under the 2012/2013 State and Federal Blackspot programs.

These submissions were:

1) Eric Street / Curtin Avenue intersection – Submission made due to crash statistics.

Accidents:	53 over 5 years
Benefit cost ratio:	2.99
Project cost	\$276,000

*Submitted for National Blackspot*

Proposal: Extend right turn pockets (north & south)  
 Extend left turn pocket (west)  
 Upgrade signals to LED  
 Overhead mast arm on Eastern leg  
 Install islands (Florence) and reinforce priority

2) Eric Street / Railway Street – submission made due to crash statistics

Accidents:	16
Benefit cost ratio:	1.43
Project cost	\$66,000

*Submitted for State Blackspot*

Proposal: Construction of more pre-deflection on the northern approach

3) Marine Parade / Eric Street – Submission made due to crash statistics

Accidents:	7
Benefit cost ratio:	1.72
Project cost	\$42,000

Proposal: Install speed platforms (rubber speed cushions) on north and south approach – improve sight lines by reducing speeds.

4) Curtin Avenue / Princes Street – Submission made was based on a safety audit, not crash statistics

Accidents:	N/A
Benefit cost ratio:	N/A
Project cost	\$135,000

*Submitted for both National and State Blackspot programs*

Proposal: Install two pedestrian refuge islands  
 Additional lighting to be installed  
 New section of path and upgrade existing

Of these four potential projects, the combination of works at the Curtin Avenue / Eric Street intersection plus islands in Curtin Ave towards Florence Street has been submitted for National funding, with no cost to Council if the project is approved.

The Marine Parade / Eric Street project has been submitted for State funding. The availability of funds and the relative priority of all other submissions will determine if any funds are allocated.

Investigation of the probable reasons for accidents has listed those reasons as speed on Marine Parade, the larger open nature of the busy intersection and the parking in close proximity.

The Eric Street / Railway Street project is submitted for State funding i.e. MRWA \$2 : Council \$1.

Accidents have occurred on the northern leg of Railway Street beside the school, due mainly to speed. A pre – deflection curved entry into the intersection would reduce that speed.

The Curtin Avenue / Princes Street pedestrian crossing is the only submission based on a safety audit. At its February 2011 meeting, Council resolved to have this safety audit undertaken, for the purpose of applying for a Blackspot grant. This was one of several sites covered in a petition, at that time, for safer pedestrian crossings.

The submission was either for National or State Blackspot funding.

Main Roads WA staff are now assessing the relative priorities of all submissions from metropolitan councils. Separate grant funding sources are available for both State and National projects, with different 'point scores' to be applied.

Council will not be informed of the level of success of its submissions until early 2012. Detailed design plans would not be undertaken until Council resolves to provide required funding in the 2012/2013 budget.

One concern which has previously arisen is when Council agrees to the projects, includes these projects in a new budget, design plans are created and approved by Main Roads WA and a surveyor sets out the proposed changes.

At that point local residents have then objected, Council has reconsidered and / or abandoned the original intention and funds have been returned to Main Roads WA.

Council then has to carry the design and survey costs, plus any relocations of light poles etc for no actual works at an intersection with applicable crash statistics and a probability of further accidents at the intersection due to no solution being put in place.

The timing for the closure of submissions to Main Roads WA is connected to the availability of the crash statistics data made available from MRWA and Police information. There is no time available in that time period for the completion of submissions and a public comment period prior to the closure date for submissions.

The basis for Blackspot submission also does not include whether the public thinks the treatment is aesthetic or if there is agreement that the solution is the correct application. As has been found in the past, MRWA will only fund the approved traffic solution to the recorded reasons for accidents. Deviation from the approved plan will mean the removal of funding and the illegality of any non-approved installations.

## **VOTING**

Simple Majority

## **OFFICER RECOMMENDATION**

### **Moved Cr Cunningham, seconded Cr Rowell**

THAT Council agree in principle that provision be made in the 2012/2013 budget to include up to one third contributory funding for the following State Blackspot projects and that support be given to the National Blackspot project on Curtin Avenue / Eric Street intersection, subject to these submissions being approved by Main Roads WA and the Minister, for grant funding.

- 1) Curtin Avenue / Princes Street – pedestrian crossing islands
- 2) Curtin Avenue / Eric Street – various intersection upgrades
- 3) Eric Street / Railway Street – increase pre-deflection on northern approach
- 4) Marine Parade / Eric Street – rubber speed cushions on Marine Parade

## **COMMITTEE DISCUSSION**

At the meeting the Manager Engineering Services advised the Committee that he had received advice from the Main Roads “Black Spot” Auditor that submission (4) Marine Parade / Eric Street was unlikely to be accepted as the proposed solution would not resolve the identified problem. As a consequence Cr Rowell moved an amendment to remove that part of the recommendation.

## **AMENDMENT**

### **Moved Cr Rowell, seconded Cr Strzina**

**Amend the officer recommendation by removing point (4).**

**Carried 4/2**



**COMMITTEE RECOMMENDATION**

**THAT Council agree in principle that provision be made in the 2012/2013 budget to include up to one third contributory funding for the following State Blackspot projects and that support be given to the National Blackspot project on Curtin Avenue / Eric Street intersection, subject to these submissions being approved by Main Roads WA and the Minister, for grant funding.**

- 1) Curtin Avenue / Princes Street – pedestrian crossing islands**
- 2) Curtin Avenue / Eric Street – various intersection upgrades**
- 3) Eric Street / Railway Street – increase pre-deflection on northern approach**

**AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 6/0**

**10.2.3 GEOPHYSICAL INVESTIGATION FOR SUBSURFACE LITHOLOGY  
ALONG THE FORESHORE OF COTTESLOE BEACH**

**File No:** SUB/537  
**Attachments:** [GBG Maps Report](#)  
[Study Location Plans](#)  
[Ground Penetrating Radar Cross Section Report](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

In March 2011, Council received a report in relation to Geophysical Investigation for Subsurface Lithology Along the Foreshore of Cottesloe Beach, and resolved as follows:

*THAT Council*

- 1. Receive the study findings*
- 2. Agrees to make its share of the \$80,000 so far uncommitted to the Geophysical Foreshore Investigation available for further testing to gain cross sectional subsurface data to add to the so far undertaken study.*
- 3. Request the Department of Transport to agree to its uncommitted share of the study budget to be used for further geophysical investigation on the Cottesloe Beach foreshore.*
- 4. Request the Department of Transport consider making available departmental 'in house' investigation capacity and any applicable existing geotechnical data to expand the value and applicability of the Cottesloe Geophysical Investigations for foreshore resurface lithology.*

In regards to Item 2 of the resolution, further geophysical investigations took place to gain cross sectional subsurface data, as required. The second study results are included in the attachments.

The recommendation is that Council:

1. Notes the receipt of the final stage of the Cottesloe Beach Foreshore Geophysical Study and agrees that the full study result be included on Councils' website along with the existing Vulnerability to Sea Level Rise report.
  2. Agrees to make available to the general public, affected residents and potential developers along Marine Parade the full content of the study via the website.
  3. Use the study results for the long term planning of asset replacement in the foreshore area and for considering development proposals in that area.
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4. Require major foreshore developments to undertake geophysical studies of their development sites to assess the below ground capacity to carry their proposals and to determine requirements to deal with future sea level rise and erosion.

## **BACKGROUND**

Councils' original study of the foreshore in June 2008, "Vulnerability of the Cottesloe Foreshore to the Potential Impacts of Climate Change", recommended as one of the main treatment actions, the combined need to review geotechnical information, develop a process for a geotechnical study of the foreshore and source funding for that study.

The first part of that study was completed, to give Council a detailed understanding of the location of rock along a north / south line on the foreshore, west of Marine Parade. Council received that report in March 2011 and resolved to commit unexpended funds from the \$80,000 budget into a second stage of the study, to cover cross sections on an east / west axis, with the Department of Transport also being requested to commit the Department's portion of unexpended funds to the same purpose.

The second part of the study has been completed and presented.

## **STRATEGIC IMPLICATIONS**

Under Councils Future Plan, Major Strategy 3.2 is to improve beach access and dune conservation outside the central foreshore zone. This would include studies regarding foreshore / climate change damage.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY ENVIRONMENT**

Nil

## **FINANCIAL IMPLICATIONS**

The original study budget was \$80,000 funded 50/50 between the Department of Transport and Council. The final cost of the combined parts of the study totalled \$65,845.

## **SUSTAINABILITY IMPLICATIONS**

This study was aimed at providing Council with the knowledge as to where protective works would be required to minimise damage done by severe storms and a future sea level increase. This would therefore increase the potential to protect and sustain natural and constructed assets on the foreshore.

## **CONSULTATION**

Nil

## **STAFF COMMENT**

The original expectation from this geophysical study of the foreshore was information that would indicate gaps in generally prevalent underground limestone rock, much of

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it close to the surface. The actual results were very clear, with little doubt. However, they show that, along the actual line of testing, in only one location was rock recorded as close as 4m from the surface. Depths to rock were generally less south of No1 car park, 5 to 8m down, while north of that point, depths to rock sometimes exceeded mean sea level and were in excess of 10 meters.

The first part of the study posed questions regarding how far back i.e. to the east, the deep sand conditions existed.

The second part of the study has shown a mixed result regarding located rock levels. In most cases the rock level is roughly flat, with small peaks and troughs. In some cases the rock becomes more shallow to the east.

With the cross section data, there were a few areas where rock was located 3m to 5m below surface level, however much of the depth to rock was 6m to 10m+, in some cases around existing sea level.

All of the data shows that little reliance should be placed on the idea that shallow rock layers or formations would provide any real protection of the foreshore from heavy erosion caused by storms, high tides and sea level rise.

All future infrastructure along Marine Parade, either on the east or west side, planned by Council, State & Federal service departments and private developers, should be fully aware of the potential for major erosive loss of sand from the foreshore and design accordingly.

As Council owned infrastructure comes due for replacement, consideration must be given to how such infrastructure can be moved away from the active sea front, particularly if such assets are expected to last beyond 10 or 15 years.

Buried services on the west side of Marine Parade, such as the large sewer pump main between Eric Street and North Street, could be installed on the east side of the street when the time for replacement comes due. Large buildings and structures proposed for the eastern frontage of Marine Parade should require geotechnical studies of the depth to rock for footing details, underground parking provision and any long term provision for the projected sea level rise.

## **VOTING**

Simple Majority

**OFFICER RECOMMENDATION****Moved Cr Strzina, seconded Cr Boland**

THAT Council:

1. Notes the receipt of the final stage of the Cottesloe Beach Foreshore Geophysical Study and agrees that the full study result be included on Councils' website along with the existing Vulnerability to Sea Level Rise report.
2. Agrees to make available to the general public, affected residents and potential developers along Marine Parade the full content of the study via the website.
3. Use the study results for the long term planning of asset replacement in the foreshore area and for considering development proposals in that area.
4. Require major foreshore developments to undertake geophysical studies of their development sites to assess the below ground capacity to carry their proposals and to determine requirements to deal with future sea level rise and erosion.

**COMMITTEE DISCUSSION**

In considering the officer report and recommendation Cr Boland noted that recommendation (2) appears to "duplicate" the intent of recommendation (1) and as a consequence moved to delete it.

**AMENDMENT****Moved Cr Boland, seconded Cr Strzina**

**Amend the Officer Recommendation by removing point (2) and re-numbering items (3) and (4).**

**Carried 6/0**

**COMMITTEE RECOMMENDATION**

THAT Council:

1. **Notes the receipt of the final stage of the Cottesloe Beach Foreshore Geophysical Study and agrees that the full study result be included on Councils' website along with the existing Vulnerability to Sea Level Rise report.**
2. **Use the study results for the long term planning of asset replacement in the foreshore area and for considering development proposals in that area.**
3. **Require major foreshore developments to undertake geophysical studies of their development sites to assess the below ground capacity to carry their proposals and to determine requirements to deal with future sea level rise and erosion.**

**AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 6/0**

**10.2.4 TENDER: CAST - IN - SITU CONCRETE PATH CONSTRUCTION -3 YEAR PERIOD**

**File No:** SUB/1221  
**Attachments:** [Tender Results](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services

**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council accepted a tender from a contractor in July 2010, for a 3 year contract to replace concrete slab footpaths with in-situ concrete footpaths. The contractor selected proved unsuitable and therefore the contract was cancelled.

A new tender has been advertised and closed. The results of this new tender are included, with the recommendation that Council award the Cast In Situ Concrete Footpath contract, for a period of three years, to Cobblestone Concrete, at the rates tendered.

**BACKGROUND**

Three year contracts provide an understanding of what will occur with footpath replacement prices over the longer period, apart from CPI or other price increases due to labour, plant or material (concrete) supply or other abnormal cost changes. Such changes are normally built into a price rise equation for years 2 and 3.

Three years also reduces the resource impacts on Council staff, advertising costs etc.

The three year limit period allows the contractor to gain a better understanding of the Town of Cottesloe's requirements which should in turn, provide for efficiency improvements over the longer term.

The documents used for this tender were based on the previous 3 year contract.

**STRATEGIC IMPLICATIONS**

Two areas of Council's Strategic Plan apply to this item:

**Governance – Long Term Vision:** Decisions are made based on the best available advice in the long term interests of the general community.

**Environment – Streetscape:** Provision of clean, safe, sustainable managed streetscapes, with appropriate selections of trees and infrastructure, which are pedestrian friendly and incorporate tidy verges.

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**POLICY IMPLICATIONS**

Council's *Purchasing* policy applies.

**STATUTORY ENVIRONMENT**

The Local Government (Function and General Regulations) 1996 (WA) have a threshold of \$100,000 at which tenders must be called. The annual expenditure for this work is normally in excess of \$100,000.

**FINANCIAL IMPLICATIONS**

Council has a range of footpath replacement projects in its 2011/2012 budget. Because the expenditure exceeds \$100,000 per year, the tender process was required.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

The tender has been advertised and a variety of explanatory discussions have been held with intending tenderers.

**STAFF COMMENT**

The tender process including advertising, closed on Friday 5<sup>th</sup> August 2011. Eight tenders were received (see attachment). The tenders required costs for one meter length by, 1.5m wide, per square meter, per pedestrian ramp and extra cost to supply and lay limestone coloured concrete.

Of the tenders received, the lowest tenderer, Cobblestone Concrete, had been Council's footpath contractor for three years prior to July 2010, and was the second lowest tenderer in 2010.

Cobblestone Concrete supplied good service during the previous 3 year contract period and has offered the lowest tendered price. Staff has no reason not to recommend this company.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Goldthorpe**

**THAT Council award the Cast In Situ Concrete Footpath contract, for a period of three years, to Cobblestone Concrete, at the rates tendered, commencing the 1<sup>st</sup> September, 2011.**

**Carried 6/0**

## 10.3 FINANCE

### 10.3.1 WRITE OFF MINOR BAD DEBTS

**File No:** SUB/145  
**Attachments:** [Invoice Applicant 1](#)  
[Invoice Applicant 2](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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#### SUMMARY

The recommendation is to write off \$2751.99 of bad debts.

#### BACKGROUND

Nil

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

The Council has given delegated authority to the CEO to write off amounts up to \$100. The attached debts are in excess of this limit.

#### STATUTORY ENVIRONMENT

Local Government Act 1995  
Part 6-Financial management  
Division 4-General financial provisions

##### **6.12. Power to defer, grant discounts, waive or write off debts**

1. Subject to subsection (2) and any other written law, a local government may:
  - a. when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money;
  - b. waive or grant concessions in relation to any amount of money;  
or
  - c. write off any amount of money,

which is owed to the local government.

*\* Absolute majority required.*



2. Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
3. The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
4. Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

### **FINANCIAL IMPLICATIONS**

The total value of the debts to be written off is \$2751.99.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

Nil

### **STAFF COMMENT**

Applicant 1 was invoiced on a quarterly basis for a commercial waste service. They left their premise and are no longer obtaining the service. Officers have tried numerous methods, including debt recovery via a third party agency.

Applicant 2 was invoiced on the 18/04/2011 for the period covering 01/01/2011 to 31/03/2011. Applicant 2 had paid a portion of their bill (being \$305.37) before they went into liquidation. As the applicant has since gone into liquidation, officers have been informed it will not be possible to obtain these monies.

Given the low probability of recovering these funds and the cost involved in pursuing these debtors, these amounts have been recommended for write off.

### **VOTING**

Absolute Majority

### **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Cunningham, seconded Cr Rowell**

**THAT Council approve the write off debts of \$2751.99 for the applicant's unpaid fees as per the attached invoices.**

**Carried 6/0**

**10.3.2 STATUTORY FINANCIAL REPORTS FOR THE PERIOD ENDING 31ST JULY 2011**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Statement of Financial Activity, the Operating Statements by Program and by Nature and Type, the Statement of Financial Position, and supporting financial information for the period ending 31<sup>st</sup> July 2011.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Statement of Financial Activity on page 1 of the Financial Statements shows an unfavourable operating revenue of \$101,204. The reasons for this variance are mainly timing issues and are outlined on the Variance Analysis on page 7 of the attached Financial Statements. However part of this variance relates to a grant application for approximately \$23,000 which was unsuccessful. Operating expenditure is \$373,995 or 38% less than expected. Of this, \$149,647 relates to depreciation expenses which cannot be processed until the completion of the 2010-

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2011 Annual Financial Statements and is therefore just a timing issue. Other factors contributing towards this variance are outlined in the variance analysis.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Cunningham**

**THAT Council receive the Statement of Financial Activity, Operating Statements by Program and by Nature and Type, the Statement of Financial Position and other supporting financial information for the period ending 31<sup>st</sup> July 2011, as per the attached Financial Statements, as submitted to the 16<sup>th</sup> August 2011 meeting of the Works and Corporate Services Committee**

**Carried 6/0**

**10.3.3 LIST OF ACCOUNTS PAID FOR THE MONTH OF JULY 2011**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager

**Proposed Meeting Date:** 16 August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the list of account paid for the month ending 31<sup>st</sup> July 2011 to Council, as per the attached Financial Statements.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The list of accounts commencing on page 8 of the Financial Statements has the following significant payments that are brought to the attention of Council:

- \$16,139.00 to WA Local Government Superannuation Scheme for staff superannuation contributions.
  - \$21,431.21 to BCITF for levies collected during June 2011.
  - \$36,825.75 to Cobblestone Concrete for the installation of concrete footpaths at various locations in Cottesloe.
  - \$10,105.85 to Synergy for street lighting charges etc
-

- \$14,721.70 to Water Corporation for annual water service charges at various sites in Cottesloe.
- \$17,161.76 to the Australian Taxation Office for the monthly Business Activity Statement.
- \$26,391.20 to Kalamunda Fencing & Gatemakers for fencing installation at Cottesloe's Depot site.
- \$145,575.38 to the Shire of Peppermint Grove for the quarterly contribution towards the Grove Library.
- \$10,015.50 to Burgess Rawson for the quarterly rent of various railway reserves within Cottesloe.
- \$23,435.50 to Civica Pty Ltd for annual licence fees, training and software upgrade fees.
- \$16,588.00 to Turfmaster facility Management for the re-turfing of the terraces at Cottesloe Beach Foreshore.
- \$43,734.00 to Landgate for the 2010-2011 revaluation of Cottesloe properties.
- \$13,726.29 to WMRC for waste tipping fees.
- \$34,853.97 to Transpacific Cleanaway for waste collection services for June 2011.
- \$26,697.00 to Saferoads Pty Ltd for the supply of bollards.
- \$13,117.50 to GBGMaps Pty Ltd for a geophysical investigation.
- \$28,042.65 to LGIS Insurance Broking for motor vehicle and plant insurance for 2011/2012.
- \$44,157.44 to the Shire of Peppermint Grove for contributions towards the construction of the new library.
- \$75,293.43 & \$77,839.16 to town of Cottesloe Staff for fortnightly payroll.

#### **VOTING**

Simple Majority

#### **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Cunningham**

**THAT Council receive the List of Accounts for the month ending 31<sup>st</sup> July 2011, as per the attached Financial Statements, as submitted to the 16<sup>th</sup> August 2011 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.4 SCHEDULE OF INVESTMENTS AND LOANS AS AT 31ST JULY 2011**

**File No:** SUB/150 & SUB/151  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 16th August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans for the period ending 31<sup>st</sup> July 2011, as attached in the Financial Statements, to Council.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Schedule of Investments on page 17 of the attached Financial Statements shows that \$1,271,788.98 was invested as at 31<sup>st</sup> July 2011. Approximately 59% of the funds are invested with the National Australia Bank, 27% with Bankwest and 14% with the Commonwealth Bank of Australia..

The Schedule of Loans on page 18 shows a balance of \$6,526,652.09 as at 31<sup>st</sup> July 2011. There is \$421,433.90 included in this balance that relates to self supporting loans with community organisations.

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**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Cunningham**

**THAT Council receive the Schedule of Investments and the Schedule of Loans for the period ending 31<sup>st</sup> July 2011, as per the attached Financial Statements, as submitted to the 16<sup>th</sup> August 2011 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.5 PROPERTY AND SUNDRY DEBTORS REPORT AS AT 31ST JULY 2011**

**File No:** SUB/145  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
  
**Proposed Meeting Date:** 16th August 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Property and Sundry Debtors Report for the period ending 31<sup>st</sup> July 2011.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Sundry Debtors report on pages 19 and 20 of the Financial Statements shows a balance of \$55,593.13, of which \$13,124.99 relates to the current month. The balance of aged debtors stood at \$42,468.14.

Property Debtors are shown in the Rates and Charges Analysis report on page 21 of the Financial Statements and shows a balance of \$8,327,652.01. Of this amount \$195,210.14 and \$1,006,405.85 are deferred rates and outstanding ESL respectively. As can be seen on the Statement of Financial Position on pages 4 and 5 of the



Financial Statements, rates as a current asset are \$8,608,194 as compared to \$8,148,149 this time last year.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Cunningham**

**THAT Council receive the Property and Sundry Debtors Report for the period ending 31<sup>st</sup> July 2011, as per the attached Financial Statements as submitted to the 16<sup>th</sup> August 2011 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**

Nil

**13 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 8.43PM.

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