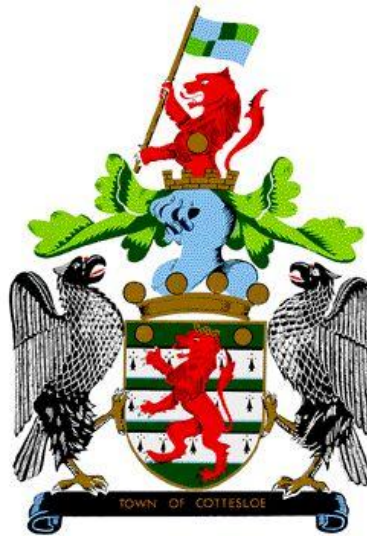


TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING MINUTES

ORDINARY MEETING OF COUNCIL
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
7.00 PM, Monday, 12 December, 2016

MAT HUMFREY
Chief Executive Officer

22 December 2016

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Agenda and minutes are available on the Town's website

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 7:01 PM.

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

On behalf of the Town of Cottesloe, the Mayor wished the Town's residents, ratepayers, staff and all those present at the meeting, a happy and safe Christmas.

4 PUBLIC QUESTION TIME**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****QUESTIONS TAKEN ON NOTICE – 22 NOVEMBER 2016 ORDINARY COUNCIL MEETING**Questions Provided by Cr Boulter Emailed – 6 November 2016**Wildfire**

Q1: Does the Town of Cottesloe have a Wild Fire Risk and Management Strategy?

A1: No.

Q2: If yes, where can it be accessed?

A2: N/A.

Q3: If not, why not?

A3: The overall risk from wildfire is low. The Local Emergency Management Committee (LEMC) deals with disaster management and recovery plans for WesROC Councils.

Q4: What policies and procedures does the Town of Cottesloe have in place for managing vegetation that could pose a wildfire risk on:

a. Reserves; and

b. Private Land?

A4: Reserves are managed by the Town itself. Private land is inspected annually and where needed, improvement notices issued.

Q5: Who should residents and ratepayers contact in respect of land that they believe has vegetation or other flammable material that could pose a wildfire risk to the residents and ratepayers of Cottesloe and/or their neighbours?

Q5: Ranger Services.

Town of Cottesloe Entry Statements

Q6: What would be the procedure for renewing the entry statements to Cottesloe on pedestrian, cycle and road entries to the Town of Cottesloe?

A6: Council would need to include this in the Corporate Business Plan in the first instance.

Q7: When was the current signage established at South Cottesloe?

A7: There has been signage in South Cottesloe since the Town became a municipality.

Rubbish Collection Hot Nights Main Beach

Q8: Does the Town of Cottesloe provide extra rubbish bins and collection facilities at the beach for hot weather evenings?

A8: No. The collection patterns are set according to the season, not individual days.

Q9: If not, what would be the cost of providing this extra service for patrons of our main beaches?

A9: It would depend on the extent of the service.

Q10: If so, what are the extra arrangements?

A10: N/A.

Q11: Does the Town of Cottesloe provide a ranger service at the main beach on hot nights to control littering, unruly behaviour and illegal parking?

A11: From time to time.

Q12: If not, what would be the cost of providing this extra service for patrons of our beach?

A12: N/A.

Q13: If yes, what are the extra arrangements?

A13: Ranger rosters are set regularly, if we are aware of large crowds, rangers would be asked to undertake overtime as required.

Town of Cottesloe Reporting To Council Framework

Q14: What are the Town of Cottesloe administration reporting requirements/obligations to Council from the "Integrated Planning and Reporting Framework and Guidelines" once the documents created under the IPR (such as the Community Strategic Plan) have been adopted by Council?

A14: The report was included in the Annual Report, approved by Council last month.

State Administrative Tribunal Review of 220 Marine Parade Joint Development Assessment Panel Refusal

Q15: Will the Town of Cottesloe seek to be heard as a third party in the State Administrative Tribunal hearing of the appeal by the owner of 220 Marine Parade against the Joint Development Assessment Panel refusal of the development application for 220 Marine Parade?

A15: Yes.

Q16: If not, why not?

A16: N/A.

Q17: If not, what would it require for the Town of Cottesloe to seek leave to give evidence as a third party in the appeal?

A17: N/A.

Q18: If yes, who will appear seeking leave to give evidence as a third party and who will give evidence on behalf of the Town of Cottesloe if leave is granted?

A18: The Town's solicitors.

Questions Provided by Cr Pyvis Emailed – 16 November 2016

Q1: As no Minutes of AGENDA FORUMS are kept, can Elected Members be provided with copies of "action notes" recorded by Town of Cottesloe Administration at monthly AGENDA FORUM meetings (ref Principle 13 in Chief Executive Officer's AGENDA FORUM PRINCIPLES) as a matter or practice?

A1: Yes.

Q2: Is an AGENDA FORUM meeting a council meeting or council committee meeting for the purpose of the *Local Government Act 1995*? If yes, what is the authority for this?

A2: No.

Q3: What are the *Local Government Act 1995* regulations/requirements for an Elected Member's attendance at AGENDA FORUMS?

A3: Nil.

Q4: As Current Agenda Forum Principles are written by the Chief Executive Officer and have not been adopted by Council, what is the part of the *Local Government Act 1995* or the Council Resolution that binds Elected Members to these Principles?

A4: They are principles, not rules. However, most are based on requirements of the *Local Government Act* or the *Rules of Conduct Regulations*, which apply at all times.

Q5: What are the rules that bind the conduct of Elected Members at Town of Cottesloe Agenda Forums?

A5: The *Local Government (Rules of Conduct) Regulations 2007*.

Q6: Do Town of Cottesloe STANDING ORDERS apply to Agenda Forums? If not, why not? If yes, which Act or Regulation or resolution of Council applies Town of Cottesloe Standing Orders to AGENDA Forums?

A6: No.

Q7: Regarding attendance at Agenda Forum meetings, how many Agenda Forum meetings can an Elected Member be absented from?

A7: There are no specific requirements for attendance at these forums.

Q8: Which Act or Regulation or resolution of Council informs the answer above?

A8: The *Local Government Act 1995*.

Q9: Are the BRIEFING FORUM Notes (not Agenda Forums or Ordinary Council Meetings), provided confidentially to Elected Members by the Chief Executive Officer, available under the *Freedom of Information Act 1992*?

- A9: Each application under the *Freedom of Information Act 1992* must be assessed on the merits of that application.
- Q10: Are the "non-confidential" parts of the BRIEFING FORUM Notes (not Agenda Forums or Ordinary Council Meetings) provided confidentially to Elected Members by the Chief Executive Officer available to the public?
- A10: They are not routinely published, but access can be provided if required (subject to items not being marked confidential).
- Q11: Further to a ratepayer's enquiry, what is
- the number of people employed at the Town of Cottesloe
 - the title of each position
 - the FTE of each position
 - the name of the person currently holding each position?
- A11: The Town has approximately 40 FTE's (Full Time Equivalent) employees. The names (and photos) of senior staff are available on the Town's website. The information requested of remaining staff is not routinely published.
- Q12: Further to a ratepayer's enquiry, what are the annual payments (remuneration) made to Elected Members
- the Mayor
 - the Deputy Mayor
 - each of the other 7 Councillors?
- A12: Extracted from the adopted budget (available online):
- Mayoral Allowance \$27,500
 - Deputy Mayoral Allowance \$6,875
 - Members Meeting Attendance Fee \$15,000
 - Mayor's Meeting Attendance Fee \$24,000
 - Telecommunications Allowance \$1,600 per Elected Member
- Q13: What remuneration (other than that referenced in Question 12 above) does/do the Mayor, Deputy Mayor and Councillors receive for Elected Member work such as sitting on a Development Assessment Panel (DAP)?
- A13: The Town has not collated this information.

QUESTIONS PROVIDED BY CR BOULTER EMAILED – 24 NOVEMBER 2016

Natural Area Management Plan Cottesloe Tennis Club Buffer

- Q1: How much was the contract to prepare the Natural Area Management Plan for the Cottesloe Tennis Club buffer?

- Q2: Which specific line item in the Town of Cottesloe budget was this amount drawn from?
- Q3: Were quotes were obtained for the Natural Area Management Plan contract for the Cottesloe Tennis Club buffer (Natural Area Management Plan land) according to and as required by the Town of Cottesloe Purchasing Policy?
- Q4: Were quotes were obtained for the Natural Area Management Plan contract for the Cottesloe Tennis Club buffer (Natural Area Management Plan land) according to and as required by the Town of Cottesloe Purchasing Policy?
- Q5: What is the total amount of ratepayer funds expended by the Town of Cottesloe arising from the tennis club expansion including preparation for expanded the lease area, the new contracts, new leases, including legal fees, site works and remediation, the Natural Area Management Plan land contract and works, and including disbursements such as printing and stamp duty?

South Cottesloe Surf Watch Towers

- Q6: What meetings have the Town of Cottesloe administration staff had with whom representing the Cottesloe Surf Life Saving Club about the placement of a surf watch tower in South Cottesloe?
- Q7: What were the dates of those meetings?
- Q8: What was the outcome of each of those meetings?
- A: The Mayor took the questions on notice.

QUESTIONS PROVIDED BY CR PYVIS EMAILED – 06 DECEMBER 2016

- Q1: Can Elected Members be provided with a Table showing the \$ amount Town of Cottesloe rates have increased over the last 10 years (2007 to 2016 inclusive) in compound terms?
- Q2: If rates rise 4:00% each year for the next ten years (as stated "*The average rate increase across the plan is set at 4.00%*" in Officer Report Agenda Item 10.2.1 REVIEW OF THE LONG TERM FINANCIAL PLAN Ordinary Council Meeting 22 November 2016 supported by Council 6/3) what will the net compounded increase in rates be at the end of the 10 years (2016 to 2025)?
- Q3: Given the current favourable Town of Cottesloe balance sheet, what are the specific expenditure factors that contributed to TOC

administration recommending a 4% rate rise over each of the next 10 years?

- Q4: Over the last 10 years:
- Town of Cottesloe rates have increased by what percentage %?
 - What have been the highest contributors to Town of Cottesloe expenditure resulting in these increased rates?
- Q5: By graphic depiction, can the Town of Cottesloe show the percentage of total Town of Cottesloe expenditure on employee salaries as a percentage of total expenditure for each of the last 5 years (2012 to 2016 inclusive)?
- Q6: By graphic depiction, can Town of Cottesloe show the percentage of total Town of Cottesloe expenditure on contractor/consultant salaries (costs) as a percentage of total expenditure for each of the last 5 years (2012 to 2016 inclusive)?
- Q7: By graphic depiction, can Town of Cottesloe show the percentage of total Town of Cottesloe expenditure on employee and contractor/consultant salaries (costs) combined as a percentage of total expenditure for each of the last 5 years (2012 to 2016 inclusive)?
- Q8: By graphic depiction, can Town of Cottesloe show the operating revenue for each of the last 10 years and how much it was more or less than the budgeted amount?
- Q9: Over the past 10 years rates payable by ratepayers have increased substantially and the total operating expenditure has increased significantly. What items constitute the significant increase in expenditure other than labor - employee and contractor/consultant – costs?
- Q10: By graphic depiction, over the last 10 years (2007 to 2016 inclusive)
- what has been the increase in number of Town of Cottesloe employees?
 - what has been the \$ expenditure on those employees?
- Q11: By graphic depiction, over the last 10 years (2007 to 2016 inclusive) what has been the average annual increase in the use of contractors/consultants as against Town of Cottesloe employees?

A: The Mayor took the questions on notice.

QUESTIONS PROVIDED BY CR BOULTER EMAILED – 06 DECEMBER 2016

- Q1: If the policy of 4% annual increase in rates for the foreseeable future is implemented as adopted by Council, then what is the compounded net increase in rates in % terms over 10 years if such a policy is maintained?
- Q2: What is the compounded net increase in Town of Cottesloe rates over the last 10 years?
- Q3: Having regard to the Town of Cottesloe policy of an annual 4% rate rise, is there a formal Town of Cottesloe committee or process aimed at identifying cutting Town of Cottesloe costs and expenditure? If yes, what is it? If not, why not?
- Q4: Given there is significant transparent effort being made to reduce expenditure within State and Federal, finances and budgets, and within the private sector, why should the Town of Cottesloe be any different?
- Q5: What explicit programs and efforts are being made by the Town of Cottesloe to correct the rising expenditure in the Town of Cottesloe?
- Q6: Have the Town of Cottesloe Auditors made any comment as to the lack of a dedicated Town of Cottesloe committee or project aimed at identifying and reducing Town of Cottesloe expenditure to a sustainable level? If not, why not and can the auditor be asked for guidance about how to implement such a program?
- Q7: Since planning for the foreshore renewal is well under way, what financial planning analysis has been undertaken to identify the potential annual costs of the maintenance of the proposed improvements and have such costs – if only provisional - been included in the forward budgets. If so, what is this figure? If not, why not?
- Q8: Given that the infrastructure requirements for the foreshore renewal will be substantial, has the Town of Cottesloe administration identified the standard, state of repair and capacity of the major existing services such as sewerage, drainage, water, gas and electricity, and whether or not they can support the proposed renewal? If yes, can a copy be provided to Councillors and the community? If not, why not?
- Q9: If infrastructure services' upgrades are needed as a result of the foreshore renewal projects, who will pay for this?
- Q10: Will each of the four projects – foreshore, station street, beach paths, cycle paths network – be identified separately in the Town of Cottesloe budget, so the expenditure and future maintenance costs applicable to each can be separately and easily identified and scrutinised, and especially the Town of Cottesloe staff labor
-

costs, and anticipated labor and contractor costs for each project? If yes, will this start in the next Town of Cottesloe budget? If no, why not?

A: The Mayor took the questions on notice.

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Nil

6 ATTENDANCE

Present

Mayor Jo Dawkins
Cr Philip Angers
Cr Sandra Boulter
Cr Rob Thomas
Cr Helen Burke
Cr Mark Rodda
Cr Jay Birnbrauer
Cr Katrina Downes
Cr Sally Pyvis

Officers Present

Mr Mat Humfrey	Chief Executive Officer
Mr Garry Bird	Manager Corporate & Community Services
Mr Nick Woodhouse	Manager Engineering Services
Mr Andrew Jackson	Manager Development Services
Ms Siobhan French	Governance Coordinator

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 Downes declared a proximity interest in item 10.1.1.

Cr Burke declared an impartiality interest in item 12.2.2 due to being a friend of the donor of the sculpture.

8 CONFIRMATION OF MINUTES

Moved Cr Rodda, seconded Cr Burke

[Minutes 22 November 2016 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Tuesday 22 November 2016 be confirmed.

Carried 9/0

Moved Cr Angers, seconded Cr Rodda

[Minutes 29 November 2016 Council.DOCX](#)

The Minutes of the Special meeting of Council held on Tuesday 29 November 2016 be confirmed.

Carried 9/0

9 PRESENTATIONS

9.1 PETITIONS

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of the public present, the Mayor announced that items 10.1.1, 10.1.2, 10.1.3, 10.1.6, 10.1.9, 10.1.12, 10.2.1, 11.1 and 13.1.1 have been withdrawn for discussion. The Mayor advised that Officers will table two items of new business of an urgent nature, 12.2.1 and 12.2.2. All other items were dealt with en bloc.

10 REPORTS

10.1 REPORTS OF OFFICERS

PLANNING

Cr Downes declared a proximity interest in item 10.1.1 and left the meeting a 7:05 PM.

10.1.1 COTTESLOE OVAL POLE LIGHTS PLANNING APPLICATION

File Ref: 3474
Attachments: [Google Earth images](#)
[23 August 2016 Report and Attachments](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

This report advises Council as to its formal comment and recommendation to the Western Australian Planning Commission on the development application for upgraded lights at Cottesloe Oval.

BACKGROUND

Council on 23 August 2016 considered an initial report on the proposal by the Cottesloe Amateur Football Club Inc. to upgrade lighting at Cottesloe Oval – copy of report attached. Council resolved to:

- 1. Authorise the Chief Executive Officer to sign the Development Application submitted by the Cottesloe Amateur Football Club Inc. for new lighting at Cottesloe Oval.*
- 2. Request Town of Cottesloe Planning Staff to undertake a detailed assessment of the Development Application and provide a report back to Council for formal consideration to provide its recommendation on the application to the Western Australian Planning Commission for final approval.*
- 3. Thank those who provided submissions.*

Subsequently the development application has been prepared and recently lodged with the Western Australian Planning Commission, which is the determining authority as the land is Metropolitan Region Scheme Parks and Recreation reservation. Having forwarded the application the Town is required to within 42 days provide the Commission with its comment and recommendation on the proposal, hence this report to the December meeting.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Metropolitan Region Scheme

FINANCIAL IMPLICATIONS

Nil cost to Town.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Preliminary consultation of nearby residents was undertaken for the first report to Council and three submissions were received as outlined therein.

For the current development application notification letters have been sent to the same residents, providing them with the opportunity should they wish to view the details and make a submission. As the closing date is Friday 9 December 2016 Officers will advise Council at the December meeting of any comments received.

As the Sea View Golf Course, which adjoins the oval is State heritage listed, the application has been referred to the State Heritage Office for comment. If comment is received in time, it also will be advised provided to the December meeting.

STAFF COMMENT

The initial report outlined the proposal including technical information. The attachments included a justification statement; site plan; photo of the present inadequate lighting for night training; product specification; electrical company quote, insurance and certification; and three submissions.

The application adds two Google Earth photos indicating the position and height of the pole lights, attached.

From a planning point of view effective lighting is consistent with the use of the land for community sports and is desirable for safety. The Football Club intends to use the lights for nine months of each year from January to September, for evening/night training between 5:00-8:00PM on Mondays, Wednesdays and some Fridays.

The proposed replacement of the two existing pole lights on the eastern side of the oval in the same positions does not shift the poles from their established locations or

introduce any further structures, and utilises the existing electricity connection. Care will be required so that the installation does not affect the Norfolk Island pine trees.

The increase in height is to cast better light. It occupies the same footprint, reflects the verticality of the pine trees and will be screened by those trees from various angles. The plain galvanised steel finish is visually unobtrusive and avoids painting maintenance. The light fitting is similar in appearance to those existing, and made of diecast aluminium (unpainted) to match the poles. It is especially designed to control glare.

The actual lights will be a significant improvement and suited to the oval environment. The two pole lights will face west, shining on the grass oval and away from Broome Street residences; whilst the roof of Anderson Pavilion is non-reflective. As infrastructure the pole lights are slender, simple and will be silhouetted against the night sky over the ocean.

CONCLUSION

Council has supported the proposal in-principle given that pole lights are an established feature of the oval and playing fields, and recognising the need for effective lighting for convenience and safety.

The renewed pole lights will occupy essentially the same positions and form part of the oval landscape. They will not unduly affect views or amenity.

ADDITIONAL INFORMATION FOLLOWING AGENDA FORUM

Comments received

As advised at the Agenda Forum, it is confirmed that no submissions have been received and that the State Heritage Office supports the proposal.

Height of poles

The height of the poles already acquired for the purpose is 15m, which although half the height recommended in the Australian Standard will ensure sufficient light for safer training; whilst being insufficient for night games, which are not intended. This height means that the pole lights will be lower than the pine trees and have only moderate presence. For the record, condition 1 has been revised to refer to the pole height limit.

Electricity and maintenance

It is clarified that the pole lights will be connected to the existing power supply, which the electrical contractor (who has performed similar work elsewhere for the Town) has verified as feasible. The new lights will be more efficient and require less maintenance than the old ones. It is understood that the Town has always paid for the electricity given that the lights serve multiple users of the oval.

Further, as with the existing pole lights, the new ones would become the Town's public infrastructure, albeit funded independently by the football club (at a cost of \$40,000) and freely donated to the Town. Hence the new pole lights represent a substantial saving and gain by the Town, and are of low maintenance design and

materials. Anderson Pavilion, the goal posts, etc are likewise the Town's property as part of the oval and are maintained by it.

On this basis it would be inconsistent and impractical to require that the football club maintain the pole lights, whilst the cost to the Town would be small. Therefore, previous condition 8, which read: *The pole lights shall be maintained by the Cottesloe Amateur Football Club Inc. to the satisfaction of the Town*, has been deleted.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Burke

THAT Council advise the Western Australian Planning Commission that it supports the Metropolitan Region Scheme application for planning approval for two pole lights on the eastern side of Cottesloe Oval, in accordance with the application received on 24 November 2016, subject to the following conditions:

- 1. The height of the poles shall be limited to that of those already acquired (being 15m), and prior to construction the precise location of the two pole lights shall be determined in liaison with and to the satisfaction of the Town;**
- 2. A detailed specification of the pole lights, including materials and finishes, shall be submitted with the Building Permit application and be to the satisfaction of the Town;**
- 3. A construction methodology shall be prepared in consultation with the Town and submitted with the Building Permit application to ensure that installation of the pole lights and in-ground electrical cabling does not damage or jeopardise the Norfolk Island pine trees (ie roots, trunks or branches).**
- 4. A Construction Management Plan to the satisfaction of the Town shall be submitted with the Building Permit application, and shall address construction access, traffic management and safety, worker parking, machinery and materials storage and security, dust and noise control, days and times of construction activity, notification to nearby properties and complaints handling, verge and tree protection, waste storage and removal, and site clean-up and rehabilitation.**
- 5. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 - Construction sites.**
- 6. The pole lights shall be used only when required in relation to the unavailability of good daylight in accordance with seasonal and weather patterns, and shall not be left on overnight.**
- 7. The pole lights shall not be altered or added to without further liaison with the Town and any required applications and approvals.**

Advice Note:

In liaison with the Town, a Building Permit application to, and approval by, the Town is required prior to undertaking construction of the development.

Carried 8/0

Cr Downes returned to the meeting at 7:12 PM.

**10.1.2 PROSPECTIVE METROPOLITAN REGION SCHEME AMENDMENT
MCCALL CENTRE – UPDATE AND FURTHER COMMENT**

File Ref: PR53133
Attachments: [23 August 2016 Council report/attachments](#)
[3 October 2016 letter from WAPC](#)
[22 November 2016 email from Rowe Group](#)
Responsible Officer: **Mat Humfrey**
Chief Executive Officer
Author: **Andrew Jackson**
Manager Development Services
Proposed Meeting Date: **12 December 2016**
Author Disclosure of Interest: **Nil**

SUMMARY

This report updates Council regarding the request from the Western Australian Planning Commission for comment on an intended Amendment to the Metropolitan Region Scheme for the McCall Centre land in the Towns of Cottesloe and Mosman Park.

Further comment by Council to the Commission is recommended.

BACKGROUND AND UPDATE

Council on 23 August 2016 considered a late item on this matter – previous report and attachments have been included as attachments. The report commented on the extent of regional rezoning, local rezonings, structure planning, land uses, Curtin Avenue, heritage and terminology; and made a recommendation in those respects.

However, Council resolved that:

Moved Cr Boulter, seconded Cr Pyvis

- 1. The item be deferred.*
 - 2. The draft proposed scheme amendment be advertised widely to the Cottesloe Residents and Ratepayers.*
 - 3. Town of Cottesloe and Town of Mosman Park administration have a community workshop together to discuss this proposal and specifically invite representatives of LandCorp, Western Australian Planning Commission, Greg Rowe Group, the Beehive Montessori School, tenants of the McCall Centre, the proponent of the Regional Park through this area, Mr Greg Dodds, and the residents and ratepayers of the Town of Cottesloe especially those in South Cottesloe.*
 - 4. Town of Cottesloe administration write to Western Australian Planning Commission and Rowe Group advising that this matter was only drawn to the attention of Councillors on 20 August and a report to Council was circulated*
-

only on 22 August 2016, seeking extension of time so as to properly consult our community and bring the results of that consultation back to Council given the 2 September 2016 date is unrealistic expectation of this Council.

5. *Congratulate the Rowe Group on their most informative scheme amendment report.*

Carried 5/3

*For: Crs Boulter, Pyvis, Downes, Thomas and Burke
Against: Mayor Dawkins, Crs Rodda and Angers*

Subsequently, as a first step the Town wrote to the Commission and the Rowe Group advising of Council's resolution. The Commission responded by letter dated 3 October 2016 (attached), advising that it intended to adhere to the statutory process but would allow an extension of time in order to provide advice. The Town has since liaised with the Department of Planning for the Commission who has clarified that:

- *It has received most preliminary referral responses, and any relevant matters raised are presently being addressed by the proponent.*
- *As the MRS amendment request remains under consideration and has not yet been formally considered by the Commission, the Department/Commission does not intend to participate in the consultation. In accordance with standard practice, if the amendment request is initiated by the Commission it will be advertised in accordance with the requirements of the Planning and Development Act 2005.*

The Town has also liaised with the Rowe Group, who has enquired as to the timing of Council's further comment. The Rowe Group is representing the interest of its client LandCorp and has advised that:

- *The Department has received comments from all Government agencies and the Town of Mosman Park is to finalise its preliminary comment at its November meeting.*
- *In relation to the Town-led public consultation desired, whilst we support this type of activity we are of the view that this is best to take place during the three-month formal advertising period for the Amendment.*
- *Based on your advice that the Town may not report on the public consultation period until February 2017 (ie obtain a Council Resolution for the Town's preliminary comments), a public consultation process now will effectively add three months to the Amendment process. This is problematic from a timing perspective. Therefore, we maintain a strong position and recommend that the public consultation you are talking about should be undertaken during the formal advertising period.*

Given these responses the Town has indicated reporting back to Council in December, hence this report.

Mosman Park Town Council considered the matter on 22 November 2016 and resolved to:

Endorse the following comments to be forwarded to WAPC:

- 1) The Town supports the preliminary proposal to amend the zoning of lots from Public Purposes Special Use Reservation to Urban in-principle; and*
- 2) Require Administration to progress with a Scheme Amendment of the Town's relevant Scheme to address the zoning of this land, once the amendment to the MRS is formally advertised.*

In essence, the Town of Mosman Park has accepted the Amendment proposal in-principle as well as the associated statutory process. Its report identified the avenue to achieve its regional housing target, that structure planning and local rezoning would occur for detailed planning, and that all of these planning processes entail community consultation.

STRATEGIC IMPLICATIONS

Relates to release of land for urban development and use of heritage property.

POLICY IMPLICATIONS

A structure plan and possibly planning policy/s would be appropriate at the local planning level.

STATUTORY ENVIRONMENT

*Planning & Development Act 2005
Metropolitan Region Scheme
Relevant State Planning Policies
Local Planning Scheme No. 3*

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Normal reporting and administrative tasks.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

At this preliminary stage the Commission is consulting the local governments and relevant authorities ahead of formal consideration.

If initiated, the Amendment would be publicly advertised widely by the Commission for three months, including at the Town's office.

FURTHER COMMENT

Prospects for consultation

The Town has had limited resources to undertake another large public consultation exercise at this time and the fact that the Commission as decision-maker and the Rowe Group as advisor are not receptive to such has caused this report back to

Council. In addition, the Town of Mosman Park is supportive of the proposal and is satisfied to follow the normal process.

This is not to say that the Town cannot engage widely with the community and other stakeholders as part of the formal Amendment advertising, which in a number of ways would be advantageous because it would:

- avoid wasting the time and resources of all concerned if the Commission does not initiate an Amendment;
- be based on a concrete rather than hypothetical proposal, as the Commission is yet to determine the content of the proposed Amendment;
- avoid confusing and overloading the public; who might make preliminary comments but not formal submissions, which are those to be officially taken into account;
- require the Commission to consider the engagement and submissions forming part of the statutory process (as it is not obliged to consider or agree to informal consultation);
- guarantee that all stakeholders would participate, affording contact with key agencies and representatives;
- be a consensual collaboration rather than possibly seen as adversarial;
- be better placed to influence options and outcomes; and
- be more resource and cost-effective for the Town – were the Town to independently seek services from planning/engagement consultants the cost may affect the Budget.

Previous comments

The previous report addressed a number of aspects to comment upon at this juncture, which are reflected in the following recommendation (as previously tentatively amended by Council):

THAT Council:

Note the report from Rowe Group on behalf of the Western Australian Planning Commission on the prospective Metropolitan Region Scheme Amendment for the McCall Centre urban precinct.

Provide preliminary comment to the Commission as follows:

Extent of regional rezoning

In accordance with the “urban precinct” concept espoused, the Beehive Montessori School site should be excluded for the purposes of rezoning and structure planning; for comprehensive planning and because the Metropolitan Region Scheme accommodates primary and high schools in the Urban zone.

Local rezonings

Clarification is required as to whether the local governments are being asked to amend their local planning schemes or whether that is to be caused automatically under Section 126(3) of the Planning and Development Act 2005 as referred to. More consideration may need to be given to the nature of the local rezonings, for coordination and compatibility of the urban precinct involving two local

government areas. Under Local Planning Scheme No. 3 a Development Zone appears suitable in-principle, subject to further consideration.

Structure planning

This will need to address the urban precinct being defined by the rezonings, including its relationship with the surrounding transport corridors and the coastal location and environment.

Land uses

More information should be included in the report regarding the options and suitability of potential land uses. Community, recreation and tourism uses should be considered, as well as sustainable development. Integration with the Beehive Montessori School is an opportunity.

Curtin Avenue

More information should be included in the report regarding the history, options and implications of planning for this regional road route.

Heritage

The McCall Centre is contained in the Town's Heritage List under its Scheme, which the report does not mention. Heritage conservation and adaptation will be important factors in the future use of the property.

Terminology

The report needs to refer correctly to Local rather than Town Planning Scheme and LPS rather than TPS.

These observations remain valid and embody protection of the Beehive Montessori School site.

CONCLUSION

All things considered, Council would be prudent to now provide its preliminary comments to the Commission, including emphasising its commitment to future consultation, so that the Commission is made aware of Council's views when decided upon initiating the proposed Amendment and its content. It is important that Council does not miss out on providing its comments prior to the Commission deliberating upon the proposed Amendment.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Rodda, seconded Cr Angers

THAT Council:

1. Note the report from Rowe Group on behalf of the Western Australian Planning Commission on the prospective Metropolitan Region Scheme Amendment for the McCall Centre urban precinct.

2. Provide the following preliminary comments for the Commission to take into account at this point:

Extent of regional rezoning

In accordance with the “urban precinct” concept espoused, the Beehive Montessori School site should be excluded for the purposes of rezoning and structure planning; for comprehensive planning and because the Metropolitan Region Scheme accommodates primary and high schools in the Urban zone.

Local rezonings

Clarification is required as to whether the local governments are being asked to amend their local planning schemes or whether that is to be caused automatically under Section 126(3) of the Planning and Development Act 2005 as referred to. More consideration may need to be given to the nature of the local rezonings, for coordination and compatibility of the urban precinct involving two local government areas. Under Local Planning Scheme No. 3 a Development Zone appears suitable in-principle, subject to further consideration.

Structure planning

This will need to address the urban precinct being defined by the rezonings, including its relationship with the surrounding transport corridors and the coastal location and environment.

Land uses

More information should be included in the report regarding the options and suitability of potential land uses. Community, recreation and tourism uses should be considered, as well as sustainable development. Integration with the Beehive Montessori School is an opportunity.

Curtin Avenue

More information should be included in the report regarding the history, options and implications of planning for this regional road route.

Heritage

The McCall Centre is contained in the Town’s Heritage List under its Scheme, which the report does not mention. Heritage conservation and adaptation will be important factors in the future use of the property.

Terminology

The report needs to refer correctly to Local rather than Town Planning Scheme and LPS rather than TPS.

Consultation

Council advocates that if the proposed Amendment is initiated it undergo wide public consultation and engagement, including a community workshop involving the Towns of Cottesloe and Mosman Park together with representatives of the Commission, LandCorp, Rowe Group, Beehive Montessori School, McCall Centre tenants, Mr Greg Dodds the proponent of a Regional Park through this area, and the residents/ratepayers of the two Towns especially those in the locality.

AMENDMENT

Moved Cr Thomas, seconded Cr Pyvis

That an additional point be added that reads “That part of the Town’s submission to the Western Australian Planning Commission include relevant information forwarded to Elected Members, via email today, from the Friends of Mosman Park Bushland.”

Lost 3/6

For Crs Boulter, Pyvis & Thomas

Against: Mayor Dawkins, Crs Angers, Burke, Rodda, Birnbrauer & Downes

The Manager Corporate & Community Services left the meeting at 7:30 PM

The Manager Corporate & Community Services returned to the meeting at 7:36 PM

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

THAT Council:

1. Note the report from Rowe Group on behalf of the Western Australian Planning Commission on the prospective Metropolitan Region Scheme Amendment for the McCall Centre urban precinct.
2. Provide the following preliminary comments for the Commission to take into account at this point:

Extent of regional rezoning

In accordance with the “urban precinct” concept espoused, the Beehive Montessori School site should be excluded for the purposes of rezoning and structure planning; for comprehensive planning and because the Metropolitan Region Scheme accommodates primary and high schools in the Urban zone.

Local rezonings

Clarification is required as to whether the local governments are being asked to amend their local planning schemes or whether that is to be caused automatically under Section 126(3) of the Planning and Development Act 2005 as referred to. More consideration may need to be given to the nature of the local rezonings, for coordination and compatibility of the urban precinct involving two local government areas. Under Local Planning Scheme No. 3 a Development Zone appears suitable in-principle, subject to further consideration.

Structure planning

This will need to address the urban precinct being defined by the rezonings, including its relationship with the surrounding transport corridors and the coastal location and environment.

Land uses

More information should be included in the report regarding the options and suitability of potential land uses. Community, recreation and tourism

uses should be considered, as well as sustainable development. Integration with the Beehive Montessori School is an opportunity.

Curtin Avenue

More information should be included in the report regarding the history, options and implications of planning for this regional road route.

Heritage

The McCall Centre is contained in the Town's Heritage List under its Scheme, which the report does not mention. Heritage conservation and adaptation will be important factors in the future use of the property.

Terminology

The report needs to refer correctly to Local rather than Town Planning Scheme and LPS rather than TPS.

Consultation

Council advocates that if the proposed Amendment is initiated it undergo wide public consultation and engagement, including a community workshop involving the Towns of Cottesloe and Mosman Park together with representatives of the Commission, LandCorp, Rowe Group, Beehive Montessori School, McCall Centre tenants, Mr Greg Dodds the proponent of a Regional Park through this area, and the residents/ratepayers of the two Towns especially those in the locality.

THE SUBSTANTIVE MOTION WAS PUT

Carried 5/4

**For: Mayor Dawkins, Crs Angers, Burke, Rodda & Birnbrauer
Against: Crs Boulter, Thomas, Downes & Pyvis**

10.1.3 CONSIDERATION OF NOTIFICATION METHOD FOR DEMOLITIONS

File Ref: SUB/1617
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

Council on 25 October 2016 considered a Councillor motion entitled *Demolition and the Wellbeing, Health and Safety of Cottesloe Residents and Visitors*.

Council passed a procedural motion as follows: *That the item be deferred pending preparation of an Officer Report and Officer Recommendation on the issues presented*. This report addresses the matter for Council consideration.

BACKGROUND

The Councillor motion was as follows:

1. *That the Town of Cottesloe administration notify in a timely way, or cause to be notified in a timely way (not less than 2 weeks), of any impending demolition of any building or structure in the Town of Cottesloe to all and any neighbour likely to be affected by pollution from the demolition, including from noise or dust.*
2. *That a standard condition be included in the Town of Cottesloe standard planning and building conditions to achieve the purpose of point one above, and a standard advice note to the point that any failure to so notify will be considered a significant compliance breach by the Town of Cottesloe.*
3. *That Council's Consultation and Communication Policies be amended to include notifications as identified above.*
4. *That the Town of Cottesloe administration make a note to include in the next revision/iteration of the Town of Cottesloe Strategic Plan under Priority Area 1, a new 1.11 to minimise any adverse health impacts on Town of Cottesloe residents and visitors from works in the Town of Cottesloe by fostering timely effective communication and consultation about such works, for consideration by the community in the consultation period.*

The Councillor rationale was as follows:

1. *To foster the objectives of the Town of Cottesloe Strategic Plan Priority One Area of protecting and enhancing the wellbeing of residents.*
 2. *To protect the wellbeing, health and safety of residents and visitors to the Town of Cottesloe from any health or safety risks posed by the demolition of a*
-

building or structure by giving them adequate notice to prepare against any potential impacts from demolition of a building or structure.

The Officer advice was as follows:

The incidence of enquiries or complaints about demolitions tends to be low. Neighbours are usually aware of intended demolition, either from the owner of the property from discussing it with them or via liaison with the Town on the redevelopment proposal.

The Town issues demolition permits to contractors, who perform the work when they are ready to, which is often soon thereafter, but may be some time later as permits are valid for up to two years. Notification of neighbours is not a legislative requirement or standard condition. Contractors may undertake to notify neighbours, based on the timing or type of works, or if required to by other legislation.

One approach is that the Town could send early warning letters to neighbours advising of demolition permit applications, whereby the works can be anticipated in due course, and providing the property owner and contractor contact details. Sending letters upon issuing a permit may provide insufficient notice, as works can start the day after a permit is issued.

Alternatively, or as well, the Town could adopt conditioning permits (or supplementing them – below refers) to the effect that contractors notify neighbours ahead of the works, including providing the owner and contractor contact details.

The conditions or supplementary advice for permits would require or request a sign on site and advance notice to all neighbours. To assist, the Town could provide a standard notification letter, including the neighbour contact details. Whilst two weeks notice would be preferable, one week would seem more realistic and still reasonable, as property owners and contractors are usually keen to commence. This approach would satisfy the thrust of the motion in points one and two above.

Note that whilst the Town is empowered to impose conditions on permits, the Building Commission has advised that they should relate to the particular demolition work rather than to work of a general kind. Hence some objection to this measure is likely and it may be difficult to enforce. Also, there is a right of appeal to the State Administrative Tribunal against conditions, although it would be quicker for contractors to simply comply.

Given that conditions on permits in this respect may be questionable and are appealable, instead a supplementary letter could accompany permits promoting the “best practice” of signs and notifications as outlined above.

Further, it is considered that the appropriate place to enshrine this procedure would be as part of the Building Department’s standard practices, rather than within Council’s Communication Policy or Community Consultation Policy which deal with broader proposals that are under consideration, not the operation of approvals. Therefore, points three and four of the motion would be better left out.

STRATEGIC IMPLICATIONS

Connects with broad strategic outlook at the level of detailed administration.

POLICY IMPLICATIONS

Relates to administrative practice rather than to high level policy.

STATUTORY ENVIRONMENT

Building Act 2011

Building Regulations 2012

FINANCIAL IMPLICATIONS

A compliance action approach would generate legal costs.

STAFFING IMPLICATIONS

A notification method would generate additional work tasks.

A compliance-driven approach would consume staff resources.

SUSTAINABILITY IMPLICATIONS

Connects with sustaining environmental health standards.

CONSULTATION

Consideration of this operational matter does not necessitate consultation.

FURTHER OFFICER COMMENT

Having regard to some recent concerns expressed, the suggestions in the Councillor motion and the aspects scoped in the Officer comment above, the following further advice on this matter is provided.

Legislation already exists controlling noise, dust, asbestos, etc environmental health and safety requirements, to address any impacts arising via those regulations. In view of that and the abovementioned factors identified by the Building Commission, for demolition notifications a compliance-driven approach would have limited effectiveness.

Instead, the upfront communication approach advocated would serve the purpose of improving awareness of impending demolitions and afford residents sufficient time to prepare, without unduly complicating or extending the permit process.

A fairly simple demolition notification system could be introduced, on the understanding that it is not a consultation process for submissions or objections, ie it would not prevent demolition permits or works.

This would be an administrative measure and does not require any particular policy framework.

Upon a demolition application being received, advance notification to nearby properties could be issued by the Town, together with placing a sign(s) on site; then notification by the contractor could occur one week ahead of the works. These

temporary signs would be simple, low cost and reusable (such as foam board on a wooden stake).

This method would not rely on a condition/advice note on demolition permits, as that would mean delaying carrying-out works. However, the notification practice could be flagged by an advice note in any prior planning approval. It could also be conveyed via the Town's website.

Whilst minor demolition of small buildings or structures is exempt from a demolition permit, the nature of those demolition works is usually not problematic.

In conclusion, it is considered that the best way forward would be as recommended below.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Boulter, seconded Cr Downes

THAT Council request the Administration to introduce and manage a notification system for demolitions as follows:

1. Upon receipt of a demolition permit application the Town shall write to nearby owners and occupiers notifying them of the application, the likely timing of demolition and the contractor's details, so that they can prepare for it;
2. Upon sending the notification letters the Town shall install or require to be installed a sign(s) on site notifying the public of the same;
3. Upon undertaking steps one and two above the Town shall write to the demolition contractor advising of those actions and requiring the contractor to send or deliver follow-up notification letters to those persons at least one week before the demolition works;
4. Planning approvals involving demolition shall include a standard advice note as to the demolition notification system; and
5. The Town's website shall include guidance as to the demolition notification system.

AMENDMENT

Moved Cr Pyvis, seconded Cr Thomas

That an additional point be added that reads "That Council's Consultation and Communication Policies be amended to include notifications as identified above."

Lost 3/6

For: Crs Boulter, Thomas & Pyvis

Against: Mayor Dawkins, Crs Angers, Burke, Rodda, Birnbrauer & Downes

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

THAT Council request the Administration to introduce and manage a notification system for demolitions as follows:

- 1. Upon receipt of a demolition permit application the Town shall write to nearby owners and occupiers notifying them of the application, the likely timing of demolition and the contractor's details, so that they can prepare for it;**
- 2. Upon sending the notification letters the Town shall install or require to be installed a sign(s) on site notifying the public of the same;**
- 3. Upon undertaking steps one and two above the Town shall write to the demolition contractor advising of those actions and requiring the contractor to send or deliver follow-up notification letters to those persons at least one week before the demolition works;**
- 4. Planning approvals involving demolition shall include a standard advice note as to the demolition notification system; and**
- 5. The Town's website shall include guidance as to the demolition notification system.**

THE SUBSTANTIVE MOTION WAS PUT

Carried 9/0

10.1.4 PLANNING APPLICATIONS DETERMINED UNDER DELEGATION

File Ref: SUB/2040
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

This report provides details of the planning applications determined by officers acting under delegation, for the month of November 2016.

BACKGROUND

Pursuant to Local Planning Scheme No. 3, Council has delegated its power to determine certain planning applications to the Chief Executive Officer and the Manager Development Services (or the Senior Planning Officer acting in his stead). This provides efficiency in processing applications, which occurs on a continual basis.

Following interest expressed from within Council, this report serves as a running record of those applications determined during each month.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

- *Planning & Development Act 2005*
- *Local Planning Scheme No. 3*
- *Metropolitan Region Scheme*

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

During November 2016 the following planning applications were approved under delegation:

Address	Description	Date Determined
66 Grant Street	Pool Pump Housing	1 November 2016
215 Curtin Avenue	Single-storey dwelling	1 November 2016
11 Kiln Lane	Amendment to approval	2 November 2016
10 Hawkstone Street	Two-storey dwelling	3 November 2016
1/103 Broome Street	Amendment to approval	4 November 2016
331 Marmion Street	Patio	4 November 2016
7 Athelstan Road	Amendment to approval	4 November 2016
56 Railway Street	Subdivision clearance	4 November 2016
1A Geraldine Street	Amendment to approval	7 November 2016
236-240 Marine Parade	Subdivision clearance	9 November 2016
4 Deane Street	Balcony/verandah	9 November 2016
10 Kiln Lane	Two-storey dwelling	9 November 2016
48 Forrest Street	Pool pavilion and plant room	14 November 2016
7 Deane Street	Fence	14 November 2016
16 Edward Street	Carport	15 November 2016
30 Griver Street	Additions/alterations	18 November 2016
48 Brighton Street	Additions/alterations	22 November 2016
64 Hawkstone Street	Additions/alterations	22 November 2016
10 Eric Street	Two-storey dwelling	23 November 2016
12 Lillian Street	Two-storey dwelling	23 November 2016

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council receive this report on the planning applications determined under delegation for the month of November 2016.

Carried 9/0

ADMINISTRATION**10.1.5 COUNCIL MEETING DATES 2017**

File Ref: SUB/2198
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Mat Humfrey
Chief Executive Officer
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

A resolution of Council is required to set the date, time and location of the 2017 Ordinary Council Meetings.

BACKGROUND

The *Local Government Act 1995* requires local governments to give local public notice of the dates, time and location of the Ordinary Council Meetings, for the following 12 months.

STRATEGIC IMPLICATIONS

Priority Area 6 Providing Open and Accountable Local Governance
Major Strategy 6.2 Continue to deliver high quality governance, administration, resources management and professional development.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

12. MEETINGS, PUBLIC NOTICE OF (ACT S. 5.25(1)(G))

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The 2017 Town of Cottesloe Ordinary Council Meeting and Agenda Forum dates will be advertised in the Post newspaper and the Western Suburbs Weekly. A public notice will be placed on the Town's noticeboards and the Town's website.

STAFF COMMENT

The 2017 Local Government Elections are scheduled for Saturday 21 October. It is proposed that an Agenda Forum be held on the fourth Tuesday of the month, Tuesday 24 October 2017, and the Ordinary Council Meeting, at which newly Elected Members will be sworn in and delegates to Committee and Working Groups resolved, be held on the fifth Tuesday of the month, Tuesday 31 October 2017.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council adopt the following meeting dates for 2017 and:

- 1. Observe a recess in January 2017, with no ordinary meeting of Council;**
- 2. Advertise the Ordinary Council Meeting dates for 2017 as generally the fourth Tuesday in the month commencing at 7:00 PM;**

January	No meeting
February	Tuesday 28
March	Tuesday 28
April	Tuesday 25
May	Tuesday 23
June	Tuesday 27
July	Tuesday 25
August	Tuesday 22
September	Tuesday 26
October	Tuesday 31
November	Tuesday 28
December	Tuesday 12

- 3. Advertise the Agenda Forum dates for 2017 as being held on generally the third Tuesday of each month, commencing at 6:00 PM.**

January	No meeting
February	Tuesday 21
March	Tuesday 21
April	Tuesday 18
May	Tuesday 16
June	Tuesday 20
July	Tuesday 18
August	Tuesday 15

September Tuesday 19
October Tuesday 24
November Tuesday 21
December Tuesday 05

Carried 9/0

10.1.6 REVIEW OF PARKING REQUIREMENTS – JOHN STREET, OVERTON GARDENS AND COTTESLOE BEACH FORESHORE

File Ref: SUB/487; SUB/466
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Garry Bird
Manager Corporate & Community Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest Nil

SUMMARY

To consider proposed amendments to the parking requirements for John Street, Overton Gardens and the Cottesloe Beach Foreshore.

BACKGROUND**John Street and Overton Gardens**

Due to the heavy influx of visitors to the beachside area, both John Street and Overton Gardens were made permit zones to ensure residents are able to park their vehicle close to the property.

Town of Cottesloe Rangers have received regular feedback from residents using John Street and Overton Gardens that the existing signage is confusing for both residents and visitors and have recommended relatively minor amendment to parking restrictions imposed by Council.

In summary the suggested changes are;

- **John Street**
Remove the no parking restriction from 4pm on Sunday to 7am on Monday, meaning that a two hour parking limit applies at all times to all vehicles other than those with a valid permit.
- **Overton Gardens**
Remove the no parking restriction from 5pm on Thursday to 9am on Monday and the one hour parking restriction at other times, meaning that Overton Gardens is a permit only parking area.

These changes would be represented by the changes to signage as follows overleaf;

John Street

Existing Signage



Recommended Signage



Overton Gardens

Existing Signage



Recommended Signage



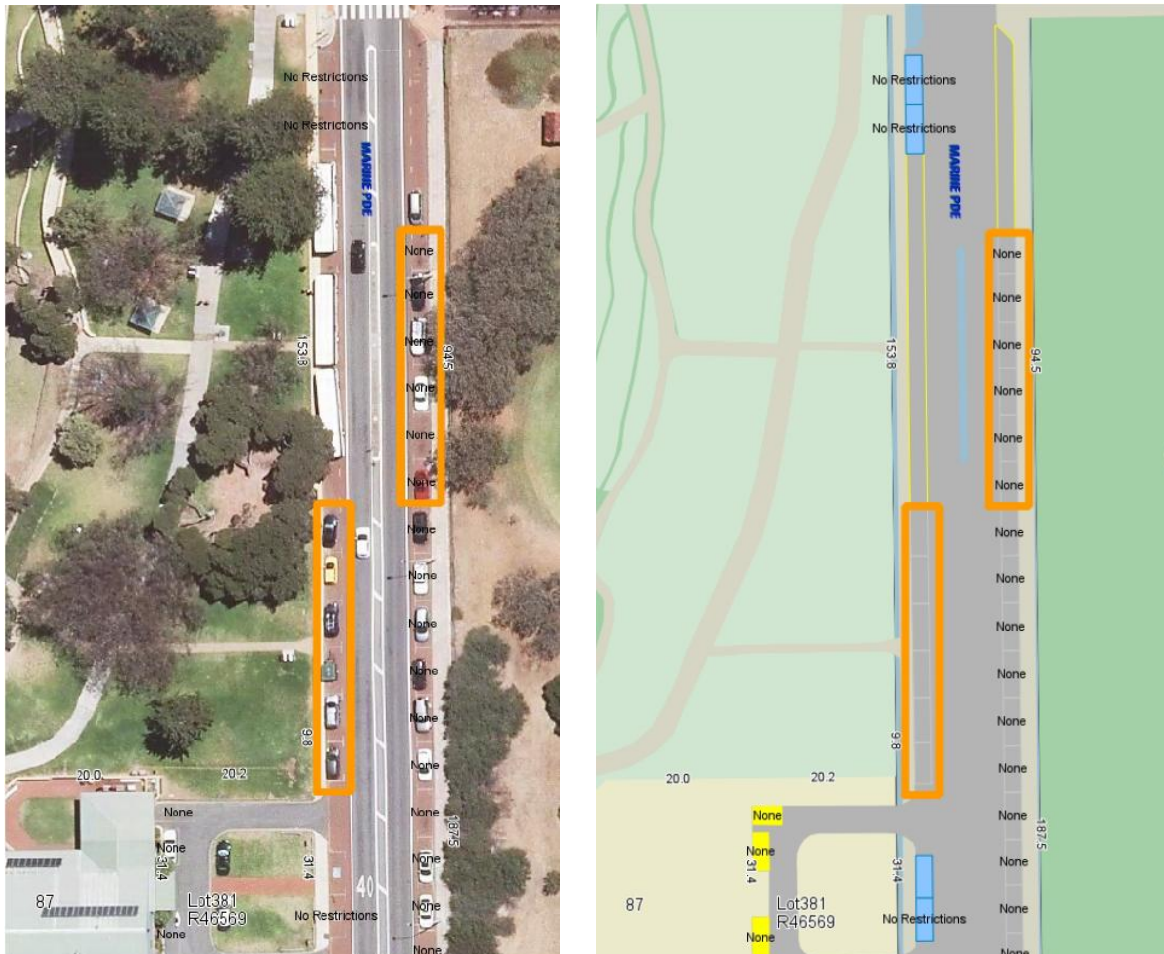
Cottesloe Beach Foreshore

In regards to the Cottesloe Beach foreshore parking arrangements, Council has received several suggestions in recent months that there should be a drop off zone to allow motorists (predominantly parents) to drop passengers off close to the beach. At present no such facility is available.

Staff have inspected the foreshore area and recommend the removal of twelve parking bays in total from Marine Parade, immediately south of the Forrest Street intersection. It is proposed that six bays would be removed from both sides of Marine

Parade to cater for motorists coming from both directions. This would allow for three to four cars at a time to enter the drop off zone and depart relatively easily.

The below map outlines the location of the proposed drop off zones.



It is anticipated that there would be some minor improvements to traffic congestion in the vicinity of the beach as currently motorists stop in an ad hoc manner in several locations whilst passengers exit the vehicle and collect their bags, beach equipment etc. A similar situation exists when picking people up from the beach.

This situation also creates additional pedestrian traffic crossing Marine Parade and given the large number of vehicles who pass through the foreshore area, creates a potentially unsafe environment.

STRATEGIC IMPLICATIONS

Priority Area 3 Enhancing Beach Access and the Foreshore
 Major Strategy 3.2 Continue to improve access to beach facilities.

The proposal to create a drop off zone at the Cottesloe Beach foreshore would be in keeping with this strategic objective.

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Town of Cottesloe Parking and Parking Facilities Local Law 2009

The *Town of Cottesloe Parking and Parking Facilities Local Law 2009* Section 3.1 allows the Town of Cottesloe to determine and vary parking arrangements by a resolution of Council.

FINANCIAL IMPLICATIONS

It is expected that there would be a small drop off in total parking revenue as a result of the recommended changes.

STAFFING IMPLICATIONS

There are no major staffing implications arising from the Officer Recommendation.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications arising from the Officer Recommendation.

CONSULTATION

Council Staff

John Street Café

Town of Cottesloe Briefing Forum 1 November 2016

STAFF COMMENT

Staff are of the view that the recommended changes to John Street and Overton Gardens will improve clarity round parking arrangements on these two streets and allow a greater level of compliance.

A drop off area at Cottesloe Beach foreshore has benefits for both motorists and pedestrians in the vicinity of the foreshore.

It is noted that the recommended drop off area is outside of the scope of the current Draft Foreshore Concept Plan however this area could be reviewed in the future if there was found to be in conflict with any foreshore works.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Thomas, seconded Cr Burke

THAT Council:

1. Remove the no parking restriction from 4pm on Sunday to 7am on Monday on John Street, meaning that a two hour parking limit applies at all times to all vehicles other than those with a valid permit and change the signage accordingly.

2. Remove the no parking restriction from 5pm on Thursday to 9am on Monday on Overton Gardens and the one hour parking restriction at other times, meaning that Overton Gardens is a permit only parking area and change the signage accordingly.
3. Endorse the plan to remove twelve parking bays on Marine Parade to create a drop off zone for motorists as per the map contained within this report.
4. Notify all residents in writing of the changes to parking arrangements on John Street and Overton Gardens which are to take effect from 1 February 2017.

AMENDMENT

Moved Mayor Dawkins, seconded Cr Boulter

That the word “twelve” be removed from point three (3) and replaced with the word “six”.

That the words “three on each side” be added after the word “parking bays” and before the words “on Marine Parade” in point three (3).

Carried 9/0

COUNCIL RESOLUTION

THAT Council:

1. **Remove the no parking restriction from 4pm on Sunday to 7am on Monday on John Street, meaning that a two hour parking limit applies at all times to all vehicles other than those with a valid permit and change the signage accordingly.**
2. **Remove the no parking restriction from 5pm on Thursday to 9am on Monday on Overton Gardens and the one hour parking restriction at other times, meaning that Overton Gardens is a permit only parking area and change the signage accordingly.**
3. **Endorse the plan to remove six parking bays, three on each side, on Marine Parade to create a drop off zone for motorists as per the map contained within this report.**
4. **Notify all residents in writing of the changes to parking arrangements on John Street and Overton Gardens which are to take effect from 1 February 2017.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 9/0

10.1.7 PERTH INTERNATIONAL ARTS FESTIVAL 2017 – MUSEUM OF WATER

File Ref: SUB/2091
Attachments: [Application Form](#)
[Location Map](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Garry Bird
Manager Corporate & Community Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

An application has been received from the Perth International Arts Festival to hold the Museum of Water event at Cottesloe Beach. The applicant is seeking approval to hold an event at Cottesloe Beach on Saturday 18 February 2017 and Sunday 19 February 2017 in conjunction with the annual Arts Festival.

BACKGROUND

Perth International Arts Festival is seeking permission to host the Museum of Water, a statewide event which will eventually be housed in the Western Australian Museum collection in 2020. The organiser wants to commence the 2017 collection at Cottesloe Beach before moving to Central Park in the Perth Central Business District, the Reflection Pond at the University of Western Australia and into the South West in Albany's museum precinct.

This is a free community event, open to anyone. Cottesloe has been identified as the first location for the Museum of Water due to its broad audience reach of local community, families, and travelers young and old. Cottesloe Beach provides the chance to activate the space in a meaningful way for visitors to engage in a dialogue about how they feel about water and what water is precious to them, as well as a chance for the Council to be part of a statewide event.

The Museum of Water will chart Western Australian water stories, both the shape of the water molecules itself, to the water management across the State and the rights of access to water.

The Museum of Water involves five components at Cottesloe Beach. This includes;

- a mobile exhibition in a custom fitted trailer,
- a water bar serving a glass of fresh water,
- a collection hub and one-on-one conversation with a custodian for those who wish to donate water, and
- a series of small public events including a Swimmers Manifesto, Stories on Water with a Noognar Elder, and a guided wave reading experience with local surfers.

A description of the activities is included in the application form attached.

STRATEGIC IMPLICATIONS

There are no strategic implications arising from the Officer Recommendation.

POLICY IMPLICATIONS

Beach Policy – This event is in compliance with the Town of Cottesloe’s Beach Policy.

Event Classification Policy – The event meets the assessment criteria of a charitable event as outlined in the policy as it satisfies the criteria of “promoting awareness of a significant community or health issue”.

STATUTORY ENVIRONMENT

Local Government Act 1995

Beaches and Beach Reserves Local Law 2012 has provision for the maintenance and management of beaches and beach reserves.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the Officer Recommendation and no fees will be charged as it is classified as a charitable event

STAFFING IMPLICATIONS

There are no staffing implications arising from the Officer Recommendation.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications arising from the Officer Recommendation.

CONSULTATION

Town of Cottesloe Staff

As this item was received just prior to inclusion in the agenda, consultation with Indiana and the Cottesloe Surf Life Saving Club has not yet commenced. It is recommended that this be a condition of any approval issued.

STAFF COMMENT

The proposed location is north of the Cottesloe Surf Life Saving Club undercroft. Two marquees would be set up and the mobile exhibition trailer would be parked beneath. A map of the proposed location is attached. It is recommended that the path is to be kept clear as a condition of approval.

Organisers anticipate up to 1000 participants over the 2 days. Some activities require prior registration to participate and others will be open to members of the public who pass by.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council approve the application from Perth International Arts Festival for the Museum of Water at Cottesloe Beach on Saturday 18 February 2017 and Sunday 19 February 2017, from 6.00am to 8.00pm, subject to the following conditions:

1. Class this event as a “Charitable Event” and charge no fee.
2. Adequate arrangements for rubbish removal and collection, including the provision for recycling.
3. The event complies with the *Environmental Protection (Noise) Regulations 1997*.
4. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
5. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, provided prior to the event.
6. The event complies with the Town’s *Beaches and Beach Reserves Local Law 2012*.
7. No balloons to be used during the event.
8. Consultation with Indiana and Cottesloe Surf Life Saving Club to occur prior to the event.
9. Path to be kept clear to allow for pedestrian access.

Carried 9/0

10.1.8 NORTH COTTESLOE SPLASH N DASH

File Ref: SUB/291
Attachments: [Event Application](#)
[Letter from North Cottesloe Primary School P&C Association](#)
[Maps of Run and Swim Courses](#)
[Letter of Support from North Cottesloe Surf Club](#)
[Event Operations Plan](#)

Responsible Officer: **Mat Humfrey**
Chief Executive Officer

Author: **Garry Bird**
Manager Corporate & Community Services

Proposed Meeting Date: **12 December 2016**

Author Disclosure of Interest: **Nil**

SUMMARY

An application has been received from North Cottesloe Primary School Parents and Citizens Association (Inc) seeking approval to host the first North Cottesloe Splash N Dash event at North Cottesloe Beachfront from 5.30am to 11.00am on Saturday 1 April 2017.

BACKGROUND

The North Cottesloe Splash N Dash is an Aquathon community family event which is similar in format to a mini triathlon, minus the cycling component. The event is open to children and adults, and includes a swim from North Cottesloe Beach in a northerly direction with a returning soft sand run. There will be no use of shared paths or roads in terms of the course location as the event is confined to the beach.

Members of the local community will be invited to participate in the event, although it is expected that the bulk of participants will be derived from the students and parents of North Cottesloe Primary School. Organisers are expecting between 100 and 300 participants to take part in the event.

The event consists of four sections –

- Race 1: 50m swim and 500m run
- Race 2: 150m swim and 750m run
- Race 3: Kiddies event: 10m wade and small run up the beach – aimed at children aged 5 to 7 years, accompanied by their parents.
- Race 4: 1km swim and 1km run

The event is being coordinated by the North Cottesloe Splash N Dash Organising Committee, made up of members of the school's Parents and Citizens Association and the School Board. The primary function of the committee is to run a successful and engaging family event for the local community, whilst raising funds for North Cottesloe Primary School Parents and Citizens Association projects.

Some of the key school infrastructure projects the Parents and Citizens Associations hope will benefit from funds raised at the event, are the improvement of the school's

outdoor play spaces by installing nature based playground equipment, and refurbishment of the school's undercover area to make it a more versatile and useable space for students and staff.

The Organising Committee has been consulting with Triathlon Western Australia for advice in the planning stage of their event.

The event beach set up will occur on the morning of the event and will be packed down on the same day. It is anticipated that the competition component will commence at approximately 7.00am and conclude at approximately 10.00am.

North Cottesloe Surf Life Saving Club has been engaged by the school to undertake water safety at the event. A letter of support indicating this has been provided. Surf Club volunteers will be supported on land in terms of first aid by St John's Ambulance Event Services.

A comprehensive Risk Assessment Plan and Event Operational Plan have been provided. A Public Liability Insurance Certificate to cover the event has been provided by the event organisers.

Organisers envisage that street parking in the vicinity, particularly on Grant Street will be utilised. Organisers will notify local residents living in the vicinity that the event is taking place.

Additional bins to cater for the participants and event volunteers will be provided by the organisers.

STRATEGIC IMPLICATIONS

There are no strategic implications arising from the Officer Recommendation.

POLICY IMPLICATIONS

Beach Policy – This event is in compliance with the Town of Cottesloe's Beach Policy.

Event Classification Policy – This event meets the criteria to be classified as a "Charitable Event" under the Event Classification Policy.

STATUTORY ENVIRONMENT

Local Government Act 1995.

Beaches and Beach Reserves Local Law 2012 has provisions for maintenance and management of beaches and beach reserves

FINANCIAL IMPLICATIONS

If Council were to charge fees for use of North Cottesloe Beach this would include \$500 (excluding GST) for hire fees and \$1,000 bond.

As this event is primarily a fundraiser for North Cottesloe Primary School Parents and Citizens Association, this event meets the criteria to be classified as a "Charitable"

event under the Event Classification Policy. Therefore, Council has the ability to waive the fee in support of this family orientated community event.

STAFFING IMPLICATIONS

There are no staffing implications arising from the Officer Recommendation.

SUSTAINABILITY IMPLICATIONS

Adequate arrangements are made for rubbish collection and removal, including the provision for recycling.

CONSULTATION

A letter of support for the event has been provided by North Cottesloe Surf Life Saving Club indicating the Club will provide water safety at the event.

STAFF COMMENT

Staff have reviewed the application and are satisfied with the following information that has been provided:

- North Cottesloe Surf Life Saving Club will provide water safety for the event, with additional first aid services provided by St John's Ambulance Event Services.
- A Risk Management Plan has been provided for the event.
- An Event Operational Plan has been provided for the event.
- A Public Liability Insurance Certificate has been provided to cover the event.

Of note, the applicant is a local community organisation who have planned a family orientated event with a purpose to engage the local community and raise funds for their organisation, namely the North Cottesloe Primary School Parents and Citizens Association.

Based on these factors, the officer recommendation is to approve the application.

As this event is primarily a fundraiser for North Cottesloe Primary School Parents and Citizens Association, this event meets the criteria to be classified as a "Charitable" event under the Event Classification Policy. The officer recommendation is to classify this event as "Charitable" and charge no fees.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council approve the application to hold the North Cottesloe Splash N Dash event at North Cottesloe Beachfront on Saturday 1 April 2017 from 5.30am to 11.00am, subject to the following conditions:

- 1. Adequate arrangements for rubbish removal and collection, including the provision for recycling.**

2. All signage to be approved by the Chief Executive Officer one month prior to the event.
3. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, provided prior to the event.
4. Class this event as a “Charitable” event and charge no fee.
5. The event complies with the *Environmental Protection (Noise) Regulations 1997*.
6. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
7. The event complies with the Town’s *Beaches and Beach Reserves Local Law 2012*.
8. The event complies with relevant sections of the Town’s *Beach Policy*.
9. No balloons to be used during the event.
10. Earth Carers ‘H2O to Go’ Water Station facilities are investigated for use at the event.

Carried 9/0

10.1.9 WATERWISE VERGE REBATE SCHEME

File Ref: SUB/2312
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Melissa Rachan
Sustainability Officer
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

This report recommends that Council trial a waterwise verge rebate scheme, made available to residents in 2017.

BACKGROUND

At its June 2016 meeting Council made the following resolution:

1. *That Council initiative an Adopt a Verge Incentive Program to encourage residents to convert their verge to native, water-wise gardens.*
2. *That the program offers a \$500 grant to residents on satisfactory completion of their project.*

Community water consumption in Cottesloe is dominated by the residential sphere, amounting to 1,006,029 kilolitres in 2015. As such, efforts to encourage water conservation should be targeted at households.

With large grassed verges forming a dominant feature of Cottesloe's streetscapes, there is much scope to influence water use behaviours by incentivising sustainable verge management practices.

Historically, Council has promoted water conservation through various community initiatives such as its 'Think Water' campaign, 'Safeguarding our Water Supplies' forum, native garden workshops as well the annual Native Plant Subsidy Scheme. The success of these initiatives indicates that a waterwise verge rebate scheme is likely to be well received by the community at large.

STRATEGIC IMPLICATIONSStrategic Community Plan 2013 to 2023

Council's mission: *To preserve and improve Cottesloe's natural environment.*

Natural Areas Management Plan, Addendum 1

Local Context, 3.1.5: *Verge plantings undertaken by residents through the Native Plant Subsidy Scheme forms a positive step towards improving biodiversity and amenity value of the areas leading to or adjacent to natural areas.*

POLICY IMPLICATIONSResidential Verges and Street Trees

The initiative's guidelines will be developed in accordance with the Town's Residential Verges and Street Trees Policy.

Additionally, both Policies promote the use of indigenous vegetation, providing further support to the proposed initiative.

Human Enhanced Climate Change

Section 4.12, Adaptation Actions: *The Town will work with the community to increase understanding of climate change impacts, and to develop strategies that will help adapt to these.*

Perth's drying climate, coupled with a decreasing trend in rainfall, places pressure on the limited water resources available. The effects of climate change, in conjunction with a growing population, will result in further depletion of water availability. As such, the proposed initiative seeks to enhance the community's adaptive capacity by reducing its reliance on scheme water.

STATUTORY ENVIRONMENT

The road reserve area comes under the control of the Town of Cottesloe, however, owners and occupiers are encouraged to maintain street verges in accordance with the Town's Residential Verges Policy.

Furthermore, all verge treatments must be carried out in accordance with Council's Local Law, 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places'.

FINANCIAL IMPLICATIONS

Resource requirements will be funded from existing budgetary allocations.

The Town currently receives approximately 15 waterwise native verge treatment applications annually, with works undertaken at the expense of the applicant. If the maximum rebate amount was awarded in line with the annual figure, this would amount to Council spending \$7,500.

However, it is anticipated that the number of applications may increase with the introduction of a rebate; therefore, it is recommended that a maximum budget of \$15,000 is set aside for the initiative. This amount will be added to the Road Maintenance budget as part of the January Budget Review.

STAFFING IMPLICATIONS

The operation of the proposed scheme aims to integrate with existing processes, however, additional staff time will be required to implement the initiative by way of promotion and advertising, processing applications, and ensuring compliance.

SUSTAINABILITY IMPLICATIONS

On average, 40% of household water is attributed to outdoor use. Turf grass is one of the most water intensive plants, commonly used as a verge treatment.

Presently, Cottesloe's streetscapes are dominated by large grassed verges; therefore, the proposed initiative is an effective approach to targeting residential water reduction.

Further to reducing household water use, the initiative aims to:

- Reduce the amount of fertiliser run-off, preventing harmful chemicals from polluting waterways;
- Increase and foster local biodiversity;
- Establish green corridors, enabling fauna to easily move through the Town;
- Increase visual amenity; and
- Cultivate a sense of community ownership and create connections between neighbours.

CONSULTATION

Consultation has been undertaken with City of Vincent, Town of Victoria Park, City of Subiaco and City of Stirling.

STAFF COMMENT

Officers undertook investigations into current verge incentive schemes offered by other local governments to determine appropriate mechanisms to operate the Town's initiative. The results of this research is shown below:

Local Council	Actions Undertaken by Council	Actions Undertaken by Resident	Incentive Offered
City of Vincent	<ul style="list-style-type: none"> • earthworks • delivery and application of mulch 	<ul style="list-style-type: none"> • plant procurement • planting 	Council undertakes all verge preparation and provides a voucher for 20 plants that can be redeemed at its Native Local Plant Sale
Town of Victoria Park	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • earthworks • mulch procurement and application • soil amendment procurement and application • plant procurement • planting 	Council provides a \$500 rebate
City of Subiaco	<ul style="list-style-type: none"> • delivery of soil amendment • delivery of mulch 	<ul style="list-style-type: none"> • earthworks • soil amendment application • mulch application • plant procurement • planting 	Council provides soil amendment and mulch, while residents can purchase plants through the Western Suburb's Native Plant Subsidy Scheme

IMPLEMENTATION

The mechanism proposed for the Town's waterwise verge rebate scheme is to award residents a rebate of \$15 per square metre of treated verge, with a maximum claim value of \$500. Improvements must be in accordance with the Residential Verges Policy, encompassing native waterwise plants only.

The rebate amount has been calculated based on the value of mulch, soil conditioner and earthworks. It is thought to be an equitable methodology, applicable irrespective of verge size.

Further to this, the initiative intends to function complimentary to the existing Native Plant Subsidy Scheme, enabling residents to purchase native seedlings at a subsidised price.

It is proposed that the initiative is administered in the following manner:

- 1) An application form is to be completed by the resident;
- 2) Officers will inspect the site and obtain photographic documentation;
- 3) Upon approval the resident is to proceed with the required works;
- 4) Once notification of completion has been provided to the Town, an officer will inspect the site to ensure compliance and obtain photographic documentation prior to awarding the rebate;
- 5) Follow-up inspections will be conducted regularly.

The initiative will not capture verges that have been treated retrospectively. With successful application, award of the rebate will be recorded against the property to eliminate duplication of payment.

In the case of non-compliance, the Residential Verges Policy states that it is the owner's responsibility to keep the verge in a safe and tidy condition, and that any breach of the Policy may be made good by the Town and the costs recovered from the owner or occupier.

The initiative also aims to promote increase of the urban tree canopy by giving profile to the Town's existing practice of planting a street tree, at the request of the resident, on their verge.

At the conclusion of the trial a report will be presented to Council, outlining the outcomes of the initiative.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Thomas, seconded Cr Rodda

THAT Council trial a waterwise verge rebate scheme in 2017.

AMENDMENT

Moved Cr Boulter, seconded Mayor Dawkins

That a point two (2) be added that reads "That the Town's trial waterwise verge rebate scheme be made available to residents on the condition that a street tree is planted on their verge or if the resident maintains an existing street tree on their verge. Exemption of this condition will be provided in the instance that planting of a street tree is non-compliant with the Town of Cottesloe Residential Verges Policy, Town of Cottesloe Street Trees Policy and/or Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law."

Carried 9/0

COUNCIL RESOLUTION

THAT Council:

- 1. Trial a waterwise verge rebate scheme in 2017; and**
- 2. That the Town's trial waterwise verge rebate scheme be made available to residents on the condition that a street tree is planted on their verge or if the resident maintains an existing street tree on their verge. Exemption of this condition will be provided in the instance that planting of a street tree is non-compliant with the Town of Cottesloe Residential Verges Policy, Town of Cottesloe Street Trees Policy and/or Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law."**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 9/0

10.1.10 AUSTRALIAN COASTAL COUNCILS ASSOCIATION INC. MEMBERSHIP

File Ref: SUB/523
 Responsible Officer: Mat Humfrey
 Chief Executive Officer
 Author: Melissa Rachan
 Sustainability Officer
 Proposed Meeting Date: 12 December 2016
 Author Disclosure of Interest: Nil

SUMMARY

This report outlines the pros and cons, and costs of joining the Australian Coastal Councils Association Inc.

BACKGROUND

At its June 2016 meeting Council made the following resolution:

That the Town of Cottesloe administration report back to Council about the pros and cons, and costs of joining the Australian Coastal Councils Association Inc. and in the report back to Council, advise Council – simply in table form – of the names and membership costs of all associations, groups etc that Town of Cottesloe is a member of, including whether or not each of the Town of Cottesloe memberships is obligatory, by December 2016.

Following on from this resolution, the below table outlines the Town of Cottesloe's memberships, none of which are obligatory:

Membership	Cost
Western Australian Local Government Association Governance Service	\$512
Western Australian Local Government Association Local Laws Service	\$590
Western Australian Local Government Association Employee Relations	\$3,713.15
Western Australian Local Government Association Tax Services	\$1,700
Western Australian Local Government Association Association Membership	\$10,762.12
Total (excluding GST)	\$17,277.27

The Australian Coastal Councils Association Inc. is a not-for-profit incorporated association, established in 2004. At its core, the Association provides support to local councils, with a view that the level of support and resources for coastal management at the State and Federal government level is insufficient.

The Association aims to address the following: the shortfall in resources to meet increasing demand for infrastructure and services; the challenge of dealing with

coastal erosion and projected sea level rise; and the legal risks faced by councils in relation to coastal planning.

Further to this, the Association builds on a solid record of coastal research and achievement. Most notably, it has placed the issues of coastal growth and its impact on councils and communities on the national political agenda.

The Association's current membership base comprises of 50 coastal councils nationally, and includes City of Rockingham, City of Busselton, Shire of Esperance and Shire of Augusta-Margaret River.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2013 to 2023

Priority area 3: *Enhancing beach access and the foreshore.*

POLICY IMPLICATIONS

Human Enhanced Climate Change

Section 2, Issues: *Acting to ameliorate and/or adapt to climate change is important because it will decrease maintenance and legal liability issues for the Town in the long term.*

Section 4.9, Adaptation Actions: *The Town will determine how the impacts of climate change will effect the physical coastal environment.*

Beach Policy

Section 3, Issues: *The effective and appropriate management of the beach front requires substantial funding. An understanding of the pressures on the beach is essential...*

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The Association's membership fees are set according to permanent population figures of member councils. The most recent data from the Australian Bureau of Statistics estimates that the Town has a current resident population of 8,602.

As such, this would fall under tier 2 of the Association's membership, covering councils with a permanent population between 5,000 and 15,000. Accordingly, the annual membership for the Town would be \$1,375 (including GST), set to increase annually in line with CPI.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Consultation was undertaken with the Australian Coastal Councils Association Inc.

STAFF COMMENT

For its membership with the Australian Coastal Councils Association Inc. the Town receives the following benefits:

- Discounted rates to attend the annual Association conference
- Provides member councils with the opportunity to collectively contribute to the development of coastal policy initiatives
- Provides member councils with the opportunity to collectively contribute to research in the field of coastal management in Australia
- Funding and administrative support for coastal projects on an ad hoc basis
- Monthly newsletter containing a broad range of stories of interest to coastal councils
- The Association facilitates the exchange of information and experiences between Australia's coastal councils on issues of mutual concern

Although the benefits are numerous, greater value would be obtained from this subscription if neighbouring councils were to form part of the Association's membership base. Coastal processes and hazards transcend local government boundaries, therefore, a consistent and collaborative approach is required in the area of coastal management.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council:

- 1. Authorise the Chief Executive Officer to register the Town and pay the required membership fee; and**
- 2. Encourage neighbouring councils to join the Association.**

Carried 9/0

10.1.11 DELEGATION OF AUTHORITY – APPOINTMENT OF AUTHORISED OFFICERS – PUBLIC HEALTH ACT 2016

File Ref: SUB/57-02
Attachments: [Template Authority Card](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Darrell Monteiro
Principal Environmental Health Officer
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

The *Public Health Act 2016* received Royal Assent on 25 July 2016. The *Health Act 1911* will be phased out over a period of 3-5 years through a staged process and replaced by the *Public Health Act 2016*. Stage 3 of the Public Health Act roll-out, which includes provisions for designation and appointment of Authorised Officers has been announced for 24 January 2017.

This report informs the Council of the commencement of the *Public Health Act 2016*, and recommends that the Chief Executive Officer receive delegated Authority from Council to designate and appoint Authorised Officers under the new Act. This will ensure that Environmental Health Officers are able to enforce provisions of the Public Health Act and Health Act from 24 January onwards.

BACKGROUND

The new *Public Health Act 2016* provides modern legislation to regulate public health in Western Australia. The Act will repeal much of the outdated *Health Act 1911* and is designed to better protect and promote the health of all Western Australians.

The Public Health Act 2016 provides a flexible and proactive framework for the regulation of public health. Key features of the Act include:

- Promoting public health and wellbeing in the community.
- Helping prevent disease, injury, disability and premature death.
- Informing individuals and communities about public health risks.
- Encourage individuals and their communities to plan for, create and maintain a healthy environment.
- Supporting programs and campaigns intended to improve public health.
- Collect information about the incidence and prevalence of diseases and other public health risks for research purposes.
- Reducing the health inequalities in public health of disadvantaged communities.

Local governments will enforce the *Public Health Act 2016*. Authorised officers (previously known as environmental health officers) are responsible for investigating any public health matter within their local government boundaries.

Traditionally, under the provisions of the *Health Act 1911*, all Environmental Health Officers were “approved” by the Executive Director Public Health to perform specified

functions of the Act. The Executive Director Public Health was a specified role within the *Health Act 1911* and the person assigned to that role was an employee of the Department of Health WA.

Under the *Public Health Act 2016* existing Environmental Health Officers will be automatically designated as Authorised Officers. However, the authority cards need to be signed off by the local government or the appointed delegate to authorise the officers to undertake duties under the Public Health Act. New employees to the Town will need to be both, designated and authorised. Under Section 21(1)(b)(i) of the Public Health Act, local government may delegate the function of designating and authorising officers to the Chief Executive Officer.

The delegation would ensure that the administrative process for designating and appointing authorised officers can be expedited and that Environmental Health Officers employed by the Town can be given authority to perform their functions almost immediately.

Section 30 of the Public Health Act specifies that an authorised officer must be issued a certificate of authority card by the Local Government. It is envisaged that this certificate of authority card would be signed or approved by Council's delegate. The Chief Executive Officer has been recommended for this delegation.

A template Authority Card has been provided as an attachment to this report.

STRATEGIC IMPLICATIONS

Nil. Existing Environmental Health Officers will continue to be designated as Authorised Officers under the *Public Health Act 2016*.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 312 of the *Public Health Act 2016*

Health Act 1911

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

After 24 January 2017, Environmental Health Officers will need to be designated as Authorised Officers by the enforcement agency to enforce provisions of the *Public Health Act 2016* and the *Health Act 1911*.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Appointments to the Town of Cottesloe are overseen by the Chief Executive Officer. The designation and appointment of Authorised Officers under the *Public Health Act 2016* is seen as an extension of this role.

VOTING

Absolute Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council delegates to the Chief Executive Officer, the authority to appoint and/or designate Authorised Officers under the provisions of Section 21 of the *Public Health Act 2016*.

Carried 9/0

ENGINEERING**10.1.12 CURTIN AVENUE – PELICAN CROSSING AT FORREST STREET**

File Ref: SUB/440
Attachments: [Extract from Ordinary Council Meeting Minutes 14 December 2015](#)
[Location Plan](#)
[Concept Plan](#)
[Main Roads Western Australia Standard Drawing](#)

Responsible Officer: Mat Humfrey
Chief Executive Officer

Author: Nick Woodhouse
Manager Engineering Services

Proposed Meeting Date: 12 December 2016

Author Disclosure of Interest: Nil

SUMMARY

This report provides details to Council of the proposed location of a new pedestrian crossing at the intersection of Curtin Avenue and Forrest Street.

Following Council endorsement the Town of Cottesloe will submit the location plan to Main Roads Western Australia who will then design and construct the pedestrian crossing. The Town has been advised that the crossing will be constructed in the first quarter of 2017.

BACKGROUND

The Town of Cottesloe has received requests from the community to construct a pelican crossing to assist vulnerable road users with crossing Curtin Avenue. This location links the bike path on Forrest Street to the Cottesloe Train Station and the proposed Principal Shared Path.

As a result of a Councillor motion, at the Ordinary Council Meeting of 14 December 2015, Council resolved:

That Council, recognising the community concern with pedestrian crossing of Curtin Avenue, as evidenced by letters, emails, and personal petitions to Councillors and following public presence at Council and Committee meetings, petition the Minister for Transport and the local member of Parliament to develop and fund pedestrian crossing solutions for the crossing of Curtin Avenue at the Forrest Street and Salvado Street intersections.

The Town has liaised with Main Roads Western Australia on this matter and they have agreed to design and construct the crossing subject to the endorsement of the proposed location by Council.

STRATEGIC IMPLICATIONS

Corporate Business Plan 2014 to 2018 – Priority Area 2 Achieving connectivity between east and west Cottesloe

Strategic Community Plan 2013 to 2023 – Priority Area 2 Achieving connectivity between east and west Cottesloe

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil. Main Roads Western Australia has advised that they will fund the design and construction of the pedestrian crossing.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The proposed crossing is adjacent to 79 Forrest Street. The owner has provided verbal support for the location of the crossing.

Main Roads Western Australia have advised that they will also consult with the resident during the construction phase of the project.

STAFF COMMENT

The construction of a new pedestrian crossing will improve safety for vulnerable road users such as pedestrians and cyclists.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Downes

THAT Council endorse the concept plan that shows the proposed location of the new pedestrian crossing on Curtin Avenue.

Carried 9/0

FINANCE**10.1.13 FINANCIAL STATEMENTS FOR THE MONTH ENDING 30 NOVEMBER 2016**

File Ref: SUB/1780
Attachments: [Financial Statements](#)
Responsible Officer: Garry Bird
Author: Manager Corporate & Community Services
Wayne Richards
Finance Manager
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

It is a requirement of the *Local Government Act 1995* that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Town's finances and ensure that income and expenditure are compared to budget forecasts.

The attached financial statements and supporting information are presented for the consideration of Elected Members. Council staff welcomes enquiries in regard to the information contained within these reports.

BACKGROUND

In order to prepare the attached financial statements, the following reconciliations and financial procedures have been completed and verified;

- Reconciliation of all bank accounts
- Reconciliation of rates and source valuations
- Reconciliation of assets and liabilities
- Reconciliation of payroll and taxation
- Reconciliation of accounts payable and accounts receivable ledgers
- Allocations of costs from administration, public works overheads and plant operations
- Reconciliation of loans and investments

IMPLICATIONS

Nil

POLICY IMPLICATIONS

Town of Cottesloe Accounting Policy
Town of Cottesloe Investments Policy
Town of Cottesloe Investment of Surplus Funds Policy

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached Financial Statements.

- The net current funding position as at 30-11-2016 is \$6,797,440 and is in line with previous financial years as shown on pages 6 and 22 of the attached Financial Statements.
- Rates receivable as at 30-11-2016 stood at \$3,068,447 and again is in line with previous financial years as shown on pages 2 and 25 of the attached Financial Statements.
- Operating revenue is more than year to date budget by \$283,477 with a more detailed explanation of material variances provided on page 21 of the attached Financial Statements. Operating expenditure is \$629,685 less than year to date budget with a more detailed analysis of material variances provided on page 21.
- The Capital Works Program is approximately 26% complete as at 30-11-2016 and a full capital works program listing shown on pages 33 to 36.
- Whilst Salaries and Wages are not reported specifically, they do represent the majority proportion of Employee Costs which are listed on the Statement of Financial Activity (By Nature and Type) on page 7 of the attached Statements. As at 30-11-2016 Employee Costs were \$39,067 more than year to date forecasts.
- Various transfers to and from Reserve Funds have not been made for 2016/2017 and are generally undertaken in the latter half of the financial year, depending on the progress of specific projects to which these transfers relate.

List of Accounts for November 2016

The List of Accounts paid during November 2016 is shown on pages 37 to 43 of the attached Financial Statements. The following significant payments are brought to Council's attention;-

- \$36,986.51 & \$26,757.99 to WMRC for waste disposal costs
- \$32,779.45 to Surf Life Saving WA for lifeguard services

- \$60,116.46 to Suez Recovery and Recycling (Perth) Pty Ltd for waste disposal services
- \$41,349.30 to Shacks Holden for a new passenger vehicle
- \$168,014.28 to the Shire of Peppermint Grove for Councils quarterly contribution towards the Grove Library
- \$92,000.00 to ITH (WA) Pty Ltd for the reimbursement of legal expenses
- \$88,513.26, \$90,248.48 and \$100,511.53 to Town of Cottesloe staff for fortnightly payroll

Investments and Loans

Cash and investments are shown in Note 4 on page 23 of the attached Financial Statements. Council has approximately 39% of funds invested with National Australia Bank, 26% with Bankwest, 24% with Commonwealth Bank of Australia and 11% with Westpac Banking Corporation.

Information on borrowings is shown in Note 10 on page 30 of the attached Financial Statements.

Rates, Sundry Debtors and Other Receivables

Rating information is shown in Note 9 on page 29 of the attached Financial Statements. As displayed on page 2, rates receivable is trending in line with the previous year.

Sundry debtors are shown on Note 6, pages 25 and 26 of the attached Financial Statements. The sundry debtors show that 21% or \$41,374 is older than 90 days, however it should be noted that the Town received a payment of approximately \$21,000 reducing this older debt. Infringement debtors are shown on note 6(a) and stood at \$472,937 as at 30-11-2016.

Budget Amendments

Budget amendments are summarised on pages 12 and 13 of the attached Financial Statements and listed in more detail on page 24.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Angers

THAT Council receive the Financial Statements for the period ending 30 November 2016 as submitted to the 12 December 2016 meeting of Council.

Carried 9/0

10.2 REPORTS OF COMMITTEES

10.2.1 COMMUNITY SAFETY AND CRIME PREVENTION COMMITTEE MEETING – 29 NOVEMBER 2016

File Ref:	SUB/440
Attachments:	Letter - Request for Principal Shared Path Funding to Be Brought Forward - Minister for Transport Letter from the Department of Transport
Responsible Officer:	Mat Humfrey Chief Executive Officer
Author:	Garry Bird Manager Corporate & Community Services
Proposed Meeting Date:	12 December 2016
Author Disclosure of Interest:	Nil

SUMMARY

At a meeting of the Community Safety and Crime Prevention Committee on 29 November 2016, consideration was given to the existing Principal Shared Path in Cottesloe and in particular the paths cessation at the Grant Street Train Station.

The Committee subsequently resolved as follows;

“That the Town of Cottesloe meet with the Member for Cottesloe and the Minister for Transport with the aim of having the extensions of the Principal Shared Path from Grant Street Train Station to Cottesloe Train Station completed as soon as possible.”

Council is now required to consider this recommendation from the Committee.

BACKGROUND

It is understood that the extension of the path has been included in Main Roads WA's forward estimates for the 2017/18 financial year.

STRATEGIC IMPLICATIONS

There are no specific references to the Principal Shared Path in the Town of Cottesloe Community Strategic Plan 2013 to 2023 although there are references to improving sustainable infrastructure and developing an Integrated Transport Strategy. The extension of the Principal Shared Path would be broadly in keeping with these strategic objectives.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

There are no financial implications arising from the Committee's recommendation.

STAFFING IMPLICATIONS

There are no staffing implications arising from the Committee's recommendation.

SUSTAINABILITY IMPLICATIONS

The extension of the Principal Shared Path to Cottesloe Train Station would encourage increased use of the path by cyclists and may alleviate some traffic congestion in this area at peak times.

CONSULTATION

Nil

STAFF COMMENT

If the State Government has included the extension of the Principal Shared Path in the forward estimates for construction in the 2017/18 year it is considered unlikely that the project could be progressed any sooner than this timeframe. That said the meeting could ensure that this funding is not pushed back further in the State Government's Forward Estimates and possibly be fast-tracked to commence sooner rather than later in the 2017/18 financial year.

This matter was raised by Council in May 2016 in correspondence from the Mayor to the Minister for Transport. The Minister's response to this request and the correspondence from Council is attached for the information of Elected Members.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION**Moved Cr Thomas, seconded Cr Pyvis**

That the Town of Cottesloe meet with the Member for Cottesloe and the Minister for Transport with the aim of having the extensions of the Principal Shared Path from Grant Street Train Station to Cottesloe Train Station completed as soon as possible.

AMENDMENT**Moved Cr Boulter, seconded Cr Pyvis**

That the word "Cottesloe" after the word "to" and before the words "Train Station" be removed and replaced with the words "Victoria Street".

Carried 9/0

COUNCIL RESOLUTION

That the Town of Cottesloe meet with the Member for Cottesloe and the Minister for Transport with the aim of having the extensions of the Principal Shared Path from Grant Street Train Station to Victoria Street Train Station completed as soon as possible.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 9/0

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 COUNCILLOR MOTION – TO CREATE RESIDENT/RATEPAYER DATABASE**

The following motion has been proposed by Cr Downes:

COUNCILLOR MOTION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Cr Angers

In the aim of transparent, open and accountable communication, that all residents of Cottesloe be invited to be on a Resident/Ratepayer database. This will allow easy dissemination of information to all residents on matters that effect Cottesloe as a whole.

This would be achieved by delivering a letter to all residents, using the current electoral role in order to capture both residents and ratepayers, inviting them to submit their email address to receive relevant community information via email.

Carried 5/4

**For: Mayor Dawkins, Crs Angers, Thomas, Rodda & Downes
Against: Crs Boulter, Burke, Birnbrauer & Pyvis**

COUNCILLOR RATIONALE

It is evident that not all residents read The Post nor log onto the Town of Cottesloe website on a regular basis. By creating a database of residents and ratepayers from the local electoral role we will give the residents an opportunity to become more informed about the developments and events in Cottesloe. I believe we will get a much broader range of feedback that represents the community who care about Cottesloe. In a sense, it is making it easier to comment on issues at hand.

I envisage that the nature of communication will simply be an email with a short message inviting residents to view the information in full via a link to the Town of Cottesloe website rather than a lengthy email regarding relevant matters, hence residents can choose to access and read and respond to the information or not.

In this age of disseminating so much information electronically it is about time that Cottesloe Council started to utilise digital technology. In the new year when we have a CRM system up and running and when the social media policy is in place and we have a Facebook page and even Town of Cottesloe Instagram we can use this database to let residents access even more information.

OFFICER COMMENT

The cost of achieving this can be met within existing budgets. However, Council would need to consider amending its Communication Policy to guide when the email list is to be used.

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS**

As the nature of the new business was considered confidential, the Mayor determined to consider items 12.2, 12.2.1 and 12.2.2 first and returned to item 12.1 once the meeting was behind closed doors.

Moved Cr Pyvis, seconded Cr Boulter

That the process whereby the Public Events Committee decides the recipients of the Australia Day Awards be discussed.

Lost 3/6

For: Crs Boulter, Pyvis & Thomas

Against: Mayor Dawkins, Crs Angers, Burke, Rodda, Birnbrauer & Downes

12.2 OFFICERS

The Chief Executive Officer tabled two reports, *Sculpture by the Sea Inc – Request for Sculpture to be Displayed on the Cottesloe Beach Hotel and Donated Sculpture – “Icarus 4”*.

Moved Mayor Dawkins, seconded Cr Rodda

That the reports *Sculpture by the Sea Inc – Request for Sculpture to be Displayed on the Cottesloe Beach Hotel and Donated Sculpture – “Icarus 4”* be considered urgent business.

Carried 9/0

12.2.1 SCULPTURE BY THE SEA INC – REQUEST FOR SCULPTURE TO BE DISPLAYED ON THE COTTESLOE BEACH HOTEL

File Ref: PR50734; SUB/2235
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Garry Bird
Manager Corporate & Community Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

To consider a proposal from Sculpture by the Sea Inc. for a sculpture to be displayed on the Cottesloe Beach Hotel for the duration of the 2017 event.

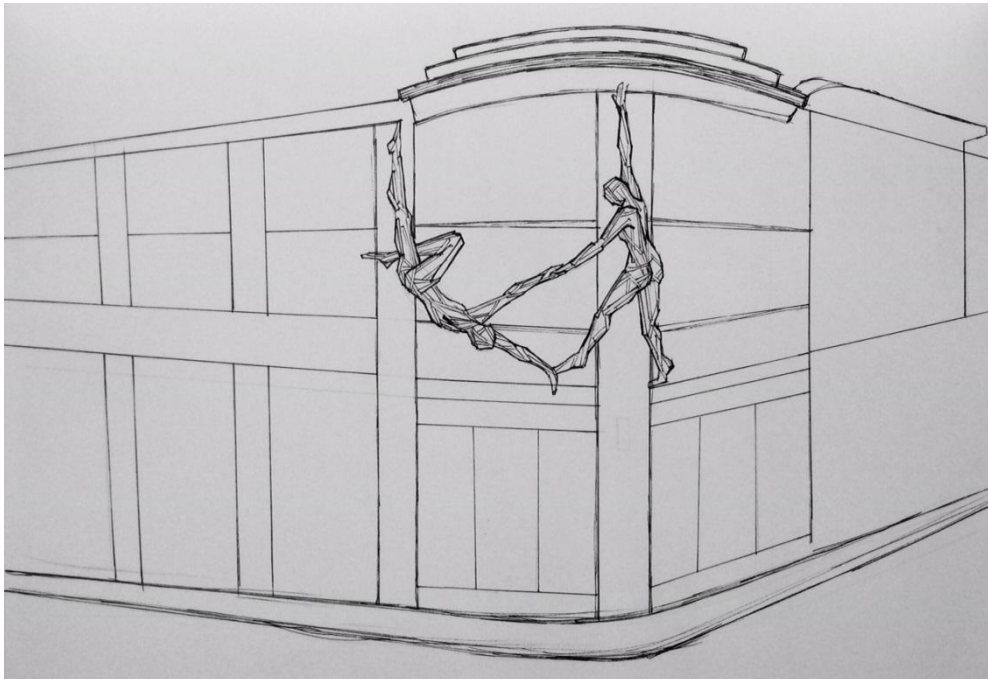
BACKGROUND

Sculpture by the Sea has been issued a licence by Council to conduct a sculpture exhibition in March for the next four years, commencing 2017.

The request submitted is located outside of the approved licence area and as it will be located over a Council owned footpath, requires additional Council approval.

The Cottesloe Beach Hotel has agreed to the request.

An artist's impression of the sculpture has been provided as follows;



The sculpture is to be constructed from timber and will be affixed to the wall using stainless steel cable and adhesive. No engineering certification has been received with the proposal and it is suggested that this be a condition of approval if Council was to agree to the request.

The sculpture will be located on the top balcony on the south west corner of the Hotel as follows and would not prove an obstruction to the footpath below;



STRATEGIC IMPLICATIONS

Priority Area 1 – Protecting and Enhancing the Wellbeing of Residents and Visitors
Major Strategy 1.3 Identify places to host more cultural events and activities.

Consideration of this request to allow Sculpture by the Sea Inc. to display a temporary sculpture on the Cottesloe Beach Hotel is in keeping with this stated objective.

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Town of Cottesloe Activities on Thoroughfare and Trading in Thoroughfares and Public Places Local Law 2001

Clause 2.2 (j) requires a permit to be obtained if

“provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare”

FINANCIAL IMPLICATIONS

There are no financial implications arising from the Officers Recommendation.

STAFFING IMPLICATIONS

There are no staffing implications arising from the Officer Recommendation.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications arising from the Officer Recommendation.

CONSULTATION

Sculpture by the Sea Inc.
Cottesloe Beach Hotel

STAFF COMMENT

As the Cottesloe Beach Hotel is on the State Heritage Register, the proposal has been forwarded to the Heritage Council for comment. No response has been received at the time of preparing this report and it is recommended that this approval be a condition of any approval that may be issued by Council. As the installation is temporary it is expected that the Heritage Council will have any major objections to the proposal.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Burke, seconded Cr Angers

THAT Council, in accordance with the *Town of Cottesloe Activities on Thoroughfare and Trading in Thoroughfares and Public Places Local Law 2001* grant a permit to Sculpture by the Sea Inc. to install a temporary sculpture on the top balcony of the Cottesloe Beach Hotel subject to the following conditions:

- 1. Approval (if required) is obtained from the Heritage Council of WA.**
- 2. Certification of the sculpture and the method to affix to the wall is received from an appropriately qualified engineer.**
- 3. All appropriate insurances for the sculpture are to be taken out by either the artist or Sculpture by the Sea Inc.**
- 4. The permit is to be valid for March 2017 only.**

Carried 9/0

Cr Burke declared an impartiality interest in item 12.2.2 due to being a friend of the donor of the sculpture and stated that as a consequence there may be a perception that her impartiality may be affected and declared that she could consider the matter on its merits and vote accordingly.

12.2.2 DONATED SCULPTURE – “ICARUS 4”

File Ref: SUB/2235
Attachments: [Sculpture Condition Report and Valuation](#)
[Acquisition of Artworks Policy](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Garry Bird
Manager Corporate & Community Services
Proposed Meeting Date: 12 December 2016
Author Disclosure of Interest: Nil

SUMMARY

To consider a request from an anonymous donor to donate a sculpture entitled “Icarus 4” to the Town of Cottesloe, to be placed in the vicinity of the Marine Parade and Grant Street intersection.

BACKGROUND

The sculpture is currently in the possession of the donor and seeks to donate it to the Town of Cottesloe. The Donor would like to install the sculpture in the vicinity of the Marine Parade and Grant Street intersection at a location to be finalised.

If Council was to accept the sculpture it is suggested the final location be determined in consultation with the owner, the Art Acquisition Panel and adjoining residents if relevant.

The Donor would like to install the sculpture in late March to commemorate the loss of a family member.



The sculpture is constructed of aluminium and is 300cm x 300cm x 200cm in size.

STRATEGIC IMPLICATIONS

Priority Area 1 – Protecting and Enhancing the Wellbeing of Residents and Visitors

Acceptance of the donation would be broadly in keeping with this strategic objective.

POLICY IMPLICATIONS

Acquisition of Artworks

As the request from the donor has only just been received and Council does not meet in January, certain provisions in regards to the Policy have not been able to be met.

It is suggested that the Art Acquisition Panel could meet in January 2017 and discuss details around the final location and a deed acknowledging the donation.

If this matter was to be first referred to the Art Acquisition Panel and then Council in February 2017, the timeframe for installation in late March might not be achievable.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

The Town of Cottesloe would be required to maintain and insure the sculpture under the terms of a yet to be finalised Deed.

Engineering certification of the installation may also be required which would be at Councils expense.

The sculpture has been valued at \$34,000 by a licensed valuer.

STAFFING IMPLICATIONS

There are staffing implications arising from the Officer Recommendation.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications arising from the Officer Recommendation.

CONSULTATION

Anonymous Donor
Mayor Dawkins
Town of Cottesloe staff

STAFF COMMENT

Nil

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Burke

THAT Council gratefully accept the donation of the sculpture entitled “Icarus 4” and further authorise the Mayor and Chief Executive Officer to sign a Deed acknowledging the donation subject to the following conditions;

- 1. Consultation and mutual acceptance of the site for the sculpture between the Donor, the Art Acquisition Panel and adjoining residents.**
- 2. Confirmation from Council’s insurer that the sculpture can be insured under existing insurance policies.**
- 3. A risk assessment of the sculpture for public safety.**
- 4. Certification by an appropriately qualified engineer in regards to the installation specification.**

Carried 9/0

13 MEETING CLOSED TO PUBLIC**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Moved Mayor Dawkins, seconded Cr Angers

In accordance with Standing Order 15.10 that Council discuss the matter behind closed doors.

Carried 9/0

Members of the public and the media left the meeting at 8:48 PM and did not return.

13.1.1 CONFIDENTIAL REPORT – APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER

File Ref: PER/362
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Mat Humfrey
Chief Executive Officer
Proposed Meeting Date: 15 December 2016
Author Disclosure of Interest: Nil

SUMMARY

This report recommends that Council note the information contained in the confidential officer report, in relation to the appointment of an Acting Chief Executive Officer, for the period Saturday 24 December 2016 to Sunday 15 January 2017 and endorse the Officer Recommendation.

BACKGROUND

Refer to the confidential report attached.

STRATEGIC IMPLICATIONS

Refer to the confidential report attached.

POLICY IMPLICATIONS

Refer to the confidential report attached

STATUTORY ENVIRONMENT

Local Government Act 1995

s5.23 – Closing a meeting to the public.

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
- (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
-

- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- (a) *a matter affecting an employee or employees; and*

FINANCIAL IMPLICATIONS

Refer to the confidential report attached.

SUSTAINABILITY IMPLICATIONS

Refer to the confidential report attached.

CONSULTATION

Refer to the confidential report attached.

STAFF COMMENT

As the content of the report contains information that meets the conditions set in the Local Government Act s5.23(2)(a), it is recommended that the meeting be closed to the public while considering this item.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Thomas

THAT Council appoint Garry Bird, Manager Corporate and Community Services, as Acting Chief Executive Officer from Saturday 24 December 2016 to Sunday 15 January 2017.

Carried 9/0

Moved Cr Rodda, seconded Cr Thomas

In accordance with Standing Orders 15.10 that the meeting be reopened to members of the public and media.

Carried 9/0

The Meeting returned from behind closed doors at 8:58 PM.

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

As there were no members of the public or media present, the resolution for 13.1.1, was not read aloud.

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 8:58 PM.

CONFIRMED MINUTES OF 12 December 2016 PAGES 1 – 76 INCLUSIVE.

PRESIDING MEMBER:
POSITION:

.....

DATE: / /