

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

**MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
6.00 PM, TUESDAY, 17 FEBRUARY 2015**

**CARL ASKEW**  
Chief Executive Officer

20 February 2015

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# WORKS AND CORPORATE SERVICES COMMITTEE

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	3
2	DISCLAIMER .....	3
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	3
4	PUBLIC QUESTION TIME .....	3
	4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
	4.2 PUBLIC QUESTIONS .....	3
5	PUBLIC STATEMENT TIME.....	3
6	ATTENDANCE .....	3
	6.1 APOLOGIES .....	3
	6.2 APPROVED LEAVE OF ABSENCE .....	4
	6.3 APPLICATIONS FOR LEAVE OF ABSENCE .....	4
7	DECLARATION OF INTERESTS.....	4
8	CONFIRMATION OF MINUTES.....	4
9	PRESENTATIONS .....	4
	9.1 PETITIONS.....	4
	9.2 PRESENTATIONS .....	4
	9.3 DEPUTATIONS .....	4
10	REPORTS .....	6
	10.1 ADMINISTRATION.....	6
	10.1.1 DELEGATION TO THE CHIEF EXECUTIVE OFFICER	6
	10.2 ENGINEERING.....	9
	10.2.1 ACCEPTANCE OF TENDER 01/2015 SUPPLY OF BRICK PAVING REMOVAL AND INSTALLATION SERVICES	9
	10.2.2 SYDNEY STREET AND MARINE PARADE FATAL ACCIDENT INVESTIGATION OUTCOMES AND RECOMMENDATIONS	12
	10.2.3 NORTH COTTESLOE SURF LIFE SAVING CLUB – REQUEST TO INSTALL PLAQUES AND HAND	

	PRINTS ON PUBLIC LAND TO RECOGNISE BENEFACTORS	18
10.2.4	NAMING ACCESS ROAD, ADJACENT CURTIN AVENUE, MACARTHUR STREET	23
10.2.5	REQUEST TO NAME ROW 55 – MURPHY LANE NOT ACCEPTED	25
10.2.6	REQUEST TO NAME ROW 62	29
<b>10.3</b>	<b>FINANCE.....</b>	<b>32</b>
10.3.1	MID YEAR BUDGET REVIEW FOR THE YEAR ENDED 30 JUNE 2015	32
10.3.2	SUNDRY DEBTOR BAD DEBT WRITE OFF	36
10.3.3	STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2014 TO 31 DECEMBER 2014	38
10.3.4	SCHEDULES OF INVESTMENTS AND LOANS AS AT 31 DECEMBER 2014	40
10.3.5	LIST OF ACCOUNTS PAID FOR THE MONTH OF DECEMBER 2014	42
10.3.6	RATES AND SUNDRY DEBTORS REPORTS AS AT 31 DECEMBER 2014	44
10.3.7	STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2014 TO 31 JANUARY 2015	46
10.3.8	SCHEDULES OF INVESTMENTS AND LOANS AS AT 31 JANUARY 2015	48
10.3.9	LIST OF ACCOUNTS PAID FOR THE MONTH OF JANUARY 2015	50
10.3.10	RATES AND SUNDRY DEBTORS REPORTS AS AT 31 JANUARY 2015	52
<b>11</b>	<b>ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>54</b>
<b>12</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....</b>	<b>54</b>
12.1	ELECTED MEMBERS.....	54
12.2	OFFICERS .....	54
<b>13</b>	<b>MEETING CLOSED TO PUBLIC .....</b>	<b>54</b>
13.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED ....	54
13.2	PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC.....	54
<b>14</b>	<b>MEETING CLOSURE.....</b>	<b>54</b>

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

The Presiding Member announced the meeting opened at 6.02 PM.

**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
Mayor Jo Dawkins	
Cr Helen Burke	
Cr Peter Jeanes	
Cr Sally Pyvis	
Cr Philip Angers	

**Officers Present**

Mr Carl Askew	Chief Executive Officer
Mr Mat Humfrey	Manager Corporate & Community Services
Mr Doug Elkins	Manager Engineering Services
Mrs Siobhan French	Administration and Governance Officer

**Gallery**

Media (1)

**6.1 APOLOGIES**

Nil

**Officer Apologies**

Nil

**6.2 APPROVED LEAVE OF ABSENCE**

Nil

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 DECLARATION OF INTERESTS**

Cr Angers declared an impartiality interest in item 10.2.3 due to being a member of North Cottesloe Surf Life Saving Club.

Mayor Dawkins declared a proximity interest in item 10.3.1 and left the meeting at 6.49 PM.

**8 CONFIRMATION OF MINUTES**

**Moved Cr Angers, seconded Mayor Dawkins**

[Minutes December 09 2014 Works and Corporate Services Committee.docx](#)

**The Minutes of the Ordinary meeting of the Works And Corporate Services Committee, held on 9 December 2014 be confirmed.**

**Carried 6/0**

**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 en bloc:

10.3.2 Statutory Financial Reports for the Period 1 July 2014 to 31 December 2014

10.3.4 Schedules of Investments and Loans as at 31 December 2014

10.3.5 List of Accounts Paid for the Month of December 2014

10.3.6 Rates and Sundry Debtors Reports as at 31 December 2014

10.3.7 Statutory Financial Reports for the Period 1 July 2014 to 31 January 2015

- 10.3.8 Schedule of Investments and Loans as at 31 January 2015
- 10.3.9 List of Accounts Paid for the Month of January 2015
- 10.3.10 Rates and Sundry Debtors Reports as at 31 January 2015

## 10 REPORTS

### 10.1 ADMINISTRATION

#### 10.1.1 DELEGATION TO THE CHIEF EXECUTIVE OFFICER

**File Ref:** SUB/987  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate & Community Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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#### SUMMARY

Council is being asked to consider extending the authorisation to the Chief Executive Officer to sign documents relating to land tenure.

#### BACKGROUND

During a recent part of the process for the settlement of the former depot site, a situation arose where a duplicate certificate of title was required. During this process, it was discovered that no delegation existed for the Chief Executive Officer to execute such documents on behalf of Council. As there was previously a resolution authorising the Mayor and Chief Executive Officer to execute documents for the purposes of settlement, in this particular case the matter could proceed without the requirement to come back to Council.

Further, Landgate have also changed their policies in recent times, whereby anyone submitting documents with regards to land tenure, even relatively routine matters such as obtaining duplicate documents, is required to undergo a full identity check.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

#### STATUTORY ENVIRONMENT

*Local Government Act 1995*

##### 9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
    - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
    - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
-



- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
- (a) *the mayor or president; and*
  - (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

#### **5.42. Delegation of some powers and duties to CEO**

- (1) *A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
- (a) *this Act other than those referred to in section 5.43; or*
  - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*
- \* Absolute majority required.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STAFFING IMPLICATIONS**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

Nil

#### **CONSULTATION**

Nil

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**STAFF COMMENT**

Given the likelihood of having to obtain similar documents in the future, it is thought prudent to authorise the Chief Executive Officer to be able to execute documents required for administrative purposes for the Department of Lands or Landgate. These documents are often required for lease issues, updating records or replacing originals that may have been misplaced. This type of authorisation would prevent such administrative matters coming back to Council each time a document is required, however, it wouldn't allow the Chief Executive Officer to enter into any dealings without the explicit prior authorisation of Council.

While section 9.49A does not specifically require an absolute majority, section 5.42 does state that any power or duty delegated to the Chief Executive Officer should be done with an absolute majority.

**VOTING**

Absolute Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Jeanes, seconded Cr Angers**

**THAT Council by absolute majority, authorise the Chief Executive Officer under section 9.49A of the *Local Government Act*, to sign documents required by Landgate or the Department of Lands, to access or update records, for administrative purposes.**

**Carried 6/0**

## 10.2 ENGINEERING

### 10.2.1 ACCEPTANCE OF TENDER 01/2015 SUPPLY OF BRICK PAVING REMOVAL AND INSTALLATION SERVICES

**File Ref:** SUB/1954  
**Attachments:** [CONFIDENTIAL ATTACHMENT Tenders Received](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Doug Elkins  
Manager Engineering Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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#### SUMMARY

Council is requested to award Tender T01/2015, Supply of Brick Paving Removal and Installation Services, for the re-paving of Napoleon Street, to Affirmative Group.

#### BACKGROUND

The brick paving in Napoleon Street, within the Cottesloe town centre, is being replaced as part of a redevelopment project. The estimated cost of the brick paving removal and laying was over \$100,000 and, in accordance with the requirements of the *Local Government (Functions and General) Regulations 1996*, a tender has been required. Accordingly, Council is asked to accept a tender.

A total of four tenders were received, as attached.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Council's Purchasing Policy requires tenders to be called for contract exceeding \$100,000 in value.

#### STATUTORY ENVIRONMENT

Tenders are required to be called for any contract with a value exceeding \$100,000. Council is not obliged to award a tender, and, notwithstanding any selection criteria used to rank tenderers, may choose, with reasons, to award a contract to any of the tenderers.

#### FINANCIAL IMPLICATIONS

The replacement of brick paving is part of the Napoleon Street upgrade project. This project is being funded through proceeds from the sale of the Cottesloe Works Depot.

#### STAFFING IMPLICATIONS

Nil

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**SUSTAINABILITY IMPLICATIONS**

The pavers removed will be recycled or sold for reuse.

**CONSULTATION**

Nil

**STAFF COMMENT**

As required by the *Local Government (Functions and General) Regulations 1996*, a selection criteria was advertised with this tender, and each tender has subsequently been assessed against the criteria. The selection criterions were:

- Demonstrated experience in completing similar projects – 30%;
- Skills and experience of key personnel – 20%; and
- Price – 50%.

Noted above, Affirmative Group has excluded traffic control from their tendered price. This has created a difficulty in determining the actual tendered price, for the purpose of comparison. In accordance with a notification in the tender documents, the author of this report contacted Affirmative Group to seek clarification of the traffic management exclusion. Affirmative Group have clarified that this exclusion applies to specific traffic control personnel and plant (i.e. external traffic control company) and does not include the 'low key' traffic control required to warn traffic of the presence of workers and to maintain pedestrian safety. The advice from Affirmative Group is that, they will manage their work processes to generally remove the need for traffic management personnel and plant.

The tender documentation does not prevent the tenderer from managing the project in such a way that traffic management costs are constrained. Under the contract, the exclusion noted in the offer is not required for the tenderer to manage in this way. However, by including this exclusion, in the case that Town of Cottesloe ('Town') Officers are not satisfied with the management of traffic, as required, at the additional cost of the Town, specific traffic control measures can be implemented. Arguably, the result of the mechanism is to shift some financial risk to the Town, but with an associated saving in the tendered price. Although the tenderer does not foresee the need for additional traffic control, in order to ensure the financial risk, passed to the Town, is appropriately accounted for, for the purpose of comparing tenders, an amount of \$20,000 has been added to the pre-GST price of the Affirmative Group tender. However, in discussion with Affirmative Group, it is considered unlikely that additional traffic control will be required. In the case that, on review of the proposed work method, Town Officer's determine that some formal traffic control is required, on the basis that such would be constrained to the Stirling Highway intersection component of the works, the cost would be in the order of \$5,000 to \$10,000. Accordingly, the total cost of the works would still be advantageous compared to the other tenders.

The result of the assessment against the selection criteria is as follows.

	%	Add Business Group	<b>Affirmative Group</b>	Access Paving/ Pave WA	Access Without Barriers
Demonstrated Experience	30	0	<b>30</b>	30	0
Skills of Key Personnel	20	5	<b>15</b>	20	0
Price	50	15	<b>40</b>	30	25
<b>Score</b>	<b>100</b>	<b>20</b>	<b>85</b>	<b>80</b>	<b>25</b>

The result of the assessment against the selection criteria is that Affirmative Group is the most advantageous. Notably, this assessment included the addition of \$20,000 to the tendered price, representing a component of financial risk for the Town. Affirmative Group have completed a number of similar projects, including very similar brick paving projects in the town centres of Bunbury and Collie and bulk lift and lay or brick paving at train stations. With this experience, Council should have confidence in the efficacy of the tendered price, including the exclusion of traffic control, and the ability of the contractor to complete the works expediently and with the least possible disruption.

#### **VOTING**

Simple Majority

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

**Moved Cr Angers, seconded Cr Burke**

**THAT Council endorse the recommendation contained in the confidential attachment.**

**Carried 6/0**

**10.2.2 SYDNEY STREET AND MARINE PARADE FATAL ACCIDENT  
INVESTIGATION OUTCOMES AND RECOMMENDATIONS**

**File Ref:** SUB/479, SUB/509  
**Attachments:** [Parking Counts](#)  
[Plan of Sydney Street Marine Parade Intersection](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Doug Elkins  
Manager Engineering Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

In response to a fatal accident on Marine Parade, at the Sydney Street intersection, Main Roads Western Australia completed a fatal accident investigation. The investigation did not find any fault in the road that could be considered contributory to the accident. However, the investigation did identify a possible sight distance deficiency created by cars parked on the east side of Marine Parade in the vicinity of Sydney Street.

On review of the investigation report, the applicable standards, consideration of parking utilisation, and evaluation of the practices of other road authorities in similar situations, it is recommended that Council remove some parking bays on the east side of Marine Parade, in close proximity to the Sydney Street intersection.

Finally, Councillors may be aware of general complaints from residents along Sydney Street, Marine Parade and North Street, about traffic speeds and volume. This report is not intending to respond to these concerns. Officers are collecting data to inform a later report to Council on this issue.

**BACKGROUND**

On 1 November 2014 a fatal accident resulted from the collision of a motorbike and a small four-wheel-drive, at the intersection of Sydney Street and Marine Parade. As a result of the fatal road accident, a number of agencies undertook investigations. Relevant to the Town as a road manager, it is the policy of Main Roads Western Australia ('Main Roads') to undertake a fatal accident investigation following such an accident. In accordance with this policy, Main Roads have completed this investigation and forwarded the report to the Town.

A fatal accident investigation is essentially a road safety audit, with the initial investigation scope focused on the accident itself, but the scope ultimately extended to consider any geometric, road environment or road condition deficiencies that could contribute to the cause or severity of any accident within 200m of the fatal accident site. In accordance with Main Roads' policy, a fatal accident investigation has been completed for the Sydney Street and Marine Parade intersection accident.

Councillors should note that the accident investigation report is a Main Roads' document and cannot be attached to the Council report for general public viewing.

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Main Roads' also do not allow the information contained within the report to be released, without specific clearance (note, fatal accident reports contain details that set the context for the report and help to understand the accident, but have little relevance to the management of the road). Accordingly, this Council report will limit its discussion to the findings directly related to the road, and a very general comment about the accident to set the context.

The findings of the fatal accident investigation were that there were no road deficiencies that could have directly resulted in the crash. The road was described as in good condition with no road deficiencies that may have increased the severity of the crash. As part of the fatal accident investigation, road geometry, environment and condition are also reviewed for possible connections with the accident or for potential to result in a future accident. The report identified the potential for vehicles parked in close proximity to Sydney Street, on the east side of Marine Parade, to reduce sight lines to less than those prescribed by the applicable Austroads standard (Austroads is the Australian road geometric design standard). Finally, the fatal accident investigation found there to be no road deficiencies related to the five year crash history for the location.

Councillors may be aware that the Town has received a number of complaints about traffic on Sydney Street, Marine Parade and North Street. This report is not a response to these complaints. A separate report will be presented to Council at a later date on the complained issues, once adequate data has been collected.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY ENVIRONMENT**

Local Government is vested the care, control and management of all roads by the *Local Government Act 1995*, other than roads vested to other agencies under alternative legislation. As a result, Local Government carries the liability risks for the land, including improvements and the road carriageway. This liability is limited at common law and by the *Civil Liability Act 2002*.

#### **FINANCIAL IMPLICATIONS**

The cost to remove parking bays by blacking out lines and painting yellow lines on the road (\$1,500 to \$3,000). This cost can be accommodated within the current operational budget. Council may desire to construct kerb end treatments to remove the parking bays. This would need to be considered as part of the 2015/16 financial year budget.

#### **STAFFING IMPLICATIONS**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

Nil

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**CONSULTATION**

Nil

**STAFF COMMENT**

The fatal accident investigation found no road deficiencies that were directly attributable to the accident. Within the report, the road was described as in good condition with no defects. The report cited driver behaviour as a possible contributory factor in the accident. However, the fatal accident investigation report also noted the possible reduced sight distance if vehicles park in close proximity to the Sydney Street intersection.

The reason for the finding of a *possible* relationship with parking is that the condition is variable, while the Austroads standard is a 'one-size-fits-all' approach. Measuring the sightlines, as described in the fatal accident investigation report, does not account for the sealed shoulder between the car bays and the carriageway, and does not account for the reduction in vehicle speeds when parking volumes increase. Also not considered is the ability to see through the windows, across the roof or across the bonnet of parked vehicles. The fatal accident investigation report noted that the Austroads standard requires a sight distance of 97m if measured at the road speed of 50km/hr. This distance is not achieved at this intersection if measured in the way described, using the speed limit for the road, and treating a parked vehicle as a solid opaque block.

Councillors will have experience across the metropolitan area with car park bays located adjacent to or in close proximity to driveways and intersections in similar situations. Councillors may also be aware of the difficulty in sighting on-coming traffic in such a situation where a large vehicle has parked in an end bay. Ideally, parking should be set-back from intersections and driveways, to ensure there is never the possibility that sight lines will be blocked by a parked vehicle. The ideal case, however, needs to be balanced against competing constraints, such as, in this case, the need for parking for residents, and visitors to the beaches of Cottesloe.

In July 2009, Council considered this exact question for this intersection. At that time Council determined to retain parking in close proximity to the Sydney Street intersection on the basis that sight lines were adequate and the need for parking required that every possible parking bay was retained. The measurement at that time is in conflict with the fatal accident investigation opinion that the sight distance available may not be adequate.

The synthesis of the above discussion is that at times there may be an issue, and while likely not to the extent suggested in the fatal accident investigation report, may at times still be real. This possible occasional 'real' issue needs to be considered in the context of the need for parking in the vicinity and the reality that parking in close proximity to intersections is common practice, without significant problem (it is notable that the five year accident history for the intersection does not include another similar accident).

To achieve the requirements of the Austroads standard, all parking would need to be removed from the east side of Marine Parade, in the vicinity of Sydney Street. This would represent the achievement of the lowest risk (note that some risk will remain



as intersections result in conflict points due to crossing vehicle paths), but at the cost of significant parking lost, and inconvenience to residents, and visitors to the various beaches of Cottesloe. Alternatively, Council can determine to maintain all current parking, which is the highest risk alternative (although the accident statistics do not suggest the frequency to be great). These two cases are the extremes of a continuum and, accordingly, do not represent the only options.

In response to the fatal accident investigation, the author has made many turns out of Sydney Street into Marine Parade. As noted above, in many cases, parked cars in close proximity to the intersection do not block sight lines, as it is possible to see across the bonnet and through the windows of the vehicles. Also, it is possible to creep forward of the hold line, due to the existence of the sealed shoulder. However, if the end parking bays are filled with large vehicles (such as four-wheel-drives or utilities with enclosed canopies) the sight lines are blocked to the point that it is necessary to have the car partially in the through lane before it is possible to see on-coming traffic. While this finding is anecdotal, it is also obvious and can be replicated by any Councillor. Accordingly, it will be the officer's recommendation that parking in close proximity to the Sydney Street intersection be removed, to the extent described below.

As noted above, parking is valued on the Cottesloe foreshore, so any consideration that could result in the loss of parking should be cognisant of the need for parking. As part of the process to develop a recommendation for Council, officers counted car park vacancies on a busy day in this section of Marine Parade. The day selected was a weekend day during the Christmas school holidays, predicted to be in the very high 30s, with enough wind to allow for kite surfing. The counts were conducted throughout the day for both sides of the road (note, the counts were taken with video footage of the road, so the actual times were not recorded). The results of the counts are attached.

Although the times of the counts were not recorded, it is known that the counts were taken across the day, so that it can be seen that parking demand is generally highest in the morning and generally tapers off across the day. While the catalyst for this report was the fatal accident investigation report for the Sydney Street and Marine Parade intersection, the counts include other sections of the road, including one count as far as Pearse Street. Clearly demonstrated in the counts is a surplus of parking along the road, with the lowest vacancy rate being 7% between Princes Street and Beach Street, and the lowest average vacancy rate being 50% (although it is acknowledged that the average vacancy rates cannot be directly compared as the intersections included in each count varies). Of most relevance, the lowest parking vacancy rate, either side of the Sydney Street intersection, was 35%. Accordingly, it is considered that removing some parking bays in close proximity to the Sydney Street intersection is a reasonable and considered balance between the need for parking and the risk created by that parking.

Discussed above is the prevalence of parking bays in close proximity to intersections and driveways. In similar situations, within Perth, it is common practice to set back parking by approximately the length of two parking bays from intersections. Examples include Hay Street in Subiaco and Newcastle Street in Perth. In the case of Sydney Street, if parking was set back the length of two bays from the intersection, in the case that a four-wheel-drive parks in the end bay, measuring sight distance, allowing

the turning vehicle to creep into the sealed shoulder, a sight distance of around 77m to the north and 97m to the south can be achieved. The set back of the parking allows a vehicle in the side street to move onto the sealed shoulder without the risk of a cyclist using the shoulder being hidden. In addition, the removal of the bays will increase the likelihood of a vehicle on Marine Parade identifying a turning vehicle in the side street.

While it is recommended that two bays either side of Sydney Street, on the east side of Marine Parade be removed, as the location of the second bay to the north is a driveway, only one bay will need to be removed in this direction. Accordingly, it is recommended that the parking bay to the immediate north of Sydney Street, on the east side of Marine Parade, and two parking bays to the south of Sydney Street, on the east side of Marine Parade, be removed. In total, it is recommended that three parking bays be removed.

Above it is noted that Council has previously considered removing parking near the Sydney Street intersection. The resolution of Council was to ‘. . . Take no action with the removal of the parking bays . . .’. Officers are of the view that this resolution is not worded in a way to suggest a permanent intent to retain the bays, but simply to take no action at that time. Accordingly, it is the view of Officers that the recommended resolution is not inconsistent with the July 2009 resolution to the extent that would require the July 2009 resolution to be revoked.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Cr Pyvis commented that whilst the officer recommendation offers an engineering solution in terms of increasing sight distances at the Sydney Street, Marine Parade intersection, it is one measure that does not address the issue of Sydney Street being used as a “rat run” and does not take into account the psychology of drivers and driver behaviour. Cr Pyvis acknowledged that the Town is undertaking an intergrated study of Marine Parade traffic issues but implored Council to do more.

Chief Executive Officer (CEO) noted Cr Pyvis’ concerns, advising that a report on traffic along Marine Parade will be provided to Council in the near future. CEO added that there are many issues to consider and the repercussions of any actions on the wider traffic network must be considered.

Mayor Dawkins queried whether the Manager Engineering Services’ (MES) review of traffic extended to the northern end of Marine Parade. MES confirmed that the review extends from Sydney Street along Marine Parade to North Street. MES added that the City of Nedlands (‘City’) is also undertaking an investigation and advised that the City considers North Street a district distributor road and that North Street is designed to undertake its current volume of traffic, therefore the street is likely to remain unaffected. MES added that he is looking at vehicle speed, volumes of traffic and traffic patterns.

Mayor Dawkins questioned whether the review would deal with parking issues on Marine Parade, adding that she had received queries from residents regarding

parking on the east side on Marine Parade. MES advised that the review will deal with traffic rather than parking issues.

MES reminded Committee that the fatal accident was a driver behaviour problem, unrelated to the intersection and not related to traffic volumes.

Cr Jeanes commented that it is important for the Town to collate all the facts and figures before any changes are made and pressure should not be placed on officers to find a quick solution.

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

**Moved Cr Jeanes, seconded Cr Burke**

**THAT Council endorse the removal of three parking bays on the east side of Marine Parade Cottesloe, adjacent to the Sydney Street intersection, as follows:**

- **North of Sydney Street – remove one bay to the immediate north of Sydney Street; and**
- **South of Sydney Street – remove two bays to the immediate south of Sydney Street.**

**Carried 5/1**

Cr Angers declared an impartiality interest in item 10.2.3, due to being a member of the North Cottesloe Surf Life Saving Club and stated that as a consequence there may be a perception that his impartiality may be affected and declared that he would consider the matter on its merits and vote accordingly.

### **10.2.3 NORTH COTTESLOE SURF LIFE SAVING CLUB – REQUEST TO INSTALL PLAQUES AND HAND PRINTS ON PUBLIC LAND TO RECOGNISE BENEFACTORS**

**File Ref:** SUB/981  
**Attachments:** [Picture Showing Location and Concept](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Doug Elkins  
Manager Engineering Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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#### **SUMMARY**

Council is asked to approve the installation of hand prints and plaques, on public land to the immediate north of the North Cottesloe Surf Life Saving Club ('Club'), intended to recognise donations towards the development of the Club building. This request highlights the absence of a Council policy on the installation of memorials at the Cottesloe foreshore.

While it is recommended that Council approve this request, it is on the basis that it can be easily distinguished from other requests and is time limited. It is further recommended that Council develop a policy on the installation of memorials on the Cottesloe foreshore.

#### **BACKGROUND**

A request has been received, from the North Cottesloe Surf Life Saving Club, for the installation of plaques and handprints into a footpath boarder on the land immediately north of the Club building. This land is Council reserve under the care, control and management of the Town of Cottesloe, however, the land is also immediately above the storage sheds that are subject to a lease to the Club.

The intent of the request is to replicate the footpath boarder adjacent to the foreshore playground near Napier Street. The request is intended to recognise donations made towards the most recent redevelopment of the Club building. A picture showing the location and concept is included in the attachments.

Council does not have a policy or a formal position on the installation of memorials on Council controlled land on the foreshore; as such, Council direction is required.

#### **STRATEGIC IMPLICATIONS**

Nil

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## **POLICY IMPLICATIONS**

Due to the high profile of Cottesloe Beach and the popularity of the location, to the greater Perth Community, it is common for requests to be received for the installation of memorials along the foreshore. Generally, once installed, it is expected that memorials are permanent. As such, ultimately, there will be a time where there will be no further opportunity.

As an example, there are approximately 35 'blue frame' bench seats along the foreshore. This equates to approximately one bench every 100m. These benches have been donated and each has a plaque to recognise the donation or to remember a lost loved one. In addition to these benches, there are a number of sheltered picnic tables, there are other plain benches, there are larger facilities, such as buildings, playgrounds and walls, and there are geographic features that restrict the land available for additional facilities.

Ultimately, Council should reach a policy position on memorials and furniture donations on the foreshore, in order to reach a balance between maintaining the aesthetic and emotive qualities of the Cottesloe foreshore, and the community expectation that public assets can be used to celebrate, remember and reflect. As a starting position, Council might want to take the view that, where the intent of recognition is to acknowledge the provision of furniture or other donations, the furniture or other donation should be freely available for community use. Council may also want to consider taking the position that, for a memorial to be installed, to celebrate the life of a lost loved one, the deceased should have made a significant local community contribution, he/she should have had a significant and unquestioned connection with the foreshore, he/she should be a prominent Western Australian (e.g. Governor, Premier, Prime Minister, explorer, highly awarded academic, world champion sportsperson) with a logical connection with Cottesloe beach, or he/she should have lost their life at the beach or in the general vicinity of the foreshore.

While it is not the purpose of this report to debate the efficacy of a particular policy position, it is recommended that Council provide some general direction in order to guide the development of a formal policy.

## **STATUTORY ENVIRONMENT**

Council is the manager of the subject land providing the authority, under the *Land Administration Act 1997*, for Council to approve this request. As the land manager, Council is also responsible for the public injury risks associated with the installation.

## **FINANCIAL IMPLICATIONS**

Nil

## **STAFFING IMPLICATIONS**

Limited - if approved, staff will need to ensure the installation is completed to a high standard and is safe.

## **SUSTAINABILITY IMPLICATIONS**

The Club is a not-for-profit community organisation. Organisations, such as the Club, are part of the community fabric and it is important that Council support these

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organisations where they desire to increase their community capacity, particularly where it is without financial contribution from Council.

## **CONSULTATION**

Nil

## **STAFF COMMENT**

This is a difficult request to determine a position to recommend to Council. As noted in the policy implications above, there are already many plaques and memorials on the Cottesloe foreshore and it is necessary to consider the merits of any further request in the context of a detailed policy. In the absence of a policy position, based on the general policy prompts noted above in policy implications, Council could take the view that the request to recognise the donations of Club members for the expansion of a private Club (private in the sense that the facility is not freely open to the public at large), does not justify the use of public land, as the donations are not for the provision of public infrastructure. However, Council might also take the view that the Club provides a public service and the not-for-profit Club adds to the community fabric without drawing on Council resources, and, accordingly, Council should make the small sacrifice of making land available at the cost of other worthy causes or community infrastructure.

No doubt, an argument can be made to either support the request or refuse the request. In the case that the request is supported, Council should distinguish this request in order to prevent creating a precedent that will be continuously cited to justify any future request. In the case that Council does not support the request, the reasons should be unambiguous so that Council's position can become the basis of drafting a formal policy.

### **Arguments Against**

The argument against the request is the policy argument. It is necessary to determine the appropriateness of requests to use the public land at the Cottesloe foreshore for the installation of memorials and items of recognition. An appropriate limit could be that memorials will only be allowed for individuals that have made a significant contribution to the Cottesloe Community, individuals who have a significant and well know connection to the Cottesloe foreshore, prominent Western Australians with a connection to Cottesloe Beach, individuals who have lost their life on the beach, on the foreshore reserve or on the adjacent road, and for the donation of significant public infrastructure (i.e. more than seats).

The donations made to the Club were for the redevelopment of the club facilities. These facilities are not open to the public at large and, accordingly, do not meet a reasonable starting broad policy position test. While the request is to install essentially the same recognition used at the playground near Napier Street, as the playground is public infrastructure it is distinguishable.

### **Arguments For**

The Club is not a commercial entity. The Club is a community group providing social networks, recreation opportunities and services to the Cottesloe and greater Perth Community. The Club, with the assistance of members and external beneficiaries, is

self sufficient and does not draw on Council resources to be sustainable. The Club's request could be seen in the context of supporting a community organisation.

Relevantly, while the request is based on an installation on the high profile public land that is the Cottesloe foreshore, this does not necessarily create a precedent for any community group, seeking to fundraise, to use the promise of a plaque, or similar, at Cottesloe Beach. The land is not only immediately adjacent to the Club building, it is also immediately above the under-croft structures, which are the subject of a Crown Lease, essentially being the roof. In addition, the land was developed to its current state as part of the construction of the under-croft structures by the Club

### **Officer Recommendation**

On the basis that the Club is a non-for-profit community group, and the situation is distinguishable in that the land in question is directly adjacent to the Club and makes up the 'roof' of part of the Club's structures, the request is supported.

It is recommended that Council endorse the request on the condition that the boarder be constructed in a colour as close as possible to the existing path and otherwise to the satisfaction of the Town of Cottesloe, the Club make good any damage to the turf and reticulation, and the Club include a plaque or sign that describes the purpose of the installation. It is also recommend that permission to install the plaques on Council's land be on the basis that Council may choose to remove the plaques, for any purpose, at any time after five years.

### **VOTING**

Simple Majority

### **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Jeanes, seconded Cr Angers**

**THAT Council:**

- 1. Endorse the request, by the North Cottesloe Surf Life Saving Club, to install an internal boarder of concrete with plaques and hand prints, in accordance with the attached picture, to the land immediately above the under-croft storage of the North Cottesloe Surf Life Saving Club building, be endorsed for a period of five years (ending March 2020), on the following conditions:**
  - a) The concrete boarder be the same colour as the existing concrete footpath and the installation be completed to the satisfaction of the Manager Engineering Services;**
  - b) The North Cottesloe Surf Life Saving Club meet all costs to make good the turf, reticulation and any other infrastructure affected or damaged by the installation;**
  - c) A plaque or sign be installed, to the satisfaction of the Manager Engineering Services, that explains the meaning of the installation; and**

- d) The North Cottesloe Surf Life Saving Club acknowledge that the Council may choose to remove the installation for any reason and at any time after March 2020; and
2. Request Council officers draft a Foreshore Memorial Policy based on the following broad restrictions on the installations of memorials and items of recognition:
- a) Where a memorial is in remembrance of a deceased person, that person will have:
- i) Made a significant contribution to the Cottesloe Community; or
  - ii) Has a significant and unquestioned connection to the Cottesloe Foreshore; or
  - iii) Lost his/her life at the adjacent beach, on the foreshore or on the adjacent road; or
  - iv) Was a prominent Western Australian (e.g. Governor, Premier, Prime Minister, explorer, highly awarded academic, world champion sports person), with a logical connection with the Cottesloe foreshore; or
- b) Where there is a desire to be recognised for the donation of a public asset, the asset will be of significance (i.e. more than a seat, table or barbeque) and will be available for use by the public at large.

Carried 6/0



**10.2.4 NAMING ACCESS ROAD, ADJACENT CURTIN AVENUE, MACARTHUR STREET**

**File Ref:** SUB/440; SUB/475; PR53989; PR52525; PR54033; PR54073; PR54118; PR54161

**Attachments:** [Attachment 1 Map](#)  
[Attachment 2 Signed Letter from Property Owners](#)

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

**Author:** Doug Elkins  
Manager Engineering Services

**Proposed Meeting Date:** 17 February 2015

**Author Disclosure of Interest:** Nil

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**SUMMARY**

Property owners of 37 Curtin Avenue, through 47 Curtin Avenue, have requested Council endorse, for the purpose of Geographic Names Committee approval, the naming of the access road, adjacent to Curtin Avenue, as Macarthur Street. Council is asked to endorse this request.

**BACKGROUND**

Officers have been approached by a property owner seeking the access to her property to be named. The current official property address is Curtin Avenue, however, while the house fronts Curtin Avenue, the property is accessed by a pseudo-slip-road adjacent to Curtin Avenue. Unlike a normal slip-road, the property access, in this case, does not have a direct connection to the road that creates the property address, resulting in a difficulty in locating the property, or, more specifically, difficulty in figuring out how to get to the property. A map showing the property access is included in the attachments and marked attachment 1.

In making the request, the property owner notes that the difficulty in locating the properties has, in the past, resulted in emergency services being delayed in attending a property. The property owner also cites a number of other examples, including difficulty for visitors and deliveries. In response to her own concern, the property owner approached all the affected neighbours and requested their advice as to their desire to allocate a name to the access road. Each of the affected property owners has confirmed agreement to the proposal, and each has confirmed acceptance of the name Macarthur Street. A letter, signed by each of the property owners affected, is included in the attachments and marked attachment 2.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

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**STATUTORY ENVIRONMENT**

Naming of roads is controlled by the *Land Administration Act 1997* ('Act'). Under the Act, naming of streets and roads is the role of the Minister for Lands on advice of the Geographic Names Committee, generally on request and advice of Local Government. Accordingly, the ultimate decision rests with the Minister for Lands.

**FINANCIAL IMPLICATIONS**

An existing street sign will need to be relocated, or a new sign will need to be installed. This is a minor cost and will be absorbed within the normal course of business.

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Each of the affected property owners has signed a letter confirming agreement to the proposal.

**STAFF COMMENT**

The proposal is sound. The current situation is not satisfactory, as access to the properties is not obvious, and is likely to result in the issues of which the property owner has complained. The difficulty is likely compounded by the use of modern GPS navigation systems, which will not be able to locate the entrance to the property access road. The allocation of a name to the access road will overcome this difficulty and allow the entrance to the road to be easily identified on maps and GPS navigation systems, and will enable GPS navigation systems to route a vehicle to the property via the access road.

The name requested is Macarthur Street. This request is based on extending the name of the existing connecting street, as shown on the map marked attachment 1. As the geometry of the access road connection with Macarthur Street visually results in the road appearing to be an extension of Macarthur Street, this is a logical naming suggestion. Accordingly, it is recommended that Council support this request.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Mayor Dawkins, seconded Cr Jeanes**

**THAT Council endorse the naming of the access road, to properties 37 Curtin Avenue, Cottesloe, through 47 Curtin Avenue Cottesloe, 'Macarthur Street', as shown on the attachment marked attachment 1.**

**Carried 6/0**

**10.2.5 REQUEST TO NAME ROW 55 – MURPHY LANE NOT ACCEPTED**

**File Ref:** SUB/295  
**Attachments:** [ROW 55 Map of Location](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Doug Elkins  
Manager Engineering Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

At its October 2014 Ordinary Council Meeting, Council resolved to name Right of Way ('ROW') 55 'Murphy Lane'. Subsequently this name has been rejected by the Geographic Names Committee on the basis that the person, the subject of the name, is still living.

It is recommended that Council adopt the name Haines Lane for ROW 55.

**BACKGROUND**

At the Ordinary Council Meeting of 27 October 2014, Council resolved to recommend the name 'Murphy Lane' for the naming of ROW 55. In accordance with Council's resolution, the request was forwarded to the Geographic Names Committee ('Committee'). Unfortunately, the Committee do not allow the use of a living person's name when naming a road or laneway. In addition, the Committee also restrict the allocation of the name of a deceased person for two years after the person passes away. As the proposed name, 'Murphy Lane', was intended to recognise the community contributions of Dr Charles Murphy, who is still alive, the name has been rejected.

In response to this advice, officers sought the advice of a local historian to determine any ancestors of Dr Murphy who might meet the naming criteria and allow the name to be allocated. The advice received is that Mr Murphy is the original settler from his family in the Cottesloe area. Accordingly, it is necessary to select another name.

A review of Cottesloe history has found the name Haines. Haines was a member of the inaugural Cottesloe Road Board. This name has been confirmed as acceptable by Landgate.

Council is asked to consider the name Haines for recommendation to the Geographic Names Committee for adoption.

A map showing the location of the subject ROW is attached.

**STRATEGIC IMPLICATIONS**

Nil

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**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Local Government is an advice agency to the Committee. For a name to be officially allocated and recognised, the Committee has to adopt the name and recommend approval by the Minister for Lands. As such, it is necessary for any proposed name to meet the naming conventions determined by the Committee.

**FINANCIAL IMPLICATIONS**

Cost of a new street sign. This is ordinary Council business and will be absorbed within the normal annual budget.

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

The allocation and display of road names, laneway names, and names of other geographic and geological features enhance community safety and liveability by facilitating access by emergency vehicles, visitors, deliveries and the meeting of people. Recognising history through naming of public assets assists with the preservation of community stories.

**CONSULTATION**

Abutting landowners were previously consulted. The landowner response was a general apathy for any particular name, other than support for a name that was connected to the history of Cottesloe. The landowners have been asked for feedback on the name. The response was acceptance of the name Haines.

**STAFF COMMENT**

Council has previously resolved to develop a list of Indigenous names for use in street naming. The resolution of Council was specific and required Officers to request a list of suitable names from a particular individual. To date, Officers have been unsuccessful in attaining a list of names. It is suspected that the process to develop a list of relevant Indigenous names requires an in-depth anthropological study, which is likely why a list has not been simply created.

Finally, noted above, the Committee require two years to pass after the death of a person, before his/her name can be used to name a road. Officers are aware that Councillors have a desire to recognise the community contributions of the recently deceased John Utting, in the form of a road name or similar. Unfortunately, the rules of the Committee will not allow this recognition at this date.

The name Haines recognises a prominent figure in the history of Cottesloe. In accordance with the preference of the property owners, it is recommended that Council endorse the name Haines.

**VOTING**

Simple Majority

**COMMITTEE DISCUSSION**

Committee discussed the report and issues at length with Cr Rowell commenting that the Town does not necessarily have to name laneways and other amenities after people who have served on Council.

Cr Jeanes requested further biographical information on the names chosen for the Right of Ways 55 and 62. MES advised that Foulkes was a key person in Cottesloe during his time, he had a role in creating the original census and was a member of the Cottesloe Road Board. MES further advised that Haines was also a member of the Cottesloe Road Board.

Cr Pyvis advised that she requested suitable Australian Aboriginal names from local anthropologists, who have provided her with a list of 12 appropriate names. Cr Pyvis proposed that Committee consider using one of the names from the list.

Committee discussed potential sources of names in detail. Cr Jeanes suggested that the Town consider forming an advisory panel to provide a list of names to Council for future naming opportunities, as it is likely that further requests for names will be received. Committee discussed the operational aspects of a potential advisory panel at length. Concluding that the group should be chaired by and elected member (Cr Burke was nominated and accepted) and Council should invite relevant people to join. Committee further suggested that the following people be approached; Cottesloe RSL, Coastcare and St Phillips Church.

Committee noted that the residents abutting ROW 55 have waited for an extended period for the ROW to be named and therefore determined the ROW should be named Foulkes Lane as Foulkes was a prominent member of the Cottesloe community and Landgate have confirmed the acceptability of the name.

**OFFICER RECOMMENDATION**

**Moved Cr Jeanes, seconded Cr Rowell**

THAT Council:

1. Request the Geographic Names Committee allocate the name Haines Lane to Right of Way 55; and
2. On confirmation that the name is accepted by the Geographic Names Committee, inform the affected property owners.

**AMENDMENT**

**Moved Cr Jeanes, seconded Cr Rowell**

**That the word "Haines" be removed from point one and replaced with "Foulkes".**

That a point three be added that reads “Invite a number of relevant local people to sit on an advisory panel, chaired by Cr Burke, for naming roads, right of ways and public places.”

Carried 6/0

**COMMITTEE RECOMMENDATION**

**THAT Council:**

1. Request the Geographic Names Committee allocate the name Foulkes Lane to Right of Way 55;
2. On confirmation that the name is accepted by the Geographic Names Committee, inform the affected property owners; and
3. Invite a number of relevant local people to sit on an advisory panel, chaired by Cr Burke, for naming roads, right of ways and public places.

**THE AMENDED SUBSTANTIVE MOTION WAS PUT**

Carried 5/1

**10.2.6 REQUEST TO NAME ROW 62**

**File Ref:** SUB/302  
**Attachments:** [ROW 62 Map of Location](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Doug Elkins  
Manager Engineering Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

A number of residents abutting Right of Way ('ROW') 62 have requested the ROW be allocated a name.

It is recommended that Council adopt the name Foulkes Lane for ROW 62.

**BACKGROUND**

A request has been received, on behalf of a number of residents, for ROW 62 to be named. Council is accordingly asked to consider this request.

A review of Cottesloe history has found the name Foulkes, which may be suitable. Foulkes was the first homeowner in Cottesloe, developed the original electoral role for the district and was elected to the inaugural Cottesloe Road Board. Landgate has confirmed the acceptability of the name.

Council is asked to consider the name Foulkes for recommendation to the Geographic Names Committee ('Committee') for adoption.

A map showing the location of the subject ROW is attached.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Local Government is an advice agency to the Committee. For a name to be officially allocated and recognised, the Committee has to adopt the name and recommend approval by the Minister for Lands. As such, it is necessary for any proposed name to meet the naming conventions determined by the Committee.

**FINANCIAL IMPLICATIONS**

Cost of a new street sign. This is ordinary Council business and will be absorbed within the normal annual budget.

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**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

The allocation and display of road names, laneway names, and names of other geographic and geological features enhance community safety and liveability by facilitating access by emergency vehicles, visitors, deliveries and the meeting of people. Recognising history through naming of public assets assists with the preservation of community stories.

**CONSULTATION**

Discussion with the landowner making the initial request, to confirm acceptability of the name. On adoption of the name by Council, all adjacent landowners will be informed.

**STAFF COMMENT**

The request for the naming of ROW 62 did not include a particular justification. However, the naming of access to properties, even secondary accesses, is logical. The use of a name enhances the ability to locate a property for deliveries in emergencies and for visitors. Accordingly the request is supported.

Council has previously resolved to develop a list of Indigenous names for use in street naming. The resolution of Council was specific and required Officers to request a list of suitable names from a particular individual. To date, Officers have been unsuccessful in attaining a list of names. It is suspected that the process to develop a list of relevant Indigenous names requires an in-depth anthropological study, which is perhaps why a list has not been simply created.

Officers are aware that Councillors have a desire to recognise the community contributions of the recently deceased John Utting, in the form of a road name or similar. Unfortunately, the rules of the Committee will not allow this recognition at this time.

The name Foulkes recognises prominent figure in the history of Cottesloe and has been confirmed as acceptable by Landgate. It is recommended that Council endorse the name Foulkes to be allocated to ROW 62.

**VOTING**

Simple Majority

**COMMITTEE DISCUSSION**

Based on the decision in the previous item, Committee determined to defer consideration of this item until after Council considers the recommendation to establish an advisory panel to assist with naming of future roads, right of ways, and public places.



**OFFICER RECOMMENDATION**

THAT Council:

1. Request the Geographic Names Committee allocate the name Foulkes Lane to Right of Way 62; and
2. On confirmation that the name is accepted by the Geographic Names Committee, inform the affected property owners.

**Lapsed for want of a mover or seconder**

**NEW MOTION & COMMITTEE RECOMMENDATION**

**Moved Mayor Dawkins, seconded Cr Rowell**

**THAT Council defer a decision on allocating a name to Right of Way 62, pending advice from the advisory panel for naming public places.**

**Carried 6/0**

Mayor Dawkins declared a proximity interest in item 10.3.1 due to owning a property at 2/6 Forrest Street, Cottesloe and left the meeting at 6.49 PM.

## **10.3 FINANCE**

### **10.3.1 MID YEAR BUDGET REVIEW FOR THE YEAR ENDED 30 JUNE 2015**

**File Ref:** SUB/1827  
**Attachments:** [Attachment 1 Statement of Financial Activity](#)  
[Attachment 2 Budget Review Worksheet](#)  
[Attachment 3 Analysis of Change in Brought Forward Surplus](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate & Community Services  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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## **SUMMARY**

Council is being presented with the mid-year budget review for the year ended 30 June 2015 for its consideration.

## **BACKGROUND**

Each year Council is presented with a mid-year budget review, prepared using six months of actual results compared against the budget predictions for the year to date. This allows performance against the budget to be measured, and if required, amendments to be made.

The mid-year review process also allows factors that were not known at the time of the forming the budget to be incorporated into that budget. This may be a change in the operating environment of Council, funding opportunities not previously known or projects that were not included in budget considerations.

## **STRATEGIC IMPLICATIONS**

Council's budget sets out the operating and capital areas that will be focused on during the financial year. It allows priorities to be set and strategic projects to be achieved.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

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**FINANCIAL IMPLICATIONS**

The Town's operating position remains strong. The projected surplus of \$463,957 closely approximates the increase in the carry forward surplus of \$428,807. This shows that year to date, the budget is on track and expected to be able to be achieved.

The Town's ratios will improve based on the projects shown in the budget review, however, if the opportunity is available, any surplus funds should be used renewing assets rather than expanding the Town's asset base.

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

Predicting yearly expenditures across the wide variety of expenditure codes is always a challenge, and to some extent a matter of timing. Council's policy of adopting a budget in early June, which allows the maximum time for rating and other important functions, means that we are effectively using April 30 figures in order to compile the budget. The two months which we are required to project, especially being at the end of the financial year, always cause some estimation error.

This year there are a number of small variances in the estimates, most in the capital expenditure area. In this sense, these savings actually represent savings, which can actually be allocated for another purpose. The total variance in the carry forward surplus was a total of \$428,807. Of this \$124,000 are timing issues alone (that is they have no effect on the bottom line as at 30 June 2015) with the remaining \$304,000 being either savings or additional revenue that will be able to be allocated through budget amendments.

Timing variances occur where it is expected a financial transaction will occur during one year, but occur in another. An example of this is the \$50,000 grant for the Preparedness Action Plan. At the time the budget was compiled, this was expected in July 2014. However, it was forwarded to the Town in late June 2014, so it was included in the carry forward surplus. It has no material effect on the budget though, as while the carry forward surplus has increased, operating revenue for this year has decreased by the same amount.

Savings or additional revenue occurs when the actual amounts spent or received vary from the budgets or estimates. There are always a number of small savings or additional expenditures, which can offset each other. Analysis of this year's results show a net saving of \$79,000 in the operating area (from a turnover of approximately \$20,000,000) and a saving of \$236,000 from the capital section of the budget. The

worksheet attached (attachment 3) “analysis of surplus brought forward” contains a detailed list of the variances.

The worksheet attached in attachment 2 shows the amendments required to this year’s budget. Some of these variances are required because of changes to the projected expenditure or revenue, others are required because of the adoption of the Depot Funds Strategy. Each item named, shows which part of the budget that is affected and provides a brief narration for the amendment.

The first year of the Depot Funds Strategy has been included in the budget review as presented in that strategy. It may be that some of the projects will not progress as far in the first year as initially thought – either due to the timing of the funds becoming available or complexities within the projects themselves. These budget codes will be reviewed in May with a view to ensuring any unspent funds are returned to the Depot Funds Reserve and do not end up in the carry forward surplus.

In accounting for the additional \$304,000 available for allocation (increased surplus less funds/expenditure already included within the budget), a list of suggestions has been compiled;

- |  |          |
|--|----------|
| 1. Lord Mayor’s Distress Relief Fund     | \$10,000 |
| 2. Eric Street Traffic Island            | \$30,000 |
| 3. Upgrading ROW’s 76b and 32            | \$7,000  |
| 4. Upgrading GIS software                | \$8,000  |
| 5. Allowance for Eco Shark Barrier (ESB) | \$65,000 |
| 6. Parking Management Software           | \$40,000 |

The first four items were not known about at the time the budget was formulated. While they may have been in forward plans or discussed, either the required amount wasn’t known, or some discussion was still underway as to the final details.

Council resolved late last year to fund a portion of the installation of the Eco Shark Barrier at a Cottesloe Beach. A vital part of that resolution was that the project could proceed, subject to receiving State Government funding. As no formal Government offer has been received, it is difficult to incorporate an amount into the budget review. One suggestion would be to allocate the funds available this year to the Infrastructure Reserve, which could be called upon should the State make funding available at a later date.

The Town’s current parking software is ageing, with the company who owns and supports the software having changed. The hand held units used by the rangers are old, and are not as efficient as they could be. We’ve previously held off upgrading this software as any change in the structure of the Town would result in most of this implementation being scrapped and re-done to incorporate the new local government area. However, with recent events, it would be prudent to update this software in the near future, preferably during the winter months. Hence it is recommended to allocate \$40,000 for this purpose.

At this stage it is recommended not to allocate the remaining surplus. The reason being is that the timing of the depot settlement will affect the Town's resources for the rest of this year. This will include projected interest, the starting of several major projects and any last moment legal fees or charges. It is likely that following the settlement of the depot, the paying of the loans as listed and the establishment of the required reserves (already listed), we will need undertake another minor budget review, to provide accurate projections to 30 June 2015.

## **VOTING**

Absolute Majority

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council, by absolute majority:**

1. **Adopt the budget review comprising (as attached):**
  - a. **The revised carried forward surplus as detailed in attachment 3**
  - b. **The list of budget amendments as detailed in attachment 2**
  
2. **Amend the Budget for the year ended 30 June 2015 to include the following additional expenditures:**

a. Lord Mayor's Distress Relief Fund	<b>\$10,000</b>
b. Eric Street Traffic Island	<b>\$30,000</b>
c. Upgrading ROW's 76b and 32	<b>\$7,000</b>
d. Upgrading GIS software	<b>\$8,000</b>
e. Transfer to Infrastructure Reserve (ESB)	<b>\$65,000</b>
f. Parking Management System	<b>\$40,000</b>

**Carried 5/0**

*Mayor Dawkins returned to the meeting at 6.51pm.*

**10.3.2 SUNDRY DEBTOR BAD DEBT WRITE OFF**

**File Ref:** SUB/1553  
**Attachments:** [Bad Debt Write Off January 2015](#)  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

The recommendation is to write off \$3,042.99 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 listing of 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. *wave or grant concessions in relation to any amount; 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 \$3,042.99.

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

Applicant 1 was invoiced for the purchase of old waste bins that were no longer of any use to Council. Despite several reminders this invoice remains unpaid and staff have been unable to contact the company.

Applicant 2 was invoiced on a quarterly basis for a commercial waste service. The company went into insolvency and Council has been unable to recover this debt.

Applicant 3 was invoiced on a quarterly basis for a commercial waste service. The business ceased trading and officers have tried numerous methods, including debt recovery via a third party agency.

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

**VOTING**

Absolute Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Angers, seconded Cr Rowell**

**THAT Council approve to write off debts of \$3,042.99 for the applicants unpaid fees as per the attached listing.**

**Carried 6/0**

**10.3.3 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2014  
TO 31 DECEMBER 2014**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

---

**SUMMARY**

The purpose of this report is to present the Statutory Financial Statements and other supporting financial information to Council for the period 1 July 2014 to 31 December 2014.

**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 operating revenue of \$7,856,331 or 85% less than year to date budget. This is due primarily to delays in the sale of the former Depot site. All material variances are detailed in the Variance Analysis Report on pages 7 to 10 of the attached Financial Statements. Operating expenditure is \$53,418 or 1% more than year to date budget and capital expenditure, which is detailed on pages 28 to 31, is \$475,557 or 43% more than year to date budget. The main reasons for this are unexpected site remediation costs at the former depot site and also works relating to the Sea View Golf Club house and car park.



**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council the Statutory Financial Statements including other financial information as submitted to the 17 February 2015 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.4 SCHEDULES OF INVESTMENTS AND LOANS AS AT 31 DECEMBER 2014**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

---

**SUMMARY**

The purpose of this report is to present to Council the Schedule of Investments and the Schedule of Loans as at 31 December 2014, as include 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 Schedule of Investments on page 22 of the attached Financial Statements shows that \$4,771,590.41 was invested as at 31 December 2014. Approximately 30% of the funds are invested with the Commonwealth Bank of Australia, 30% with Bankwest, 28% with National Australia Bank and 12% with Westpac Bank.

The Schedule of Loans on page 23 of the attached Financial Statements shows a balance of \$5,326,361.52 as at 31 December 2014. Included in this balance is \$178,989.81 that relates to self supporting loans.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the Schedule of Investments and the Schedule of Loans as at 31 December 2014. These schedules are included in the attached Financial Statements as submitted to the meeting of the Works and Corporate Services Committee on 17 February 2015.**

**Carried 6/0**

**10.3.5 LIST OF ACCOUNTS PAID FOR THE MONTH OF DECEMBER 2014**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

---

**SUMMARY**

The purpose of this report is to present to Council the list of accounts paid for the month of December 2014, as included in the attached Financial Statements as presented to the meeting of the Works and Corporate Services Committee on 17 February 2015.

**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 for the month of December 2014 is included on pages 11 to 18 of the attached Financial Statements. The following payments are brought to Council's attention:

- \$28,380.00 to B & B Waste Contractors Pty Ltd for waste collection services.
- \$76,883.85 to WMRC for waste disposal services.
- \$224,664.00 to A & M D'Angelo Cartage Contractors for the excavation, cartage and disposal of soil from the former Depot site.

- \$394,554.55 to the Department of Fire and Emergency Services for an instalment of emergency levies collected on their behalf.
- \$26,550.00 to an elected member for councillor allowances and fees.
- \$84,262.47, \$95,980.72 and \$88,868.30 to Town of Cottesloe staff for fortnightly payroll.
- \$400,000.00 and \$500,000.00 to the Town's Investment account with National Australia Bank.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the list of accounts paid for the month of December 2014 as included in the attached Financial Statements, as submitted to the 17 February 2015 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.6 RATES AND SUNDRY DEBTORS REPORTS AS AT 31 DECEMBER 2014**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
**Author:** Manager Corporate & Community Services  
Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

The purpose of this report is to present to Council the Rates and Sundry Debtors Reports as at 31 December 2014, 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 Sundry Debtors reports on pages 24 and 25 of the attached Financial Statements shows a total balance outstanding of \$132,492.49 as at 31 December 2014. Of this amount, \$105,811.11 is under sixty days old with the balance of aged debtors being \$26,679.38.

The Rates and Charges analysis on page 26 of the attached Financial Statements shows a total balance outstanding of \$2,328,770.97 as at 31 December of which \$192,689.73 and \$530,797.46 relates to deferred rates and outstanding emergency services levies respectively. The Statement of Financial Position on page 4 of the attached Financial Statements shows total rates outstanding as a current asset of \$2,394,028 as compared to \$1,918,052 this time last year.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the Rates and Charges Analysis Report and Sundry Debtors Report as at 31 December 2014 as submitted to the 17 February 2015 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.7 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2014  
TO 31 JANUARY 2015**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

---

**SUMMARY**

The purpose of this report is to present the Statutory Financial Statements and other supporting financial information to Council for the period 1 July 2014 to 31 January 2015.

**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 allocations.

**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 \$71,131 or 1% more than year to date budget. All material variances are detailed in the Variance Analysis Report on pages 7 to 10 of the attached Financial Statements. Operating expenditure is \$232,079 or 3% less than year to date budget and Capital expenditure, which is detailed on pages 28 to 31, is \$535,967 or 41% more than year to date budget. The main factor contributing to this is costs involved in the development of the former depot site.



**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the Statutory Financial Statements including other financial information as submitted to the 17 February 2015 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.8 SCHEDULES OF INVESTMENTS AND LOANS AS AT 31 JANUARY 2015**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

The purpose of this report is to present to Council the Schedule of Investments and the Schedule of Loans as at 31 January 2015, 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 allocations.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Schedule of Investments on page 20 of the attached Financial Statements shows a balance of \$4,294,493.44 as at 31 January 2015. Approximately 34% of these funds were invested with the Commonwealth Bank of Australia, 31% with the National Australia Bank, 22% with Bankwest and 13% with Westpac Bank.

The Schedule of Loans on page 21 of the attached Financial Statements shows a balance of \$5,326,361.52 as at 31 January 2015. Included in this balance is \$267,950.92 that relates to self supporting loans.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the Schedule of Investments and the Schedule of Loans as at 31 January 2015. These schedules are included in the attached Financial Statements as submitted to the meeting of the Works and Corporate Services Committee on 17 February 2015.**

**Carried 6/0**

**10.3.9 LIST OF ACCOUNTS PAID FOR THE MONTH OF JANUARY 2015**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present to Council the list of accounts paid for the month of January 2015, as included in the attached Financial Statements as presented to the meeting of the Works and Corporate Services Committee on 17 February 2015.

**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 for the month of January 2015 is included on pages 11 to 16 of the attached Financial Statements. The following significant payments are brought to Council's attention;-

- \$32,153.35 to WA Super for superannuation contributions
  - \$46,281.35 to the Australian Taxation Office for the monthly Business Activity Statement
  - \$28,070.90 to Mondoluce (Aust) Pty Ltd for the installation of street lighting
  - \$50,762.15 to Perth Greenwaste Recycling for waste collection services
-

- \$30,344.28 to Surf Lifesaving Western Australia for lifeguard services
- \$46,295.66 to WA Hino being \$76,295.66 for the purchase of a new truck, less \$30,000.00 received for the truck traded in
- \$26,555.99 to WMRC for waste disposal services
- \$375,000.00 & \$250,000.00 to the Town's Investment account held with National Australia Bank
- \$89,417.32 & \$86,958.12 to Town of Cottesloe staff for fortnightly payroll

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the list of accounts paid for the month of January 2015 as included in the attached Financial Statements, as submitted to the 17 February 2015 meeting of the Works and Corporate Services Committee.**

**Carried 6/0**

**10.3.10 RATES AND SUNDRY DEBTORS REPORTS AS AT 31 JANUARY 2015**

**File Ref:** SUB/1878  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 February 2015  
**Author Disclosure of Interest:** Nil

---

**SUMMARY**

The purpose of this report is to present to Council the Rates and Sundry Debtors Reports as at 31 January 2015, as included in the attached Financial Statements as submitted to the meeting of the Works and Corporate Services Committee on 17 February 2015.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

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

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Sundry Debtors Report on pages 22 to 25 of the attached Financial Statements shows a total balance outstanding of \$145,248.34 as at 31 January 2015. Of this amount, \$54,777.00 relates to a non current loan debtor with a community organisation, and of the remaining balance \$70,062.13 is under sixty days old with the balance of aged debtors being \$20,409.21.

The Rates and Charges Analysis on page 26 of the attached Financial Statements shows a total balance outstanding of \$1,644,336.03 as at 31 January 2015 of which \$192,689.73 and \$497,797.68 relates to deferred rates and outstanding emergency services levies. The Statement of Financial Position on page 4 of the attached Financial Statements shows total rates outstanding as a current asset of \$1,699,506 as compared to \$1,516,189 this time last year.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Jeanes**

**THAT Council receive the Rates and Charges Analysis Report and Sundry Debtors Report as at 31 January 2015 as submitted to the 17 February 2015 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 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 7.09 PM.

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