

TOWN OF COTTESLOE



TASK FORCE ON RESIDENTIAL AND RECREATIONAL VERGE USES

UNCONFIRMED MINUTES

TASK FORCE ON RESIDENTIAL AND RECREATIONAL VERGE USES
HELD IN THE

Mayor's Parlour, Cottesloe Civic Centre
109 Broome Street, Cottesloe
2.00pm Wednesday, 22 February 2023



MATTHEW SCOTT
Chief Executive Officer

22 February 2023

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 2.02pm.

1.1 ACKNOWLEDGEMENT OF COUNTRY

I would like to begin by acknowledging the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

2 DISCLAIMER

The Presiding Member drew attention to the Town’s Disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member announced that the meeting is being recorded, solely for the purpose of confirming the correctness of the Minutes.

4 ATTENDANCE

Members

Cr Craig Masarei	Elected Member
Cr Chilla Bulbeck	Elected Member
Cr Kirsty Barrett	Elected Member
Mr John Mengler	Community Representative

Officers

Mr Matthew Scott	Chief Executive Officer
Mr Shaun Kan	Director Engineering Services
Mr Renuka Ismalage	Manager Projects and Assets
Ms Rachel Cranny	Executive Services Officer

Visitors

Nil

Apologies

Ms Freya Ayliffe	Director Development and Regulatory Services
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5 DECLARATION OF INTERESTS

Nil

6 CONFIRMATION OF MINUTES

001/2023

Moved Cr Masarei

Seconded Cr Barrett

That the Minutes of the Task Force on Residential and Recreational Verge Uses held on Thursday 1 December 2022 be confirmed as a true and accurate record.

Carried 4/0

7 PRESENTATIONS

Nil

8 REPORTS

8.1 REPORTS OF OFFICERS

Nil

8.2 ITEMS FOR DISCUSSION

Nil

9 GENERAL BUSINESS

9.1 COMMITTEE MEMBERS

9.2 OFFICERS

10 MEETING CLOSED TO PUBLIC

10.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

002/2023

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Barrett

Seconded Cr Bulbeck

That, in accordance with Section 5.23(2) (b) and (d), the discuss the confidential reports behind closed doors.

Carried 3/1

For: Cr Barrett, Cr Bulbeck and Mr Mengler

Against: Cr Masarei

The public and members of the media were requested to leave the meeting at 2.10pm

10.1.1 VERGE PLAY EQUIPMENT APPROVAL PACKAGE

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (b) and (d) as it contains information relating to the personal affairs of any person and legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

003/2023

OFFICER AND COMMITTEE RECOMMENDATION

Moved Cr Bulbeck

Seconded Cr Masarei

THAT the Task Force on Residential and Recreational Verge Uses recommends;

THAT Council:

- 1. NOTES the legal advice provided;**
- 2. ACCEPTS the attached Letter C as the follow up letter to residents with non-exempted verge play equipment that have yet to make an application subject to such items still on the verge, noting that the application form including protocol will be enclosed;**
- 3. Accepts Letter D as the future first letter to residents that are required to make an application for a permit, noting that the application form including protocol will be enclosed;**
- 4. ACCEPTS the attached application form (Application Form V3);**
- 5. ACCEPTS the attached permit (Confidential Attachment 4) for issue, noting that this reflects legal advice previously received for the 1 December 2022 Task Force Meeting; and**
- 6. Subject to point two to five, ACCEPTS the pathway mentioned within the Officer's Comment section of the report.**

COUNCILLOR MOTION AND TASKFORCE RECOMMENDATION

The taskforce recommends to Council;

- 1. NOTES the legal advice provided;**
- 2. ACCEPTS the attached Letter C as the follow up letter to residents with non-exempted verge play equipment that have yet to make an application subject to such items still on the verge, noting that the application form including protocol will be enclosed;**
- 3. Accepts Letter D as the future first letter to residents that are required to make an application for a permit, noting that the application form including the protocol will be enclosed;**
- 4. ACCEPTS the attached application form (Application Form V3);**

5. **ACCEPTS** the amended permit as per point 7 (Confidential Attachment 4) for issue, noting that this reflects legal advice previously received for the 1 December 2022 Task Force Meeting;
6. Permit document will be amended to include protocol and the original application
7. The protocol will be amended to exempt basketball hoops (fixed and mobile)
8. A letter similar to letter D be sent to those residents with exempt equipment on their adjacent verge, attaching the protocol to maintain their exemption and explaining their responsibilities.
9. Subject to point two to nine, **ACCEPTS** the pathway mentioned within the Officer's Comment section of the report, including the Letter identified in point 9; and
10. **NOTES;**
 - a. The administration will follow up the regulation 17 letter to Minister Carey
 - b. The permit application fee includes the first annual fee

Carried 4/0

OFFICER NOTES;

1. Attached for Council's consideration is the amended Protocol as per recommendation point 7 and the additional letter to residents as per recommendation point 8

REASON;

1. The Task Force made a number of additional recommendations to address specific issues that have been identified.

004/2023

MOTION FOR RETURN FROM BEHIND CLOSED DOORS

Moved Cr Bulbeck

Seconded Cr Barrett

In accordance with Section 5.23 that the meeting be re-opened to members of the public and media and motions passed behind closed doors be read out if there are any public present.

Carried 4/0

The public and members of the media returned to the meeting at 3.26pm.

11 NEXT MEETING

To be advised

12 MEETING CLOSURE

The Presiding Member announced the meeting closed at 3.30pm.