

TOWN OF COTTESLOE



WORKS AND CORPORATE SERVICES COMMITTEE

MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
7.00 PM, TUESDAY, 16 APRIL 2013

CARL ASKEW
Chief Executive Officer

19 April 2013

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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 7.05PM.

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

Nil

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

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Nil

6 ATTENDANCE**Present**

Cr Robert Rowell	Presiding Member
Cr Greg Boland	
Cr Victor Strzina	
Cr Peter Jeanes	Deputy Member

Officers Present

Mr Carl Askew	Chief Executive Officer
Mr Mat Humfrey	Manager Corporate & Community Services
Mr Geoff Trigg	Manager Engineering Services
Mrs Christy Watterson	Administration and Governance Officer
Mrs Siobhan French	Administration Officer (Observer)

6.1 APOLOGIES

Cr Sally Pyvis
Mayor Kevin Morgan

Officer Apologies**6.2 APPROVED LEAVE OF ABSENCE**

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Strzina, seconded Cr Boland

THAT the following requests for leave of absence be approved:

- 1. Cr Boland May 2013 Works & Corporate Services Committee meeting.**
- 2. Cr Rowell June 2013 Works & Corporate Services Committee meeting.**
- 3. Cr Strzina June 2013 Works & Corporate Services Committee meeting.**

Carried 4/0

7 DECLARATION OF INTERESTS

Cr Rowell declared a Proximity interest in Item 10.2.3 due to owning a property at 16 William Street, Cottesloe and left the meeting at 7.59pm.

8 CONFIRMATION OF MINUTES

Moved Cr Strzina, seconded Cr Boland

[Minutes March 19 2013 Works and Corporate Services Committee.docx](#)

The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 19 March 2013 be confirmed.

Carried 4/0

9 PRESENTATIONS**9.1 PETITIONS**

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

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

The following items were dealt with enbloc:

- 10.3.2 Statutory Financial Reports for the Period 1 July 2012 to 31 March 2013
- 10.3.3 Schedule of Investments and Loans as at 31 March 2013
- 10.3.4 List of Accounts Paid for the Month of March 2013
- 10.3.5 Property and Sundry Debtors Reports as at 31 March 2013

10 REPORTS

10.1 ADMINISTRATION

10.1.1 TOWN OF COTTESLOE SOLAR POWER PROJECT: UPDATE

File Ref: SUB/1426
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Nikki Pursell
Sustainability Officer
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

In July 2012, Council recommended the installation of a 15kW solar power system at the Civic Centre as an important step in the Town's progress towards becoming carbon neutral. Seventy nine PV panels have now been installed on a north facing roof and have been generating electricity at the Civic Centre. The first electricity bill since installation has been received and demonstrates an encouraging reduction in electricity purchased. Comparing the total metered consumption for February 2013 with total metered consumption for the same time last year, there has been a 23% reduction in consumption. As the cost of electricity has increased over that period, there have been significant financial savings resulting from the installation of the system.

This report recommends that Council note the completion of the solar power project and the emissions and costs saved.

BACKGROUND

In February 2010 Council committed to become carbon neutral by 2015. This was to be achieved by following a four step process.

- Step 1: Measure the greenhouse gas (GHG) footprint.
- Step 2: Reduce emissions through the development of a GHG Reduction Plan.
- Step 3: Switch to energy sources that create less GHG emissions.
- Step 4: Offset all remaining emissions.

In July 2012 Council endorsed a GHG Reduction Plan as a part of step 2. This document set out the approach for the Town and recommended a number of emissions abatement actions. One of the recommendations was the installation of a solar power system at the Cottesloe Civic Centre. This was to reduce the amount of purchased electricity required at the Admin Building. As the Admin building was the Town's larger purchaser of electricity, this was seen as an important step in reducing the Town's emissions footprint and ongoing financial liability. At a size of 15kW, the system was to provide approximately one quarter of the electricity required for the building.

Following quotes from a number of suitable contractors, Enigin WA was appointed to provide and install the system. In January 2013 installation was complete. February

2013 is the first month the Town has been billed for purchased electricity. Receipt of this bill allows comparison of electricity usage in the same period last year and projected costs of electricity had the system not been installed.

Update on Project and Savings to Date

The following is a comparison of the consumption and costs of purchased electricity at the Civic Centre for February 2012 and February 2013.

- Total metered consumption (kWh) has decreased by 23%.
- The cost of electricity has increased by approximately 20%.
- The projected cost of electricity for the month at 2013 prices without solar panels was \$4728.
- The actual cost for the month at 2013 prices with solar panels is \$3204.
- This is a saving of \$1524 for the month of February, directly related to the installation of solar PV.

POLICY IMPLICATIONS

- Climate Change Policy

The proactive approach demonstrated by the Town with the installation of this solar power system will leave the Town better prepared to deal with climate change while actively reducing the Town's emissions.

FINANCIAL IMPLICATIONS

While the project required a significant outlay the long term savings as a result of reduced purchased electricity are evident. As per June 2012 Council recommendations, these annual savings will be added to a Sustainability Reserve to fund ongoing energy efficiency and emissions reduction actions in the future.

SUSTAINABILITY IMPLICATIONS

The project has positive ongoing sustainability implications by reducing Council related GHG emissions. It also strongly demonstrates to the community the Town's proactive approach to sustainability and encourages behaviour change at home.

STAFF COMMENT

The reduction in metered consumption and subsequent cost saving demonstrate the success of the project. Over the next year the solar panels are likely to save the Town a significant amount of money due to reduce electricity purchased. Furthermore this is a significant step in the carbon neutral journey with a likely saving of approximately 20 tonnes of Carbon Dioxide Equivalent per year as a result of the installation.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell queried the original cost outlaid by Council for the solar panels and was advised that it was in the vicinity of \$42,000. He noted that if the project was to generate approximately \$1,500/month in revenue, the solar panels would recoup

their costs in a matter of years. Cr Rowell further queried whether in future officers could provide a cost benefit analysis when reporting on such investments. The Manager Corporate & Community Services (MCCS) advised that the payback is dependant on the amount of electricity used, and cited air-conditioning during summer months as a factor contributing to greater use for the warmer period. The MCCS further advised that Council would need to wait for a full year cycle before a cost benefit analysis, offsetting Council's consumption, could be undertaken. Cr Strzina commented that ideally Council would modulate its use, so as to offset its use during a period of high tariff and sell back to the grid during a low tariff period.

OFFICER& COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Strzina

THAT Council note the completion of the solar power project and the emissions and costs saved.

Carried 4/0

10.1.2 TOWN OF COTTESLOE - MILESTONE FIVE ICLEI WATER CAMPAIGN

File Ref: SUB/552
Attachment: [Water Campaign Milestone 5 report June 2013](#)
Responsible Officer: Andrew Jackson
Author: Nikki Pursell
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest: Nil

SUMMARY

The Town of Cottesloe resolved to join the Water Campaign™ in December 2006 and in doing so committed to progress through the requirements of the program. This report is to inform Council that the Town has recently completed the fifth and final Milestone in the campaign and will be recognized at the next ICLEI recognition event.

BACKGROUND

The Water Campaign™ aims to improve water quality and promote water conservation at the local government level. The Water Campaign™ builds local government capacity to achieve tangible improvements in water management. There are currently 42 local governments in WA participating in the campaign, at different degrees of completion.

The Water Campaign provides a framework to address the management of water resources relating to both *water quality* and *water conservation*. This is further broken down into *Corporate* and *Community* water management. Therefore the objectives are:

Corporate: Improving water management within a council's own operations.

Community: Improving water management in residential and non-residential water use in the community.

The objectives of the Campaign are achieved by following a five step process. To complete each Milestone, water quality and water conservation objectives must be achieved for both Corporate and Community modules. The five Milestones are as follows:

Milestone 1: Undertake a water consumption inventory and water quality checklist.

Milestone 2: Establish a water consumption reduction goal and water quality improvement goal.

Milestone 3: Develop and adopt a local action plan.

Milestone 4: Implement policies and measures to work towards integrated water resource management.

Milestone 5: Monitor and report on water consumption reductions and water quality improvements.

Since 2006, the Town of Cottesloe has been progressing through these 5 Milestones, for both corporate and community modules. A number of large scale projects have been completed, including the 'Aquifer recharge' project and 'Think Water' education campaign, which have contributed to the Town's achievements. With the completion

of the Milestone 5 Re-inventory and Report (attached), the Town has completed all of the requirements of the ICLEI Water Campaign.

STRATEGIC IMPLICATIONS

Committing to and completing the ICLEI Water Campaign supports the Town's objective of maintain[ing] infrastructure and council buildings in a sustainable way. It demonstrates the Town's proactive approach to integrated water management and encourages residents and the general community to actively address their water consumption.

FINANCIAL IMPLICATIONS

Ongoing actions to reduce water consumption and protect water quality have been included in previous budgets. While the Town has now completed the 5 Milestones in the Campaign it is still committed to address long term sustainable water management. Costs of future actions will be considered as part of next budgetary process.

SUSTAINABILITY IMPLICATIONS

By joining the ICLEI Water Campaign the Town committed to address water usage and quality. The completion of the Milestones has demonstrated:

- Commitment on improving water use efficiency.
- Commitment to protect water catchments and aquatic systems.
- Commitment on the awareness and significance of water as being a limited resource.
- Commitment to protect and maintain coastal biodiversity and habitats.
- Commitment on conserving and protecting natural biodiversity.

CONSULTATION

Ongoing consultation has occurred throughout the project, including with ICLEI representatives, the Water Corporation, and internally with Engineering and works staff.

STAFF COMMENT

The achievement of Milestone 5 is a clear and recognised demonstration of the Town's commitment to water management and sustainability in general. A large degree of work went into each of the Milestones across a number of different sections of the organization. The structure of the Campaign ensured that implementation occurred and progress was monitored. The ICLEI team was of great assistance to officers and their help was greatly appreciated by staff.

While the campaign's official stages have now been complete, it is important that integrated water management continues to be a priority for the Town. Next steps include updating the Local Action Plan and the implementation of water savings measures. Many of these will require funding.

The Recognition breakfast scheduled for August is attended by both elected members and staff. This is a great opportunity for the Town to receive acknowledgement for the work undertaken and demonstrate to the community the Council's commitment to sustainability.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the achievement of the Town with regard to Milestone 5 of the ICLEI Water Campaign, with Councillor Boland stating that staff needed to be commended for achieving the final milestone.

Committee discussed the various native gardens in the Town, with Cr Boland advising that there are many excellent examples of native gardens in Cottesloe, citing the property at the corner of John Street and the property at the corner of Eric Street and Curtin Avenue.

The Manager Engineering Services advised Committee that the campaign was aimed at saving drinking water, with Councillor Boland stating that in his opinion, Council was heading in the right direction, as there are huge water problems in WA.

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council:

1. Note the achievement of Milestone 5 of the ICLEI Water Campaign;
2. Note the attached Milestone 5 report detailing the progress to date; and
3. Send an invited or nominated representative of Council to the recognition breakfast in August 2013.

AMENDMENT

Moved Cr Rowell, seconded Cr Boland

That a new point 4 be added that reads "Congratulate staff for achieving Milestone 5 of the ICLEI Water Campaign".

Carried 4/0

COMMITTEE RECOMMENDATION

THAT Council:

1. Note the achievement of Milestone 5 of the ICLEI Water Campaign;
2. Note the attached Milestone 5 report detailing the progress to date; and
3. Send an invited or nominated representative of Council to the recognition breakfast in August 2013.
4. Congratulate staff for achieving Milestone 5 of the ICLEI Water Campaign.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 4/0

10.1.3 LEASE AGREEMENT – BARCHETTA

File Ref: SUB/989
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

A lease agreement extension for Simpco Investments Pty Ltd (here after Simpco) is being presented for Council's consideration and endorsement.

BACKGROUND

The Town originally entered into a lease agreement with Beachfront Enterprises Pty Ltd, for Reserve 28159. The original lease agreement had an 11 year term, commencing 25 July 2002, with two options for renewal for a further 5 year term in each case.

A variation to this lease was executed on 25 August 2009, between the Town, Beachfront Enterprises Pty Ltd and Simpco, providing Simpco with a lease hold agreement for Reserve 28159.

The original 11 year lease falls due on 25 July 2013, Simpco have approached the Town and advised their intention to exercise the first option, for a further 5 year extension.

STRATEGIC IMPLICATIONS

The property has been leased by Simpco (Barchetta restaurant) since 25 August 2009. Entering into a lease extension agreement will formalise the current arrangement going forward.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

As this is the lessee exercising their option, there is no capacity to vary the rent within the lease. The lease payments are included already in the normal operating budgets.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Comment was sought from McLeods Barristers and Solicitors, who have advised of Simpco's entitlement to an extension.

STAFF COMMENT

Ordinarily lease extensions, exercised under an option contained within a lease are purely an administrative matter, with the Chief Executive Officer able to sign the extension documents.

However, in this case the lessee has requested the extension be registered, as there were some complications with the registration of a transfer of the lease document. While this complication does not affect the lessor's rights under the lease, it would be beneficial for them to have the lease extension registered.

In order for a lease to be registered, the Registrar requires the document to be executed under common seal.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Boland, seconded Cr Strzina

THAT Council by Absolute Majority;

- 1. Authorise the Mayor and Chief Executive Officer to execute under Common Seal the lease extension with Simpco Investments Pty Ltd; and**
- 2. Send the lease to the Minister for Lands for endorsement, once it is executed by both parties.**

Carried 4/0

10.1.4 GROVE LIBRARY AND COMMUNITY CENTRE REVIEW

File Ref: SUB/547
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

Council is being asked to consider participating in a review of the Grove Library and Community Centre operations and to nominate elected members to represent Council in that review.

BACKGROUND

The Town has an Agreement with the Town of Mosman Park and Shire of Peppermint Grove to provide a joint library service at the Grove Library. The day to day operations of the library are managed by the Library Manager, with oversight provided by the Library Management Committee (LMC).

The Library Management Committee comprises a member of each of the three participating councils. A senior staff member from each Council also attends the meeting (Manager of Corporate and Community Services from the Town) however they are non-voting. The Library Manager also attends these meetings.

The Town of Mosman Park has requested a review of the Grove Library and Community Centre. An initial meeting of the Library Management Committee plus some additional elected members and officers, considered the request, potential terms of reference and membership. Each Council is now being asked to formally consider the request.

STRATEGIC IMPLICATIONS

Library Services fulfil a range of community outcomes for partner Councils. These include indoor recreation, early childhood literacy, support for students, cultural enrichment, preserving community history, placemaking and community cohesion, personal development, and social and digital inclusion.

An optimum range of library services facilitates maximum return on investment in infrastructure and services. Major cost components of the library operations include staffing and facility operating costs. Avenues for revenue raising are limited by statute and community expectations.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

The Library Board of Western Australia Act and Regulations provides for the Library Board to oversee the establishment and ongoing development of public libraries. The Library Board through its agent the State Library of Western Australia provides both in subsidies (provision of some library stock) and networked services (state-wide catalogue and interlending service, including a courier service, and Better Beginning) to statewide library network.

The Library Act Regulations state that local governments may not charge for core library services such as membership or lending (Section 8). They also state effectively that any citizen of Western Australia may become a member of any public library in Western Australia (Section 5 (4)).

Each local government is also bound by a Framework Agreement negotiated between WALGA and the Library Board, setting out certain undertakings with regards to the provision of library services, including standards to be followed regarding such matters as opening hours, staffing, and range of services to be offered.

FINANCIAL IMPLICATIONS

The proposed review would be undertaken 'in-house' with the primary cost being elected member and staff time. If endorsed, the review is anticipated to start in May 2013 and conclude before the Council elections in October 2013.

STAFFING IMPLICATIONS

Staffing is a major expense for the Grove Library with approximately 9.8 FTE.

SUSTAINABILITY IMPLICATIONS

Sustainability is listed as one of key aspects of The Grove "culture". The library building itself has some of the most modern and environmentally sustainable systems available. While this provides for a sustainable building, the associated education and awareness programs provide further sustainable benefits.

CONSULTATION

An initial meeting of the Library Management Committee with other Elected Members was held in March 2013 at the Shire of Peppermint Grove.

STAFF COMMENT

The Grove Library and Community Centre has been in operation in its new facilities since late 2010. It has taken some time to adjust to the new, modern facilities and a number of matters related to the operation of the building have been reported to Council previously.

In the previous three budget's the cost to operate the library facility has increased beyond Local Government Cost Index (LGCI) percentage increases. Subject to confirmation from the Library Management Committee, it is anticipated that the budget for 2013/14 will only require an increase in line with CPI or LGCI, approximately 3%.

At the meeting in March to consider the request from Town of Mosman Park it was suggested, prior to the facilitation of the budget for 2013/14, that a review of the facilities operations commence. The Town was represented by its LMC member Cr Jeanes, the CEO and Manager Corporate and Community Services. It was proposed at that meeting that the membership of the Review Group be broader than the Library Management Committee as the review should encompass the role and function of the Committee. It was also suggested that membership include the representative Mayor/President (or nominee) one other Elected Member and, one deputy Elected Members from each Council. In addition it should also include the CEO (or nominee) from each Council, as well as a number of officers from the Shire of Peppermint Grove with specific knowledge and expertise to contribute to the review, including the Library Manager. If endorsed, the initial meeting would be to confirm the Terms of Reference which has been proposed as;

- “To review all aspects of the Grove Centre – governance, operations, facilities management, structure, key systems, key agreements, finance and other matters as appropriate.
- To report findings, conclusions and recommendations to member Councils no later than the end of September 2013, but preferably earlier”.

Overall, it is the officers opinion that, since the relocation to its new facility, the library operations and services delivered to our community have been appreciated by those community and library members and are indicative of expectations for such a service. It is acknowledged that the cost of operating the library has increased significantly since the move from the “old” (much smaller) facilities and this was anticipated given the size of the new facilities. In addition there has been a number of building management issues in the preceding 2 years which could be considered “teething problems” with the development and installation of a substantial and complex, environmentally friendly facility. Most of these issues have now been resolved and the budget for 2013/14 is proposed to only increase by CPI or equivalent.

It is considered appropriate that, given the time elapsed since the relocation, that a review of operations be undertaken. The Library Management Committee is the appropriate body to lead and drive this review and, given the significance of the library as a joint Council facility and asset, with significant resource implications, it is reasonable for the respective CEOs to also be involved. However there appears to be no reason or justification why a review of the current Agreement and principles related to the library and its funding structures needs to be included in such a review.

It is therefore recommended that Council advise the Member Councils of the Grove Library and Community Centre that any review should be limited to and focus on the Grove’s operations and governance including budgets, facilities management, organisation structure and systems with all recommendations to be referred back to each member Council via the Library Management Committee.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Jeanes advised Committee that he had attended the initial meeting, together with the CEO and Manager Corporate and Community Services. Cr Jeanes expressed his concerns that the library had grown from a small operation, to a large updated facility with cutting edge systems, and that in his opinion, some of the new systems were not working as efficiently as possible and needed review.

Cr Jeanes advised Committee that he believed the Library Review may require more than one member from the Town, and advised that the Town of Mosman Park had appointed their Mayor to attend. Cr Jeanes further advised that the Shire of Peppermint Grove President would also be attending the proposed meetings. Cr Jeanes stated that to be on equal footing with the other Councils, he would like to see the Mayor and himself (as Chair of the Library Management Committee) attend. The CEO suggested that Cr Pyvis be nominated as a deputy, as she is the current deputy to the Library Management Committee.

The CEO advised that he was aware of the concerns expressed at the initial meeting, however he did not see a need for any such review to undertake a complete revision of the current Agreement and funding structures.

OFFICER RECOMMENDATION

Moved Cr Jeanes, seconded Cr Strzina

THAT Council;

1. Advise the Town of Mosman Park and Shire of Peppermint Grove that the appropriate body to initiate and conduct a review of the Grove Library and Community Centre is the Library Management Committee, with the current member (Cr Jeanes) and deputy (Cr Pyvis) to represent Council, with support from the CEO and administration.
2. Advise the Library Member Councils that the Town is willing to participate in such a review provided that the Terms of References exclude changes to the current Agreement and funding structures and focus on the Grove's operations and governance including budgets, facilities management, organisation structure and systems, with all recommendations to be referred back to each member Council via the Library Management Committee.

AMENDMENT

Moved Cr Jeanes, seconded Cr Strzina

That the above officer recommendation be reworded as follows:

“THAT Council:

1. **Nominates Mayor Morgan and Cr Jeanes to the Grove Library Review with Cr Pyvis as the deputy.**
2. **Believes that the current Agreement and funding structures should not be included in the reviews terms of reference and participates on that basis.”**

Carried 4/0

COMMITTEE RECOMMENDATION

THAT Council:

- 1. Nominates Mayor Morgan and Cr Jeanes to the Grove Library review with Cr Pyvis as the deputy.**
- 2. Believes that the current Agreement and funding structures should not be included in the review terms of reference and participates on that basis.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 4/0

10.2 ENGINEERING

10.2.1 POLICY REVIEW - STREET TREES

File Ref:	POL/50
Attachments:	Proposed Modified Street Trees Policy_MES Proposed Modified Street Trees Policy_Cr Hart Coastcare Submission Robert Powell comments on street tree policy in Cottesloe Sustainability Officer Submission Works Supervisor Submission
Responsible Officer:	Carl Askew Chief Executive Officer
Author:	Geoff Trigg Manager Engineering Services
Proposed Meeting Date:	16 April 2013
Author Disclosure of Interest	Nil

SUMMARY

This policy is due for review. It was presented at the February 2013 meeting and Council resolved to defer consideration of this matter until the March 2013 round of meetings. It was held over to this meeting in order to collate Councillor feedback.

The recommendation is that Council:

1. Adopt the modified Street Tree policy as proposed by the Manager Engineering Services.
2. Thank those who made comments on the Street Tree policy.
3. Make use of the additional species suggested by Cottesloe Coastcare to expand the range of species approved for street tree planting.

BACKGROUND

This policy was adopted by Council in 2005. It replaced a previous policy that was very long and complicated.

This policy has been referred to many times by staff and Council has considered a variety of issues relating to multiple street tree removals, damage to trees and issues relating to large unsuitable tree species planted many years ago, e.g. fig trees on narrow road verges.

STRATEGIC IMPLICATIONS

Within Cottesloe's strategic plan, the following provisions apply:

District Development – Environment – Council will promote community awareness of issues affecting the whole environment in relation to sustainability, cleanliness, greening, community safety and conservation.

District Development – Environment – Streetscape – Provision of clean, safe, sustainably managed streetscapes, with appropriate selections of trees and infrastructure, which are pedestrian-friendly and incorporate tidy verges.

District Development – Town Planning – preservation of nominated properties on the Municipal Inventory, verges, trees and the foreshore and dune system.

POLICY IMPLICATIONS

Review of existing policy.

STATUTORY ENVIRONMENT

All street and road verges in the Town of Cottesloe are vested in Council's control for care, control and maintenance. Council's Local Law on "Activities on Thoroughfares and Trading on Thoroughfares and Public Places" also provides extensive powers and control.

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Street trees provide a large component of the Town's 'green' nature and commitment to maximise the positive impact of mature trees on the environment.

CONSULTATION

This policy was advertised before being originally adopted by Council in 2005.

STAFF COMMENT

This policy review was put to Council in February 2013, with no original staff proposals for change. Council resolved to defer consideration until March 2013. During this time, Cottesloe Coastcare provided a submission on the policy, as has Council's Sustainability Officer. The Works Supervisor, has provided comments on the proposed additional species to be added to the group of species used as street trees.

Of the extra species suggested by Coastcare, only the Cheesewood has a query, in regards to the nature of its seed and its potential large size on a narrow verge.

Coastcare has referred to the work of Robert Powell. Notes are in the attachments covering his comments on a variety of species. It is not normal practice to include such notes into the body of a policy, which should be kept as simple as possible for an exact understanding. These notes can be added to the content used as a procedure by Depot staff, particularly regarding the comments on species applicability.

The majority of street tree issues relate to residential verges, often with one tree growing on a lawned verge area. The Natural Areas Management Plan (NAMP) deals

with, obviously, natural areas. Such areas allow for a much greater spread of species, with different priorities and the chance for support subsidiary species being established around any larger trees.

With regards to the points made by Council's Sustainability Officer, the following comments are made:

- The greater the variety of proven street tree species planted the greater the chances of the street tree asset list surviving a major disease outbreak. If very few different species are used, there is a greater threat from disease. The Norfolk Island Pine tree is iconic to Cottesloe but this species has been hit by disease in other parts of Australia.
- Due to the changing climate, increasing temperature and reducing rainfall the conditions in which the Norfolk Island Pine grows in Perth are becoming less supportive of that species.
- Council did adopt the NAMP which does support the replacement of the Norfolk Island Pine tree with more climate and site appropriate species, as the individual Norfolk Island Pine trees come to an end of life. However, so far, no changes have been implemented.
- A Register of Significant Trees will require an expert assessment, by a specialist consultant, with a budget allocation to fund that assessment. Such registers are being undertaken by other local government authorities, in the WESROC area.

Cr Hart has proposed a number of changes to the existing policy, plus additional efforts regarding street trees. The proposed policy changes are included in the attachments.

Comments relating to these changes are:

- If every street or road is to have street trees, will Council enforce that requirement, with trees to be planted the full length of Marine Parade, on Broome Street between Forrest Street and Jarrad Street and on other sections of street such as Princes Street from Avonmore Terrace to Marine Parade? This move would be controversial. Therefore, it is recommended that the word "should" be retained in regards to one tree per property frontage, or a list be kept on what verges will be exempt.
- Item 5 in 'Policy' – The idea that any unauthorised pruning will result in prosecution seems harsh. A small branch pruned by a resident to make a footpath safe or to stop a car being scratched shouldn't end up in court. It depends on the scale of the offence and the reasons for such work. This is not a Local Law and policies provide intentions and guidance for staff direction. "May" would be more applicable.
- Policy Item 5 – Last dot point: a number of species can cause serious health problems. Street trees have been removed in the past due to extreme cases. Japanese Pepper trees are acknowledged as being one species causing such issues. Removal is a last resort. If a family of residents or ratepayers are suffering due to health problems caused by a street tree, Council should be considerate of all causes of such problems.
- Policy Item 9 – Regardless of whether the list of undesirable species for street trees is included in the policy, staff would normally not assign tree species with proven problems to be planted on Cottesloe verges. The 'dot' points included

in the existing policy would remain applicable, even if not included in the policy.

- Policy Item 10 – Two new street trees to be planted for every one removed would quickly fill up any gaps in street tree plantings. If Councillors provide staff with proposed areas for substantial verge street tree plantings then the concept may be viable. Marine Parade would be one street capable of carrying extensive street tree plantings.

In regards to the 'dot' points raised in Cr Hart's email, the following comments are made:

- In February 2011, Council paid \$10,000 for an audit of 536 Norfolk Island Pine trees, a cost of a bit over \$18/tree. It was a very simple audit and the new audit suggested would be more costly, if done by a quality tree expert. The trees audited were only pines and only on residential verges. Most were large in size, hence significant. Other large non pines were not included. A proper audit will be over \$25/tree. With at least 500 trees under Council control, the cost will be in excess of \$12,000. That would need a special budget allocation.
- The footpath replacement program is based on the worst condition paths being replaced first. For liability purposes that emphasis must remain. No connection is seen between street trees and whether a slab footpath gets replaced, unless the existing trees are damaging the paths.
- Council has no significant tree register and no legal power over any private trees apart for heritage listed trees. The first step would be to get Council to agree to create such a register for applicable street trees. Council still wouldn't have any powers over privately owned non heritage trees.
- There has to be a heritage reason to make all pine trees heritage listed. Many of the pines are only a few years old and, as yet, have no heritage merit, other than their species, which can be found in many towns in Australia.
- Right now only Council staff install, maintain and remove street trees. Having school children involved in planting expensive, heavy street tree containers at a particular time of a particular month is not supported. If correct growth is required they should be properly installed. Certainly school kids can be involved in native shrub plantings each year and that should continue. Council has a Sustainability Officer and she doesn't get involved with street trees. The most knowledgeable staff with the longest history of caring for street trees are based at the depot.
- Council would have to adopt a streetscape strategy and have a budget to make it happen. Without funds, the strategy would just be words. Such strategies exist elsewhere and they must be simple, affordable and easy to understand, with funding attached.

Apart from one section of Princes Street, the only other streets without street trees would be Marine Parade and part of Broome Street. There are a few gaps and each year more street trees are planted than those removed. If planted too close together they don't prosper. If planted too close to crossovers, paths, roads and fences they generate major problems in the future.

Two new trees for every one removed would not take long before that policy would give problems in finding space for ongoing plantings.

The existing policy has worked very well since adoption since 2005, compared to a very complex and lengthy previous version. A suggested modified version is included in the attachments.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the proposed amended Policy and considered written comments provided by both Cr Hart and Cr Pyvis. After careful consideration of the proposed amendments, Committee determined a final version of the updated Policy. In addition Cr Boland suggested that the Policy should include reference to the Natural Areas Management Plan, with Committee agreeing that an amendment to the "Objectives" of the policy should be made.

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Cr Rowell

THAT Council

1. Adopt the modified Street Tree policy as proposed by the Manager Engineering Services.
2. Thank those who made comments on the Street Tree policy.
3. Make use of the additional species suggested by Cottesloe Coastcare to expand the range of species approved for street tree planting.

AMENDMENT

Moved Cr Strzina, seconded Cr Boland

That the policy be amended:

1. **To include the words "To be read in conjunction with the Natural Areas Management Plan", under "(1) Objective".**
2. **By deleting the words in (2) Principle "apart from any selection of street or road made exempt from this requirement".**

Carried 4/0

COMMITTEE RECOMMENDATION

THAT Council:

- 1. Adopt the modified Street Tree policy as proposed by the Manager Engineering Services, and as amended by the Works and Corporate Services Committee.**
- 2. Thank those who made comments on the Street Tree policy.**
- 3. Make use of the additional species suggested by Cottesloe Coastcare to expand the range of species approved for street tree planting.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 4/0

10.2.2 PLAN FOR REDEVELOPMENT OF THE VLAMINGH MEMORIAL SITE

File Ref: SUB/1497
Attachments: [Submissions Received Vlamingh Memorial Public Notice](#)
Responsible Officer: Carl Askew
Author: Geoff Trigg
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest: Nil

SUMMARY

At its February 2013 meeting, Council discussed a letter from Cottesloe Coastcare which suggested a plan for the restoration of the Vlamingh Memorial was needed.

It was resolved:

“THAT Council:

- 1. Advertise its intention to consider the redesign of the Vlamingh Memorial and request community comment on the proposal;*
- 2. Request officers write to Cottesloe Coastcare, seeking their input in relation to this proposal; and*
- 3. If works are to be undertaken at this site, as a result of community comments received, that funding be considered for inclusion in the 2013/2014 budget.”*

The advertising of this proposal has ended and Cottesloe Coastcare has been asked for comments and input.

The recommendation is that Council:

1. Consider the inclusion of an allocation of \$8,000 in the 2013/14 budget for a consultant design of an improved Vlamingh Memorial; and
2. Inform those who submitted proposals of Council’s decision on this matter, with thanks for their input.

BACKGROUND

The last time this memorial site was discussed by Council was in 2008, when public comments received rejected the idea considered by Council to relocate the memorial to a site at the Cottesloe Main Beach, the site most probable to have been the original landing site.

Since that time, only general maintenance has taken place. In the new draft 5 Year Footpath Replacement Program, the slab paths around the site are scheduled to be replaced with in-situ concrete in 2015/16. No other improvement works have been proposed for the actual monument.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

For Year 3 (2015/2016) the cost estimate for the 121m of concrete slab paths to be replaced with in-situ concrete is \$8,200.

Other works to replace the steps and refurbish the monument column and plaques could increase the total cost above \$20,000.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

This proposal for a memorial restoration and/or redesign has been advertised for comment and input. The received comments are included in the 'Attachments' to this report.

STAFF COMMENT

Only two submissions were received regarding the potential restoration of the Vlamingh Memorial site, one of which was from Cottesloe Coastcare.

The Coastcare submission proposes substantial change to the site, with paving and concrete being removed and a timber platform plus a boardwalk and additional planting being most of the renovation.

The second submission proposes the retention of the original form but with quality materials to replace deteriorated components. A new, large plaque showing Vlaming's role in the exploration party plus a representation in map form is also proposed.

The future development of the area immediately to the south, through the Leighton foreshore has no guaranteed start date or budget. Therefore a southern entrance path upgrade could be left until more is known of that project.

It is impossible to supply a cost estimate of a memorial redevelopment before a definite and accepted design plan is available. The final design could be minimal through to complete reconstruction. A cost estimate of \$8,000 has been seen as

adequate for a consultant to deliver a design of a new memorial, based on the existing shape of earthworks and vertical memorial obelisk.

If a design, completed in 2013/14, requires a substantial expenditure for construction / installation in 2014/15, the project may attract grant funding from organisations such as Lotterywest.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the submissions received with regard to future improvements to the Vlaming Memorial, and agreed that officers should thank all who provided submissions and pass their comments on to the consultant chosen to undertake the improvement.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Boland

THAT Council:

- 1. Consider the inclusion of an allocation of \$8,000 in the 2013/14 budget for a consultant design of an improved Vlamingh Memorial; and**
- 2. Inform those who submitted proposals of Council's decision on this matter, with thanks for their input.**

Carried 4/0

Cr Rowell declared a Proximity interest in Item 10.2.3 due to owning a property at 16 William Street, Cottesloe and left the meeting at 7.59pm.

Cr Boland assumed the Chair at 7.59pm.

10.2.3 REQUEST FOR ADULT EXERCISE EQUIPMENT, JASPER GREEN

File Ref: SUB/233
Attachments: [Fitness Equipment Information](#)
[Submission Received Jasper Green](#)
[Plan of proposed exercise equipment location](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

A request for adult exercise equipment for Jasper Green was considered by Council at the February meeting. Council resolved to:

- 1. Letter drop all properties fronting Jasper Green, explaining the case for adult exercise equipment at the park and requesting comments by the end of March 2013;*
- 2. Reconsider this issue in April 2013, when the results of public consultation are available; and*
- 3. Request staff obtain accurate costing on a range of equipment, for discussion at the April meeting if Council resolves to consider such an installation.*

Letters requesting comments on the proposal were delivered to properties surrounding Jasper Green. The received comments are included in the attachments to this report.

The recommendation is that Council:

1. Install a small number of adult exercise items in Jasper Green, to a maximum cost of \$5,000, under trees, with consideration being given to a location chosen to minimise any generated noise, in the 2013/14 financial year.
2. Inform all residents submitting comments of Council's decision, and thank them for their involvement.

BACKGROUND

This equipment has not previously been requested. The only adult exercise equipment installed by Council has been at two locations on the west side of Marine Parade.

Jasper Green is already equipped with a range of assets for sporting and playground use.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

No funds have been budgeted in 2012/2013 for installation of this equipment. The 5 Year Programme does not include an allocation to these works. The estimated cost of installation would range between \$5,000 and \$20,000 depending on the scale and number of the items required. However the minimal scale and simple design of the items chosen would cost \$5,000, installed.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Letters were delivered to all properties adjacent to Jasper Green, requesting comments on the proposal. The time period for commenting on the proposal has closed.

STAFF COMMENT

Of the letters delivered to properties fronting Jasper Green, 8 replies were received, one was received because of a newspaper comment on the proposal plus the original letter requesting the installation. From the total of 10 submissions, 5 were in favour and 5 against.

The points raised against the proposal were:

- Already enough equipment on the park
- Possible increase in noise from fitness groups and 'boot camps' in the early hours
- Money better spent on a light near the playground/basketball court
- Opposed because it is believed the items will be installed near their house
- Problems already with lack of car parking space. This equipment will make parking in the adjacent narrow streets worse
- New equipment will be a negative impact on existing users
- New equipment will lead to demands for change rooms, showers and toilets
- New equipment should be installed at larger venues
- Jasper Green should not be a health club or fitness demonstration for businesses, individuals or groups of adults
- Exercising adults may take or harm a child

- Exit from Pennefather Lane onto Grant Street will be made even worse if exercise equipment is installed
- Equipment will be too close to private bedrooms near the street, particularly for early morning use

The points raised in favour of the proposal were:

- If it is to be installed it should be at the eastern end
- An outdoor exercise area would enhance the Green as a community facility
- A continued presence of people on the green enhances its safety
- The value of resource (Jasper Green) would be enhanced with equipment to make exercise fun
- This equipment would widen the Greens appeal to a greater cross section of the community
- Support the idea but keep the equipment away from residences, retain the site as a dog exercise area, place new equipment where it will not restrict existing use and create a system to deal with noise and illegal parking complaints
- Support the idea and keep the equipment simple, practical and low maintenance
- Consider a permanent table tennis installation on site
- Properly installed exercise equipment would stop mis-use of playground equipment for adult exercising

The main concerns with the proposal appear to be about potential noise generated by exercising adults affecting nearby homes, the lack of sufficient parking capacity at the park – particularly if extra attractions are added, plus the idea that the park already has a variety of facilities for a range of activities and it doesn't need any more.

The positives are that the exercise gear will enhance the park facility, widen its appeal to a greater part of the community, introduce more fun into exercise and reduce the potential for play equipment being mis-used by exercising adults.

Jasper Green is the largest Council controlled reserve for that area that would be suitable for adult exercise equipment. If it can't be 'fitted in' at this site, then no other 'east of the railway' site is seen to be suitable.

A simple selection of equipment, with no moving parts, such as sit up boards, a step up, a chin up bar, push up bars, an obstacle frame and an aerobic stepper would cost approximately \$5,000, installed. If kept simple and small scale, the items should not attract people to drive to the site for their use. Most use would be expected to come from existing park users.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the submissions received, with Cr Jeanes commenting that the addition of exercise equipment could result in additional parking in Grant Street. Cr Jeanes further commented that in his opinion, Jasper Green is too small and should be left as it is.

The Manager Engineering Services (MES) advised committee that the equipment is not intended for use by commercial exercise groups and mentioned that officers are in the process of preparing a draft policy for consideration by Council in relation to management and monitoring of such groups. The MES further advised that there is no other location east of the railway that would be suitable for such adult exercise equipment.

Cr Jeanes commented that he is not against adult exercise equipment, but he believed that there were more appropriate locations along the coast or at Harvey field.

OFFICER RECOMMENDATION

Moved Cr Boland, seconded Cr Strzina

THAT Council:

1. Install a small number of adult exercise items in Jasper Green, to a maximum cost of \$5,000, under trees, with consideration being given to a location chosen to minimise any generated noise, in the 2013/14 financial year.
2. Inform all residents submitting comments of Council's decision, and thank them for their involvement.

AMENDMENT

Moved Cr Strzina, seconded Cr Boland

That the officer recommendation be amended in point (1) to include the words "and to minimise obstructions to the existing use of the park".

Carried 2/1

COMMITTEE RECOMMENDATION

THAT Council:

1. **Install a small number of adult exercise items in Jasper Green, to a maximum cost of \$5,000, under trees, with consideration being given to a location chosen to minimise any generated noise and to minimise obstructions to the existing use of the park, in the 2013/14 financial year.**
2. **Inform all residents submitting comments of Council's decision, and thank them for their involvement.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 2/1

Cr Rowell returned to the meeting at 8.06pm and resumed the Chair.

10.2.4 NORTH STREET / WEST COAST HIGHWAY INTERSECTION - CITY OF NEDLANDS BLACKSPOT SUBMISSION & INTERSECTION ASSESMENT

File Ref: SUB/486
Attachments: [Revised Costs Estimates Only](#)
[Copy of Executive Summary by Opus Consultants for intersection SIDRA analysis](#)
[Council Report June 2012](#)
[Black Spot Application](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

At its meeting in October 2012, after a request from the City of Nedlands for 1/6th cost contribution towards the extension of the left turn lane off North Street onto West Coast Highway, plus overhead mast arms on the highway, as part of a State Blackspot submission for 2013/2014, it was resolved:

“THAT Council:

- 1. Agree, in principle, to a contribution of up to \$24,167 towards a total estimated cost of \$145,000 for a State Black Spot submission for 2013/2014 by the City of Nedlands, for an expanded left turn lane exit from North Street onto West Coast Highway plus two overhead mast arms for traffic lights on West Coast Highway at this intersection.*
- 2. Inform the City of Nedlands of its ‘in principle’ support for this project on the condition that the Town of Cottesloe reserves its final response for the best solution for the location of the expanded North Street left turn lane being on the Cottesloe side of North Street dependent on Main Roads WA advice regarding the potential to have a separate right turn light phase for North Street traffic turning into West Coast Highway.*
- 3. Inform the City of Nedlands that it is prepared to meet half the cost of the MRWA requirement for a video survey and a SIDRA analysis regarding a potential right turn out of North Street.”*

The results of the video survey and SIDRA analysis have now become available and an extensive report has been supplied by OPUS Consultants through the City of Nedlands, regarding a potential right turn out of North Street.

The Officer Recommendation is that Council:

1. In order to minimise costs, impact on street trees in North Street and the potential to damage underground services, agrees to the option to install the widening to allow a 70m extension of the left turn lane onto West Coast Highway on the south side of North Street; and

2. Agree to fund 1/6th of the cost of this State Black Spot project - \$24,167, in the 2013/14 financial year.

BACKGROUND

Council received a presentation by City of Nedlands officers in 2012 regarding this proposal, particularly to extend the existing left turn lane out of North Street onto West Coast Highway. Councillors, at that presentation, indicated a preference for traffic light control changes to allow a separate right turn phase out of North Street. The Nedlands presentation discussed three options for the left turn lane improvements, with one option being a widening on the south side of North Street, within the Town of Cottesloe. The submission is for a State Black Spot funding, with 2/3^{ds} of the funds coming from the grant and 1/3rd being shared between Nedlands and Cottesloe.

The submission also covers two overhead arms on the highway to provide very obvious signal information for traffic turning at the intersection.

The City of Nedlands commissioned OPUS Consultants to undertake the analysis of collected data regarding traffic movement at this intersection, by using the SIDRA computer analysis software program, as required by Main Roads WA.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Black Spot grant approvals, line marking, traffic control signage and changes to traffic lights at intersections all require Main Roads WA approval. Any works within the Town of Cottesloe will require Council's agreement, apart from any mast arms for highway signal changes.

FINANCIAL IMPLICATIONS

The project is subject to State Black Spot funding and Council is being requested to fund 1/6th of the total (\$24,167) of the estimated cost of \$145,000.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

City of Nedlands.

STAFF COMMENT

OPUS Consultants have undertaken the required video and SIDRA analysis on the West Coast Highway / North Street intersection in regards to the submitted MRWA Black Spot grant application and this Council's requirement for consideration of a North Street separate right turn arrow for vehicles turning south onto the highway from North Street.

The intersection modelling confirmed that the intersection is at or over the design capacity. Even with a lot of 'green' time allowing the left turn lane to clear, this movement is often blocked by the through and right turn traffic.

Also, with the heavy left turn traffic stockpiling further down North Street, the through and right turn traffic is blocked from using the limited 'green' time available. Any extension of the left turn lane will improve the situation for all forms of stockpiled traffic at the intersection. The report suggests that the extension from 40m to 70m be further extended.

In regards to the possible right turn phase east out of North Street, benefits would exist for this 'leg' of the intersection if there was no opposing traffic from the eastern or Servetus Street side wanting to cross over into North Street.

The study also showed that, based on existing crash statistics, the creating of a North Street right turn phase would not improve road safety at the intersection. However, the extra cost of providing the changed traffic signals would reduce the benefit cost ratio and hence reduce the viability of the Black Spot submission.

The OPUS Consultants main recommendation is to pursue the extension of the left turn lane in North Street, and make the extension beyond the 70m length, if possible.

The study does not support a right turn North Street signal phase because it will not improve the intersection performance.

With the consultant's report now finalised in regards to the right turn phase for North Street, the question remains as to what side of North Street would carry the widening, north (Nedlands) or south side (Cottesloe).

The probable approval of the State Black Spot submission for the proposed works (only awaiting the ministers sign off) carries a total cost of \$145,000, with the Town of Cottesloe giving "in principal" support for a payment of 1/6th of this amount or \$24,167.

This estimated cost allows for \$30,000 for traffic signal changes (overhead masts) and \$115,000 for the left turn lane extension.

The City of Nedlands has had staff further analyse and inspect for service locations, underground pipe damage, street tree locations and crossover locations of the affected section of North Street, for both a 70m and a 100m length left turn lane extension. This inspection included both sides of North Street. A table showing the options, costs and tree losses is included in the attachments.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the importance of notifying residents of the impact the proposed works could have on their properties, with regard to potential loss of verge area, as such Cr Jeanes moved an amendment to notify residents.

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

THAT Council:

1. In order to minimise costs, impact on street trees in North Street and the potential to damage underground services, agrees to the option to install the widening to allow a 70m extension of the left turn lane onto West Coast Highway on the south side of North Street; and
2. Agree to fund 1/6th of the cost of this State Black Spot project - \$24,167, in the 2013/14 financial year.

AMENDMENT**Moved Cr Jeanes, seconded Cr Rowell**

That a new part (3) be added that reads “Notify residents of the potential impact on their properties, as a result of the extension of the left turn lane onto West Coast Highway”.

Carried 4/0

COMMITTEE RECOMMENDATION

THAT Council:

1. In order to minimise costs, impact on street trees in North Street and the potential to damage underground services, agrees to the option to install the widening to allow a 70m extension of the left turn lane onto West Coast Highway on the south side of North Street; and
2. Agree to fund 1/6th of the cost of this State Black Spot project - \$24,167, in the 2013/14 financial year.
3. Notify residents of the potential impact on their properties, as a result of the extension of the left turn lane onto West Coast Highway.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 3/1

10.2.5 2013 INTERNATIONAL PUBLIC WORKS CONFERENCE, DARWIN

File Ref: SUB/1478
Attachments: [Policy Conferences Seminars and Training Conference Program](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Subject relates to a conference, attendance by author.

SUMMARY

Every two years the Institute of Public Works Engineering Australia arranges an international conference in one of the Capital cities of Australia to deal with all aspects of local government engineering. Leading Australian and international engineering and local government presenters cover the latest innovations and solutions affecting the industry. The 2013 conference will be held in Darwin from 11-15 August 2013.

This report recommends that the Manager Engineering Services be approved to attend this conference.

BACKGROUND

IPWEA is a national association of local government and public works professional and technical staff from around Australia. It is in partnership with the Institution of Engineers, Australia for professional training, including conferences. The Darwin conference is the major national local government engineers event, occurring every two years and attracting a large variety of overseas representatives.

The program is attached. The main topics of presentation are:

- Skills shortage
- Environmental sustainability
- Asset management – various
- Water management / Water Sensitive Urban Design (WSUD)
- Water use and reuse
- Storm water management
- Managing safer roads
- Community engagement
- Water infrastructure
- The link between Engineers & Accountants
- Road pavement management
- Contract management
- Benchmarking
- Climate change
- Coastal Strategies
- Parks and Gardens
- Alternative Transport

- Flood Management
- Urban Delivery

A number of keynote speakers will also contribute to the program.

There are several 'streams' of papers being presented and the most applicable subjects would have to be chosen. The majority of the topics listed would apply to current aspects of engineering services in Cottesloe.

STRATEGIC IMPLICATIONS

A strong aspect of this conference is the development of a strategic understanding of the industry and aspects that may affect local government works projects at the local level.

POLICY IMPLICATIONS

Council's Conferences Policy Applies (see attachment)

STATUTORY ENVIRONMENT

The conference will include aspects of legislation and governmental department notes involving local government engineering.

FINANCIAL IMPLICATIONS

The estimated cost of registration, accommodation, meals and travel is \$4,300 (including 'early bird' savings). This amount can be met by the current budget for training and conference attendance for Engineering staff.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

One of the most important sources of current information and training for experienced local government Engineers is conferences and seminars, particularly if delivered by high quality, practicing engineers working in the industry, both in Australia and overseas.

In addition, new ideas are acquired from these presentations, as trends occurring throughout Australia become obvious and new ways of thinking or techniques are presented.

The opportunity to attend an international-standard conference targeted specifically at senior local government engineering officers working in the local government arena is an excellent form of professional development.

For staff from small local governments such as Cottesloe, it is also a welcome way to avoid becoming too isolated or insular by gaining exposure to the bigger picture both internationally and nationally.

The previous conference of this status was attended by the author in 2009.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council approve the attendance of the Manager Engineering Services at the IPWEA International Public Works Conference, in Darwin, Northern Territory, from 11-15 August 2013, with Council to receive a report within two months on the conference detailing applicable items for improving Cottesloe.

Carried 4/0

10.3 FINANCE

10.3.1 DIFFERENTIAL RATES

File Ref: POL/5
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

Council is being asked to consider adopting a differential rating structure, and to allow for Local Public Notice to be given of its intention to raise a differential rate.

BACKGROUND

Council has historically funded the group known as ProCott, through the imposition of a differential rate on commercial properties in the Cottesloe Town Centre. ProCott, through an agreement with the Town are required to submit plans on how these funds will be used in the development and promotion of commercial activity within the Town Centre. To date, no other differential rate has been charged.

Privately owned laneways present a unique risk to the Town of Cottesloe, in that they are designated public thoroughfares, that the Town has little to no control over the maintenance of, but could be shown to have some liability for, in the event of an accident or injury. The Town is able to issue orders for the removal of obstructions or certain other matters under the provisions of the Local Government Act 1995, but as it is essentially private land, the Town is not able to commit funds to the maintenance and up keep of the laneways.

Hence there is an increased potential risk that the Town could be in the situation where it faces legal action for an incident on laneways, over which it has little practical control. As such, there has been a suggestion that Council could consider imposing a differential general rate, in order to raise additional funds that could be set aside to guard against an increased risk.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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 or improvement scheme in force under the Planning and Development Act 2005;*
or
 - (b) *a purpose for which the land is held or used as determined by the local government;*
or
 - (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.*

Section 6.36 of the Local Government Act 1995 provides for the requirement to advertise the intention to raise a differential rate.

6.36. Local Government to Give Notice of Certain Rates

- (1) *Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35 (6) (c) a local government is to give local public notice of its intention to do so.*
- (2) *A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2 (1).*
[Section 6.2(1) requires a local government to adopt its budget by 31 August each year]
- (3) *A notice referred to in subsection (1) —*
 - (a) *may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;*
 - (b) *is to contain —*
 - (i) *details of each rate or minimum payment the local government intends to impose;*
 - (ii) *an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and*
 - (iii) *any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and*

- (c) *is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.*
- (4) *The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.*

6.35. Minimum payment

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
- (a) *50% of the total number of separately rated properties in the district; or*
- (b) *50% of the number of properties in each category referred to in subsection (6),*
on which a minimum payment is imposed.
- (4) *A minimum payment is not to be imposed on more than the prescribed percentage of —*
- (a) *the number of separately rated properties in the district; or*
- (b) *the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.*
- (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
- (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —*
- (a) *to land rated on gross rental value; and*
- (b) *to land rated on unimproved value; and*
- (c) *to each differential rating category where a differential general rate is imposed*

The Local Government (Financial Management Regulations) at Regulation 52A state;
52A. Characteristics prescribed for differential general rates (Act s. 6.33)

- (1) *In this regulation —*
- commencement day** *means the day on which the Local Government (Financial Management) Amendment Regulations (No. 2) 2012 regulation 5 comes into operation 1;*
- relevant district** *means a district that —*
- (a) *is declared to be a district by an order made under section 2.1(1)(a) on or after commencement day; or*
- (b) *has its boundaries changed by an order made under section 2.1(1)(b) on or after commencement day.*
- (2) *For the purposes of section 6.33(1)(d), the following characteristics are prescribed in relation to land in a relevant district, where not more than 5 years has elapsed since the district last became a relevant district —*
- (a) *whether or not the land is situated in a townsite as defined in the Land Administration Act 1997 section 3(1);*

- (b) *whether or not the land is situated in a particular part of the district of the local government.*

[Regulation 52A inserted in Gazette 29 Jun 2012 p. 2953.]

FINANCIAL IMPLICATIONS

The adoption of the indicative differential rate for advertising is a part of adopting the 2013 and 2014 budget, which has significant financial implications for the Town.

The rate in the dollar recommended for advertising indicates a modest increase in rates. While Council is able to adopt the differential rate with modifications, it is generally accepted practice that the differential rate imposed should not be materially different from that which was advertised.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

A series of workshops will be held as a part of developing the 2013/2014 budget with staff and Councillors. These workshops will provide feedback that will allow for the development of the budget, although no decisions can be made at these workshops.

The level of increase in the differential rate has been discussed with representatives of Procott.

STAFF COMMENT

General Differential Rate

This is in effect the rate that applies to most of the rateable properties in the Town of Cottesloe. The advertised rate in the dollar represents a modest increase from the 2012/2013 financial year and continues a long run of modest, but sustainable rate increases.

Commercial Properties – Town Centre

This category comprises all rateable land in the Cottesloe Town Centre, that is zoned Commercial in the Town Planning Scheme. This rate in the dollar represents the general rate, plus the rate that is levied on behalf of ProCott, who use the funds in agreement with the Town, to promote and improve commercial activity within the Town Centre.

The differential rate is levied under the provisions of 6.33(1)(a).

Private Laneways

Under the provisions of section 6.33(1)(b) a local government may impose a differential rate based upon “a purpose for which the land is held or used as determined by the local government”. The use of land as private laneways presents a particular set of risks for the Town and as such, there has been much discussion about the imposition of a differential rate to allow for this risk.

However, at present the privately owned laneways within the Town are rated as “minimum rated properties”. This complicates matters as the Act is specific in that for each category of differentially rated properties, Council is required to set a minimum rate. When setting the minimum rate, it must be set such that no more than 50% of the properties in each category will be charged the minimum rate.

If a separate differential rate category was established to allow laneways to be rated differentially, no more than 50% of this new category could have the minimum rate imposed on it. Even with the doubling of the rate in the dollar, the minimum rate for this category would still have to be decreased to accommodate this requirement. In essence, creating a differential rate, even at twice the rate in the dollar, would reduce the amount of rates levied against some of these properties, thus rendering the intention of raising additional funds to guard against future risk redundant.

This matter will be further investigated by the Administration and options will be developed for Council’s consideration.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Boland

THAT Council advertise its intention to raise the following differential general rates and minimum rates for the 2013 and 2014 financial year;

Differential Rate Category	Rate in the \$
Differential General Rate (GRV)	0.06357
Differential Rate – Town Centre Commercial (GRV)	0.07475

With the minimum rate for both categories being \$971.

Carried 4/0

**10.3.2 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2012 TO
31 MARCH 2013**

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present to Council the Statement of Financial Activity, the Operating Statements by Program and by Nature and Type, the Statement of Financial Position, and supporting financial information for the period 1 July 2012 to 31 March 2013 as included in the attached Financial Statements.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Statement of Financial Activity on page 1 of the attached Financial Statements shows favourable operating revenue of \$796,566 or 51% more than year to date budget. A complete variance analysis is provided on pages 7 to 11 of the attached Financial Statements. Operating expenditure is \$29,205 more than year to date budget. Capital expenditure is reported in detail on pages 27 to 30 of the attached Financial Statements.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the Statement of Financial Activity, Operating Statements by Program and by Nature and Type, Statement of Financial Position, and other supporting financial information as included in the attached Financial Statements for the period 1 July 2012 to 31 March 2013, and as submitted to the 16 April 2013 meeting of the Works and Corporate Services Committee.

Carried 4/0

10.3.3 SCHEDULE OF INVESTMENTS AND LOANS AS AT 31 MARCH 2013

File Ref: SUB/150 & SUB 151
Responsible Officer: Mat Humfrey
Author: Manager Corporate & Community Services
Wayne Richards
Finance Manager
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans as at 31 March 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 22 of the attached Financial Statements shows that \$4,328,348.60 was invested as at 31 March 2013. Approximately 37% of the funds are invested with Westpac Bank, 28% with the National Australia Bank, 18% with the Commonwealth Bank of Australia and 17% with Bankwest.

The Schedule of loans on page 23 of the attached Financial Statements shows a balance of \$5,882,636.22 as at 31 March 2013. Included in this balance is \$349,475.29 that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the Schedule of Investments and the Schedule of Loans as at 31 March 2013, as included in the Attached Financial Statements, to Council.

Carried 4/0

10.3.4 LIST OF ACCOUNTS PAID FOR THE MONTH OF MARCH 2013

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Author: Manager Corporate & Community Services
Wayne Richards
Finance Manager
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the List of Accounts Paid for the month of March 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The List of Accounts Paid in March 2013 is included in the report on pages 13 to 19 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$26,992.10 & \$36,005.55 to Roads 2000 for road construction works
- \$224,801.73 & \$124,082.01 to WA Treasury for loan repayments
- \$47,707.24 to Transpacific Cleanaway for waste collection charges
- \$341,314.24 to the Department of Fire and Emergency Services for Council's third quarter contributions of fesa levies
- \$26,820.92 to Surf Life Saving WA for the surf lifesaving contract
- \$44,000.00 to Sculpture By The Sea for sculpture acquisitions
- \$77,797.83 & \$75,915.93 to Town of Cottesloe staff for fortnightly payroll

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the list of Accounts Paid for the month of March 2013 as included in the attached Financial Statements, as submitted to the 16 April 2013 meeting of the Works and Corporate Services Committee.

Carried 4/0

10.3.5 PROPERTY AND SUNDRY DEBTORS REPORTS AS AT 31 MARCH 2013

File Ref: SUB/145
Responsible Officer: Mat Humfrey
Author: Manager Corporate & Community Services
Wayne Richards
Finance Manager
Proposed Meeting Date: 16 April 2013
Author Disclosure of Interest Nil

SUMMARY

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

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 24 & 25 of the attached Financial Statements shows a balance outstanding of \$170,435.51 of which \$138,989.32 relates to the current month. The balance of aged debtors stood at \$31,446.19.

The Rates and Charges Analysis on page 26 of the attached Financial Statements shows a total balance outstanding of \$462,748.70. Of this amount, \$202,338.19 and \$80,766.47 are deferred rates and outstanding emergency service levies respectively. The Statement of Financial Position on page 4 shows a balance of \$503,299 as compared to \$260,065 this time last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the Property and Sundry Debtors Reports as at 31 March 2013. These reports are included in the attached Financial Statements as submitted to the 16 April 2013 meeting of the Works and Corporate Services Committee.

Carried 4/0

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

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:

12.1 ELECTED MEMBERS

Nil

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

Nil

14 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 8.15 PM.

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