

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

AGENDA

**ORDINARY COUNCIL MEETING
TO BE HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 26 November 2024**

Town of Cottesloe

ORDINARY COUNCIL MEETING

Notice is hereby given that the next Ordinary Council Meeting will be held in the Council Chambers, Cottesloe Civic Centre 109 Broome Street, Cottesloe on **26 November 2024** commencing at **6:00 PM**.

The business to be transacted is shown on the Agenda hereunder.

Yours faithfully,

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line extending to the right.

William Matthew Scott
Chief Executive Officer

22 November 2024

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town for any act, omission, statement or intimation occurring during council meetings.

The Town of Cottesloe disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during council meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a council meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Town of Cottesloe during the course of any meeting is not intended to be and is not taken as notice of approval from the Town.

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Members of the public should note that no action should be taken on any application or item discussed at a council meeting prior to written advice on the resolution of Council being received.

All formal Council Meetings will be audio/visual recording and livestreaming and will be publicly available via the Town of Cottesloe's website or social media platform.

Agenda and minutes are available on the Town's website www.cottesloe.wa.gov.au



Town of Cottesloe

DISCLOSURE OF INTERESTS

Agenda Forum ☐

Ordinary Council Meeting ☐

Special Council Meeting ☐

Name of Person Declaring an interest

Position

Date of Meeting

This form is provided to enable members and officers to disclose an Interest in the matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 34C.

INTEREST DISCLOSED

Item No

Item Title

Nature of Interest

Type of Interest

Financial ☐

Proximity ☐

Impartiality ☐

INTEREST DISCLOSED

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Nature of Interest

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Financial ☐

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Financial ☐

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Impartiality ☐

DECLARATION

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

DISCLOSURE OF INTERESTS

Notes for Your Guidance

IMPACT OF A FINANCIAL INTEREST (s. 5.65. & s. 67. Local Government Act 1995)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the Meeting immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a. Preside at the part of the Meeting relating to the matter or;
- b. Participate in, or be present during, any discussion or decision making procedure relative to the matter, unless and to the extent that, the disclosing member is allowed to do so under *Section 5.68* or *Section 5.69* of the *Local Government Act 1995*.

INTERESTS AFFECTING FINANCIAL INTEREST

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest in a matter**.

1. A Financial Interest, pursuant to s. 5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. Under s. 5.65 of the *Local Government Act 1995* failure to notify carries a penalty of \$10 000 or imprisonment for 2 years.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1995*, with or without conditions.

INTERESTS AFFECTING PROXIMITY (s. 5.60b Local Government Act 1995)

1. For the purposes of this subdivision, a person has a proximity interest, pursuant to s.5.60B of the Local Government Act 1995, in a matter if the matter concerns;
 - a. a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - b. a proposed change to the zoning or use of land that adjoins the person's land; or
 - c. a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
2. In this section, land (the proposal land) adjoins a person's land if;
 - a. The proposal land, not being a thoroughfare, has a common boundary with the person's land; or
 - b. The proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - c. The proposal land is that part of a thoroughfare that has a common boundary with the person's land.
3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

INTERESTS AFFECTING IMPARTIALITY

Definition: An interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a. In a written notice given to the Chief Executive Officers before the Meeting or;
- b. At the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY DISCLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest exist.

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

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

2 DISCLAIMER

The Presiding Member directed the public's attention to the Disclaimer and the paragraph that advises that formal meetings of Council will be audio/visually recorded.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Stephen Mellor – 8 Graham Court, Cottesloe

Q1 For what reason [is the September 2024 OCM video not available on the website], and will it be made available?

R1. The Town utilises a third-party platform to host OCM videos for public access. The September 2024 OCM video was uploaded to the platform on the day the unconfirmed minutes were released. However, the Town was only made aware of the video's unavailability at the October 2024 OCM. This issue has now been resolved with the platform provider. The Town encourages the public to contact us directly if issues accessing Council Meeting videos arise.

Q2a. Can you please confirm a disabled access toilet is included in the new layout [of Magic Apple] at café level?

R2a. Yes, the existing Universal Accessible Toilet (UAT) remains within the tenancy.

Q2b. If not, would it mean that the building is not compliant for today's regulations?

R2b. The building is compliant with the Building Act and relevant building codes.

Q2c. Would it also mean this is not in compliance with the Council's Disability Access and Inclusion Plan?

R2c. No. Refer to responses R2a and R2b.

Q2d. Will Council update the information in the National Public Toilet Map [in relation to Magic Apple and the Public Toilets at 149 Marine Parade]?

R2d. This update has been actioned and is currently awaiting approval by the Department of Health and Aged Care.

Q2e. Will the public toilet operating hours match the hours of the café?

- R2e. No, the public toilets (located under the Magic Apple restaurant) are opened and closed by the Town's contract cleaners between 6:00 am and 8:00 pm.
- Q2f. As any potential changes to the [Sea View Golf] club buildings will take years, is Administration confident that its duty of care and public responsibility is met, knowing that this 'access issue' has been publicly identified by the club?
- R2f. Current building legislation requires compliance to be addressed when a facility is upgraded or renewed.
- Q3a. Is the playground, discussed by the Public Open Spaces Working Group yesterday, located within the Harvey Field Recreation Precinct?
- R3a. Though playground is situated within the Broome Street Road Reserve, it has been referenced in previous Council reports in relation to the Harvey Field Recreation Precinct in recent years.
- Q3b. If it is, why was it on the Working Group agenda?
- R3b. The Administration can refer matters to a working group beyond the Charter where it is convenient and logical to do so, noting that a working group is not a committee of Council under the Local Government Act. The POS charter was adopted in October 2019, before the original concept plan for the Harvey Field Recreation Precinct (the AECOM plan) was rationalised by Council in March and June 2022. The reduced scope of the proposed works in the precinct make the playground upgrade project a suitable project to be referred to the POS working group to provide feedback to the Town.
- Q4a. What is the status of the sculpture previously at Cr Eric Street and Curtin Avenue — 'Golden Section' by Ivan Black?
- R4a. The sculpture is currently under repair.
- Q4b. Is it under repair and if so what was the damage and repair cost estimate?
- R4b. The upper section of the sculpture was damaged. The Town is liaising with a repairer regarding cost estimates. The Town is also working with Town's insurers to see if a property damage claim can be made.
- Q4c. When will it be reinstalled?
- R4c. A reinstallation date has not yet been determined.
- Q5a. Why was the Street Tree Policy not included in any of the Officer Reports, GIS papers or on the Engagement Hub?
- R5a. The Street Tree Policy is not currently under review and is not part of the Green Infrastructure Strategy (GIS). It serves as an operational guide for the management of street trees and does not have a strategic focus like the GIS and associated documents.
- Q5b. What is the status of the Street Tree Policy if it can be so ignored?
- R5b. Please refer to R5a.

- Q6a. What is the rationale for including at short notice the POSWG meeting held yesterday in the Town website events, particularly when members of the public are not encouraged to attend?
- R6a. The agenda for the POSWG meeting on 21 October 2024 was issued on 18 October 2024, in line with the usual timeframe for agenda postings by the Town.
- Q6b. Why was there no link on the announcement to the relevant papers and agenda?
- R6b. There is a dedicated web page for POSWG agenda papers. Residents experiencing difficulties accessing this page are encouraged to contact the Town directly.
- Q6c. Why is such a meeting 'advertised' when the regular Agenda Forum meetings are not, in spite of my many previous requests.
- R6c. The Agenda Forum meeting dates for the coming year are set by Council in December of the preceding year and advertised accordingly.
- Q6d. Will Administration please add just a date list on the website in addition to and separate from the individual event icons?
- R6d. The event calendar can be viewed in list, grid, or calendar format on the "What's On" page: <https://www.cottesloe.wa.gov.au/events/>.

4.2 PUBLIC QUESTIONS

5 PUBLIC STATEMENT TIME

6 ATTENDANCE

Elected Members

Mayor Lorraine Young
Cr Helen Sadler
Cr Melissa Harkins
Cr Chilla Bulbeck
Cr Brad Wylynko
Cr Michael Thomas
Cr Katy Mason
Cr Jeffrey Irvine
Cr Sonja Heath

Officers

Mr William Matthew Scott	Chief Executive Officer
Mr Shaun Kan	Director Engineering Services
Mr Steve Cleaver	Director Development and Regulatory Services
Mrs Vicki Cobby	Director Corporate and Community Services
Ms Jacquelyne Pilkington	Governance & Executive Office Coordinator

Ms Larissa Stavrianos

Executive Office Trainee

6.1 APOLOGIES

6.2 APPROVED LEAVE OF ABSENCE

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

7 DECLARATION OF INTERESTS

8 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held on Tuesday 22 October 2024 be confirmed as a true and accurate record.

9 PRESENTATIONS

9.1 PETITIONS

Procedure of Petitions – Local Government (Meetings Procedure) Local Law 2021, Clause 6.11

(3) *The only question which shall be considered by the council on the presentation of any petition shall be:*

- a) that the petition shall be accepted;*
- b) that the petition shall not be accepted;*
- c) that the petition be accepted and referred to the CEO for consideration and report; or*
- d) that the petition be accepted and dealt with by the full council.*

9.2 PRESENTATIONS

9.3 DEPUTATIONS

10 REPORTS

10.1 REPORTS OF OFFICERS

COUNCIL RESOLUTION

That Council adopts the following en-bloc Officer Recommendations contained in the Agenda for the Ordinary Meeting of Council 26 November 2024:

____, ____, ____, ____, ____, ____, ____

CORPORATE AND COMMUNITY SERVICES**10.1.1 REVIEW OF RECORDKEEPING POLICY**

Directorate: Corporate and Community Services
Author(s): Sandra Watson, Manager Community and Customer Services
Authoriser(s): Vicki Cobby, Director Corporate and Community Services
William Matthew Scott, Chief Executive Officer
File Reference: D24/44446
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

Council is being asked to consider and endorse the updated '*Recordkeeping Policy*'.

OFFICER RECOMMENDATION IN BRIEF

THAT Council APPROVES the amended '*Recordkeeping Policy*', as attached.

BACKGROUND

Records are recognised as an important information resource for the Town of Cottesloe, and it is accepted that sound records management practices will contribute to the overall efficiency and effectiveness of the Town. To meet the legislative requirements of the *State Records Act 2000*, the Town is obliged to maintain a records management system that accurately and reliably creates, maintains and manages evidential records. These records can be external or internal records that are handled, received or generated by the Town, regardless of their physical format or media type.

As part of the preparation of the Town's new Record Keeping Plan (RKP) for submission to the State Records Office in early December 2024, the Recordkeeping Policy has been reviewed to ensure an up-to-date document will be included with the RKP submitted to the State Records Office. In accordance with the *State Records Act (2000)*, Section 28 (5) of that Act requires that no more than 5 years must elapse between approval of a government organisation's Recordkeeping Plan and review of it, and this is now due for the Town. By way of information, the Recordkeeping Plan is the primary means of providing evidence of compliance with the Act and the implementation of best practice record keeping within an organisation.

OFFICER COMMENT

When reviewing the '*Recordkeeping Policy*' it was noted that the policy was not in the current policy template as per the Town's Brand Toolkit. The policy has now been transferred to the new template and the formatting and layout of the policy has been updated to fit the template. In addition, the title of the policy has been changed to align with the new Record Keeping Plan (from Records Management Policy to Recordkeeping

Policy), a number of grammatical errors have been corrected and unnecessary text related to actual tasks undertaken by Town staff have been removed from the policy.

ATTACHMENTS

10.1.1(a) Recordkeeping Policy - track changes [under separate cover]

10.1.1(b) Recordkeeping Policy - amended [under separate cover]

CONSULTATION

Internal Records staff and an external consultant working with the Town on the Record Keeping Plan.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

State Records Act (2000)

Section 28 – Review of Plans

POLICY IMPLICATIONS

If the officer's recommendation is accepted by Council, the '*Recordkeeping Policy*' will be updated.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council approves the amended '*Recordkeeping Policy*', as attached.

10.1.2 DISCOUNTED HIRE OF WAR MEMORIAL HALL FOR THE 2025 STATE GENERAL ELECTION.

Directorate: Corporate and Community Services
Author(s): Sandra Watson, Manager Community and Customer Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D24/45043
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

Council is being asked to consider a discounted venue hire rate for the Western Australian Electoral Commission (WAEC) for an event in 2025. The WAEC wishes to hire the War Memorial Hall for 49 days for early voting and general election activities for the State General Election in February/March 2025.

OFFICER RECOMMENDATION IN BRIEF

THAT Council AUTHORISES the discounted hire rate of \$600 per day for use of the War Memorial Hall by the Western Australian Electoral Commission for the State General Election in 2025.

BACKGROUND

On March 8, 2025 the State General Election will be held in Western Australia and it is being managed by the WA Electoral Commission (WAEC). The WAEC has approached the Town to book the War Memorial Hall from 3 February 2025 through to 23 March 2025 for a total of 49 days for a combination of early voting activities and as a base for the district Returning Officer.

The WAEC have requested a discount on our hire fees as the full cost will fall outside of their limited budget and there are no other suitable Town owned venues.

As per the Town's *Delegated Authority Register 2024/25* (point 1.14) the CEO has delegated authority to waive, grant concessions or write off individual debts to a maximum of \$1,000 in relation to any amount of money which is owed to the Town. As the proposed discounted total hire fee is higher than the current delegated authority amount, a Council resolution is required to proceed.

The 2024/2025 annual budget has revenue of \$250,000 for facilities hire for all public halls and civic centres within the Town. The War Memorial Hall (WMH) is currently tracking to contribute approximately 4% (\$10,000) towards this total.

OFFICER COMMENT

The WAEC would like to hire the WMH for early voting for the State General Election next year, which will commence 24 February 2025 and run through to the day before Election Day on 8 March, followed by general election activities up until 23 March 2025. The

Administration considers that this is a good outcome for local residents to have an early voting centre located at the Civic Centre and notes that this is a 'one-off' event/booking and is over a considerable time period. The Town does not have any current bookings for the WMH during this time so it is available, however if a discount is not granted by the Town the WAEC will not be able to proceed with the booking of WMH.

There are two relevant policies that were considered in the preparation of this report including the Town's *Event Classification Policy* and *Facility Hire Policy*, as well as the Town's *Schedule of Fees and Charges 2024/25* and *2023/24*. All bookings of Town facilities are classified and managed in accordance with the *Event Classification Policy*, with priority being given to organisers that meet the 'Community or Charitable' classification/s. As per this policy, election activities are seen as fitting into the 'Community Events' category which are described as events that have a primary purpose of providing an opportunity for Cottesloe residents to attend or participate for no cost and are organised/based locally. Under the *Facility Hire Policy*, once bookings/events are classified as per the *Event Classification Policy*, priority is to be given to organisers that meet the 'Community' or 'Charitable' classifications and further, Town Officers may use their discretion to regulate the fair and reasonable allocation of the halls.

Up until the current financial year the *Schedule of Fees and Charges* had a day rate for Town facilities including the WMH. These rates were based on 8 hours of hire and reflected a discounted rate for use of the facility when booked over a longer period of time. For the 2024/25 Budget, day rates for facility hire were removed from the *Schedule of Fees and Charges*. In order to calculate a fair and reasonable discounted hire fee for the WAEC, the administration has based the proposed fee for the WAEC on a daily rate for 8 hours of hire given this is a continuous booking over a long period of time (49 days).

The current rate per hour for community hire of the WMH is \$225 and when applying the commonly used 8 hours of hire this would equate to \$1800 per day. The administration is proposing a rate of \$600 per day for use of WMH by the WAEC which is one third of the regular cost of \$1800 per day (see Table 1. below). The total cost would then be \$29,400 for 49 days of hire which is within the budget of the WAEC, with the full cost without the discount being \$88,200.

While the proposed hire charge of \$29,400 represents a substantial discount for the WAEC, the WMH is tracking to attract hire revenue of only \$10,000 this financial year and secondly, the WAEC would not be able to proceed with the booking if the full rate was charged. In that sense, the amount proposed to charge the WAEC for the use of the War Memorial Hall is a good outcome for the Town in terms of additional revenue, plus residents will have the convenience of being able to attend an Early Voting Centre at the Civic Centre if this discounted rate is supported and the booking proceeds.

Table 1.

Venue	Hourly hire rate	Proposed discounted rate
War Memorial Hall	\$225 (community rate) 8 hours x \$225 = \$1800 (per day)	\$1800 per day / 3 = \$600
TOTAL	\$1800 x 49 days = \$88,200	\$600 x 49 days = \$29,400

ATTACHMENTS

Nil

CONSULTATION

Internal – Executive staff and facility booking staff. External - WA Electoral Commission staff.

STATUTORY IMPLICATIONS

Local Government Act 1995

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

POLICY IMPLICATIONS

Events Classification Policy.

Facility Hire Policy.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 1: Our Community - Connected, engaged and accessible.

Major Strategy 1.2: Providing accessible and inclusive community spaces and facilities.

RESOURCE IMPLICATIONS

Approving the discount will enable the Town to secure a significant revenue commitment during a period where no bookings exist.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

THAT Council AUTHORISES the discounted hire rate of \$600 per day for the use of the War Memorial Hall by the Western Australian Electoral Commission for the State General Election in 2025.

10.1.3 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2024 TO 30 SEPTEMBER 2024

Directorate: Corporate and Community Services
Author(s): Sheryl Teoh, Finance Manager
Authoriser(s): Vicki Cobby, Director Corporate and Community Services
File Reference: D24/46676
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

It is a requirement of the *Local Government (Financial Management) Regulations 1996*, Regulation 34 that monthly financial statements are presented to Council, in order to allow for proper control of the Town's finances and to ensure that income and expenditure are compared to budget forecasts.

OFFICER RECOMMENDATION IN BRIEF

That Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 30 September 2024.

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;
- Allocation of costs from administration, public works overheads and plant operations; and
- Reconciliation of loans and investments.

OFFICER 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 September 2024 was \$13,942,134 compared to \$12,579,747 at the same time last year.
- Operating revenue exceeds the year-to-date budget by \$2,198,708 while operating expenditure is less than the year-to-date budget by \$1,193,470. A detailed explanation

of material variances is provided in Note 3: Explanation of Material Variances, in the attached financial statements.

- Cash and investments are shown in Supplementary Information 3: Cash and Financial Assets at Amortised Cost, of the attached financial statements. The Town has 29.69% of funds invested with Westpac Banking Corporation, 26.74% with the Commonwealth Bank of Australia, and 26.74% with the National Australia Bank.
- The balance of cash-backed reserves was \$7,839,029 as at 30 September 2024, as shown in Supplementary Information 4: Reserve Accounts.
- The Capital Works Program is detailed in Supplementary Information 5: Capital Acquisitions. It shows that capital expenditure is \$103,019 lower than the year-to-date budget. An explanation of material variances is provided in Note 3: Explanation of Material Variances in the attached financial statements.
- Rates, sundry debtors, and other receivables are shown in Supplementary Information 7: Receivables. Outstanding rates amount to \$ 11,761,132, compared to \$11,334,678 at the same time last year. Sundry debtors and other receivables indicate that 66.8%, or \$372,971, are older than 90 days, which includes outstanding infringements.
- Information on borrowings is shown in Supplementary Information 10: Borrowings, of the attached financial statements. The Town had total principal outstanding of \$1,951,127 as at 30 September 2024.

List of Accounts Paid for September 2024

The list of accounts paid during September 2024 is included in the attachment. This includes purchases made via electronic fund transfers and cheque payments, credit card payments, and fuel cards payments.

The following material payments are brought to the Council's attention:

- \$584,514.90 to the Department of Fire and Emergency Services for the Town's quarterly contribution for Emergency Services Levy
- \$161,120.28 and \$153,931.47 to the Town of Cottesloe Staff for Fortnightly payroll
- \$171,068.70 to the shire of Peppermint Grove for the Grove Library contribution costs
- \$105,097.24 to Solo Resource Recovery for waste collection services
- \$61,795.01 to the Department of Mines, Industry Regulations and Safety for building services levies
- \$45,637.69 and \$45,444.73 to SuperChoice Services Pty Ltd for Superannuation contributions
- \$44,339.00 and \$41,515.00 to the Australian Taxation Office for Payroll deductions
- \$38,441.26 to Datacom Solutions (AU) P/L for the ERP project
- \$35,220.72 to Managed IT Pty Ltd for IT services, maintenance and licensing
- \$27,518.26 to Hames Sharley (WA) P/L for Planning consultancy

- \$26,358.23 to the Western Metropolitan Regional Council for Waste disposal services

ATTACHMENTS

10.1.3(a) Monthly Financial Statements for the period 1 July 2024 to 30 September 2024 [under separate cover]

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Reg. 34

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 30 September 2024.

DEVELOPMENT AND REGULATORY SERVICES**10.1.4 LOTS 35 & 50 (7 & 11) STATION STREET, COTTESLOE - APPLICATION FOR SIGNIFICANT DEVELOPMENT - PROPOSED APARTMENTS, HOTEL AND COMMERCIAL TENANCIES - COUNCIL SUBMISSION TO THE WESTERN AUSTRALIAN PLANNING COMMISSION**

Directorate: Development and Regulatory Services
Author(s): Ed Drewett, Coordinator Statutory Planning
Authoriser(s): Steve Cleaver, Director Development and Regulatory Services
Paul Neilson, Manager Planning Services
File Reference: D24/45484
Applicant(s): Element Advisory/Architectus
Author Disclosure of Interest: Nil

SUMMARY

A preliminary report in respect to the significant development application for Lots 35 & 50 (7 & 11) Station Street, Cottesloe was considered at the 22 October 2024 Ordinary Council meeting (OCM).

The purpose of this report is to provide additional comments following completion of the officer's assessment and a final recommendation for Council's consideration.

OFFICER RECOMMENDATION IN BRIEF

That Council DOES NOT SUPPORT the mixed-use development for various reasons, including:

- insufficient grounds to support the proposed development ahead of the progression of the Cottesloe Village Precinct Structure Plan;
- concerns and inconsistencies with the application when considered against:
 - The Town's Local Planning Scheme No. 3;
 - The Residential Design Codes (Volume 2);
 - State Planning Policy No 7 the 'Design of the built Environment'; and
 - Council's Draft Local Planning Strategy.
- Significant concerns about height and massing and overshadowing of Napoleon Street during winter months.

BACKGROUND

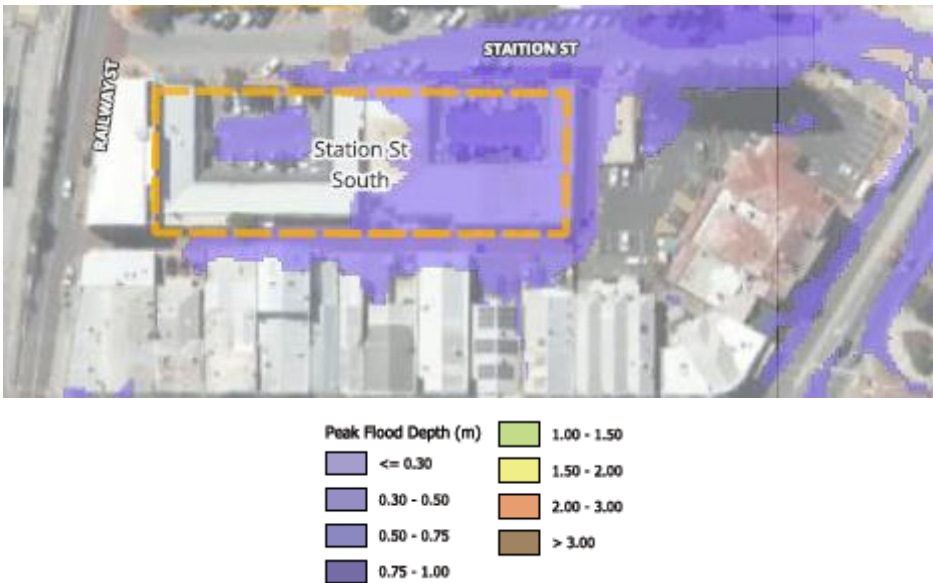
Please refer to the previous Council OCM report (OCM173/2024).
<https://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/22-october-2024-ordinary-council-meeting/347/documents/unconfirmed-minutes-ordinary-council-meeting-22-october-2024.pdf>

The main concerns discussed in the previous report included building height and massing, built form and scale, overshadowing, loss of mature trees, parking shortfall and vehicle access. Further, there are considered insufficient grounds to support the proposed development ahead of the progression of the Cottesloe Village Precinct Structure Plan (CVPSP) to its final approval stage, as this would result in the development of the Cottesloe Activity Centre in a poorly integrated, incohesive and inaccessible manner and undermine the purpose and function of the Precinct Plan.

OFFICER COMMENT

In addition to the Officer Comment in the previous report, the Town has had the opportunity to consider advice which is assisting with the implementation of the proposed draft CVPSP.

This preliminary advice suggests that roads, such as Station Street, are constrained with limited opportunity for upgrades to increase capacity and improve performance, and also that maximum groundwater levels in Station Street are expected to be within 5m below ground level.



Above: Draft plan showing modelled peak flood depths relative to Station Street

These are important considerations as allowing the proposed significant development on Station Street to proceed in an ad hoc manner would put significant pressure on the existing road network which needs to be carefully managed. Furthermore, where groundwater-intersecting underground structures are proposed for development, care must be taken to manage groundwater level rises which could interfere with existing drainage infrastructure, potentially leading to property flooding. Groundwater runoff should therefore be managed

on-site wherever possible to avoid impacting on existing drainage infrastructure or necessitating significant works to be carried out within the road reservation.

Technical reports relating to traffic impact assessment and stormwater management will be attached to the officer's report for the draft CVPSP that is targeted to be put to Council in December 2024. These will assist in formulating the proposed design parameters incorporated into the draft CVPSP, addressing the road network, drainage infrastructure, and minimising the impact of major rainfall events.

ATTACHMENTS

Nil

CONSULTATION

The application was not advertised by the Town as the Council is not the determining authority. The application is for a significant development application that has been referred by the Western Australian Planning Commission (WAPC) to the Town for comment. The WAPC has advertised the development application to owners and occupiers within an approximate 200m radius of the site with public submissions closing on 4 November 2024.

STATUTORY IMPLICATIONS

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development Act 2005 - Part 17*
- Local Planning Scheme No. 3
- Residential Design Codes
- Draft Local Planning Strategy
- Town and Local Centres Design Guidelines
- Proposed Cottesloe Village Precinct Structure Plan

POLICY IMPLICATIONS

The proposed development will have significant implications on the proposed Cottesloe Village Precinct Structure Plan.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 3: Our Prosperity - A vibrant and sustainable place to live, visit and enjoy.

Major Strategy 3.1: Activating Cottesloe and Swanbourne town centres and increasing their appeal, attracting more local business and visitors.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

It is noted that the Cottesloe Town Centre is a prime location for transit oriented development which has the potential to provide environmental, social and economic sustainability benefits. A contemporary and strategic planning framework guiding the comprehensive and coordinated redevelopment of town centre will ensure new development will provide sustainability benefits. Without this framework in place, it is inappropriate to support the development.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

1. **THAT Council not support the mixed-use development application for Lots 35 & 50 (7 & 11) Station Street based on this assessment for the following reasons (and as otherwise detailed in this report)**
 - a) **There are insufficient grounds to support the proposed development ahead of the progression of the Cottesloe Village Precinct Structure Plan (CVPSP) to its final approval stage, as this would result in the development of the Cottesloe Activity Centre in a poorly integrated, incohesive and inaccessible manner and undermine the purpose and function of the Precinct Plan.**
 - b) **After consideration of Town's Local Planning Scheme No 3 (LPS 3), the Residential Design Codes (Volume 2) and State Planning Policy No 7.0 - 'Design of the built Environment':-**
 - I. **The proposed building height and massing will have a significant detrimental impact on the amenity of the area, especially due to overshadowing of Napoleon Street during winter months and is significantly higher than the existing height controls contained in LPS 3 or anticipated heights contemplated in recent Cottesloe Village Precinct [Structure](#) Planning.**
 - II. **The resultant built form and scale will be overbearing on the character of the area, have a detrimental visual impact on the [local heritage-listed](#) Albion Hotel, and be inconsistent with the Local Planning Scheme and local planning framework;**
 - III. **[Related to the above, the proposal fails to satisfy Element Objectives 2.2 \(Building height\), 2.7 \(Building separation\), 3.2 \(Orientation\) and 3.3 \(Tree retention and deep soil areas\) of the Residential Design Codes \(Volume 2\).](#)**
 - IV. **The proposed design does not include retention of the existing mature trees located on the [lot](#) and appears reliant on new trees to be planted in the public domain to improve the tree canopy at ground level. The trees being**

removed are the only existing large trees at the western end of Station Street and they are replaced with 3 small trees along the Station Street frontage.

- V. The application proposes two car park access points: one to Station Street and one to De Nardi Lane, which is inconsistent with the existing Town Centre Design Guidelines which only permits vehicle access from De Nardi Lane.
 - VI. There will be a shortfall of up to 17 on-site visitor bays, and a significant shortfall of 165 car bays for the non-residential uses.
 - VII. The proposed development necessitates the provision of a large stormwater retention tank and other major infrastructure changes to be carried out within the Station Street road reservation which would require the separate approval of Council and is not currently supported.
 - VIII. The proposed development would put significant pressure on the existing road network and interfere with the existing drainage infrastructure that could result in property flooding.
- 2. The proposed development is inconsistent with the aims and objectives of the Town's draft Local Planning Strategy that has recently been advertised and should be considered as a 'seriously entertained' document.
 - 3. Requests the Administration to forward this report, the report and attachments to the 22 October Ordinary Council Meeting and the Council resolutions to the Western Australian Planning Commission in response to the referral of the significant development application, quoting reference number SDAU-054-21.

10.1.5 SEA VIEW GOLF CLUB - NEW ENTRY & ACCESSIBILITY UPGRADES TO CLUBHOUSE

Directorate: Development and Regulatory Services
Author(s): Ed Drewett, Coordinator Statutory Planning
Authoriser(s): Steve Cleaver, Director Development and Regulatory Services
Paul Neilson, Manager Planning Services
File Reference: D24/45997
Applicant(s): Sea View Golf Course (Walton Architects)
Author Disclosure of Interest: Nil

SUMMARY

A report in respect to a planning application for refurbishment works at the Sea View Golf Club (SVGC) was considered at the 24 September 2024 Ordinary Council Meeting (OCM154/2024). The purpose of this report is to provide additional information following Council's decision of 22 October 2024 (OCM186/2024 & OCM187/2024) to adopt the SVGC Redevelopment Advisory Committee Recommendations and design principles for the redevelopment of the clubhouse and associated facilities.

OFFICER RECOMMENDATION IN BRIEF

That Council does not provide its consent as lessor, nor endorse the signing by the Town of the planning application received on 1 August 2024 for refurbishment works at the SVGC.

BACKGROUND

At its Ordinary Council Meeting held on the 26 April 2017 Council resolved to make a donation of \$48,000 as a contribution towards improvements at the Sea View Golf Course Clubhouse facilities. These improvements included better universal access via the installation of a disability ramp and disabled access improvements at the club house (Attachment A).

While these universal access improvements were not made, Council, at its Ordinary Meeting held on 30 April 2019, supported a request by the Golf Club to vary the projects funded by the donation to exclude these works (Attachment B).

On 24 September 2024, Council considered an application for refurbishment works at the SVGC (OCM154/2024) and resolved:

THAT Council

- 1. DEFER this item in order that the administration may collate the community feedback from the recent survey in relation to the Clubhouse & organise a briefing for elected members to understand this feedback; and***
- 2. To bring this item back to the Ordinary Council Meeting schedule no later than 17 December 2024.***

Recent Council Resolutions on the planning application for refurbishment works

At the OCM held on 22 October 2024, Council considered the SVGC Redevelopment Advisory Committee Recommendation and Council Resolution (OCM186/2024) and resolved, amongst other things, as follows:-

4. APPROVES the following design principles for Redevelopment of this clubhouse and associated facilities (the Redevelopment).

- a. Universal design by ensuring accessibility for all individuals;*
- b. Fit for purpose design by creating spaces that meet the diverse needs of both members and non-members;*
- c. Design compatibility with the natural environment and Cottesloe's local character;*
- d. Public safety and public access;*
- e. More iconic and aesthetically pleasing design*

5. APPROVES the following three concepts to be developed in line with the design principles mentioned in point 4 as part of the Feasibility Study:

- a. Solution 1: Demolish and rebuild the existing facility;*
- b. Solution 2: Retain and refurbish the existing facility;*
- c. Solution 3: Retain, refurbish and expand the existing facility*

Further, Council resolved (OCM187/2024) that it:-

1. APPROVES a budget amendment of \$75,000 from the Property Reserve, noting that this has a balance of \$308,015 to fund the following elements as part of Stage 2 Feasibility Study:

- a. 3 Design Concepts including artist impressions \$46,000*
- b. Cost Development for 3 Design Concepts \$11,000*
- c. Economic Analysis (benefit to cost) \$ 8,000*
- d. Project Management (Staff Time) \$10,000*

OFFICER COMMENT

In light of the above process and pathway being adopted by Council under the Strategy, Town Officers are of the view that it may no longer be appropriate to provide support for the proposed refurbishment application as this would allow the feasibility study and associated solution options to address universal design and accessibility to be completed.

As advised in the previous report, it should be noted that the National Construction Code, which is called up under the WA Building Act 2011, does not have any retrospective triggers to require the upgrading of existing buildings that do not comply with the current access standards.

Universal design and accessibility for all individuals is to be provided as part of the redevelopment of the clubhouse and associated facilities as part of all concepts options. It is recommended that the clubs funds, which would otherwise have been spent on the

refurbishment works associated with this application, be expended following the feasibility studies.

ATTACHMENTS

10.1.5(a) Attachment A - 2017 Report & Attachments [under separate cover]

10.1.5(b) Attachment B - 2019 Report & Attachments [under separate cover]

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Metropolitan Region Scheme

DC Policy 5.3 – Use of Land Reserved for Parks & Recreation & Regional Open Space.

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.1: Town infrastructure is well planned, effectively managed and supports our community, whilst protecting and promoting our unique heritage and character

RESOURCE IMPLICATIONS

There are no perceived budgetary implications to the Town of this proposal.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council does not provide its consent as lessor, nor endorse the signing by the Town of the planning application for refurbishment works at the Sea View Clubhouse, 2 Jarrad Street, Cottesloe received on 1 August 2024, noting that universal design and accessibility for all individuals is to be provided as part of **any redevelopment **options** of the clubhouse and associated facilities.**

ENGINEERING SERVICES**10.1.6 GREEN INFRASTRUCTURE STRATEGY PUBLIC CONSULTATION**

Directorate: Engineering Services
Author(s): Shaun Kan, Director Engineering Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D24/44749
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider the Green Infrastructure Strategy (GIS) community consultation results and endorse a pathway towards an adopted Street Tree Masterplan (STM) and other required plans to deliver the outcomes of the GIS.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the pathway towards finalising the GIS, STM and NAMP.

BACKGROUND

The following provides a summary of previous work and Council decisions:

- July 2023 - The GIS, an overarching document to the Natural Areas Management Plan (NAMP), STM, and policies related to 'greening' in the Town of Cottesloe was adopted;
- September 2023 - The NAMP was adopted;
- October 2023 – Council deferred considering a version of the STM and asked for further investigations to be undertaken;
- March 2024 – Council asked for the GIS, a revised 2017 STM and NAMP to be advertised as part of the community consultation;
- May 2024 - Element WA was appointed for the community consultation;
- 1 July to 25 August 2024 - 225 responses were received from the consultation;
- September 2024 – Council deferred the item for a workshop (below); and
OCM152/2024

1. To defer this item in order that the administration may organise a briefing for elected members; and

2. To bring this item back to the Ordinary Council Meeting scheduled for no later than 17 December 2024.

Carried 7/0

- November 2024 – The workshop was held.

OFFICER COMMENT**Summary of September 2024 OCM Officer's Report**

Survey participants are generally supportive of the GIS, STM and NAMP. The next few points summarises their feedback on the 3 documents;

GIS:

- Canopy objective is achievable through an aggressive planting program, retaining public open space and better preservation of existing street trees;
- Diversity in species planted with more native trees and reduction in Norfolk Island Pines (NIPs);
- Protecting trees on private land is better achieved through planning policies and this protection invades privacy;
- A 30% canopy coverage by 2040 is low;
- More community projects with Cottesloe Coastcare and maintain constructive relationships with them to ensure their wealth of knowledge is retained;

STMP:

- Supportive of the species within the STM that was advertised as part of the public consultation;
- Supported the retention of the Norfolk Island Pines (NIP) on a number of distributor roads and local roads (refer to September 2024 OCM);

NAMP

- 93% of respondents felt that it was important to maintain and restore the natural areas of Cottesloe
- The 3 most distinct operational priorities are in the order of ensuring weed-free material, maintain natural area budget and knowledge transfer;
- The most important planting recommendations are ranked in the sequence of species selection, drainage outlet erosion control, using local species, planting density, demarcation of new plantings from weeds, providing infrastructure to protect the natural areas and avoid turfing in areas less than a metre wide;

The Administration then considered these responses and proposed the following:

- Leaving the base canopy target at 30% by 2040 and review this in 2 years;
- Temporarily defer private property tree retention policies until supported by State Government legislation;
- Appointing external specialists to develop planting strategies and operation plans for all green infrastructure to achieve the 30% canopy by 2040
- Model the planting strategies and operation plans developed by external specialist mentioned in the above (previous point) point in the Asset Management and Long Term Financial Plan;

- A significant tree register to inform decision making including education and incentives as ways to encourage retention;
- Maintain NIP as the preferred species along the selected distributor, entry statement and local roads and revise those on the other streets;
- Consider other changes within the STM affected by the Polyphagous shot-hole borer (PHSB), resident request, formalising the Claret Ash for Napoleon Street and including infill species for Grant Street median (between the NIP)
- Consider recommendation 1, 3, 7 and 11 within the NAMP because all the others have either already been achieved, will form part of future capital projects or require further analysis to determine viability in progressing them.

November 2024 Elected Member Workshop Feedback

It is reasonable to conclude the following feedback from elected members were generally comfortable with the September 2024 OCM officer's recommendation.

Other than the objectives of the GIS, the Administration was asked to consider the following:

1. Transfer of knowledge between Cottesloe Coastcare and Town staff and continued coordination and planning for the natural areas that covers:
 - a. New planting areas and maintenance of existing ones;
 - b. Community and corporate planting events including volunteers;
 - c. Contractor supervision;
 - d. Expert advice on species selection and herbicides
2. That the GIS is implemented universally with other informing strategies such as the Integrated Transport Strategy;
3. Further strategies and management plans prepared by any external consultant considers the following:
 - a. The 4 matters mentioned in point 1;
 - b. Best maintenance practices and other measures to achieve the GIS, STM and NAMP (all green infrastructure) outcomes including education and incentive approaches for retention of trees in private property;
 - c. As part of identifying planting opportunities to meet targets, investigates the canopy for the different elements that make up the public realm (POS and verges); and
 - d. A new bushcare officer position as part of any future workforce planning.

The Administration also provides the following clarifications to queries raised through email correspondence:

- The POS Planting Concept mentioned in the officer's recommendation only covers the Class 'A' recreation reserves and areas of significance such as the Cottesloe Village are covered by Precinct Plans or the street tree masterplan;

- The Greening Maintenance Plan is an operational plan that covers best preservation practices for all green infrastructure including the STM and NAMP in aspects such as but not limited to fertilisation, watering and pruning, similar to the current Seaview Golf Course Management Plan;
- Matters such as the performance of all green infrastructure (GIS targets) will be done bi-annually through measures such as aerial thermal surveys and natural areas condition assessments similar to the one recently done by Syrinx in updating the NAMP; and
- Staff training and capabilities are considered as part of the Town's workforce planning process.

Recommended Pathway

Balancing the September 2024 officer comments and the feedback from the November 2024 workshop, the following is the proposed pathway to finalise the GIS:

- **Step 1: External consultants investigations** - develop the required planting and maintenance plans for all green infrastructure to achieve the 2040 30% canopy including alternative species for the identified streets;
- **Step 2: Engagement with directly impacted stakeholders** - Consult with residents affected by street tree species changes as mentioned in point 4 of the officer's recommendation. Council then considers feedback as part of adopting an STM;
- **Step 3: Asset Management and Workforce Planning** – Determine asset management and workforce implications from step 1 and 2 outcomes (includes the Bushcare Officer);
- **Step 4: Long Term Financial Modelling** – Determine long term financial implications resulting from step 1 to 3; and
- **Step 5: Council decision** – Council considers the Asset Management Plan and Long Term Financial Plan implications to decide whether to adopt the additional plans that result from step 1

The officer's recommendation considers the September 2024 OCM information, November 2024 Workshop feedback and the recommended pathway (step 1 to 5).

The Administration wishes to re-iterate that any changes to street tree species will only physically occur when an existing tree is no longer thriving. Healthy and thriving trees **WILL NOT** be replaced. This is consistent with Street Tree Policy.

It is also important to note that the Street Tree Policy is an operational document that is informed by the GIS such that the policy will be updated accordingly in line with the strategy.

Council is to note that the certification of tree health is done by qualified horticulturist on staff in line with the provisions of the street tree policy.

Below are responses to other questions raised through email by elected members:

- Question 1: There is no maximum amount indicated for the cost of the 'external expertise'. Does the administration have an estimated cost in mind?

Response 1: The Administration will require a Council approved scope to determine the appropriate external expert and seek quotes from them. Council adopting the officer's recommendation provides that scope.

- Question 2: Which trees are to be included in 'a significant tree register'? All trees that make up the definition of canopy as measured to assess progress towards our canopy target? 'Mature trees' as defined in the WALGA 'Model Local Planning Policy Tree Retention', i.e. 'a "mature tree" is 8m or more high; and/or has an average canopy diameter of at least 6m; and/or has a trunk circumference of at least 1.5m, measured 1.4m above the ground; and is of a species that is not included on State or local area weed register'. Or something else?

Response 2: At minimum this would be trees associated with heritage listed properties either on the national, state or local inventories. The other parameters will be determined based on advice from the external expert and will include but not be limited to how other Local Governments are categorising such trees, what works for them and the classification method that best works for Cottesloe.

- Question 3: Does the following proposal mean that Council will be endorsing a budget of \$90,000 per annum as outlined in the Syrinx report for purchase of tubestock etc, the hiring of contractors for hole-digging, weeding and so on? Or would the removal of recommendation 3 mean that the budget for this work could again next financial year be reduced to \$60,000 or some other lesser amount?

Response 4: The officer has made this particular recommendation by virtue that the natural areas budget has been increased from \$60,000 to \$90,000 in 2024/2025 as suggested within the NAMP. Whether or not the natural areas allocation is reduced to \$60,000 (or remains at \$90,000) in subsequent years is a decision of Council at the time it deliberates any future annual budget.

- Question 4: What is the purpose of the CEO to consider the costing information in relation to? And what will be done with his considerations?:

Response 5: This would be the cost of providing the level of service within all the strategic and operating plans and for this to be modelled in the Asset Management Plan, Workforce Plan and Long Term Financial Plan to inform Council whether practices recommended by the external consultant is sustainable from a human resource and financial perspective i.e. what are the staffing and rate implications when this is done in conjunction with all the other priorities within the adopted Council Plan for Council to look at affordability.

ATTACHMENTS

- 10.1.6(a) Attachment A - Element - GIS Engagement Outcomes Report - 9 September 2024 [under separate cover]
- 10.1.6(b) Natural Areas Management Plan - Assessment Summary Report 2022_V3_FINAL-3.1-JBDP table update [under separate cover]

CONSULTATION

Refer to the attached Consultation Summary Report

In progressing the officer's recommendation, future consultations and engagements by both the Administration and any external expertise will include:

- Residents, ratepayers and businesses when changing the Street Tree Masterplan preferred street tree species identified for their street. This will be through an online survey.
- Relevant State Government Agencies such as Department of Primary Industries and Regional Development for the shothole borers affecting a number of species. This will likely be through email correspondence and in person interviews if needed; and
- The Natural Areas Alliance comprising of Cottesloe Coastcare and Perth Natural Resource Management (NRM) for the matters mentioned under the Elected Member Feedback section. This will be through a series of workshops needed to cover the various topics.

STATUTORY IMPLICATIONS***Local Government Act 1995***

Section 2.7 – Role of Council

POLICY IMPLICATIONS

There are no perceived policy implications from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.4: Work collaboratively to protect, enhance and increase our natural assets and green canopy.

RESOURCE IMPLICATIONS

The short term works involving an external consultant will be funded through the \$100,000 allocated to Green Infrastructure in 2024/2025. Longer term implications will be determined as part of the Asset Management and Long Term Financial Planning. This will then be used to inform future budgets.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The STM and GIS contribute to expanding canopy cover whilst the NAMP combined with the other related projects provide protection against coastal erosion.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council

- 1. THANKS** all the participants for taking the time to respond to the survey;
- 2. APPROVES** the following pathway (detailed in the officer's comment section) towards finalising the Green Infrastructure Strategy (GIS):
 - a. Step 1:** Develop additional plans required to deliver green infrastructure targets;
 - b. Step 2:** Finalise the Street Tree Masterplan following consultation with stakeholders directly impacted by the street tree species changes;
 - c. Step 3:** Consider the Asset Management and Workforce implications from the additional plans;
 - d. Step 4:** Long Term Financial implications of the additional plans;
 - e. Step 5:** Council decides whether to adopt the additional plans
- 3. REQUEST** for the appointment of external expertise to carry out the following works from the \$100,000 Green Infrastructure Operating Budget and for the Green Infrastructure Strategy to be supplemented with these outcomes:
 - a. Develop** a long-term plan that identifies well-balanced measures for achieving the 30 percent canopy by 2040 which considers the outcomes from the final Street Tree Masterplan, Natural Areas Management Plan and the additional Public Open Space Landscaping Concept for planting within these areas and Maintenance Plan to ensure best practice and cost effectiveness in the preservation of all green infrastructure;
 - b. Establish** a significant tree register to determine the location of such trees so that their retention can be achieved through community education and encouragement as part of the planning development application assessment process and investigate incentives to retain significant trees on private land;
 - c. Transfer of knowledge** between Cottesloe Coastcare and Town staff and continued coordination and planning for the natural areas that covers:
 - i. New planting areas** and maintenance of existing ones;
 - ii. Community and corporate planting events** including volunteers;
 - iii. Contractor supervision;**
 - iv. Expert advice** on species selection and herbicides
 - d. As part of identifying planting opportunities** to meet targets, investigates the canopy for the different elements that make up the public realm (POS and verges);

4. **NOTES** the need to make changes to street tree species within the Street Tree Masterplan along various streets:
- a. **Changes to the Norfolk Island Pine species (with advice from external expertise) for sustainability reasons:**
 - i. **Warton Street;**
 - ii. **Gibney Street;**
 - iii. **Seaview Terrace;**
 - iv. **Deane Street;**
 - v. **Charles Street;**
 - vi. **Congdon Street Centre Median;**
 - vii. **Marine Parade (Eric Street to Grant Street);**
 - viii. **Marine Parade (Curtin Avenue to Forrest Street);**
 - b. **Changes to other street tree affected by the Polyphagous shot-hole borer:**
 - i. **Hawkstone Street (Broome Street to Hamersley Street) – Coral Tree;**
 - ii. **Napier Street (East of Curtin Avenue) – Sugar Gum;**
 - iii. **Florence Street – Coral Tree;**
 - iv. **Alexandra Avenue – Coral Tree**
 - v. **Jarrad Street – Melaleuca (Paperbark);**
 - vi. **McNamara Way – Melaleuca (Paperbark);Brixton Street – London Plane;**
 - vii. **Graham Court – Melaleuca (Paperbark);**
 - viii. **Windsor Street – Melaleuca (Paperbark);**
 - ix. **Burt Street – Chinese Tallow;**
 - x. **Gordon Street – Melaleuca (Paperbark);**
 - xi. **Mann Street – Melaleuca (Paperbark) ;**
 - xii. **Charles Street – Chinese Tallow;**
 - xiii. **Princess Street – Chinese Tallow;**
 - c. **Changes requested by Hamersley Street residents from Casuarina Tree to Peppermint Tree;**
 - d. **Changes proposed by the Administration:**
 - i. **Grant Street East and West of Curtin Avenue to include a number of other species as infill planting between the Norfolk Island Pines;**
 - ii. **Napoleon Street to recognise the current Claret Ash as the preferred tree as there is no assigned species for this street;**
 - e. **INSTRUCTS** the Chief Executive Officer to:

- i. Obtain advice from external expertise on the appropriateness of alternative species for the proposed changes along the streets mentioned in points 4a, b, c and d;
 - ii. Engage with residents, businesses, and property owners along the following streets on the new street tree species with an item returning to Council no later than the April 2024 Ordinary Council Meeting to consider the final Street Tree Masterplan:
5. **NOTES** that the new street tree species within any adopted Street Tree Masterplan will only occur when the existing tree onsite has been certified to no longer thrive as defined within the street tree policy such that a healthy and thriving tree WILL NOT be replaced;
6. **THANKS** Cottesloe Coastcare, Perth Natural Resource Management, and Community Members for their contribution to and participation in all planting events that have resulted in the significant improvement to Cottesloe's natural areas since 2015;
7. **INSTRUCTS** the Chief Executive Officer to incorporate hyperlinks to the 2008 original version of the Natural Areas Management Plan and its 2015 addendum within the attached September 2023 Natural Areas Management Plan;
8. **ENDORSES** all the recommendations and the proposed long term budget within the September 2023 endorsed document except the following:
 - a. Recommendation 7 (stormwater drainage outlets improvements) and 11 (selection of shady tree species and design principles for shade structures) as this will be considered as part of future capital projects;
 - b. Recommendation 1 pertaining to the employment of a full-time Bushcare Officer as this is SUBJECT to the outcome of the Town's Workforce Planning process;
 - c. Recommendation 3 relating to the increase of the Natural Areas Budget has already been approved by Council in 2024/2025 where the amount has risen from \$60,000 to \$90,000;
9. **REQUESTS** the Administration to continue collaborating with Cottesloe Coastcare (CCA) and Perth Natural Resource Management as part of the Natural Areas Alliance for the ongoing implementation of the Council approved recommendations within the attached Natural Areas Management Plan;
10. **INSTRUCTS** the Chief Executive Officer to consider all the costing information resulting from points 2 to 8 in the Asset Management, Workforce and Long Term Financial Planning as part of developing these strategic Council documents; and
11. **NOTES** that the outcomes from the works mentioned in point 3 together with their asset management and long term financial implications will be presented at an Elected Member Workshop in 2025 before they are tabled at an Ordinary Council Meeting for deliberation.

10.1.7 HEALTHY STREETS PROJECT

Directorate: Engineering Services
Author(s): Renuka Ismalage, Manager Projects and Assets
Authoriser(s): Shaun Kan, Director Engineering Services
File Reference: D24/45068
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider the public consultation results and the Broome Street and Marmion Street Healthy Streets Concept (Option 2 – Attachment D) for a funding request to be submitted to Main Roads Western Australia (MRWA).

Council is also asked to consider a budget amendment of \$100,000 to carry out the detailed design in the 2024/2025 financial year subject to MRWA agreeing to fund the project.

OFFICER RECOMMENDATION IN BRIEF

That Council NOTES the feedback in the second public consultation and APPROVES the concept plan (Option 2 – Attachment D) for funding submission and including a budget amendment of \$100,000 for the detailed design.

BACKGROUND

The following provides a summary of work to date:

- In 2022 – MRWA identified Broome Street and Marmion Street as trial sites;
- April and May 2023 – Elected members were briefed (Administration and MRWA);
- June 2023 – Council endorsed the trial;
- November 2023 to January 2024 – Aspiration community survey occurred;
- May 2024 – Community workshops occurred to develop a preferred concept;
- In July 2024 – Active Transport Working Group provided feedback and Council adopted a preferred concept (Option 1 – Attachment A) for the second public consultation;
- September and October 2024 –
 - (a) The second public consultation occurred (74 online submissions received);
 - (b) Healthy Streets accredited consultant was commissioned to assess Option 1 (Attachment B);
 - (c) Preliminary discussions with MRWA; and
- November 2024 – Elected members were briefed on the results from the September consultation.

The work undertaken between September and November 2024 are further discussed within the officer's comment section. The overall results show that approximately 65% were supportive of Option 1 whilst 35% were unsupportive,

OFFICER COMMENT

September 2024 Public Consultation Results

The results are summarised as follows:

- A total of 74 online responses were received;
- 28 of these respondents live within the Healthy Street trial sites as shown in diagram 1 below;
- The remaining 46 were external to the catchment;



Diagram 1 – Letter distribution map

- Table 1 below summarises these results and feedback provided is within Attachment C; and
- A majority of the respondents from both categories (Resident within and outside the trial sites) are supportive of the Healthy Streets treatments.

		Resident Reside within trial sites (Broome & Marmion Streets between Forrest and Grant) 28 Responses		Resident Reside outside trial sites (Broome & Marmion Streets between Forrest and Grant) 46 Responses	
#	Survey Question	Yes	No	Yes	No
Broome Street					
Q1	Do you agree with the proposed raised intersection treatment at Forrest Street intersection? (Refer to Concept Plan - Diagram A)	22	6	29	17
Q2	Do you agree with the proposed raised intersection treatment at John Street intersection?(Refer to Concept Plan - Diagram B - 1)	21	7	26	20
Q3	Do you agree with the proposed raised intersection treatment at Loma Street intersection?(Refer to Concept Plan - Diagram B - 2)	20	8	26	20
Q4	Do you agree with the proposed pedestrian crossing treatment at Napier Street intersection?(Refer to Concept Plan - Diagram B - 3)	21	7	26	20
Q5	Do you agree with the proposed Mid-block Plateau treatment at Bryan Way intersection?(Refer to Concept Plan - Diagram C)	20	8	25	21
Q6	Do you agree with the proposed raised intersection treatment atEric Street intersection?(Refer to Concept Plan - Diagram D)	21	7	27	19
Q7	Do you agree with the proposed raised safety platform treatment at Hawkstone Street intersection?(Refer to Concept Plan - Diagram E - 1)	21	7	25	21
Q8	Do you agree with the proposed pedestrian crossing treatment at Grant Street intersection?(Refer to Concept Plan - Diagram E - 2)	23	5	26	20
Marmion Street					
Q1	Do you agree with the proposed pedestrian refuge island at Forrest Street intersection?(Refer to Concept Plan - Diagram A - 1)	24	4	29	17
Q2	Do you agree with the proposed Mid-block Plateau treatment between Forrest and John Streets?(Refer to Concept Plan - Diagram A - 2)	22	6	24	22
Q3	Do you agree with the proposed pedestrian crossing treatment at Napier Street intersection?(Refer to Concept Plan - Diagram B)	21	7	26	20
Q4	Do you agree with the proposed raised intersection treatment at Clarendon Street intersection?(Refer to Concept Plan - Diagram C - 1)	16	12	25	21
Q5	Do you agree with the proposed slow point treatment at Eric Street intersection?(Refer to Concept Plan - Diagram C - 2)	17	11	27	19
Q6	Do you agree with the proposed pedestrian crossing treatment at Eric Street intersection?(Refer to Concept Plan - Diagram C - 3)	22	6	28	18
Q7	Do you agree with the proposed Mid-block Plateau treatment between Florence and Hawkstone Streets?(Refer to Concept Plan - Diagram D)	20	8	23	23
Q8	Do you agree with the proposed pedestrian crossing treatment at Grant Street intersection?(Refer to Concept Plan - Diagram E)	23	5	28	18

Table 1: Public Consultation Summary**Healthy Street Assessment**

The Healthy Street Assessments comparing the Council approved preferred concept (Option 1) with status quo is summarised in table 2 and 3. Highlighted parameters relate to the road calming treatments.

	BROOME STREET					
	Forrest to Napier		Napier to Eric		Eric to Grant	
	Existing Layout Score	Proposed Layout Score	Existing Layout Score	Proposed Layout Score	Existing Layout Score	Proposed Layout Score
Everyone feels welcome	24	30	20	20	19	21
Easy to cross	24	38	24	24	19	24
Shade and shelter	50	50	33	33	33	33
Places to stop and rest	7	7	0	0	0	0
Not too noisy	47	53	47	47	40	40
People choose to walk and cycle	24	30	20	20	19	21
People feel safe	25	33	22	22	19	22
Things to see and do	33	33	17	17	25	25
People feel relaxed	24	30	20	20	19	21

Clean air	44	56	44	44	33	33
Average Healthy Streets Score (10 Elements)	30	36	25	25	23	24

Table 2: Broome Street Assessment – Before and After

	MARMION STREET					
	Forrest to Napier		Napier to Eric		Eric to Grant	
	Existing Layout Score	Proposed Layout Score	Existing Layout Score	Proposed Layout Score	Existing Layout Score	Proposed Layout Score
Everyone feels welcome	24	26	17	19	24	24
Easy to cross	29	29	29	29	29	29
Shade and shelter	67	67	33	33	50	50
Places to stop and rest	0	0	0	7	0	0
Not too noisy	47	53	33	33	53	53
People choose to walk and cycle	24	26	17	19	24	24
People feel safe	22	25	17	19	25	25
Things to see and do	33	33	17	17	25	25
People feel relaxed	24	26	17	19	24	24
Clean air	56	56	56	56	56	56
Average Healthy Streets Score (10 Elements)	33	34	23	25	31	31

Table 3: Marmion Street Assessment – Before and After

In summary:

- The 7 road treatment related Healthy Streets assessments (highlight within Table 2 and 3) show the following observations:
 - (a) Broome Street
 - (i) Between Napier Street and Forrest Street - Significant improvements in all 7 highlighted parameters because of the major treatments at the 3 intersections of Forrest Street, John Street and Napier Street (and the closeness of these intersections to each other) that will potentially reduce speeds quite substantially along this section;
 - (ii) Between Napier Street and Eric Street - No improvements in all 7 highlighted parameters because of the minor treatment at Bryan Way only may not be sufficient to reduce speeds; and
 - (iii) Between Eric Street and Grant Street - Some improvement in the majority of the 7 highlighted parameters because the raised treatment at Eric Street roundabout forces traffic to slow down before it enters this section of Broome Street. Vehicles then have to slow down again closer to Hawkstone Street because of another raised treatment.
 - (b) Marmion Street
 - (i) Between Napier Street and Forrest Street - Some improvement in the majority of the 7 highlighted parameters because of the medians at Forrest Street

intersection that slows down traffic turning from Forrest Street into Marmion Street and the same vehicles are slowed down again by a raised plateau just before John Street intersection;

(ii) Between Napier Street and Eric Street - Some improvement in the majority of the 7 highlighted parameters because of the Napier Street round about that slows vehicles down as they enter this section and speeds kept slower by the raised intersection at Clarendon Street intersection and the lateral shift treatment just before the Eric Street roundabout; and

(iii) Between Eric Street and Grant Street - No improvements in all 7 highlighted parameters because of the minor treatment at Florence Street only may not be sufficient to reduce speeds;

- There is no increase in the parameters that are not highlighted because they relate to footpaths, cycle paths, and shade shelters/resting areas which are not addressed in the proposed concept design;
- Improvements in these out of scope element are likely when addressed by the Town's asset renewal and upgrade works including the street tree planting program;
- The consultant has recommended providing additional treatments along both streets but further clarification (Attachment B) suggests that this would likely generate a maximum score increase of 3 points (depending on anticipated speed reduction); and
- The raised crossings at Napier Street and Grant Street along Broome Street suggested by MRWA will likely improve the road related Healthy Street score; and
- The same improvements suggested by MRWA along Marmion Street will not experience the same benefits as Broome Street due to Marmion Street being a lower order road (Refer to Attachment E).

November 2024 Elected Member Workshop

- Check that the deflector treatment along Marmion Street does not impact crossovers and suggested locating this traffic calming measure at the crest within the vicinity to slow traffic down as they go over this high point;
- Minimise drainage along both roads as part of the detailed design process so as to avoid the risk of cost to the Town (MRWA does not fund drainage);
- Broome Street to occur first as this is the main route of concern; and
- Marmion Street occurring first makes a good "project launch".

MRWA Consultation

MRWA have indicated in meetings that they were:

- Supportive of the Council adopted concept (Option 1 – Attachment A);
- Suggested the following additional treatments to improve the prepared concept design:
 - (a) Replace "piano key" line marking with "shark teeth" markings and that these demarcations are shown only on approach to the traffic calming treatment;

- (b) Incorporate raised pedestrian crossings at Napier and Grant Streets at the Broome and Marmion Street intersections;

Note: A second concept incorporating these MRWA changes (Option 2 – Attachment D) has been developed.

- The low cost urban intervention program (Healthy Streets funding source):
 - (a) Limited to traffic calming treatments but MRWA are open to negotiating the funding of drainage works on a case by case basis;
 - (b) Will not cover street lighting;
 - (c) Will not cover the deflection treatment; and
 - (d) In principle agreement to fund the detailed design in the 2024/2025 financial year and the construction over the subsequent financial years due to limited funding (subject to a review of cost and the program budget after detail design).

Attachment G is email correspondence confirming the discussions.

Preliminary Costs

The cost for Option 1 (Council approved concept) and Option 2 (Updated Council approved concept with MRWA suggestions) are summarized in table 4 below. A breakdown by treatment location is within Attachment F. **Council is to note that the objective is for these costs to be entirely funded by MRWA.**

Description	Total
OPTION 1 - BROOME STREET (Council Approved Concept)	\$ 809,278.00
Road Construction Treatments' Cost	\$ 406,595.00
Drainage	\$ 134,416.00
Preliminary and Planning Cost	\$ 268,267.00
OPTION 1 - MARMION STREET (Council Approved Concept)	\$ 282,884.00
Road Construction Treatments' Cost	\$ 152,359.00
Drainage	\$ 36,753.00
Preliminary and Planning Cost	\$ 93,772.00
OPTION 2 - BROOME STREET (Updated Council Approved Concept)	\$ 914,093.00
Road Construction Treatments' Cost	\$ 440,278.00
Drainage	\$ 170,804.00
Preliminary and Planning Cost	\$ 303,011.00
OPTION 2 - MARMION STREET (Updated Council Approved Concept)	\$ 362,546.00
Road Construction Treatments' Cost	\$ 184,564.00
Drainage	\$ 57,804.00
Preliminary and Planning Cost	\$ 120,178.00

Table 4: Preliminary Costings

Recommended Pathway

- In the spirit of collaboration with and funding affordably by MRWA, endorse the following delivery program over the specified of financial years:

- (a) 2024/2025 – Broome Street and Marmion Street detailed design;
- (b) 2025/2026 and 2026/2027 – Broome Street construction;
- (c) 2027/2028 – Marmion Street construction
- Rationalise the Integrated Transport and Green Infrastructure Strategy to undertake the footpath works and street tree planting as part of the Healthy Street project to improve the non-road related scores (scope included in the detailed design);
- On the basis that MRWA have agreed in principle to fund the detailed design in 2024/2025, approve a \$100,000 budget amendment to commence the construction drawings in this financial year; and
- At the completion of the detailed design, workshop with elected members the additional cost not covered by MRWA and how this will be funded.

Council is to note that whilst every effort will be made to minimize drainage during detailed design, it is expected that there will still be some soak wells needed. Although mitigated by MRWA's openness to negotiate, there is still a residual risk that Council may need to be responsible for some cost. Possible solutions to overcome this are:

- Funding Option 1: Through financial means either through rates, reserves or a combination of the 2 sources; or
- Funding Option 2: Rationalisation of the scope such that the treatment locations are reduced; or
- Funding Option 3: A combination of option 1 and 2.

The preferred option is 1 because:

- Drainage cost to Council would have been minimized by virtue of the analysis done at detailed design and the completion of negotiations with MRWA on their contribution; and
- Options 2 and 3 may reduce the human-centered focus of the Healthy Streets program, potentially impacting the projects scoring.

Whilst the deflection road works [not covered by MRWA](#) can be funded through the Town's Roads to Recovery allocations, [the Administration will consider the raised pavement alternative treatment \(suggested by MRWA\) in the detail design.](#)

A budget amendment will be presented to an OCM should there be the need for additional funding to cover any additional cost not financed by MRWA.

Council is asked to note that the annual maintenance and asset renewal cost to Council for this \$1.1 million MRWA funded project is approximately \$55,000 per annum. This calculation is based on:

- Average 80 years useful life for road pavements (adopted by Council); and
- General asset management principles where an asset's whole of life cost comprises of 20 percent capital cost (\$1.1 million) and 80 percent routine maintenance and renewal cost (\$4.4 million)

It is open for Council to amend the officer's recommendation to not proceed with the project. However, the Administration recommends against this because:

- The benefits to this investment (capital, maintenance and renewal) are seen from avoidance of fatalities, injuries and property damage, noting that it would be difficult to place a value on lives; and
- There is strong community support from both consultations for this project to occur.

At the Agenda Forum, a public statement had requested for:

- A 12 month speed surveillance for Broome Street using the Town's measuring devices so as to capture such profiles for Broome Street particularly during peak seasons (summer and events); and
- A Broome Street posted speed reduction to 40km/h.

The Administration has recently collated data for Broome Street and are in the view that this available information combined with a survey this summer (December 2024 to April 2025) will be sufficient to provide a speed profile for the road because this suggested summer season also includes events that occurs in Cottesloe.

Council can then consider these results to determine whether it wishes for a posted speed reduction to be made.

Given the limited number of devices that may also be required to conduct the same surveys for other streets, there is more value for this to be done by an external consultant. The same resourcing arrangement will be the approach should a 12 month count be preferred.

Alternatively, given the unknown nature of future counts on other streets, a consultant can then be engaged to do them on an as required basis should the Town's counters be deployed on Broome Street.

ATTACHMENTS

- 10.1.7(a) Attachment A - Healthy Streets Council Endorsed Concept - Option 1 - Public Consultation - July 2024 [under separate cover]**
- 10.1.7(b) Attachment B - Healthy Street Assessment Report - PJA [under separate cover]**
- 10.1.7(c) Attachment C - Healthy Street Second Public Consultation Summary Survey Report [under separate cover]**
- 10.1.7(d) Attachment D - Healthy Street Revised Concept - Option 2 - MRWA Feedback [under separate cover]**

CONSULTATION

Residents and ratepayers

MRWA

Healthy Street accredited consultant

Elected members

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.1: Town infrastructure is well planned, effectively managed and supports our community, whilst protecting and promoting our unique heritage and character

RESOURCE IMPLICATIONS

The Healthy Streets Program (funded through the Low Cost Urban Safety Program) will generally fund the detailed design preparation and the construction of road treatments identified in the concept.

Council may need to contribute towards lighting, drainage and minor footpath connections.

The long term maintenance cost including renewal is \$4.4 Million which equates to approximately \$55,000 per year over an 80 year useful life. This will be modelled as part of the overall asset management which is currently being developed.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The implementation of this program will encourage the use of active transport modes and enhance pedestrian accessibility, thereby supporting environmental.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

THAT Council by absolute majority

- 1. APPROVE Concept Option 2 (Attachment D) that incorporates the additional treatments suggested by the Main Roads Western Australia (MRWA) for:**
 - a. A funding submission to be made to the State Government based on the following delivery program:**
 - i. Completion of the detailed design in the 2024/2025 financial year**
 - ii. Priority 1: Construction of the Broome Street treatments;**
 - iii. Priority 2: Construction of the Marmion Street treatments**

- b. As the design principles for the detailed design;
- 2. APPROVE a budget amendment of \$100,000 to accept the MRWA funding that covers the entire cost for the detailed design; and
- 3. INSTRUCTS the Chief Executive to:
 - a. Consider the following factors as part of the detailed design:
 - i. The principle for no cost to be incurred by Council for the entire project by:
 - (1) minimising the drainage requirements for the various treatments within the concept mentioned in point 1;
 - (2) modifying the road deflection to raised pavement treatments within the concept mentioned in point 1;
 - ii. incorporates footpath works and street tree planting to improve the other non-road related healthy street parameters for Broome Street and Marmion Street;
 - iii. construction estimates;
 - b. Conduct a speed survey for Broome Street from December 2024 to April 2025;
 - c. Upon the completion of the detailed design:
 - i. Finalise the construction funding arrangements with Main Roads Western Australia;
 - ii. Bring an item to an Elected Member Workshop to discuss the speed survey results, the influence of a posted speed reduction to the Healthy Streets scoring and the funding contributions by Council so that feedback provided can be considered:
 - (1) in the 2025/2026 budget; and
 - (2) Whether to submit a posted speed reduction to MRWA.

EXECUTIVE SERVICES**10.1.8 ESTABLISHMENT OF THE CEO RECRUITMENT ADVISORY COMMITTEE**

Directorate: Executive Services
Author(s): William Matthew Scott, Chief Executive Officer
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D24/46180
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider and adopt the terms of reference for the CEO Recruitment Advisory Committee and Elected Member membership thereof.

OFFICER RECOMMENDATION IN BRIEF

That Council adopt the attached draft Terms of Reference for the CEO Recruitment Advisory Committee and appoint Four (4) Elected Members to said Committee.

BACKGROUND

On 25 October 2024, the Chief Executive Officer (CEO) notified the Council that he would not seek renewal or extension of his current contract, expiring on 26 July 2025. Consequently, Council must now initiate recruitment for a new CEO in compliance with the Standards for CEO Recruitment, Performance Review and Termination (the Standards), adopted by Council in April 2021 (Resolution OCM060/2021). Clause 8 of the Standards mandates the following:

8. Establishment of selection panel for employment of CEO

(1) In this clause —

independent person means a person other than any of the following —

- (a) a council member;
- (b) an employee of the local government;
- (c) a human resources consultant engaged by the local government.

(2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

(3) The selection panel must comprise —

- (a) council members (the number of which must be determined by the local government); and
- (b) at least 1 independent person.

(4) The selection panel established under this clause will be established as a committee of the local government, as per Section 5.8 Establishment of committees, under the Act.

In line with these requirements, Council must adopt Terms of Reference to formalise the Selection Panel, recommended to be established as an Advisory Committee of Council, termed the “CEO Recruitment Advisory Committee.” The appointment of an independent person, as required, will be addressed in a separate report, noting that the Committee cannot convene until this appointment is made.

OFFICER COMMENT

The Draft Terms of Reference (the Terms) for the CEO Recruitment Advisory Committee (the Committee) were developed based on similar committees established by other local governments. The Terms propose a Committee comprising four (4) Elected Members and one (1) independent person, in line with current standards. The Committee may meet both formally and informally to facilitate the recruitment process; however, all recommendations to Council must arise from a formal Committee meeting. As the Committee will not have delegated authority and due to the confidential nature of recruitment discussions, the Terms specify that Committee meetings will not be open to the public.

Council may adopt the attached Terms of Reference or amend them to better suit its needs. During a recent briefing on the CEO recruitment process, Elected Members were invited to express interest in serving on the Committee. Since the briefing, the CEO has received nominations from Councillors Heath and Irvine. Additionally, the Mayor has informed the CEO of her intention to join the Committee under Section 5.10(4), thus requiring Council's formal appointment. Accordingly, it is recommended that the Deputy Mayor, Cr Harkins, also be appointed.

Apart from the Mayor, Council may appoint other Elected Members to the Committee. However, if Council opts to increase the number of Elected Members on the Committee, it will need to amend the attached draft Terms of Reference.

ATTACHMENTS

10.1.8(a) Terms of Reference - CEO Recruitment Advisory Committee [under separate cover]

CONSULTATION

Western Australian Local Government Association (WALGA).

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 5.8 Establishment of committees

Section 5.10 Committee members, appointment of

Section 5.39A Model standards for CEO Recruitment, performance and termination

Local Government (Administration) Regulations 1996

Schedule 2 Model Standard for CEO Recruitment, performance and termination

Clause 8 Establishment of selection panel for employment of CEO

POLICY IMPLICATIONS

Standard for CEO Recruitment, performance and termination.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023 – 2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

The formation of the committee will not impact current budget provisions, however there will be other unbudgeted requirements, such as the engagement of a Recruitment Consultant, which will be considered in a separate report to Council.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

THAT Council by absolute majority;

- 1. ADOPT the attached terms of reference for the CEO Recruitment Advisory Committee, as the selection panel for the recruitment of a new Chief Executive Officer (CEO); and**
- 2. APPOINT the following Elected Members to the CEO Recruitment Advisory Committee:**
 - a. Mayor Young**
 - b. Cr Harkins**
 - c. Cr Heath**
 - d. Cr Irvine**

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES

10.2.1 RECEIPT OF SEA VIEW GOLF CLUB REDEVELOPMENT ADVISORY COMMITTEE MINUTES

Attachments: 10.2.1(a) Sea View Golf Club Redevelopment Advisory Committee Unconfirmed Minutes - 8 October 2024 [under separate cover]

THAT Council RECEIVES the attached Unconfirmed Minutes of the Sea View Golf Club Redevelopment Advisory Committee Meeting held on Tuesday, 8 October 2024 and ADOPTS the recommendations contained within.

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS****12.2 OFFICERS****13 MEETING CLOSED TO PUBLIC****13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****MOTION FOR BEHIND CLOSED DOORS**

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

The Presiding Member requested the recording equipment to be deactivated when going behind closed doors.

13.1.1 2025 COMMUNITY CITIZEN OF THE YEAR AWARDS AND THE AUSTRALIA DAY EVENT

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (b) and (h) as it contains information relating to the personal affairs of any person and such other matters as may be prescribed.

13.1.2 T07/2024 SUPPLY AND LAYING OF ASPHALT AND ROAD PROFILING - TENDER RECOMMENDATION

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (c) as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

13.1.3 CEO RECRUITMENT CONSULTANT

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (c) as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

MOTION FOR RETURN FROM BEHIND CLOSED DOORS

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

The Presiding Member requested the recording equipment to be reactivated after coming out of closed doors.

13.2 RESOLUTION PASSED IN MEETINGS CLOSED TO THE PUBLIC TO BE READ ALOUD FOR THE BENEFIT OF MEMBERS OF THE PUBLIC IN ATTENDANCE AND VIEWERS WATCHING THE LIVE STREAMING OF THE MEETING.

14 MEETING CLOSURE