



# Town of Cottesloe

I hereby certify that the minutes of the Council meeting held on

**Tuesday, 27 October 2020**

were confirmed as a true and accurate record by Council resolution.

Signed:

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by several loops and a long horizontal stroke.

Presiding Member

Date: 30/11/2020

# TOWN OF COTTESLOE



## ORDINARY COUNCIL MEETING

# MINUTES

ORDINARY COUNCIL MEETING  
HELD IN THE  
War Memorial Hall, Cottesloe Civic Centre, 109 Broome Street, Cottesloe  
6:00pm Tuesday, 27 October 2020

**MATTHEW SCOTT**  
Chief Executive  
Officer

2 November 2020

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

The Presiding Member announced the meeting opened at 6:10pm.

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

**2 DISCLAIMER**

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

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

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

The Presiding Member made the following statement in relation to item 10.1.10 Skate Park Project:

*"I assume that several of you are here tonight due to interest in the skatepark item. The problems with the recent public consultation on this project have been well aired in the media and at recent Council meetings so I won't go into that detail again.*

*You will hopefully have read the Officer's Report and recommendation on the item. The recommendation on the way forward is for a rethink on the project, taking into account all information in the reports on the matter to date.*

*The intention is that an independent consultant with expertise in this area will review the Reports. He or she will attend workshops with Councillors to review previous work on the project and feedback from the recent survey. Council will then determine the project's future.*

*No decision can or will be made in the workshop – Council decisions can only be made at Council meetings.*

*Feedback from the recent survey does show strong support from Cottesloe residents for some skating facilities in Cottesloe. That support demands that Council continues to explore the idea. I note that there does appear to be a wide range of views on the scale and nature of those facilities. Obviously, the scale and nature of the facilities will have considerable bearing on other issues such as funding and location.*

*The proposed location of the skate facilities has caused considerable debate within the community. My own view is that it would be imprudent to rely on the feedback from the survey as conclusively supporting any particular location, given the problems identified with the consultation. It's very important that the community has full confidence in the integrity of the consultation process and the integrity of Council. I can't speak for all Councillors but I would certainly be pressing for the issue to be reconsidered in a broader sense and for it to be the subject of further open and balanced consultation prior to any final decision."*

**4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**Stephen Mellor – 8 Graham Court, Cottesloe – Anderson Pavilion Design Principles and Items 4.1, 4.2 and Financial Statements

Q1. What is the status of the Cottesloe Recreation Precinct Masterplan, May 2018?

A1: An item will be presented to Council later this year.

Q2. When will the Recreation Plan be brought to Council again to progress further and to ensure the design parameters of the Anderson Pavilion development are inclusively considered?

A2: As per response to question 1.

Q3. When does the lease of the Harvey Field Rugby Clubhouse expire?

A3: 31 December 2024.

Q4. When does the lease of the Seaview Golf Course Clubhouse expire?

A4: 30 June 2026.

Q5. When does the lease of the Seaview Kindergarten expire?

A5: 31 December 2022, with a further 10 year Term available to the Lessee.

Q6. My previous request was 'Would Council please request Administration to introduce/include in each monthly report an overall 'rolling total' project summary for large on-going projects and associated grants and income forecasts?' Councillors, will you support this request by instructing Administration to provide whole project budgets as outlined above?

A6: This is a Council decision.

Q7. Councillors, if you are not prepared to support this request for whole of project budget statements to assist your community in understanding the expenditure of their rates, can you please give your reasons and which also support your commitment to the Town's Communication Policy – particularly point d.

*To encourage effective communication within the Town of Cottesloe administration, elected body, community and absentee ratepayers.*

*The objectives of this policy are to:*

- a. Keep people informed of the issues being considered by council and of decisions made.*
  - b. Provide avenues for input and feedback on major issues before decisions are made.*
  - c. Establish effective mechanisms to enable concerns to be raised.*
  - d. Create a continuous improvement system for council*
-

*communication.*

- e. *Provide guidelines for communication between elected members and staff; Council and the media, and Council and the community?*

A7: Refer to response to Q6, however noting the following:

- 1) Project expenditure only accounts for a portion of the overall rates collected, while the current monthly financial reports provides the community a comprehensive accounting of monthly and year to date expenditure, as mandated by the State Government via regulation.
- 2) Modifying current financial report for the needs of one individual will create a precedent for other residents to request additional financial information to meet their own specific needs, resulting over time, an increased administrative burden at an additional cost to all ratepayers, for the benefit of a few.

### **Questions Taken on Notice at Agenda Forum Meeting – 20 October 2020**

Rosie Walsh – 35 Grant Street, Cottesloe – item 10.1.10

Q1. Tonight's attachment says a resident was the catalyst for the negative media attention regarding the proposed skatepark, supposedly because of his universally derided pamphlet. Mr Angers, do you accept that you contributed to the negative attention by (a) inviting comment from the "wider community" to whom you are not accountable and (b) your subsequent equivocation re the skatepark location?

A1. No.

Q2. Do you accept that the erroneous skatepark survey and officer's report contributed to the negative publicity?

A2. The Town publically acknowledged the errors within the Enlocus report when they were identified. In doing so the Town does not believe it has contributed to any negative publicity.

Q3. Do you acknowledge that the woman who contacted 6PR, identified herself as a member of the parks and playgrounds committee, then presented misleading information, inflamed negative debate and damaged Cottesloe's reputation?

A3. The Town acknowledged that there were a number of public comments from various parties which collectively reflected negatively on the Cottesloe community. The Town does not attribute this to a single individual.

Q4. Do you accept that she transgressed the committee behaviour policy?

A4. No.

Q5. Do you recognise as inflammatory, the unsubstantiated statements in a local newspaper from the wife of another unelected committee member?

A5. The Town accepts the democratic right for any individual to voice their own individual opinion. This does not mean that the Town recognises or supports these opinions.



Q6. Are you aware that the Local Government Act establishes that - "The general function of a local government is to provide for the good government of persons in its district and is accountable to the electors of the local government district"?

A6. Yes.

Q7. Are you aware of any other local government inviting comment on its issues or facilities, from non-residents and non-ratepayers?

A7. Yes.

Q8. Have you ever sent a submission or completed a survey regarding local issues in a district in which you are not a resident or ratepayer?

A8. Only the Mayor can answer this, however the question could be deemed inappropriate as it is of a personal nature.

Q9. Though there are only two primary schools in Cottesloe, or is it one, the council contacted 11 schools with invitations to "participate" in the consultation, lobbying for support from thousands of students who don't reside in Cottesloe and have never set foot in Grant Marine Park. In what universe would this be considered ethical representation of the Cottesloe community?

A9. The Town does not accept the premise of the question that the Town "lobbied" students to respond to the survey in a particular way, therefore the question is inappropriate.

Q10. Of the petition containing 1000 signatures, how many were Cottesloe residents?

A10. 221 have identified themselves as Cottesloe residents.

Q11. Mr Angers, do you imagine that any student would refuse to sign a petition for a skatepark?

A11. The question requires speculation and therefore cannot be answered.

Q12. Has the Council discussed a skatepark on railway land with the PTA? If not, why not?

A12. Yes.

Q13. Are you aware that the Department of local Government specifies -

"wherever possible, questions asked during public question time should be responded to at the meeting. People expect an immediate response"? Unquote.

A13. According to the Local Government Operational Guidelines Number 02, Managing Public Question Time, the entire quote is:

"Wherever possible, questions asked during public question time should be responded to at the meeting. People expect an immediate response. Where this is not possible, the person should be advised the question will be taken 'on notice', the question recorded and a written response provided to the questioner as soon as possible."

Given the number of questions asked, many relating to past events, it is unreasonable to expect an immediate response at the meeting in this instance.

## 4.2 PUBLIC QUESTIONS

### Chilla Bulbeck – Unit 8, 19 Broome Street, Cottesloe – item 10.1.10

- Q1. Does Council accept that restoring integrity to the decision-making process requires more than the item 10.1.10's proposal for a workshop for councillors with an independent consultant?
- A1. The proposed workshop in the officer's recommendation is to determine the next steps in progressing the project which will then be communicated to the community. We still need to form a workshop, decide on the rules and regulations that we will work to and who we will interact with. All that will come later so the questions are a little early in the piece for what the Town is doing at the moment.
- Q2. Will Council consider, and ideally commit to, the following initiatives to strengthen consultation prior to any proposals being put to council as to location, size and projected skatepark users:
- Invitations to those who have made submissions to Council on this issue to attend a segment of the proposed workshop to share their concerns and proposals.
  - Face to face workshops involving stakeholders and councillors to discuss either all possible or the identified most suitable alternative proposed locations and skatepark types and the impact of these proposals on the community (positive and negative)
- A2. The proposed workshop in the officer's recommendation is to determine the next steps in progressing the project which will include how the community is consulted and engaged on the project. To commit to any specific action now would be premature.
- Q3. In order to make an evidence-based quantitative assessment of the present use of Grant Marine Park, will Council consider calculating the ages, numbers and activities of those visiting, traversing and using GMP at different times of the day (weekdays and weekend), and provide an evaluation of the extent to which a skatepark would limit these uses
- A3. The officer's recommendation does not commit to any specific location, however any and all sites will be given due consideration on the impact a skate facility will have on current users.

### Sue Freeth – 1 Florence Street, Cottesloe - item 10.1.10

- Q1. Will this additional information (that was not part of the previous process, but relevant) be considered as part of the upcoming review? For example:

#### **Documents relevant to the Skate Park Review.**

#### **Council documents:**

- Public Open Space and Playground Strategy November 2019.

- Foreshore Management Plan December 2019.
- Natural Areas Management Plan 2008 and 2015.
- Emerge. John Black Dune Park site analysis and preliminary landscape concept 2014.  
<https://www.cottesloe.wa.gov.au/documents/326/aug-john-black-dune-park-concept-plan-august>
- Engineering Site selection checklist presented to Council on 28 November 2017. (Below)

**Other documents**

- Simon Rodrigues. Photomontage of skatepark in JBDP. 2020. (attached to email)
- Cottesloe Coastcare. Vegetation map of JBDP. 2014. (Below)

A1. Yes.

Q2. **Before** the location is decided, will key stakeholders of potential locations be directly engaged in the planning process?

A2. The community engagement process post the proposed workshop is yet to determined so I cannot answer any more than that. Also because the item is up for consideration tonight it is inappropriate to comment or pre-empt the decision.

**Idris Matthews – 16 Grant Street, Cottesloe – item 10.1.10**

Please refer to:

- a) my FOI request to the Town of Cottesloe (**Town**) dated 26 June 2020 (**attached**);
- b) my email to the Town dated 19 October 2020 (**attached**); and
- c) the Town's response to my email dated 23 October 2020 (**attached**).

Q1. Can you please explain why the Town did not provide me with Version A of the Enlocus Report, Version B of the Enlocus Report, Version C of the Enlocus Report and Version F of the Enlocus Report in response to my FOI request?

Q2. I refer to a question asked last week by a participant in the briefing forum meeting, which mentioned an invitation from the Town to 11 schools to participate in consultation regarding the skatepark. Can you please inform me:

- a) Who issued the invitation?
- b) Was the invitation in writing?
- c) If in writing, why it was not included in the response to my previous FOI request?

- d) If in writing, whether it will be produced in response to my further FOI request made today?
- e) What were the 11 schools?
- f) How many of those schools are within the Town's boundaries?

Please refer to my letter to the Town dated 22 October 2020. With respect to the following facts referred to in it, namely:

- The 2017 petition contained only 482 written signatures, and the remainder was an unverifiable online petition;
- There were numerous duplicate signatures;
- The person promoting the petition publicly stated that it had over 1,000 online supporters (which overstated the figure by 100%) and over 1,000 written signatures (which overstated the true figure by over 100%);
- Less than 200 of the expressions of support in the total 2017 petition were from Cottesloe residents; and
- The published Enlocus report contained the false claim that the 2017 petition had over 1,000 signatures with 440 from Cottesloe residents,

Q3. What steps did the Town or Council take to independently verify the claims made about the 2017 petition by its supporters and Enlocus? If none, does the Council accept that it should have independently verified those claims?

Q4. Following on from question 3, now that the Council and Town have accepted that the published Enlocus Report used as the basis for its 2020 online survey also contained significant errors, what steps will the Council take to ensure that there are no further factual errors, and no further misleading claims, in its assessment of the skatepark proposal?

A1-4 The questions were taken on notice.

Carlo Del Corso – 14 Grant Street, Cottesloe – item 10.1.10

Provided that the results of the community survey cannot be considered valid for the approval of Grant Marine Park as the location of choice, would the 514 signatures petition, of mostly Cottesloe ratepayers (including all nearby residents) against the use of that site, not be enough to eliminate it for any further evaluation?

A3. The Mayor referred to his opening comments and stated his personal opinion was that the Town should not use that part of the survey, however there is some value in some of the questions that were answered relating to what type of facilities people might want in a skate

facility so the Town will probably reap what it can from that but it would be up to Councillors in a Council Meeting to make that decision.

Peter Rattigan – 9 Grant St Cottesloe, representing the Friends of Grant Marine Park – item 10.1.10

Q1. With regard to the anonymous online survey and the numerous errors in the summary of the survey prepared and presented to Council, starting off with the Project Background referring to the petition. There was a false statement that there were over 1,000 signatures presented in the petition to Council when there were 482 signed petitions presented and 502 online petitions. Of that 482 written submissions, there were numerous duplications and a couple of joke ones. Are Councillors aware of that?

Q2. The Second error in the report is contained at item 3 Survey Outcomes and bottom line survey says it should be noted that the survey is locked and limited to entry per device/IP address. This is false - it's very easy to for anyone with basic IT skills to unlock what was done. Anyone with that basic knowledge (such as a high school student) could submit numerous entries. Bearing in mind the unreliability of something that is anonymous, bearing in mind the Mayor's comments about anonymity and it's undesirability, will Council consider removing item 4b from the (for the expert that is engaged to review feedback received through the public consultation survey) from the Officer's Recommendation, bearing in mind it's an anonymous result and cannot be relied upon.

A1&2 Both the Mayor and Chief Executive Officer advised there was value in considering the feedback received, taking into context the flaws and errors in the report it was based on.

Catherine Jackson – 65 Hawkstone Street, Cottesloe – item 10.1.10

Q1. Why is the Town acting on the survey results when it is impossible to verify that all 'Cottesloe' respondents were actually Cottesloe residents and ratepayers?

Q2. Given that the Grant Marine Park site is too small for an all-ages skate park are you still pursuing other more suitable sites within the Town of Cottesloe given that you have committed to catering to Cottesloe youth?

A1&2 Please refer to answers already provided tonight regarding the survey results. The Town is looking at all sites.

The Mayor advised that the rest of the questions handed in would be included in the minutes but taken on notice and responded to in the next agenda.

The following questions were provided in writing and taken on notice:

Jo Gibson – 13 Hawkstone Street, Cottesloe – item 10.1.10

Q1. Does Council accept that a beautiful well-utilized green space that caters to all ages (Grant Marine Park) will be sacrificed when there are other more suitable underdeveloped and less utilised locations for a skatepark?

Sheryl Grimwood – 2 Margaret Street, Cottesloe – item 10.1.10

Q1. On the matter of Consultative Processes – Grant Marine Park, please explain how, if at all, are the respondents weighted such that the ratepayers are responsibly represented for example:

- By respondent #s/per residence (rate paying resident), i.e. more than 1 response per resident ratepayer
- As a ratepayer or not;
- Proximity of respondents “place of residence to proposed location and Town of Cottesloe and going to likelihood of use and other if applicable.

Fulvio Prainito – 7/94 Marine Parade, Cottesloe – item 10.1.10

- Q1. When will beach access ramp at Cottesloe Beach between Indiana and No. 1 car park be put back?
- Q2. When will the many bins blocking access to the beach from the crosswalk across Marine Parade from John Street be more uniformly redistributed?

Stephen Mellor – 8 Graham Court, Cottesloe – item 10.1.9

The Dutch Inn images supplied do not represent a true elevation showing dimensioned heights nor does it include any trees that are shown on the plan.

- Q1. With the now 4 Options being considered, will the Council please confirm it will provide fully revised true elevation, scaled, dimensioned drawings to be circulated for further discussion and community consultation for whichever Option may be progressed tonight?
- Q2. Should the Officer recommendation be approved by Council tonight, without further community consultation, does the Council agree that the consultation process has been marred in not providing appropriate images in the original restricted community consultation?

Stephen Mellor – 8 Graham Court, Cottesloe – item 10.1.10

The Cottesloe Recreational Precinct will be discussed before the end of the year (see A1 in the written responses to my Questions taken on notice on Page 1 of tonight’s Agenda papers)?

- Q1. Will the Council instruct the Skate Park consultants to consider and review locating the Skate Park as part of the Cottesloe Recreational Precinct as part of the total review process?

## 5 PUBLIC STATEMENT TIME

### Cassandra Antigone Radunovich - 8 Knowles St, Cottesloe – item 10.1.10

Ms Radunovich provided a statement in writing, prior to the meeting, outlining her reasons for leaving the Grant Street park as a family dog park.

### Blake Atkinson – 84 Hawkstone Street, Cottesloe – item 10.1.10

Master Atkinson outlined his love of skating and the reasons why Cottesloe should have a skate park.

### Indi Atkinson – 84 Hawkstone Street, Cottesloe – item 10.1.10

Ms Atkinson spoke about her love of skating and the reasons why Cottesloe should get a skate park.

### Jean Perkins – 42 North Street, Cottesloe – items 10.1.9 and 10.1.10

Ms Perkins thanked Council for acknowledging that there are young people in Cottesloe and commended Council on its progress with initiatives such as the skate park and the Dutch Inn Playground.

### Robyn Benken – 6 Lyons Street, Cottesloe – item 10.1.10

Ms Benken spoke about the need to recognise the need to cater for all ages in Cottesloe and outlined her concerns about the skate park issue and said the main issue for the skate park was the suggested location of Grant Marine Park.

### Peter Rattigan – 9 Grant St Cottesloe, representing the Friends of Grant Marine Park – item 10.1.10

Mr Rattigan spoke about the good collaborative work Council has undertaken with the Grove library and depot and suggested it would be sensible to work with the surrounding local bodies and consider a skate park of reasonable size to cater for children from a young age through to teenagers.

### Stephen Mellor – 8 Graham Court, Cottesloe – various projects

Mr Mellor spoke about his visual interruption concerns with regard to The Dutch Inn Playground, Recreational Precinct Masterplan and the Foreshore Development Plan.

## 6 ATTENDANCE

### Elected Members

Mayor Philip Angers  
Cr Lorraine Young  
Cr Helen Sadler  
Cr Melissa Harkins (to 7:03pm)  
Cr Kirsty Barrett  
Cr Paul MacFarlane

**Officers**

|                     |  |
|---------------------|--|
| Mr Matthew Scott    | Chief Executive Officer                |
| Mr Shaun Kan        | Executive Manager Engineering Services |
| Mr Ed Drewett       | Coordinator Statutory Planning         |
| Ms Mary-Ann Winnett | Governance Coordinator                 |

**6.1 APOLOGIES**

Cr Craig Masarei  
Cr Caroline Harben

**Officers Apologies**

Mr Shane Collie  
Ms Freya Ayliffe

**6.2 APPROVED LEAVE OF ABSENCE**

Cr Michael Tucak

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7 DECLARATION OF INTERESTS**

Cr MacFarlane declared an IMPARTIALITY INTEREST in item 10.1.8 by virtue "the proprietor of Mellen Events is known to me."

Matthew Scott declared a FINANCIAL INTEREST in item L1 by virtue "the item deals with elements of his contract."

Shaun Kan declared a FINANCIAL INTEREST in item L1 by virtue "the item effects his employment."

**8 CONFIRMATION OF MINUTES**

Moved Cr Young

Seconded Mayor Angers

**That the Minutes of the Ordinary Meeting of Council held on Tuesday 22 September 2020 be confirmed as a true and accurate record.**

**Carried 6/0**



**9 PRESENTATIONS****9.1 PETITIONS*****Section 9.4 - Procedure of Petitions***

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

Nil

**9.2 PRESENTATIONS**

Nil

The Mayor advised that during the COVID-19 emergency period, item 9.2 (Presentations) will only be utilised for matters of significant importance.

**9.3 DEPUTATIONS**

Nil

**10 REPORTS****10.1 REPORTS OF OFFICERS****COUNCIL RESOLUTION****Moved Cr Young****Seconded Cr Sadler**

**That Council adopts en-bloc the following Officer Recommendations contained in the Agenda for the Ordinary Council Meeting 27 October 2020:**

| <b>Item #</b>  | <b>Report Title</b>   |
|----------------|---|
| <b>10.1.1</b>  | <b>Permanent Registration - The Beach House, Cottesloe (Tukurua): 7-9 Rosendo Street, Cottesloe</b> |
| <b>10.1.5</b>  | <b>Policy Review - Standing Committee Roles Policy and Open Committee Meetings Policy</b>           |
| <b>10.1.8</b>  | <b>Event Application - Cuban Club NYD 2021 - Cottesloe Civic Centre</b>                             |
| <b>10.1.12</b> | <b>Financial Statements For The Period 1 July 2020 to 30 September 2020.</b>                        |

**Carried by En Bloc Resolution 6/0**

For the benefit of the members of the public present, the Mayor announced that items 10.1.9, 10.1.10, 10.1.11 would be considered first as the first items of business.

**PLANNING****10.1.1 PERMANENT REGISTRATION - THE BEACH HOUSE, COTTESLOE (TUKURUA): 7-9 ROSENDO STREET, COTTESLOE**

**File Ref:** SUB/2798  
**Applicant(s) Proponents:** Heritage Council of Western Australia  
**Attachments:** 10.1.1(a) Heritage Council Referral to Town of Cottesloe - P3453 The Beach House, Cottesloe - Interim Registered Draft Assessment for Comment [under separate cover]  
**Responsible Officer:** Wayne Zimmermann, Principal Planner  
**Author:** Gayle O'leary, Planning Officer  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

The Heritage Council of Western Australia seeks the Town's comments on its proposal to finalise the registration of The Beach House (known as "Tukurua" or "Burt's Summer Residence") on the State Register of Heritage Places.

**BACKGROUND**

The Beach House was included on the interim Register of Heritage Places on 5 November 1996 under the *Heritage of Western Australia Act 1990*. The *Heritage Act 2018*, which came into effect on 1 July 2019, now requires registration of *The Beach House, Cottesloe* to be finalised. The draft Register Entry and documentation is attached to this report.

7-9 Rosendo Street, Cottesloe ("Tukurua / Burt's Summer Residence") is included on the Town's Heritage List and as a Category 1 site on the Municipal Inventory.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

**POLICY IMPLICATIONS**

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

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Heritage Act 2018

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

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

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**STAFFING IMPLICATIONS**

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

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**CONSULTATION**

The Department of Planning, Lands and Heritage (Heritage Services) is currently liaising with the landowners and has invited them to comment on the permanent registration.

**OFFICER COMMENT**

7-9 Rosendo Street, Cottesloe, is described in the Town of Cottesloe Heritage List as follows:

*1995 Comment: Burt's Summer Residence. Large two-storey limestone and iron house constructed circa 1900. Classified by the National Trust. Very high historic and architectural significance. Landmark. 1896-1901.*

*Designed originally by R.T. McMasters as a single-storey building and built by Bunning Bros. in 1896 it was altered soon after in 1897 by J. Talbot Hobbs. In 1901 Hobbs designed a second storey for the house. The house as it stands today is comprised of two joined buildings. The main residence is built of limestone over a large basement housed in the cavity created by the sloping block. The smaller southern wing is set back from the west facade by approximately six metres. Although the building has few distinctive stylistic details its size is impressive.*

*The brick quoins to the openings contrast with the coursed rubble-limestone walls. The two structures are unified visually by the double-storey timber verandah. On the western facade, the verandah has a gable to the north-east corner which forms an interesting and lively extension and provides decorative asymmetry to the northern facade. Across the northern facade the verandah extends as a single storey and projects into a shallow porch over the main entrance. On the eastern facade it runs along a single storey to the south wing. The windows of the upper storey have individual awnings with scalloped timber decoration.*

*The verandah details are simple. Turned timber balusters and decorative brackets are combined with square section uprights. There are the remains of decorative wooden panels with pierced quatrefoils. The balustrading has been filled-in with asbestos sheeting at some stage and areas enclosed to make more rooms. This was probably during the Second World War when large houses were required to provide for refugees, etc. The house has a hipped and gabled roof covered with corrugated iron.*

*The west-facing gables have been filled with pressed metal and asbestos sheeting. The north facing gable has a decorative gable screen. The southern wing is clad in pressed metal to the upper storey and has a skillion extension containing toilets and laundry. A weatherboard extension houses a bathroom. The main entrance is reached by steps and elegant piers on either side. The entrance door is panelled and has stained glass inserts. For interior details see Heritage Council database.*

*Additional Comment: On the State Heritage Register - Interim Entry. Since the mid-2000s the place has undergone substantial restoration and conservation works.*

The site has been included on the State Register of Heritage Places since 1996. The Heritage Council of Western Australia now seeks to finalise the listing by making its entry permanent.

The permanent inclusion of the site on the State Register of Heritage Places is considered to be consistent with the cultural heritage significance and the site and is therefore appropriate.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Young**

**Seconded Cr Sadler**

**THAT Council ADVISES the Heritage Council of Western Australia of its support for the permanent inclusion of the Beach House on the State Register of Heritage Places.**

**Carried by En Bloc Resolution 6/0**

**10.1.5 POLICY REVIEW - STANDING COMMITTEE ROLES POLICY AND OPEN COMMITTEE MEETINGS POLICY**

|                                       |  |
|---------------------------------------|--|
| <b>File Ref:</b>                      | <b>SUB/2798</b>  |
| <b>Attachments:</b>                   | <b>10.1.5(a) Standing Committee Roles Policy [under separate cover]</b>  |
|                                       | <b>10.1.5(b) Open Committee Meetings Policy [under separate cover]</b>   |
| <b>Responsible Officer:</b>           | <b>Shane Collie, Executive Manager Corporate Services and Governance</b> |
| <b>Author:</b>                        | <b>Ann-Marie Donkin, Governance Officer</b>                              |
| <b>Author Disclosure of Interest:</b> | <b>Nil</b>   |

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**SUMMARY**

This report recommends revoking the Standing Committees Policy (**Attachment a**) and the Open Committee Meetings Policy (**Attachment b**).

**BACKGROUND****Standing Committee Roles Policy (Adopted March 1996)**

This Policy was prepared to provide guidance to the role of three now defunct standing committees:

- Development Services Committee – 2008 to 2015.
- Strategic Planning Committee – 2008 to 2015.
- Works and Corporate Services Committee – 2008 to 2015.

**Open Committee Meetings Policy (Adopted June 1996)**

This Policy was developed to provide guidance related to meeting access to the three Standing Committees which are no longer in operation.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

Priority Area 6: Providing open and accountable local governance.

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

If the Officer's recommendation is accepted by Council the existing Standing Committee

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Roles Policy and the Open Committee Meetings Policy will be revoked.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996*

### **FINANCIAL IMPLICATIONS**

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

### **STAFFING IMPLICATIONS**

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

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

### **CONSULTATION**

Nil

### **OFFICER COMMENT**

#### **Standing Committee Roles Policy (Adopted March 1996)**

The Town no longer operates the three committees that the Policy was originally developed to provide guidance to. It is therefore recommended that this Policy be revoked.

#### **Open Committee Meetings Policy (Adopted June 1996)**

In review it was found unnecessary to amend and continue this Policy as public participation at Committee Meetings is governed by the following legislation:

- *Local Government Act 1995, s.5.23 and 5.24;*
- *Local Government (Administration) Regulations 1996, s4A to s7.*

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Sadler

**THAT Council:**

1. **REVOKES the Standing Committee Roles Policy.**
2. **REVOKES the Open Committee Meetings Policy.**

**Carried by En Bloc Resolution 6/0**

**10.1.8 EVENT APPLICATION - CUBAN CLUB NYD 2021 - COTTESLOE CIVIC CENTRE**

**File Ref:** SUB/2798  
**Attachments:** 10.1.8(a) Council attachment - Event Management Plan - Cuban Club 2021 [CONFIDENTIAL] [UNDER SEPARATE COVER]  
**Responsible Officer:** Shane Collie, Executive Manager Corporate Services and Governance  
**Author:** Gabrielle Hall, Events Coordinator  
**Author Disclosure of Interest:** Nil

Cr MacFarlane declared an IMPARTIALITY INTEREST in item 10.1.8 by virtue "the proprietor of Mellen Events is known to me."

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**SUMMARY**

Mellen Events, in conjunction with Heyder and Shears, have submitted an event proposal to stage the event 'Cuban Club New Years Day (NYD) 2021' at the Cottesloe Civic Centre on 1 January 2021 between 1:30pm and 9.00pm. The event proposal is attached as a confidential document due to the intellectual property protection of the applicant. Section 5.23 (2) (e) (iii) of the *Local Government Act 1995* provides that "information about the business, professional, commercial or financial affairs of a person" can be deemed confidential and this has been requested by the applicant.

Heyder and Shears are the Town appointed Cottesloe Civic Centre exclusive event and catering contractor, and have contractual rights with the Town of Cottesloe. Collaboratively Heyder and Shears, along with Mellen Events have the industry demonstrated capability and experience to deliver an event at the Cottesloe Civic Centre without adverse impact.

Cuban Club NYD 2021 will be the fifteenth instalment of the successful and long standing, New Year's Day experience. The atmosphere aims to be relaxed, classy and stylish. The event includes a dress code.

**BACKGROUND**

Cuban Club attracts approximately 1,600 25 to 40 year old attendees.

The all inclusive ticket includes food and beverage provisions. The entertainment runs all day and features local DJs playing laid back, Cafe del mar style music together with up-tempo popular remixes.

Bump in for Cuban Club will commence at 7:00am each day beginning on Wednesday, 30 December 2020 with the build of the stage and cease at 5:00pm each day (except show day). Bump out will commence as soon as the site is clear of patrons on Friday, 1 January 2021. Bump out will be complete by 5pm on Saturday, 2 January 2021.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 1: Protecting and enhancing the wellbeing of residents and visitors

Major Strategy 1.3: Identify places to host more cultural events and activities.

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This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

Priority Area 1: Protect and enhance the wellbeing of residents and visitors.

Major Strategy 1.4: Continue to improve community engagement.

## **POLICY IMPLICATIONS**

### **Events Classification Policy**

The above Policy categorises events into four types with this application being classified as a commercial event, as an admission fee will be charged and the organisers of the event would retain the profits.

### **Outdoor Concerts and Large Public Events Policy**

The aim of this Policy is to 'manage the impacts of outdoor concerts and large public events on the community and the environment'. The Policy states:

- a) *The Town of Cottesloe is committed to:*
  - *preserving the reasonable amenity of residents and businesses surrounding avenue used for the purpose of staging outdoor concerts and large public events, and*
  - *to ensuring that the reasonable community/society expectations to be entertained are met.*
- b) *All outdoor concerts and major public events shall comply with the Town of Cottesloe's Guide to Outdoor Concerts and Large Public Events.*
- c) *The Town will support up to two outdoor concerts only at any venue within a 12 month period.*
- d) *The Town of Cottesloe requires the promoter to take all reasonable precautions with regards to public safety, health and the appropriate and sustainable use of the venue.*
- e) *A Risk Management and Evacuation Plan, satisfactory venue maintenance procedure, sufficient crowd control and appropriate public liability cover are to be provided.*
- f) *An application for an event is to be made to Council on the Event Application and Checklist Form not less than 90 days prior to an event. The CEO may request additional information or action as deemed appropriate.*
- g) *The in-principle support of the Council of the Town of Cottesloe to stage an outdoor concert or large public event does not constitute an approval. Approval for an event will only be given by the CEO upon satisfactory compliance with all statutory and other requirements at least 24 hours prior to the commencement of an event.*
- h) *This policy applies in addition to any relevant legislation, Standards Australia standards or any other legal requirement in place at the time an application is made.*

The application is considered to be a permitted event in accordance with this Policy, subject to the restrictions and conditions imposed and final approvals, and as such warrants consideration by Council.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Emergency Management Act 2005*

*Environmental Protection (Noise) Regulations 1997*

*Health (Public Buildings) Regulations 1992*

*Health (Miscellaneous Provisions) Act 1911*

*Food Act 2008*

*Town of Cottesloe Health Local Law 1997*

*Town of Cottesloe Local Government Property Local Law 2001*

Approval from the Department of Racing, Gaming and Liquor will also be required for the event. Heyder & Shears will provide all alcohol and service for the event.

A Noise Management Plan (including approval for a non-complying event in accordance with regulation 18 of the Environmental Protection [Noise] Regulations and the Environmental Protection Act 1986) will be required. This needs to be completed 60 days prior to the event.

**FINANCIAL IMPLICATIONS**

As per the Town's Schedule of Fees and Charges the event is categorised as a Special Event Hire, Cottesloe Civic Centre – Commercial hire >1,000 to <2,000 people, Full Day (8 hour period). The hire fee is \$6,000 for the event day only and a \$2,000 bond.

All other hire costs would be additional costs, including hall hire, parking bays and bins. Other minor fees would also be levied such as a Noise Monitoring Fee and Environmental Protection (Noise) Regulations exemption application fee, as required.

**STAFFING IMPLICATIONS**

If approved, the Executive Manager Compliance and Regulatory Services will liaise with event organisers to review the relevant event plans and discuss the requirements of the Health (Public Building) Regulations 1992 and the Food Act 2008.

Officers will be required to attend the event to ensure compliance with any approval conditions and statutory obligations such as traffic management and other required risk management mitigation actions.

Staff will meet with event organisers prior and after the event. Officers will liaise with event organisers in regard to ensuring compliance with the new requirement to ensure a COVID safe event.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

Such an event has the potential to impact on the Cottesloe Civic Centre and comprehensive waste and traffic management plans would alleviate much of this risk.

Officers will liaise with event organisers in regard to ensuring compliance with the requirement to not use single use plastics.

**CONSULTATION**

Town of Cottesloe Staff and Elected Members.

Mellen Events.

Heyder and Shears.

**OFFICER COMMENT**

The Town's Policies and Local Laws allow for an event of this nature to take place. Such an event will impact on the amenity of local residents for the duration of the event. It is a question for Council to determine whether these impacts can be managed to an extent that the event can be approved.

The organiser has given consideration to fence lines and placement of structures to minimise the impact of general use for patrons/residents of the Town of Cottesloe. Signage at common entry points will be installed to advise residents of the disruption during the bump in / bump out periods and on the day of the Event.

A letter-drop to residents (outlining the event details) will be issued no later than four (4) weeks before the event to give residents adequate notice of the Event. The letter will also contain details of a Complaint Response Service for persons who wish to lodge noise complaints. Mellen Events will forward the complaints register to the Town within 48 hours of the Event's conclusion.

The organisers COVID-19 Event Plan will require approved by the Department of Health, under the Emergency Management Act 2005.

Given the extensive experience of Mellen Events, and the ongoing positive agreement the Town has in place with Heyder and Shears, staff are of the view that the event should be granted conditional approval, subject to review of the various management plans.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Young**

**Seconded Cr Sadler**

**THAT Council APPROVES the proposal to hold Cuban Club NYD 2020 Event at Cottesloe Civic Centre on 1 January 2021 between 1:30pm and 9.00pm, subject to the following conditions;**

- 1. Obligations as stated in contract VIT/203 to Imogen Corporation Pty Ltd as Trustee for the Grid Trust (trading as Heyder and Shears Catering) are applicable;**
- 2. This Approval is conditional upon compliance with any directive imposed by the Federal or State Government in respect of events which supersedes the Town approval;**
- 3. On confirmation of applicant, the appropriate commercial fees are charged in accordance with the Schedule of Fees and Charges, and are to be paid prior to the event commencing;**

4. Evidence of appropriate Public Liability Insurance, with cover no less than \$20 million, provided prior to the event;
5. Provision of a transport or parking plan and appropriate access/signage to and from the event, which is to be provided at least 30 days prior to the event for the approval of the Chief Executive Officer;
6. Neighbouring properties are notified of the event taking place, and provided with a mechanism to provide feedback about the event;
7. All signage to be approved by the Chief Executive Officer one month prior to the event;
8. The event complies with all noise management conditions imposed on the event by the Town of Cottesloe;
9. The event complies with all requirements of the:
  - Local Government Act 1995
  - Emergency Management Act 2005
  - Environmental Protection (Noise) Regulations 1997
  - Health (Public Buildings) Regulations 1992
  - Health (Miscellaneous Provisions) Act 1911
  - Food Act 2008
  - Town's Health Local Law 1997
  - Town of Cottesloe Local Government Property Local Law 2001
10. No alcohol is to be served unless a valid licence or permit from the Department of Racing, Gaming and Liquor is provided to the Town prior to the event;
11. Adequate arrangements for rubbish removal and collection, including the provision for recycling;
12. The Applicant will (including by directing any parties under their control or supervision) use their best endeavours to minimise waste and litter production from the event;
13. Single use plastics including without limit balloons, plastic bottles, plastic bags that have a thickness of 35 microns or less, plastic takeaway containers and lids, plastic lined coffee cups/lids, plastic straws, plastic lolly sticks, plastic cutlery and single plastic wrapped lollies will not be used by the Applicant (and any parties under their control or supervision) in setting up, during or in clearing up after the event;
14. That the event is a non-smoking event;
15. That the Western Metropolitan Regional Council 'H2O to Go' Water Station facilities are investigated for use at the event;
16. That the Western Metropolitan Regional Council Event Waste Minimisation Checklist is provided to the event organisers, who are to complete the checklist and return to Council after the event with the aim of reducing the amount of plastics used at the

event; and

17. Provision of a Disability Access and Inclusion Plan.

**ADVICE NOTE**

**No Balloons**

The Town of Cottesloe Local Government Property Local Law 2001 (Consolidated) prohibits at clause 2.8(1)(i) “releasing an unsecured balloon inflated with a gas that causes it to rise in the air. Fines apply for breach of this Local Law, and applies to all events and food vans (and the like) approvals.

**Single Use Plastics Medical Exemption**

Exemptions may apply if the Applicant or the council requires the use of single use plastic items for medical reasons, where there is no reasonable alternative and the single use plastics are properly recycled or disposed of or stored safely and sustainably, or are removed from the Town of Cottesloe.

**Fish Habitat Protection Area (FHPA)**

The full length of the Cottesloe Reef is protected by a Fish Habitat Protection Area (FHPA), the only one in the Perth Metropolitan Area. The principal aim of the Cottesloe Reef FHPA is to preserve valuable fish and marine environments for the future use and enjoyment of all people. Plastic and balloon litter pose a significant risk to this very special marine environment. A Cottesloe Reef FHPA brochure is enclosed for your further attention.

Carried by En Bloc Resolution 6/0

**FINANCE****10.1.12 FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2020 TO 30 SEPTEMBER 2020**

**File Ref:** SUB/2798  
**Attachments:** 10.1.12(a) Monthly Financial Statements 1 July 2020 to 30 September 2020 [under separate cover]  
**Responsible Officer:** Matthew Scott, Chief Executive Officer  
**Author:** Wayne Richards, Finance Manager  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

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

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

**BACKGROUND**

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

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

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

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

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

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*Local Government (Financial Management) Regulations 1996*

### **FINANCIAL IMPLICATIONS**

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

### **STAFFING IMPLICATIONS**

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

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

### **CONSULTATION**

Senior staff

### **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 2020 was \$8,430,979 as compared to \$10,051,674 this time last year.
- Rates receivables at 30 September 2020 stood at \$3,965,098 compared to \$3,323,440 this time last year as shown on page 25 of the attached Financial Statements.
- Operating revenue is more than year to date budget by \$52,850 with a more detailed explanation of material variances provided on page 21 of the attached Financial Statements. Operating expenditure is \$789,022 less than revised year to date budget due in main part to depreciation charges not having been posted, this will occur once the 2019/20 Annual Report has been audited and finalised in the coming months.
- The Capital Works Program is shown in detail on pages 33 to 37.
- The balance of cash backed reserves was \$9,104,475 as at 30 September 2020 as shown in note 7 on page 27 of the monthly financial statements.

### **List of Accounts for September 2020**

The List of Accounts paid during September 2020 is shown on pages 38 to 46 of the attached Financial Statements. The following significant payments are brought to Council's attention:

- \$34,678.05, \$22,727.42 & \$81,053.75 to Solo Resource Recovery for waste collection and disposal services.
- \$223,274.72 to WA Treasury Corporation for a loan repayment.
- \$24,958.33 & \$25,784.63 to Superchoice Services Pty Ltd for superannuation contributions.
- \$158,063.10 to the Department of Treasury being the transfer of aged, unclaimed bond monies.

- \$48,960.18 to the Australian Taxation Office for the monthly business activity statement.
- \$114,125.00 to Database Consultants Australia for a progress payment towards the replacement parking management system.
- \$522,889.63 to the Department of Fire and Emergency Services being an instalment if emergency service levies collected on their behalf.
- \$55,150.11 to the Shire of Peppermint Grove for a contribution towards the Grove Library services.
- \$1,500,000.00 to the Commonwealth Bank of Australia for a new term deposit.

### **Investments and Loans**

Cash and investments are shown in note 4 on page 23 of the attached Financial Statements. The Town has approximately 44% of funds invested with National Australia Bank, 33% with Commonwealth Bank of Australia and 23% with Westpac Banking Corporation. A balance of \$9,104,475 was held in reserve funds as at 30 September 2020.

Information on borrowings is shown in note 10 on page 30 of the attached Financial Statements and shows Council had total principal outstanding of \$3,314,080 as at 30 September 2020.

### **Rates, Sundry Debtors and Other Receivables**

Rates revenue information is shown in note 9 on page 29 of the attached Financial Statements. Rates outstanding are shown on note 6 on page 25 and show a balance of \$3,965,098 as compared to \$3,323,440 this time last year. This is mainly due to the fact that rates were issued a week later this financial year compared to last year.

Sundry debtors are shown on note 6, page 25 of the attached Financial Statements. The sundry debtors show that 13% or \$22,422 is older than 90 days. Infringement debtors are shown on note 6 page 26 and stood at \$386,883 as at 30 September 2020.

### **Budget Amendments**

Budget amendments are shown on note 5, page 24 of the financial statements.

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Sadler

**THAT Council RECEIVES the Financial Statements for the period 1 July 2019 to 30 September 2020 as submitted to the 27 October 2020 meeting of Council.**

**Carried by En Bloc Resolution 6/0**



**ENGINEERING****10.1.9 DUTCH INN PLAYGROUND**

|                                       |   |
|---------------------------------------|---|
| <b>File Ref:</b>                      | <b>SUB/2798</b>   |
| <b>Attachments:</b>                   | <b>10.1.9(a) Dutch Inn Playground Plans Revision B Ship Images [under separate cover]</b>                             |
|                                       | <b>10.1.9(b) Dutch Inn Playground Revision B Plan [under separate cover]</b>  |
|                                       | <b>10.1.9(c) Opinion of Probable Costs Stage 1 - TDL - Dutch Inn Playground [CONFIDENTIAL] [UNDER SEPARATE COVER]</b> |
|                                       | <b>10.1.9(d) Dutch Inn Playground Upgrade - Feedback - Immediate Residents [under separate cover]</b>                 |
|                                       | <b>10.1.9(e) Dutch Inn Playground Upgrade - Feedback - Kite Boarding WA [under separate cover]</b>                    |
| <b>Responsible Officer:</b>           | <b>Matthew Scott, Chief Executive Officer</b>   |
| <b>Author:</b>                        | <b>Harshil Uckiah, Project Engineer - Temp</b>  |
| <b>Author Disclosure of Interest:</b> | <b>Nil</b>  |

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**SUMMARY**

Council is asked to consider the resident feedback received and consider approving the attached Dutch Inn Playground Upgrade detail design plans for construction.

Residents living between Beach Street and Salvado Street along Marine Parade have been engaged on the design. A total of 23 submissions have been received with 19 objecting to and four supporting the proposed upgrade. 34 letters were sent out to directly impacted residents and owners shown in the catchment diagram below. These comments have been attached.

Given the number of residents opposing, an item has been brought back to the October 2020 Ordinary Meeting.

**BACKGROUND**

The Public Open Space and Playground Strategy was adopted at the November 2019 Ordinary Council Meeting. In addition to concepts for each playground, the document also identified a priority list for all these facilities to be upgraded over the next five to 10 years. This has been adopted following information received from community consultation and feedback from the Public Open Space Working Group. The final version of the strategy can be found at the following link on the Town's website: [https://www.cottesloe.wa.gov.au/Profiles/cottesloe/Assets/ClientData/Public\\_open\\_space\\_and\\_playground\\_strategy\\_-\\_amended\\_-\\_UDLA.pdf](https://www.cottesloe.wa.gov.au/Profiles/cottesloe/Assets/ClientData/Public_open_space_and_playground_strategy_-_amended_-_UDLA.pdf).

Dutch Inn is the first playground on that list and \$215,000 has been allocated in the 2020/2021 budget for the improvement works. These plans have been developed in consultation with the Public Open Space Working Group over a series of meetings.

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Following Council adopting the attached design at the September 2020 Ordinary Meeting, letters were sent to both residents and property owners along Marine Parade (Beach Street to Salvado Street) within the catchment indicated in the diagram below:



A summary of these submissions have been attached.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town’s *Strategic Community Plan 2013 – 2023*.

Priority Area 1: Protecting and enhancing the wellbeing of residents and visitors

Major Strategy 1.4: Continue to improve community engagement.

This report is consistent with the Town’s *Corporate Business Plan 2017 – 2021*.

Priority Area 3: Enhancing beach access and the foreshore.

Major Strategy 3.2: Continue to improve access to beach facilities.

**POLICY IMPLICATIONS**

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

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**FINANCIAL IMPLICATIONS**

The scope of works within the attached confidential attachment have been broken down into two categories, namely, essential works (category one) and additional “nice to have” items (category two). The works in category two can either be undertaken through cost savings either at a project or program level. Council approval would be required should a

budget amendment be required to carry out such additional works (program cost savings from other projects).

Given the above, it would be reasonable to conclude that resource requirements are in accordance with the existing budgetary allocation of \$215,000 within account number 30.7031.2 – Dutch Inn Playground Upgrade under the 2020/2021 approved budget.

### **STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation. The works will be carried out by a contractor procured through a public tender process.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

### **CONSULTATION**

Town of Cottesloe staff

Elected members

The Public Open Space Working Group (Notes Attached)

Directly impacted residents and property owners along Marine Parade (Beach Street to Salvado Street)

### **OFFICER COMMENT**

Feedback received from the consultation can be succinctly summarised as follows:

- Playground is being upgraded to cater for visitors rather than Cottesloe residents;
- The playground is acceptable in its current location and the relocation is only to cater for kite surfers;
- The 'ship' will entertain all age groups;
- Relocating the playground to an under utilised section within this area of the foreshore will provide more space in its existing area for recreation;
- The proposed new location should be left as open space for others to enjoy;
- The height of the play structure will obstruct views;
- Given the number of other playgrounds in Cottesloe, there is no requirement for another;
- The current playground has anti-social behaviours being displayed and the upgrade would further disrupt the peacefulness of the neighbourhood by attracting more families and further reducing available parking for residential visitors;
- The proposed playground would be a great development if it was to be relocated further north along Marine Parade in front of the Golf Course or south towards Vlamingh Memorial;

- The playground is located too close to the road;
- Attract undesirables congregating after dark that would affect resident safety.

A total of 34 letters were sent out with 24 responses being received. 19 submissions objected to the location of the proposed playground. This represents less than one percent of total rateable properties within the district.

As a comparison, the Public Open Space consultation results can be summarised as follows:

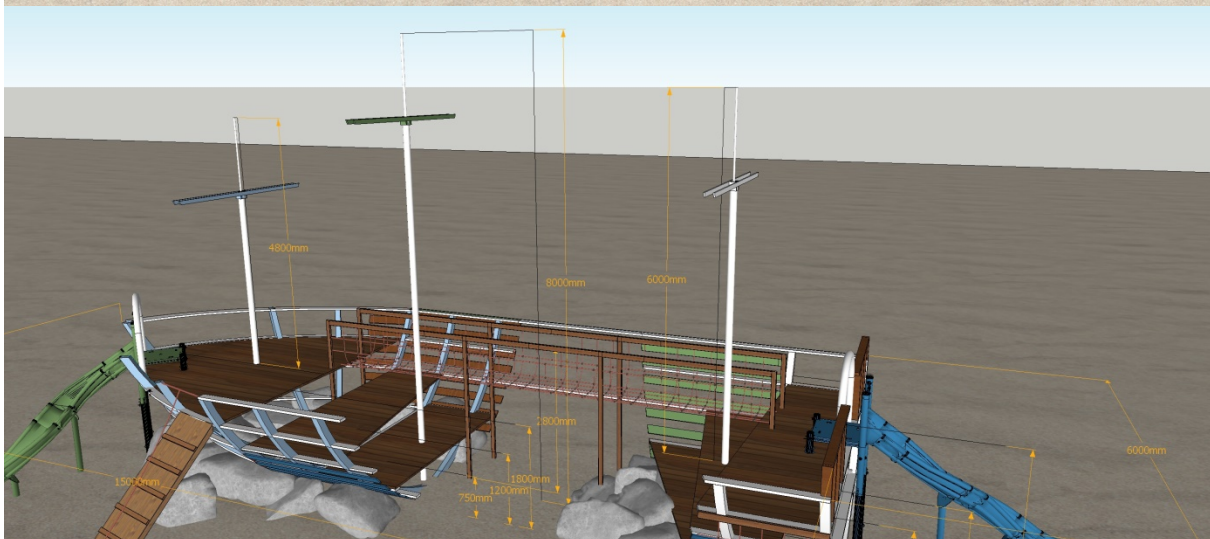
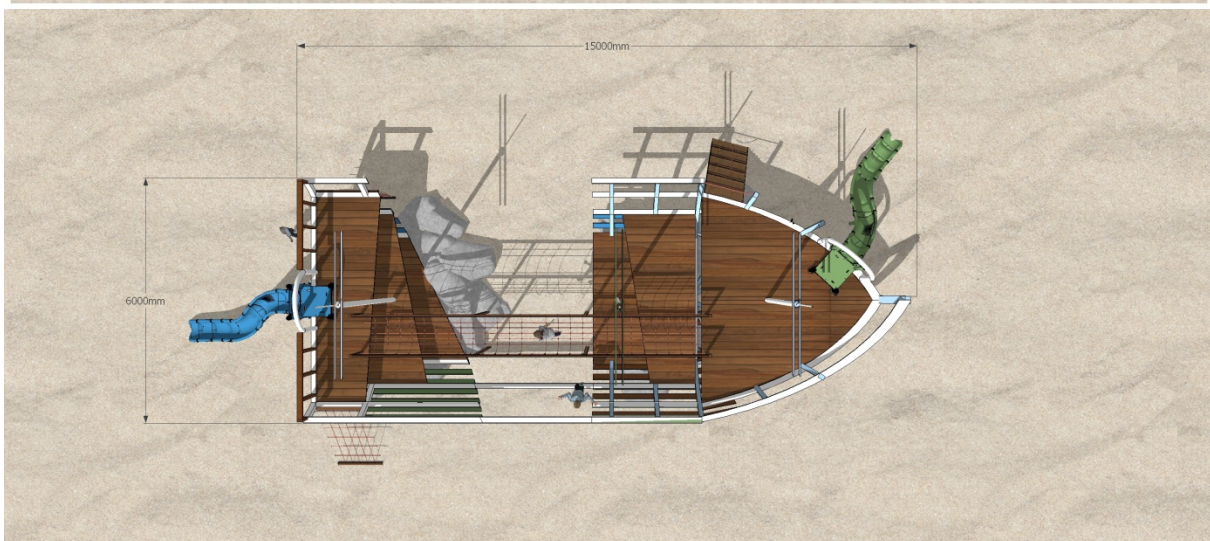
- A total of 164 survey responses were received;
- Over 80% of survey respondents read the strategy before responding;
- 56% of the 112 Public Open Space Strategy survey participants agreed that the overarching plan accurately addressed the various improvements required for each playground (52 participants did not answer this question); and
- 24 survey respondents were in the opinion that Dutch Inn was a playground in the top three priorities for upgrade;

A copy of Public Open Space Strategy survey report can be found at [www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/26-november-2019-ordinary-council-meeting/257](http://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/26-november-2019-ordinary-council-meeting/257)

A 2016 Council resolution recognised the safety concerns and asked for the playground to be relocated as a matter of urgency to provide more separation from the area that kite surfers use for set up. The proposed new position delivers this objective and for the playground to remain in it's existing location may be seen as a failure in the Town's duty of care obligation, particularly if this has been a previous direction of Council.

The foreshore section west of Marine Parade is crown land classed as an 'A' Class public open space reserve for recreation vested in the Town of Cottesloe. By virtue of this classification, there should not be exclusive use of any infrastructure within this land and the Administration needs to ensure that facilities provided are appropriate, safe and non-discriminatory.

Whilst there have been concerns raised regarding the loss of views, it would be important to note that the 'ship' structure open skeleton style design addresses the amenity issues raised by residents. Such a layout at the same time creates small cubby type play spaces, climbing opportunities and other different uses for children. An image illustrating the heights has been included below to place some context around concerns raised. The double storey design of homes in the area combined with the boundary walls fronting these properties would also need to be taken into consideration by Council.



There have been no known cases of anti-social behaviour in the area and the shortage of parking concerns raised by residents can be addressed through the installation of additional parking bays should this be required.

Notwithstanding the above, the following options and associated estimated cost are available for Council's consideration should it feel the need for additional intervention to address the concerns raised:

- Option One: Modification of the design to further reduce the height of the 'ship' (\$1,500);
- Option Two: Replace the 'ship' element in its entirety with different play equipment (\$10,000);
- Option Three: Relocate Dutch Inn playground over 600 metres further north between Pearse Street and Forrest Street, directly in front of the Seaview Golf Course along Marine Parade as mentioned within submissions (\$7,000 if the concept remains unchanged and up to \$30,000 for a completely new design if required to suit the available footprint).
- Option Four: Put the existing design out for wider consultation that extends to a radius of 400 metres.

The recommended approach is option one should Council wish to consider an alternative as option two and three would require a new set of plans to be developed that would add significant design cost to the project.

A minor variation to option one can be such that the 'ship' remains in its same dimensions but re-orientated 90 degrees to Marine Parade and placed in line with the centre of Princes Street. The monkey bars would need to be repositioned for compatibility. This would have minimal re-design cost (\$1,500) and at the same time reduce any impact on views.

Option 3 may not be fair for residents living within the vicinity currently utilising the Dutch Inn Playground to be disadvantaged by having to travel the additional distance should this be relocated further north (option three). Furthermore, the current design (16 metre wide east-west footprint) would not fit the area directly in front of the golf course (10 metre available east-west width) and as such would need to be scaled down significantly to fit.

Attempting to maximise the space type design approach may create an unsafe situation by bringing the boundary of the playground closer to the road. Whilst a fence may address this risk, it would create a very confined feel for users when compared to the installation of such a barrier at the larger area available at the proposed Dutch Inn location.

It is recommended that Council requests a consultation of a wider catchment to determine this before proceeding with option three. On the same note, consideration can also be given to consult residents living within 400 metres from Dutch Inn on the attached design (Option 4). 400m radius is the catchment area of local park, as defined in the POS strategy.

However, given that both the design rationale and the responses within the officer's comment section addresses the concerns raised, a recommendation has been made for Council to:

- Adopt the attached design for construction; and
- The Administration to write back to all residents that have provided a submission to explain the Town's decision on the matter.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

THAT Council

1. THANKS all residents between Salvado Street and Beach Street for taking the time to provide feedback;
2. NOTES the comments within the submissions provided;
3. NOTES that the Administration will provide a response to all residents that have made a submission; and
4. APPROVES the attached plans for the purpose of construction.

**COUNCILLOR MOTION AND COUNCIL RESOLUTION**

Moved Cr Harkins

Seconded Cr Barrett

1. **THANKS all residents between Salvado Street and Beach Street for taking the time to provide feedback;**
2. **NOTES the comments within the submissions provided;**
3. **NOTES that the Administration will provide a response to all residents that have made a submission;**
4. **APPROVES for the 'ship' structure to be relocated to a position where it is in line with the centre of Princes Street;**
5. **In conjunction with point four, REQUESTS the Administration to work with the playground designer to orientate the ship on an angle that lessens the impact on neighbours views, if possible, whilst still maintaining the same elements surrounding the ship within the playground;**
6. **REQUESTS the Administration to liaise with the playground designers to explore the opportunity of reducing the size of the ship structure by no more than four metres in length and no more than two metres in width without affecting the intent of the design.**
7. **APPROVES the relocation of other playground equipment within the proposed site to allow for the design changes associated in point four to six; and.**
8. **APPROVES the attached plans for the purpose of construction subject to the changes in points four to seven.**

Carried 6/0

**COUNCILLOR RATIONALE:**

1. The objective behind the proposal to relocate and upgrade the playground at Dutch Inn, as reflected in the drawings, is to provide a local playground to primarily service the needs of local families in the area south of Pearse St (South Cottesloe).

2. Information from the ABS shows that there are currently over 180 children aged under 14 years living south of Pearse St in Cottesloe. There are also a significant number of grandparents who would be expected to use the playground when grandchildren visit. The demand for better facilities for these users is well understood and is borne out by repeated requests from residents to elected members for better facilities for children.
3. The proposed relocation and upgrade was set out in the Town's Public Open Space Strategy. We consulted on that Strategy in September 2019 and the community was strongly supportive. Council adopted the Strategy at the 2019 September Council meeting.
4. Recently Council resolved to consult the immediate neighbours on the design of the playground. That consultation was aimed at the 34 households in the immediate neighbourhood and it resulted in negative feedback from 19 residents. It must be borne in mind that this consultation was extremely limited in its scope and that the feedback represents a very small fraction of the Cottesloe community.
5. The beach reserve is vested in the Town for the purposes of recreation. Council must ensure that the reserve is used for the benefit of the community as a whole rather than for the benefit of only the immediate neighbours.
6. However, where modifications to the design (length and width) will still allow Council to achieve its objectives while lessening the impact on neighbours then it's appropriate for Council to take that approach.
7. Repositioning the ship structure and possible changes to the orientation of the ship will still allow Council to achieve its objectives, and will lessen the impact on neighbours. Locating the ship in line with Princes St seems to be a fairer location with regard to the directly affected neighbours.



**10.1.10 SKATE PARK PROJECT**

**File Ref:** SUB/2798  
**Attachments:** 10.1.10(a) Grant Marine Skate Park Proposal -  
Engagement Analysis without Attachments  
[under separate cover]  
**Responsible Officer:** Matthew Scott, Chief Executive Officer  
**Author:** Shaun Kan, Executive Manager Engineering Services  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Council is asked to consider noting the consultation results received and carry out further analysis of a skate facility in Cottesloe, and determine how to progress the project.

At the May 2020 Ordinary Meeting, Council accepted the recommendations within the Enlocus Report for the purpose of public consultation. This occurred between 15 June 2020 and 10 July 2020 by way of an online survey.

The submissions attached and summary of results in the officer's comment section indicates overall support in progressing the development of skate infrastructure in the district.

**BACKGROUND**

At the 22 May 2018 Ordinary Council Meeting, Council resolved to undertake a feasibility study to identify a potential location for a skate park. Enlocus was appointed as the consultants to conduct this study in two phases, namely the identification of a preferred location for public consultation and the subsequent detail design, if supported by Council.

The Enlocus feasibility study initially recommended the Curtin Avenue railway corridor just North of Jarrad Street to be the most suitable location (land leased by the Town from the State Government). The Public Transportation Authority (PTA), being the owners of the land, was open to a ten year term lease for the purpose of a skate park. This was however, subjected to a termination notification period of six months.

In consideration, the Administration, Council and the Reserves, Parks and Playgrounds Committee at that time, deemed such an investment too high risk due to the termination clause.

The Town asked Enlocus to re-visit the feasibility study and the consultant determined the next most suitable site to be Grant Marine Park.

Council re-considered the matter at the Ordinary Meeting of 17 December 2019 and resolved as follows:

*"That Council defer public consultation on Enlocus Skate Park Feasibility Study until the Public Open Space Working Group has workshopped the issues raised within the document and others, including but not limited to;*

- 1. The success and lessons learned at nearby local governments who have installed "neighbourhood level skate parks";*
  - 2. Costings and sizes of skate parks located within neighbouring local governments; and;*
-

3. *Other options, such as skate able infrastructure,*

*With the aim of a Working Group recommendation being available in the first quarter of 2020 for Council's consideration".*

Other LGA's involved in skate park projects were consulted and lessons learned obtained. The information was discussed at an April 2020 Public Open Space Working Group before being presented to the May 2020 Ordinary Meeting where Council approved for the findings of the Enlocus Report to be put out for consultation.

*"THAT Council:*

1. *THANKS the Public Open Space Working Group Elected and Community Members for taking the time to provide comment;*
2. *APPROVES the attached Enlocus Skate Park Feasibility Report and the Community Engagement Plan for the purpose of Public Consultation; and*
3. *NOTES that subject to Point Two, a report will be brought back to an Ordinary Council Meeting following the completion of the public consultation."*

A community survey was subsequently developed focusing on the community desire to develop a skate facility. The survey included a range of questions, some being related to the preferred site identified in the Enlocus report, Grant Marine Park.

Regrettably, subsequent to the public issue of the survey, errors were identified in the Enlocus report, including an arithmetic error in the Site Evaluation Matrix, which incorrectly identified Grant Marine Park as receiving the highest overall score. Given the survey contained only a few (three) questions relating to the proposed site, the survey was continued in order to gather direct community feedback on the project.

The survey closed on the advertised date of 10 July 2020. Due to the volume of feedback received, it has taken time for the Town to analyse the responses and provide results to Council (and the community).

### **STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 5: Providing sustainable infrastructure and community amenities

Major Strategy 5.2: Manage assets that have a realisable value.

This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

Priority Area 5: Providing sustainable infrastructure and community amenities.

Major Strategy 5.1: Develop sustainability and capacity criteria to assess major strategies.

### **POLICY IMPLICATIONS**

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

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

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**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

There is \$30,000 available to carry out the follow on investigations through 57.9000.905 – Skate Park Feasibility Study. No budget has been allocated for construction.

**STAFFING IMPLICATIONS**

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

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**CONSULTATION**

- Town of Cottesloe staff
- Elected members
- Cottesloe Residents
- Surrounding Local Government Residents
- Wider Community

**OFFICER COMMENT**

The results received from the public consultation can be summarised as follows:

- 4379 responses were received in total;
- 80% (1452) of Cottesloe respondents are supportive, noting that 85% of participants that were asked whether Grant Marine Park was a good location agreed that it was;
- 90% (527) of respondents from surrounding Local Governments are supportive;
- 99% (1860) of respondents from other Local Governments are supportive; and
- On average 88% of respondents from the three categories above are supportive.

An executive summary – Community Engagement Consultation and Survey Report provides an expansion on the points above. Due to the document size, the comprehensive consultation report including appendixes has not been attached and can be found at: [www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/27-october-2020-ordinary-council-meeting/273](http://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/27-october-2020-ordinary-council-meeting/273)

Three (questions 9, 10 and 12) out of the 17 survey questions relate to the Grant Marine Park location. The remaining 14 either relate to the skate park design in general or are associated with the social demographics of the participant. The survey questions can be found within the approved Project Community Engagement Plan at: <https://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/26-may-2020-ordinary-council-meeting/268/documents/1013-combined-attachments-skate-park-project.pdf>

Despite the overwhelming public support for a skate facility in Cottesloe (80% of respondents), the Town's Administration believes it is prudent for Elected Members to note the calculation oversight in the preferred locality scores, which resulted in Grant Marine Park being mistakenly recommended as the preferred option.

When the Site Evaluation Matrix was corrected, the Seaview Golf Course location became the top ranked site. This was followed by the Railway Reserve and then Grant Marine Park (with a negligible score difference between second and third place).

Considering the error, it may be necessary to discount question nine in the survey (Thinking about Grant Marine Park, do you think this is a good location for a skate park?) as responses may have been different if another location had been discussed.

It is important to note however that the survey was designed in a such a way that only a 'yes' response to question three (Do you think Cottesloe would benefit from a skate park?) allowed survey participants to provide a response to question nine (Thinking about Grant Marine Park, do you think this is a good location for a skate park?).

Notwithstanding the above, it would not be unreasonable for Council to consider the responses to the survey questions that do not relate to Grant Marine Park (14 out of the 17 questions). In moving forward, a subject skate park expert consultant can then be engaged to work with both officers and Elected Members to:

- Review all previous work and reports on this project to date; and
- Review the feedback received from the survey; and
- Provide advice to Council on how to best progress the project

Further community consultation could be carried out if required, depending on the outcome of the above three points. Likewise other projects that have progress significantly since the issue of the Enlocus report, such as the Foreshore Masterplan, may need to be considered. An independent review should also remove any perception of bias that the project may currently have within the community.

Given the error that has been identified, and subsequent effect this may have had on survey results, it is recommended that Council endorses the review process proposed above prior to making a decision on how this project should proceed. Items to be considered in regards to a skate facility in the Town of Cottesloe include; targeted age group, location, size and amount to invest. Following this, the matter can be brought to an Ordinary Meeting to determine how the project should proceed.

It is clear (given the survey results) that there is a keen desire for skate infrastructure in the Town of Cottesloe. The survey has delivered a wealth of information that should be analysed by experts in skate infrastructure, in order to determine the needs of the community. Likewise, in moving forward the Council (and the community) needs to be confident it has received the best advice possible so that an informed decision on the future of this proposal can be made.

## **VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

THAT Council:

1. THANKS the public for taking the time to provide a response to the online survey;
2. NOTES the results and submissions received from the public consultation;
3. APPROVES for a Skate Park expert consultant to be engaged to review all reports to date;
4. INSTRUCTS the Chief Executive Officer to organise a workshop with Council and the Skate Park expert consultant by February 2021 to discuss the following:
  - a. Review of all previous work done on the Skate Park Project;
  - b. Review of feedback received through the public consultation survey; and
  - c. Determine the future steps for the project.
5. NOTES that a separate report on the workshop outcomes mentioned in point four be brought to an Ordinary Meeting.

**COUNCILLOR MOTION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Barrett

THAT Council:

1. **THANKS the public for taking the time to provide a response to the online survey;**
2. **NOTES the results and submissions received from the public consultation;**
3. **NOTES that the public consultation results evidence a strong demand from Cottesloe residents for skate facilities in Cottesloe but that issues identified during the consultation process impact on the reliability of feedback on the preferred location.**
4. **APPROVES for a Skate Park expert consultant to be engaged to review all reports to date;**
5. **INSTRUCTS the Chief Executive Officer to organise a workshop with Council and the Skate Park expert consultant by February 2021 to discuss the following:**
  - a. **Review of all previous work done on the Skate Park Project;**
  - b. **Review of feedback received through the public consultation survey; and**
  - c. **Determine the future steps for the project.**
6. **NOTES that a separate report on the workshop outcomes mentioned in point four be brought to an Ordinary Meeting.**

Carried 6/0

COUNCILLOR RATIONALE:

1. Community consultation showed extremely strong support for skate facilities in Cottesloe;
2. Issues relating to the public consultation process have been identified and aired in the

media and in previous Council meetings;

3. The Engagement Analysis document (attached to the Agenda document) was prepared solely for the purpose of analyzing the feedback received from the consultation and was not focused on the validity or reliability of the feedback;
4. Consequently, the Engagement Analysis document makes no reference to the issues relating to the consultation process;
5. The integrity of Council's consultation process requires that Council formally acknowledge the issues and the impact they have on the reliability of the feedback insofar as it relates to a preferred location for skate facilities.
6. The addition of this paragraph provides express acknowledgement of the situation and also provides context for the decision to engage a skate park expert consultant and to hold a workshop to determine future steps for the project.

**10.1.11 BEACH ACCESS PATH RATIONALIZATION**

**File Ref:** SUB/2798  
**Attachments:** Nil  
**Responsible Officer:** Matthew Scott, Chief Executive Officer  
**Author:** Shaun Kan, Executive Manager Engineering Services  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Council is asked to consider putting out the proposed beach access path layout attached for public consultation. The rationalised access arrangements will involve the closure of nine existing paths and has the potential to deliver a cost saving of \$3 million in the long term.

It is also intended that an application be made to the State Government for a grant to implement the Beach Emergency Numbering (BEN) signs at paths on the new layout.

**BACKGROUND**

Council at the August 2020 Ordinary Meeting requested for all the existing beach access paths to be rationalized to reduce the quantity of such infrastructure that needs to be maintained. This would in turn reduce the preservation cost.

*THAT Council:*

1. *REJECTS all tenders submitted given the major changes to scope in the preferred revised concept;*
2. *APPROVES the revised S15 concept, shown in the background section of the report, with the exception of section one shown on the diagram (Node) that would be built to the original design presented to Council at the June 2020 Ordinary Meeting;*
3. *REQUESTS the Administration to undertake the rationalisation of all the beach access paths along the Cottesloe Foreshore and for an item to be brought to an Ordinary Council Meeting recommending the future beach access arrangements; and*
4. *NOTES that the remaining sections two to five in the concept referred to in Point Two will not be in accordance with the Beach Access Style Guide.*
5. *Request that the Administration programs the works to occur over summer and concluded before winter.*

*Carried 8/0*

The Administration has since undertaken a condition assessment of all the beach access paths along the Foreshore to rationalize the closure of a number of these entry points.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 5: Providing sustainable infrastructure and community amenities

Major Strategy 5.5: Develop a long term asset management plan.

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This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

Priority Area 3: Enhancing beach access and the foreshore.

Major Strategy 3.2: Continue to improve access to beach facilities.

### **POLICY IMPLICATIONS**

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

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

The Administration is satisfying a Council Resolution.

### **FINANCIAL IMPLICATIONS**

A budget item will be put up for consideration to undertake the closure of the paths once this has been accepted by Council. It is anticipated that the reduction of beach access paths will reduce the cost of upgrade and maintenance in the long term financial plan. The closure of the nine access points will deliver cost savings in the order of \$3 million based on an average of \$300,000 to upgrade any path.

### **STAFFING IMPLICATIONS**

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

The closure would most likely be undertaken by the Town's staff.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from the officer's recommendation. The closure will allow for the installation of planting for dune stabilisation.

### **CONSULTATION**

Town of Cottesloe Staff

Elected Members

Cottesloe Residents and Wider Community

Emergency Responders (Local and State Government)

### **OFFICER COMMENT**

There are currently 33 beach access paths of varying conditions along the four kilometre Cottesloe Foreshore. A recent condition assessment of these infrastructures has made the following findings:

- Very closely spaced paths (N10 to N12), (C3 to N2) and (s5 to S9) that could be rationalized;



- A number of the above paths have reached their end of life and can be closed to increase spacing;
- High maintenance of sand ladder type paths due to movement of sand during storm events (ongoing public complaints and cut/fill earthworks by operations team);
- This will reduce ongoing maintenance expenditure and save on asset replacement cost;
- Inconsistent and poor condition of path identification signs; and
- There is the opportunity to introduce the State Government's Beach Emergency Number (BEN) Signs Program as part of the rationalization;

Based on the assessment outcome above, the Administration recommends the following path arrangements below. It would be important to note that what is being proposed is preliminary, based on possible alternative access within reasonable proximity. The intent is then to put this out for consultation with public comments being considered before a final layout is brought back to Council for acceptance.

Council will be informed of the beach access path layout mapping format prior to the commencement of the consultation. Given the qualitative nature of the feedback the survey would most likely be done by way of written submissions rather than an on-line questionnaire.

**Recommendation One: Amalgamation of N10, N11 and N12 Paths (closure of N10 and N12)**

This arrangement involves the closure of N12 and N10 sand ladder paths with N11 being kept open. Consideration should be given to upgrading the surface of N11 to a boardwalk type platform to reduce maintenance costs associated with eroding sand ladder paths.

The arrangement above:

- Increase spacing from N11 to the next path N9 (condition good, concrete steps) from 70 to 155 metres.
- With the closure of N10, current users can access the beach either through N11 (85 metres to the north) or N9 (70 metres to the south).
- With the closure of N12, current users of this path can use N11 (70 metres to the south) or alternatively N35, the access point approximately 10 metres to the north within the City of Nedlands.

**Recommendation 2: Keep Paths N3 to N9 Open**

- No closure of these paths required.
- Paths are evenly spaced (100 to 200 metres separation).
- N3 (condition good, sand platform) could be upgraded to a boardwalk type platform.
- N4 (condition good, concrete / timber steps) bottom steps between the shared path and the beach has been upgraded.
- N5 has been previously closed.

- N6 (condition average, log ladder) was upgraded 2 years ago but has ongoing maintenance issues. Consideration could be given to install a hard type surface to reduce maintenance.
- N7 (condition very good, replas steps) was upgraded 2 years ago and does not require further work.
- N8 (condition good, timber steps) does not require any work.
- N9 (condition good, concrete steps) requires minor maintenance work.

**Recommendation 3: Closure of Path N1 and N2**

- Both paths to be closed to improve separation to adjacent path N3 (to the north) and C4 (to the south).
- N1 (condition average, sand ramp/ladder) has continuous maintenance issues.
- N2 (condition poor/no longer fit for purpose, sand/ladder) is due for replacement in coming years.
- With the closure of N2, current users have access to N3 (35 metres to the north).
- With the closure of N1, current users have access to C4 (70 metres to the south).

**Recommendation 4: Permanent closure of C3 with C0, C1, C2 and C4 to remain open**

- C0, C1, C2 and C4 to remain open
- C3 path was recently destroyed with the destruction of Rotunda during a storm caused landslide. This path not be replaced as there is alternative access to C4 (35 metres to the north and C0 (100 metres to the south).
- This storm destroyed footpath section will be built to the approved Foreshore Redevelopment detail design.

**Recommendation 5: Closure of path S11 and keep paths S9 to S15 open**

- S11 (condition poor, sand / ladder path) is due for replacement in the coming years and should be closed.
- With the closure of S11, current users will still be able to access the beach through S12 (100 metres to the north) and S10 (85 metres to the south).
- Other paths (S9, S10, S12 and S15) can remain open as they are well spaced (100 to 300 metres apart) and generally in very good condition.
- S9 (condition average, sand ladder steps) could be upgraded to a boardwalk type surface step to reduce cut and fill earth works with eroding sand after each storm event.
- S10 and S12 (condition of both very good, replas steps) were upgraded 2 years ago – no further works required.
- S15 (condition poor, concrete surfers access steps) will be upgraded this year, design is being revised (August 2020 OCM resolution).

**Recommendation 6: Amalgamation of Path S6, S7 and S8 (Closure of S6 and S8)**

- Closure of S6 (dog beach) and S8 (surfers access) (poor condition of both, limestone / asphalt path).
- S7 (surfers access) remains open (condition good, asphalt path).
- Existing users of S6 and S8 have to walk 35m north and south respectively to access S7.

**Recommendation 7: Keep S1 to S4 Open and Close S5**

- All 5 paths lead to the dog beach.
- Close S5 (condition good, timber stairs) and relocate this path south closer to Gibney Street with universal access capabilities to provide for the Wearne Hostel.
- This will reduce the distance between S4 and S5 to under 150 metres.
- S1 to S4 to remain open.
- S4 (condition good, timbers steps) will have a boardwalk constructed at the beach landing to provide a safe walking surface over rocks.
- S3 (condition poor, timber steps) would need to be upgraded in coming years.
- S1 and S2 are in a good condition.

In addition to the above, it is also recommended that the beach access path signage be upgraded accordingly to optimize emergency response. Consideration should be given to the Beach Emergency Numbering (BEN) Signs system currently being rolled out by the State Government. A grant application will be progressed after Council accepts a final beach access path access layout.

The table below provides an indication of the proposed future layout that takes into consideration the seven recommendations above. Council is asked to note the potential cost savings in the long term with the proposed layout within the financial implication section of the report.

| Path Number  | Comments   | Landmark                  |
|--------------|--|---------------------------|
| <b>70m</b>   |  |                           |
| N11          | needs sand at the bottom   |                           |
| <b>150m</b>  |  |                           |
| N9           | Needs concrete repairs but structurally sound                      | Vera View Slow Point      |
| <b>130m</b>  |  |                           |
| N8           |  |                           |
| <b>150m</b>  |  |                           |
| N7           | Recently upgraded  | Grant Street              |
| <b>110m</b>  |  |                           |
| N6           | Needs sand at the bottom   |                           |
| <b>180m</b>  |  |                           |
| N4           | Bottom treads need replacing                                       |                           |
| <b>210m</b>  |  |                           |
| N3           | Needs sand at the bottom   |                           |
| <b>190m</b>  |  |                           |
| C4           |  |                           |
| <b>135m</b>  |  |                           |
| Unknown Path |  | Edge of northern terraces |
| <b>40m</b>   |  |                           |
| C2           |  | northern side of Indianas |
| <b>85m</b>   |  |                           |
| C1           |  | southern side of Indianas |
| <b>280m</b>  |  |                           |
| S15          | Will be upgraded 2020/2021   |                           |
| <b>200m</b>  |  |                           |
| S14          |  |                           |
| <b>130m</b>  |  |                           |
| S13          |  |                           |
| <b>200m</b>  |  |                           |
| S12          |  |                           |
| <b>100m</b>  |  |                           |
| <b>85m</b>   |  |                           |
| S10          |  |                           |
| <b>100m</b>  |  |                           |
| S9           |  |                           |
| <b>70m</b>   |  |                           |
| <b>35m</b>   |  |                           |
| S7           |  |                           |
| <b>35m</b>   |  |                           |
| <b>70</b>    |  |                           |
| S5           | close existing path and relocate closer to Gibney Street crossing. |                           |
| <b>150m</b>  |  |                           |
| S4           | needs platform at bottom 2020/21 capital works                     |                           |
| <b>280m</b>  |  |                           |
| S3           |  |                           |
| <b>220m</b>  |  |                           |
| S2           |  |                           |
| <b>85m</b>   |  |                           |
| S1           |  |                           |

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

THAT Council:

1. ACCEPTS the following beach access path rationalization as per the officer's comment section for the purpose of public consultation:
  - a. Amalgamation of N10, N11 and N12 Paths through the closure of N10 and N12 with N11 to remain open;
  - b. N3 to N9 are to remain open;
  - c. Closure of N1 and N2;
  - d. Permanent closure of C3 with C0, C1, C2 and C4 to remain open;
  - e. Closure of path S11 with S9 to S15 to remain open;
  - f. Amalgamation of Path S6, S7 and S8 through the closure of S6 and S8 with S7 remaining open;
  - g. Keep S1 to S4 open and close S5;
2. NOTES that the matter will be brought back to an Ordinary Council Meeting after the public consultation;
3. NOTES that elected members will be provided with information that will be sent out to the public before the start of the consultation; and
4. NOTES that the beach access path signage will be upgraded according with the rationalization of the access points mentioned in point one.

**PROCEDURAL MOTION AND COUNCIL RESOLUTION**

**Moved Cr Young**

**Seconded Cr Sadler**

**That the item be laid on the table to allow the officers time to address points that were raised in the amendment submitted by Cr Barrett more fully so that we can understand and the matter can be raised again at the next meeting.**

**Carried 6/0**

**COUNCILLOR RATIONALE:**

Council required more time to address points raised in a proposed amendment submitted by Cr Barrett.

**10.1.13 BUDGET AMENDMENT**

**File Ref:** SUB/2798  
**Attachments:** 10.1.13(a) Federal Government Grant - Cottesloe - Approved Work Schedule [CONFIDENTIAL]  
[UNDER SEPARATE COVER]  
**Responsible Officer:** Matthew Scott, Chief Executive Officer  
**Author:** Shaun Kan, Executive Manager Engineering Services  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Council is asked to consider a budget amendment within the road and property construction program. This would be to incorporate a Federal Government Grant into the 2020/2021 approved budget for the purpose of resurfacing Grant Street between Marine Parade and Broome Street.

**BACKGROUND**

Council at a July 2020 Special Meeting endorsed the 2020/2021 financial year budget. Under the financial regulations of the Local Government Act, Council approval by absolute majority is required to amend any changes to the budget including the incorporation of unplanned grants.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

**POLICY IMPLICATIONS**

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

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

**FINANCIAL IMPLICATIONS**

There is no net effect to the approved budget. The \$103,767 increase would be funded through a Federal Government stimulus grant (income). A copy of the confidential agreement has been attached.

**STAFFING IMPLICATIONS**

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

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**CONSULTATION**

Staff

Elected Representatives

**OFFICER COMMENT**

In June 2020, the Town of Cottesloe was provided with a letter of offer to receive a \$103,767 Local Roads and Community Grant. The agreement was recently signed by the Federal Government and Council is asked to approve an amendment for this to be incorporated into the 2020/2021 budget. This would allow for the resurfacing works along Grant Street between Marine Parade and Broome Street to be carried out in the next few weeks.

It is a requirement of the grant for these works to be completed before 30 June 2021.

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Harkins

**THAT Council by absolute majority:**

- 1. THANKS the Deputy Prime Minister, the Honourable Michael McCormack and the Minister for Regional Health, Regional Communications and Local Government the Honourable Mark Coulton for the letter of offer to the Town in receipt of the Federal Government's Local Roads and Community Infrastructure Grant; and**
- 2. APPROVES the increase in the 2020/2021 financial year budget by \$103,767 for the road resurfacing along Grant Street between Marine Parade and Broome Street.**

**Carried by Absolute Majority 6/0**

**10.1.7 CAROLS BY CANDELIGHT 2020 - COVID EVENT PLAN**

|                                       |  |
|---------------------------------------|--|
| <b>File Ref:</b>                      | <b>SUB/2798</b>  |
| <b>Attachments:</b>                   | <b>10.1.7(a) COVID Event Guidelines - Government of Western Australia (Events 500+) [under separate cover]</b> |
| <b>Responsible Officer:</b>           | <b>Shane Collie, Executive Manager Corporate Services and Governance</b>                                       |
| <b>Author:</b>                        | <b>Gabrielle Hall, Events Coordinator</b>  |
| <b>Author Disclosure of Interest:</b> | <b>Nil</b>   |

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**SUMMARY**

Carols by Candlelight is scheduled for Sunday, 13 December 2020. As a State Government requirement, from Friday, 25 September 2020 a public or private event involving more than 500 patrons that requires local government authority approval will need an approved COVID Event Plan as part of that process. In order for the Town to provide a comprehensive plan for the 2020 event significant changes to the event would need to be made.

**BACKGROUND**

The 2019 Carols by Candlelight event was cancelled. In March 2020 Council approved Urban Church, Mosman Park being appointed as the community group to facilitate the carols performance on the Main Lawn, Cottesloe Civic Centre on Sunday, 13 December 2020 as part of the Town's annual events portfolio.

Carols by Candlelight is a key annual event, and the community responds positively to the event which has attracted approximately 3,000 event patrons in previous years.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 1: Protecting and enhancing the wellbeing of residents and visitors

Major Strategy 1.3: Identify places to host more cultural events and activities.

This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

Priority Area 1: Protect and enhance the wellbeing of residents and visitors.

Major Strategy 1.4: Continue to improve community engagement.

**POLICY IMPLICATIONS**

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

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Emergency Management Act 2005*

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**FINANCIAL IMPLICATIONS**

Additional resource and infrastructure requirements would be required above the existing budgetary allocation as detailed below.

**STAFFING IMPLICATIONS**

In order to execute a compliant COVID Event Plan the Town would require additional resourcing for the event day.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**CONSULTATION**

Urban Church

Town of Cottesloe

**OFFICER COMMENT**

The Main Lawn capacity at the Cottesloe Civic Centre is 3,500. With the required infrastructure, reduction to one entry/exit and two square metres per person the capacity is reduced to 1,000. The requirement for two square metres per person is in align with Phase 4 restrictions and will be removed once the State moves into phase five.

Larger crowd sizes may increase the size of a potential COVID-19 outbreak or cluster. Outdoor venues present a lower risk for COVID-19 transmission than indoor venues, provided physical distancing is practised. The following recommendations need to be considered;

- Registering patrons, with contact details, will ensure individuals can be contacted if a person attending the event tests positive for COVID-19.
- Allocated seating arrangements, managing physical distancing between patrons during the event and adequately spacing of queues by clearly indicating 1.5m distances.
- Maintaining physical distancing and the flow of patrons at entrances and exits.
- Implement automated, digital ticket checking with fixed ticket scanners or turnstiles where feasible.
- Event formats that are open to the general public and/or involve the ongoing mixing of patrons throughout will make timely contact tracing challenging.
- Activities associated with loud volume speech, chanting, cheering or singing increase the risk of COVID-19 transmission.
- The longer individuals are in contact, and the closer the proximity to each other, the greater the risk of transmission of COVID-19.

- Some activities may present additional challenges in maintaining physical distancing (e.g. stages that encourage crowds, mosh pits, dancefloors, some amusement rides/inflatables, presence of alcohol).

Ticketing the event would ensure compliance with the venue capacity and provide a mitigation method for contact tracing or event cancellation. Having the event ticketed provides the following challenges;

- Social distancing for queueing
- Limitation to 1,000 tickets – The Main Lawn standard capacity at the Cottesloe Civic Centre is 3,500; this is based on its 3,500 metres squared size. With the required event infrastructure, reduction to one entry/exit and two square metres per person the capacity is reduced to 1,000. Staff and volunteer would be in addition to the 1,000 patrons.
- As this is a free event, the Town may face the issue of people registering and not attending.
- Ticket scanners and additional staff
- One entry to ensure all patrons are scanned and one way traffic flow

Social distancing will be a challenge as we do not have allocated seating – managing and monitoring this on the night will be challenging as group sizes will vary.

As a basic cost analysis, if the Town was to have 1,000 attendees, this event would equate to \$22.00 per person. This is opposed to the \$7.30 in previous years, where the Town has had approximately 3,000 patrons and \$22,000 budget.

Feedback was received from surrounding Western Suburbs Carols by Candlelight events have the following status;

The surrounding Western Suburbs Carols by Candlelight events have the following status. The following feedback was received prior to the latest update announcement on Monday, 19 October 2020 stating that the West Australian government has delayed the introduction of Phase Five in its COVID-19 recovery roadmap.

- City of Subiaco – Summer Concerts - scheduled to proceed
- Town of Cambridge – Christmas at Lake Monger Festival – cancelled
- Shire of Peppermint Grove – Carols by Candlelight - scheduled to proceed
- Town of Claremont – Christmas Carols in Claremont Park – scheduled to proceed
- Town of Mosman Park and City of Nedlands do not have Christmas Carols events

Due to the short lead time into the Christmas period it is recommended that should a suitable alternative community event or activity be identified that does not have the same COVID restrictions, that the CEO be delegated authority to approve. Such an activity would likely be low key and well within the current budget allocation.

## **VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Young**

**Seconded Cr Sadler**

**THAT Council:**

- 1. CANCELS the 2020 Carols by Candlelight event due to the COVID Event Plan requirements, and**
- 2. PROVIDES Delegated Authority to the CEO to approve a Christmas themed event or activity within the Carols by Candlelight budget amount.**
- 3. THANKS Urban Church for their support to date in preparing the Carols performance for the 2020 Carols by Candlelight event.**

**Carried 6/0**

Cr Harkins left the meeting at 7:03pm.

### 10.1.2 APPLICATION TO THE METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL - 108, 112, 114 (LOTS 1, 31, 32) FORREST STREET & 9 (LOT 2) VERA STREET - PROPOSED OFFICE DEVELOPMENT

|                                       |  |
|---------------------------------------|--|
| <b>File Ref:</b>                      | <b>SUB/2798</b>  |
| <b>Applicant(s) Proponents:</b>       | <b>Rowe Group</b>  |
| <b>Attachments:</b>                   | <b>10.1.2(a) Development Application 108 - 114 Forrest St [under separate cover]</b><br><b>10.1.2(b) 108 - 114 Forrest St letters [under separate cover]</b><br><b>10.1.2(c) 108 - 114 Forrest St Plans [under separate cover]</b><br><b>10.1.2(d) Design review report and recommendations [under separate cover]</b> |
| <b>Responsible Officer:</b>           | <b>Wayne Zimmermann, Principal Planner</b>   |
| <b>Author:</b>                        | <b>Ed Drewett, Coordinator Statutory Planning</b>  |
| <b>Author Disclosure of Interest:</b> | <b>Nil</b>   |

#### SUMMARY

A planning application has been received for a two-storey office development, with undercroft parking and a roof terrace.

Details of the proposal are as follows:

|              |  |
|--------------|--|
| Basement     | <ul style="list-style-type: none"> <li>• 17 carbays, including 1 ACROD bay accessed via driveway ramp</li> <li>• Lobby</li> <li>• Plant rooms</li> <li>• Toilet (end of trip) facilities</li> <li>• Stairs/lift.</li> </ul>                  |
| Ground floor | <ul style="list-style-type: none"> <li>• 6 offices for executive staff</li> <li>• Entry/lobby</li> <li>• Meeting room</li> <li>• Gallery</li> <li>• Lounge</li> <li>• Boardroom</li> <li>• Staff amenities</li> <li>• Stairs/lift</li> </ul> |
| Upper floor  | <ul style="list-style-type: none"> <li>• Office area</li> <li>• Staff amenities &amp; outdoor terrace</li> <li>• Stairs/lift</li> </ul>  |

The applicant has opted for the application to be referred to the Metro Inner-North Joint Development Assessment Panel (JDAP) for determination.

A Responsible Authority Report has been prepared and is due to be submitted to the JDAP by 26 October 2020.

The purpose of this report is for Council to:

- i. Consider the Officer recommendation;
- ii. Be informed that the application will be referred to the JDAP on or before noon on 26 October 2020 for its determination in accordance with the Planning and Development (Development Assessment Panel) Regulations 2011 (DAP Regs); and
- iii. Note that the Development Assessment Panel has agreed to add the Council resolution as an addendum to the Responsible Authority Report.

Given the assessment that has been undertaken, the recommendation is that the JDAP conditionally approve the application.

### BACKGROUND

|                       |      |                                     |
|-----------------------|------|-------------------------------------|
| Zoning                | MRS: | Urban                               |
|                       | LPS: | Office/Residential R40              |
| Use Class:            |      | Office – Permitted                  |
| Development Scheme:   |      | Local Planning Scheme No. 3 (LPS 3) |
| Lot Size:             |      | 1520m <sup>2</sup>                  |
| Existing Land Use:    |      | Vacant                              |
| Value of Development: |      | \$5.25M                             |
| Owner:                |      | WGPL Property Pty Ltd               |

#### 21 January 2020

Development approval issued for demolition of two grouped dwellings (108 Forrest Street & 9 Vera Street).

#### 16 April 2020

Demolition Permits issued for existing development (108, 112, 114 Forrest Street & 9 Vera Street).

#### 19 May 2020

WAPC approval issued for amalgamation of four lots to create one lot.

#### 1 September 2020

Amended plans received addressing preliminary engineering considerations.

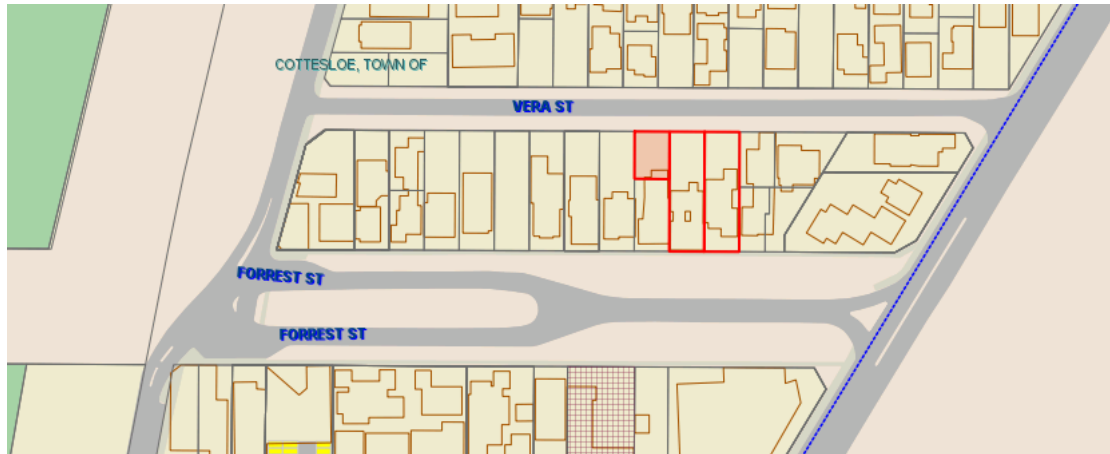
#### 15 October 2020

Amended plans received addressing building heights.

Context

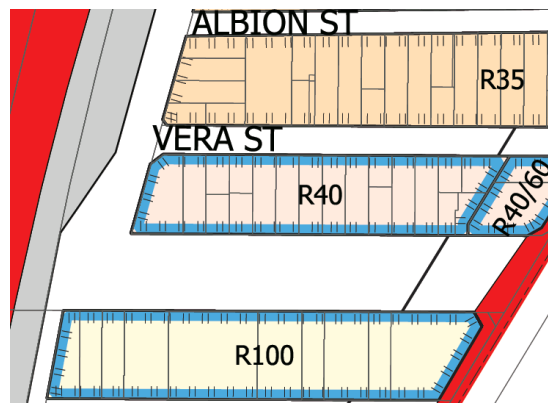
The site is 1520m<sup>2</sup> in area and displays a gentle rise of approximately 3m from it’s south-western to north-eastern corners.

The site is bounded by two streets, Vera Street to the north and Forrest Street to the south, and it is approximately 60m west of the Stirling Highway bus route and 200m east of the Cottesloe train station making it easily accessible to public transport.



**Above: Site location plan**

Opposite the site, on the southern side of Forrest Street, the lots are zoned ‘Town Centre/R100’ under the Town’s Local Planning Scheme No. 3 (LPS 3) which can accommodate a range of commercial and mixed-use developments, whereas the lots opposite on the northern side of Vera Street are zoned ‘Residential R35’, making them suitable for residential development only. The site’s ‘Office/Residential’ zoning therefore represents a ‘transitional zone’ between the commercial and residential areas.



**Above: Zoning map of locality**

**STRATEGIC IMPLICATIONS**

There are no perceived strategic implications arising from the officer’s recommendation. The development is generally consistent with the draft Cott Village Precinct Plan.

**POLICY IMPLICATIONS**

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

**STATUTORY ENVIRONMENT**

- *Planning and Development Act 2005*
- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *Planning and Development (Development Assessment Panel) Regulations 2011 (DAP Regs)*
- *Local Planning Scheme No. 3*
- *State Planning Policy 7.0: Design of the Built Environment*
- *State Planning Policy 7.3 Residential Design Codes Volume 1*
- *Street Tree Policy*
- *Fencing Local Law*
- *Draft Cott Precinct Plan*
- *Town Centre Policy Design Guidelines*
- *Local Planning Policy No.1 – Parking Matters*

**FINANCIAL IMPLICATIONS**

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

**STAFFING IMPLICATIONS**

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

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**DESIGN ADVISORY PANEL ADVICE**

There was no pre-lodgement referral. The application was presented to the Town's Design Advisory Panel on Wednesday 30 September 2020 and it was evaluated against the performance-based Design Principles based on State Planning Policy 7.0 - *Design of the Built Environment*.

A summary of the Design Advisory Panel's comments are provided below:

| <b>Design Principle</b>       | <b>Comment</b> |
|-------------------------------|----------------|
| Context & character           | Supported      |
| Landscape quality             | Supported      |
| Built form & scale            | Supported      |
| Functionality & build quality | Supported      |

|                |   |
|----------------|---|
| Sustainability | Supported   |
| Amenity        | Supported   |
| Legibility     | Supported   |
| Safety         | Supported, but noted that the underground garage and pedestrian path could be a potential safety issue. |
| Community      | Supported, but noted that more visitors parking may be helpful.   |
| Aesthetics     | Supported   |

#### Other Advice

The application was referred internally to the Town's Building, Health & Engineering departments. Comments received are summarised below:

|             |  |
|-------------|--|
| Building    | <ul style="list-style-type: none"> <li>Requires amalgamation;</li> <li>Requires dilapidation report of adjoining properties.</li> </ul>  |
| Health      | <ul style="list-style-type: none"> <li>Requires compliance with the Environmental Protection (Noise) Regulations 1997;</li> <li>Requires compliance with the Town's Health Local Law 1997.</li> </ul>  |
| Engineering | <p><u>Response to original submitted plans:</u></p> <ul style="list-style-type: none"> <li>Street trees are to be retained;</li> <li>Proposed footpaths are to have sufficient clearance from street trees;</li> <li>Driveway gradient and vehicle height clearance details are required;</li> <li>Visual sightline and vehicle height clearance details are required;</li> <li>Vehicle manoeuvring details are required.</li> </ul> <p><u>Response to amended plans received 1 September 2020:</u></p> <ul style="list-style-type: none"> <li>Supports amended plans;</li> <li>Not supportive of removal of any street tree(s) without Council approval.</li> </ul> |

#### **CONSULTATION**

The application was advertised from 25 August to 11 September 2020 in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 and Local Planning Scheme No.3. Advertising was undertaken by writing to owners and occupiers of properties adjoining the site and opposite in Vera Street, and also making the plans and supporting information available on the Town's website and at the Council Offices. Two submissions were received and their comments are summarised below:



| Issue Raised  | Officer comments  |
|---|---|
| Setbacks & building heights adjoining 106 Forrest Street, if not in accordance with planning legislation.       | Noted, and acknowledged by applicant.<br>The setbacks and height of the proposed development adjoining 106 Forrest Street are compliant with LPS 3 and the 'deemed-to-comply' provisions of the Residential Design Codes. |
| Site works which affect the stability of adjoining foundations, and the need for a Construction Management Plan | Noted, and acknowledged by applicant.<br>To be assessed and determined at the Building Licence stage and is separate from the planning approval process.  |
| Removal of trees in street verge.   | Noted, and acknowledged by applicant.<br>Recommended that a condition be included advising that there shall be no loss of street trees, unless approved by Council.   |
| Noise from outdoor spaces after 10pm.   | Noted, and acknowledged by applicant.<br>Noise shall comply with the Environmental Health (Noise) Regulations 1997 and is separate from the planning approval process.  |

### PLANNING ASSESSMENT

The development application has been assessed against the provisions of the Town's Local Planning Scheme No. 3, Town Centre Design Guidelines, the Planning and Development (Local Planning Schemes) Regulations 2015, the Town's Street Tree Policy, and the Residential Design Codes, as applicable.

#### Local Planning Scheme No. 3

The aims of the Scheme relevant to this development include:

- a) Support land use, transport and development within the Scheme area;
- b) Sustain the amenity, character and streetscape quality of the Scheme area; and
- c) Ensure that development and the use of land within the district complies with accepted standards and practices for public amenity and convenience.

The objectives of the 'Office/Residential' zone are to:

- a) provide the opportunity for offices in a residential environment close to the town centre;
- b) provide a transition in land use from the Town Centre zone to the Residential zone in the surrounding locality; and
- c) provide the opportunity for office development that is residential in appearance and scale so as to complement the use and development of the surrounding residential locality.

The table below sets out the planning assessment of the development proposal.

| Provision   | Complies with relevant legislation        | Requires exercise of judgement |
|---|---|--------------------------------|
| Land use  | ✓   |                                |
| Building height   |   | ✓                              |
| Building size (max. plot ratio allowed 0.8:1 = 1216m <sup>2</sup> ) | ✓<br>(0.5:1 - 760m <sup>2</sup> proposed) |                                |
| Site cover (max. site cover allowed 50%)                            | ✓<br>(48.6% proposed)                     |                                |
| Street setbacks (4m)  | ✓<br>(4.5m proposed)                      |                                |
| Side setbacks   |   | ✓                              |
| Parking   |   | ✓                              |
| Site works  | ✓   |                                |
| Vehicle access/street trees   |   | ✓                              |
| Fencing   | ✓   |                                |
| Matters to be considered by local government                        | ✓   |                                |

The following comments are made in respect to plans received 15 October 2020 where the JDAP is required to exercise its judgement:

| <b>Building height</b>   |  |
|--|--|
| <b>Requirement</b>   | <b>Proposed</b>  |
| <p><i>Local Planning Scheme No. 3: (clause 5.7 &amp; Schedule 13):</i></p> <p><u>1 storey</u></p> <p>Building height – 6 metres maximum height</p> <p><u>2 storeys</u></p> <p>Wall Height (to top of a parapet) – 7.0 metres maximum height</p> <p><u>Schedule 13</u></p> <p><i>Excludes the operation of discretion in respect to building heights. Minor projections are excluded.</i></p>   | <p>South-west corner of upper floor - 7.33m (RL: 13.565) – 0.33m over permitted height.</p> <p><i>Remainder of the 2<sup>nd</sup> storey is at or below 7m measured vertically above natural ground level and it is therefore permitted under LPS 3.</i></p> |
| <p><b>Comment</b></p> <p>Minor projections are exempt from being included in the building height requirements in Local Planning Scheme No. 3. Whilst not defined in the Scheme, minor projections are defined in the Residential Design Codes as:</p> <p><i>In relation to the height of a building: a chimney, vent pipe, aerial or other appurtenance of like scale;</i></p> <p><i>In relation to a wall: a rainwater pipe, vent pipe, eaves overhang, cornice or other moulding or decorative feature, provided that the projection does not exceed 0.75m measured horizontally.</i></p> <p>In this case, as the roof projection exceeding the maximum building height only affects the south-western corner of the proposed upper floor with the other remaining parts of the building being at or below the maximum permitted height it could be considered as having less visual impact than say a chimney or the like and can be supported as a minor projection.</p> <p>Furthermore, Council at its meeting on 26 November 2019 resolved to advertise the draft Cott Village Precinct Plan for community comment which proposes buildings up to 3 storeys on the site, although it has not been formally adopted by Council.</p> |  |
| <b>Side setbacks</b>   |  |
| <b>Requirement</b>   | <b>Proposed</b>  |
| <ul style="list-style-type: none"> <li>• Upper-floor privacy screen to eastern boundary: 1.8m setback.</li> <li>• Upper-floor recess to eastern boundary: 3m setback.</li> </ul>   | <ul style="list-style-type: none"> <li>• 1.64m (variation: 0.16m)</li> <li>• 2.74m (variation: 0.26m)</li> </ul>   |

**Comment**

The applicant carried out separate consultation with the eastern and western adjoining owners prior to submitting the development application to the Town and their comments were included in the application.

The Town’s neighbour consultation letter advised the adjoining eastern owner of the proposed lot boundary setback variation and stairs on the boundary. However, no further submission was received in this regard.

The setback variations sought are relatively minor and can be supported under design principles as the eastern elevation of the proposed development is articulated to reduce building bulk, the lots are orientated north-south which assists in ensuring adequate sun and ventilation is maintained to the building and the adjoining property, and no east-facing major openings are proposed thereby eliminating any potential loss of privacy of the adjoining property.



**Above: View from site of adjoining eastern property (offices)**

| Parking  |          |
|--|----------|
| Requirement  | Proposed |
| 21 (rounded to nearest whole number).<br><i>This may be reduced by up to 20% under clause 7.1 of Schedule 13 of LPS 3 = 17 bays (rounded to nearest whole number).</i> | 17 bays  |

**Comment**

Under clause 7.1 in Schedule 13 of LPS 3, the parking requirements may be varied by up to 20%, subject to the provision of a traffic impact assessment to the satisfaction of the Council addressing the matters referred to in clause 5.5.4c (i.e.: that the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality, or the likely future development in the locality).

The applicant is of the view that a traffic impact assessment is not required as the proposed development does not generate more than 100 vehicle trips per day during the development's peak hour and end of trip facilities are proposed to be provided to encourage occupiers or users to utilise alternative modes of transport.

Whilst it does appear that the proposed single occupancy of the building may make it easier to control the amount of on-site parking that is required, it is nevertheless likely that visitors in particular will still want to make use of the existing on-street parking bays in Forrest Street, rather than access the undercroft parking area.

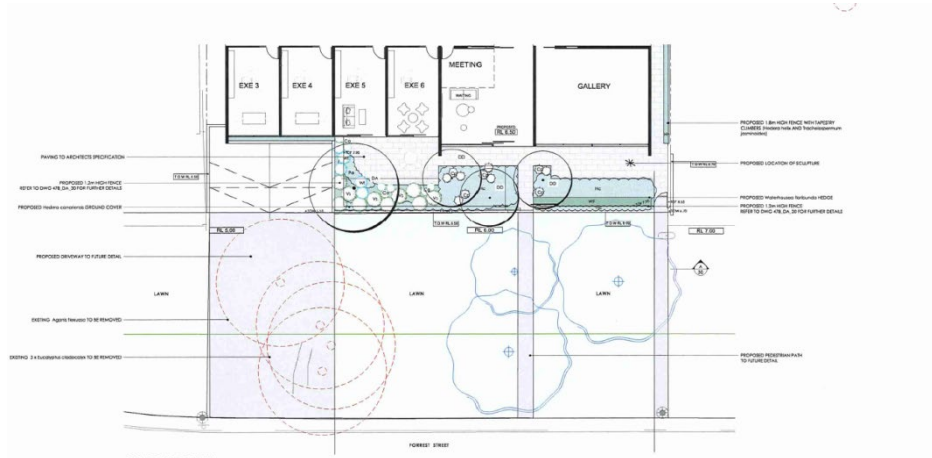
The existing on-street parking bays in Forrest Street are already heavily used due to other development in the locality, especially the Cottesloe Medical Centre, and it is therefore recommended that a traffic impact assessment be required as a condition of this approval. Alternatively, cash-in-lieu for the parking 4 bay parking shortfall may be considered under clause 5.8.3 of LPS 3 – Vehicle parking requirements, and having regard to Council's Parking Matters Policy.

**Vehicle access/Street trees**

| Requirement  | Proposed   |
|--|--|
| Retention of street trees under the Town’s Street Tree Policy. | Removal and replacement of one street tree (Peppermint - <i>Agonis flexuosa</i> ). |

**Comment**

The applicant’s plans received 10 August 2020 proposed a new crossover from Forrest Street to the south-west part of the site, requiring the removal of 4 large street trees.



**Above: Crossover plan showing removal of street trees**



**Above: View of site from Forrest Street showing existing street trees**



**Above: 3 street trees originally proposed to be removed for new crossover**

The Town advised the applicant that it was not supportive of the removal of street trees as it would be severely detrimental to the amenity of the area and would not comply with the Town's Street Tree Policy.

The applicant subsequently advised by email on 1 September 2020 that only one street tree (*Agonis flexuosa*) would now be necessary to be removed in order to permit the new crossover and this would be replaced with another tree of the same species in an alternative appropriate location within the verge. However, the applicant also advised that a condition should be included requiring that no street trees be removed for the new crossover.



**Above: *Agonis flexuosa* (Peppermint) proposed to be removed for new crossover**

The site currently has 3 crossovers in Forrest Street which all avoid street trees, including a single crossover along the south-western boundary which avoids the existing Peppermint tree.



Above: Crossover to south-west corner of site avoiding street tree





The site also has access to Vera Street, although this is possibly less desirable for a crossover to the proposed offices as it is shared by residential traffic.

It is therefore considered that as there appears to be alternative locations or design solutions that may suit the proposed crossover to the basement parking area, it is recommended that a condition be included advising that no street trees shall be removed, unless all engineering solutions have been exhausted and it is approved by Council. This can then be determined at the crossover application stage when detailed design drawings can be reviewed.

### **CONCLUSION**

The application, and amended plans received 15 October 2020, has been assessed against the Town's Local Planning Scheme No. 3, Town Centre Design Guidelines, the Planning and Development (Local Planning Schemes) Regulations 2015, the Town's Street Tree Policy, relevant provisions of the Residential Design Codes, comments from the Town's Design Advisory Panel, and neighbour submissions.

The proposed setbacks from the front and rear boundaries are in excess of that required under the 'deemed-to-comply' provisions of the Residential Design Codes and the overall building height only marginally exceeds 7m above natural ground level, which is permitted for a two-storey development. Furthermore, the proposed landscaping to the front and rear of the building, the use of visually permeable fencing, the provision of undercroft parking, and the articulation of the building form utilising both single-storey and two-storey elements will assist in ensuring that this development compliments and enhances the existing streetscape and does not have a detrimental impact on the amenity adjoining owners and occupants.

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER RECOMMENDATION**

**Moved Cr Young**

**Seconded Cr Barrett**

THAT Council supports the Responsible Authority Recommendation to JDAP:

#### Responsible Authority Recommendation

That the Metro Inner-North Joint Development Assessment Panel resolves to:

- Accept that the DAP Application reference 20/01835 is appropriate for consideration as an "Office" land use and compatible with the objectives of the zoning table in accordance with Clause 4.2.7 of the Town of Cottesloe Local Planning Scheme No. 3;
- Approve DAP Application reference 20/01835 and accompanying plans received 15 October 2020:

Drawn by Veris Surveyors:

- Plan No. 002, Rev No. 00

Drawn by Cox Architecture (Concept Plans):

- Plan No. A-21-01, Rev No. 4
- Plan No. A-21-02, Rev No. 4
- Plan No. A-21-03, Rev No. 4
- Plan No. A-30-01, Rev No. 3
- Plan No. A-30-02, Rev No. 3
- Plan No. A-21-04, Rev No. 4
- Plan No. A-40.03, Rev No. 1

Drawn by Myles Baldwin Design (landscaping and fencing details):

- Plan No. 478.DA.01, Issue A
- Plan No. 478.DA.05, Issue B
- Plan No. 478.DA.10, Issue B
- Plan No. 478.DA.11, Issue B
- Plan No. 478. DA.12, Issue B
- Plan No. 478. DA.35, Issue B
- Plan No. 478.DA.30, Issue B

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following conditions:

#### Conditions

1. All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.
2. Plant and equipment, including air-conditioning units, shall be designed, positioned and screened so as to not be visible from the street; designed to integrate with the building; or located so as not to be visually obtrusive.
3. No street trees shall be removed unless all engineering solutions have been exhausted and approval is granted by Council.
4. Finalisation of the amalgamation issued by the Western Australian Planning Commission on 19 May 2020 (Application No: 158998) and a new Certificate of Title being issued for the proposed lot prior to occupation.
5. The proposed fencing within the front setback area shall be visually permeable above 1.2m of natural ground level and not exceed an overall height of 1.8m, measured from the primary street side. Details to be shown at the Building Permit stage, to the satisfaction of the Town.
6. The Building Permit plans and supporting documentation shall be formulated to the satisfaction of the Town, and include:
  - a) The design and functionality of the access ramp and service areas.

- b) A Construction Management Plan that shall address (amongst other things): traffic management and safety for the streets and site worker parking, including off-site parking and street verges.
- c) A schedule of materials and finishes;
- d) Environmental Health requirements; and
- e) A traffic impact assessment to demonstrate that the reduced number of on-site parking bays will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality, or the likely future development in the locality.

Advice Notes:

1. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the owner's property.
2. The owner/applicant is responsible for applying to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.
3. A separate application for the new crossover and paths meeting Council specifications shall be submitted for approval by the Town, with a minimum 1.5m from the base of the street trees.
4. The existing redundant crossover(s) shall be removed and the verges, kerbs and all surfaces made good at the applicant's expense to the satisfaction of the Town.
5. The owner/applicant is advised that the lots may be required to be amalgamated and a new Certificate of Title be issued prior to the granting of a Building Permit.
6. Air-conditioning unit(s) are to be sited and designed to ensure compliance with the Environmental Protection (Noise) Regulations 1997.
7. Signage does not form part of this approval and may require a separate approval.
8. The owner/applicant is advised that this approval shall be deemed to be an approval under the Metropolitan Region Scheme.

This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

**COUNCILLOR AMENDMENT**

**Moved Cr Sadler**

**Seconded Cr Young**

Replace condition e) as follows:

- e) A cash-in-lieu payment for the parking shortfall of 4 car bays to be paid to the Town in accordance with clause 5.8.3 of Local Planning Scheme No. 3 and Local Planning Policy No. 1 – Parking Matters.

**Lost 1/5**

**SUBSTANTIVE MOTION AND COUNCIL RESOLUTION**

**THAT Council supports the Responsible Authority Recommendation to JDAP:**

**Responsible Authority Recommendation**

**That the Metro Inner-North Joint Development Assessment Panel resolves to:**

- **Accept that the DAP Application reference 20/01835 is appropriate for consideration as an “Office” land use and compatible with the objectives of the zoning table in accordance with Clause 4.2.7 of the Town of Cottesloe Local Planning Scheme No. 3;**
- **Approve DAP Application reference 20/01835 and accompanying plans received 15 October 2020:**

**Drawn by Veris Surveyors:**

- **Plan No. 002, Rev No. 00**

**Drawn by Cox Architecture (Concept Plans):**

- **Plan No. A-21-01, Rev No. 4**
- **Plan No. A-21-02, Rev No. 4**
- **Plan No. A-21-03, Rev No. 4**
- **Plan No. A-30-01, Rev No. 3**
- **Plan No. A-30-02, Rev No. 3**
- **Plan No. A-21-04, Rev No. 4**
- **Plan No. A-40.03, Rev No. 1**

**Drawn by Myles Baldwin Design (landscaping and fencing details):**

- **Plan No. 478.DA.01, Issue A**
- **Plan No. 478.DA.05, Issue B**
- **Plan No. 478.DA.10, Issue B**
- **Plan No. 478.DA.11, Issue B**
- **Plan No. 478. DA.12, Issue B**
- **Plan No. 478. DA.35, Issue B**
- **Plan No. 478.DA.30, Issue B**

**in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following conditions:**

**Conditions**

- 1. All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.**
- 2. Plant and equipment, including air-conditioning units, shall be designed, positioned**

and screened so as to not be visible from the street; designed to integrate with the building; or located so as not to be visually obtrusive.

3. No street trees shall be removed unless all engineering solutions have been exhausted and approval is granted by Council.
4. Finalisation of the amalgamation issued by the Western Australian Planning Commission on 19 May 2020 (Application No: 158998) and a new Certificate of Title being issued for the proposed lot prior to occupation.
5. The proposed fencing within the front setback area shall be visually permeable above 1.2m of natural ground level and not exceed an overall height of 1.8m, measured from the primary street side. Details to be shown at the Building Permit stage, to the satisfaction of the Town.
6. The Building Permit plans and supporting documentation shall be formulated to the satisfaction of the Town, and include:
  - a) The design and functionality of the access ramp and service areas.
  - b) A Construction Management Plan that shall address (amongst other things): traffic management and safety for the streets and site worker parking, including off-site parking and street verges.
  - c) A schedule of materials and finishes;
  - d) Environmental Health requirements; and
  - e) A traffic impact assessment to demonstrate that the reduced number of on-site parking bays will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality, or the likely future development in the locality.

**Advice Notes:**

1. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the owner's property.
2. The owner/applicant is responsible for applying to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.
3. A separate application for the new crossover and paths meeting Council specifications shall be submitted for approval by the Town, with a minimum 1.5m from the base of the street trees.
4. The existing redundant crossover(s) shall be removed and the verges, kerbs and all surfaces made good at the applicant's expense to the satisfaction of the Town.
5. The owner/applicant is advised that the lots may be required to be amalgamated and a new Certificate of Title be issued prior to the granting of a Building Permit.
6. Air-conditioning unit(s) are to be sited and designed to ensure compliance with the Environmental Protection (Noise) Regulations 1997.
7. Signage does not form part of this approval and may require a separate approval.

8. The owner/applicant is advised that this approval shall be deemed to be an approval under the Metropolitan Region Scheme.

This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Carried 5/0

**ADMINISTRATION****10.1.3 LOCAL GOVERNMENT (MEETINGS PROCEDURE) LOCAL LAW 2020**

**File Ref:** SUB/2798  
**Attachments:** 10.1.3(a) Draft Town of Cottesloe Local Government (Meeting Procedure) Local Law 2021 [under separate cover]  
**Responsible Officer:** Matthew Scott, Chief Executive Officer  
**Author:** Shane Collie, Executive Manager Corporate Services and Governance  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

It is recommended that the Town of Cottesloe Standing Orders Local Law 2012, as published in the Government Gazette on 12 July 2012, be repealed and replaced with a new Local Government (Meeting Procedure) Local Law based on the WA Local Government Association (WALGA) Model.

Section 3.5 of the *Local Government Act 1995* (LGA) provides the power for local governments to make Local Laws and prescribing all matters that are required or permitted to be prescribed by a Local Law, or are necessary or convenient for it to perform any of its functions.

The Town of Cottesloe Standing Orders Local Law is a key component of how the Council conducts its business at a political and officer level. Standing Orders regulate how business is carried out at Council and Committee meetings. The Standing Orders are subsidiary legislation to the LGA and are considered enforceable procedures.

**BACKGROUND**

The Town of Cottesloe currently has a Standing Orders Local Law as published in the Government Gazette on 12 July 2012. The Minister for Local Government has carriage of the powers conferred by the *Local Government Act 1995* for the Standing Orders Local Law.

It is recommended that the Town of Cottesloe Standing Orders Local Law be remade to account for amendments in legislation and better practice given that the current Local Law is 8 years old and is due for statutory review this year.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

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This report is consistent with the Town's *Corporate Business Plan 2017 – 2020*.

## **POLICY IMPLICATIONS**

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

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

### **3.5. Legislative power of local governments**

(3) *A local government may make Local Laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.*

#### **3.12 Procedure for making a Local Law**

(1) *In making a Local Law a local government is to follow the procedure described in this section, in the sequence in which it is described.*

(2) *At a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed Local Law in the prescribed manner.*

(3) *The local government is to –*

(a) *give State wide public notice stating that –*

(i) *the local government proposes to make a Local Law the purpose and effect of which is summarised in the notice;*

(ii) *a copy of the proposed Local Law may be inspected or obtained at any place specified in the notice; and*

(iii) *submissions about the proposed Local Law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

(b) *as soon as the notice is given, give a copy of the proposed Local Law and a copy of the notice to the Minister and, if another Minister administers the Act under which the Local Law is proposed to be made, to that other Minister; and*

(c) *provide a copy of the proposed Local Law, in accordance with the notice, to any person requesting it.*

(3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*

## **FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation and consist predominantly of officer time and advertising costs. A budget allocation of \$25,000 was

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included in the 2019/20 budget for reviewing the Town's Local Laws however this was not utilised in that year. There are sufficient funds in the Strategic Planning area of Council's budget to meet the costs of updating this Local Law given that the review is being undertaken in house. The principal cost is advertising.

#### **STAFFING IMPLICATIONS**

There are no perceived staffing implications arising from the officer's recommendation aside from time allocation as required to undertake the review of the Local Law.

#### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

#### **CONSULTATION**

The formal consultation process is embedded in the legislation associated with the review of a Local Law. Consultation consists of two 6 week advertising periods notwithstanding that informal consultation on this particular Local Law was undertaken late in 2019.

#### **OFFICER COMMENT**

The purpose of this report is to consider a proposal to make a new Local Law relating to meeting procedures for the Town of Cottesloe. Up to date and relevant Local Laws are an important cornerstone of good governance and the Town has a statutory and moral obligation to ensure that the regulation of local matters is conducted in a fair, efficient and reasonable manner. The repeal and replacement of this Local Law will result in more efficient and effective local government by removing an outdated Local Law from the public record.

To comply with the provisions of Section 3.12 of the Act, when proposing to make a Local Law, the Presiding Person is required to give notice of the purpose and effect of the proposed Local Law at the Council meeting where the Local Law is being considered.

The purpose and effect of the proposed Town of Cottesloe Local Government (Meeting Procedure) Local Law 2021 is as follows:

**Purpose: To provide for the orderly conduct of the proceedings and business of the Council, and for the safe custody and use of the Council's Common Seal.**

**Effect: To ensure that all Council meetings, committee meetings, and other meetings as described in the *Local Government Act 1995*, and the use of Council's Common Seal, are governed by this Local Law unless otherwise provided in the Act, regulations or other written law.**

The draft Local Law has been through the following scrutiny in terms of its drafting:

- In 2019 the existing Local Law was scrutinised by elected members and a number of changes recommended, including the abandonment of certain sections as noted on pages 37 and 38.
- The intention to create a new Local Law was advertised for comment in late 2019, though this was not part of the formal advertising process. No submissions were received.
- A new draft of the Local Law based on the WALGA industry standard was submitted to the March 2020 Council Briefing Forum. Council wished to consider further changes to the draft Local Law and feedback was sought.
- The updated document was then submitted to the September 2020 Council Briefing Forum. Council determined that it wanted an informal group of Councillors (Cr Young, Masarei and Tucak) to provide feedback. This occurred and a further round of changes have been incorporated into the Local Law, in the main from feedback received from Cr Young. Note this feedback was in the main on phrasing and not so much intent. Not all feedback was included such as a recommendation to amend the order of some sections which conflicted with the WALGA model and was considered unnecessary.
- A page turning exercise involving the three selected Council members was to be held to collectively go through the document. A request for dates was circulated on 30 September to do this however this has not eventuated.
- The WALGA template in the meantime was updated and these changes were included which consisted primarily of cosmetic changes to capitalisation and again did not alter the intent of the Local Law.

The following few matters still require resolution prior to the formal “making” of the Local Law and these should be able to be resolved at today’s meeting:

- Table of Contents and page numbers of the Local Law will be removed when the Local Law is at the gazettal stage. All Local Laws are treated this way now to avoid confusion with the Government Gazette Table of Contents and page numbering systems.
- Clause **5.3** (6) has been amended to make it optional for the CEO to provide a Report to Council to accompany a Councillor Notice of Motion. The reason for this is that if Notices of Motion received are frivolous, repetitive, inappropriate or simply do not require a report than one need not be done.
- Clause **10.1** (4) on page 25 appears to be out of place and not required and possibly an error that it was included. Recommendation is to delete.
- Part 12, pages 27 and 28 relating to the Disclosure of interests does not form part of the WALGA model Local Law as this matter is dealt with in the *Local Government Act 1995*. It is recommended to delete this part to be consistent with the WALGA model and industry standard, and because the matter is dealt with in the *Local Government Act 1995*.
- Clause **18.1**, Penalties under the Local Law are recommended to be reduced from \$5,000 and a daily penalty of \$500, to \$1,000 and a daily penalty of \$100. The WALGA advice on this matter is as follows – “*Offences under Standing Orders are relatively*

*minor when compared to local laws that involve matters of public safety or local government property. Penalties of \$1,000 have previously gone through the Committee (Delegated Legislation) without objection.”* The WALGA advice is effectively saying there is a risk that the Local Law would be disallowed if the higher penalties are included. Given that offences under this Local Law are rare, and generally of a minor nature, this advice is concurred with.

It is considered that this Local Law has been refined to a significant degree and that it should be progressed to the formal “making stage” even though the page turning exercise has not been held. Every elected member has the opportunity to provide input into the Local Law and the input that has been received has produced a sound document that should guide Council in the operation of its meeting for a long time into the future, with the resolution of the few minor matters as noted above.

All prior drafts of the new Local Law are available if required.

### **VOTING REQUIREMENT**

Simple Majority

*Item 10.1.3 was considered after item 10.1.2*

### **OFFICER RECOMMENDATION**

THAT Council PROVIDES State wide public notice that it proposes to make the Town of Cottesloe Local Government (Meetings Procedure) Local Law 2021, as contained within *Attachment 1* to this report, including the following amendments:

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- 
- 
- 

and invites public submissions on the proposal in accordance with Section 3.12 (3) (iii) of the *Local Government Act 1995*.

### **PROCEDURAL MOTION AND COUNCIL RESOLUTION**

**Moved Cr Young**

**Seconded Cr Barrett**

**That the item be laid on the table so further consideration can be given to the proposed amendments over the next meeting cycle.**

**Carried 5/0**

### **COUNCILLOR RATIONALE:**

Council required more time to consider proposed amendments.

**10.1.4 CIVIC CENTRE HALL HIRE POLICY**

|                                       |   |
|---------------------------------------|---|
| <b>File Ref:</b>                      | <b>SUB/2798</b>   |
| <b>Attachments:</b>                   | <b>10.1.1(a) Civic Centre Hall Hire Policy - DRAFT - V1 [under separate cover]</b>                  |
|                                       | <b>10.1.1(b) Civic Centre Hall Bookings Policy - Adopted 25 March 2002 [under separate cover]</b>   |
|                                       | <b>10.1.1(c) Event Facility Classification Policy - Adopted 25 July 2017 [under separate cover]</b> |
| <b>Responsible Officer:</b>           | <b>Shane Collie, Executive Manager Corporate Services and Governance</b>                            |
| <b>Author:</b>                        | <b>Gabrielle Hall, Events Coordinator</b>   |
| <b>Author Disclosure of Interest:</b> | <b>Nil</b>  |

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**SUMMARY**

A review has been undertaken of the Civic Centre Hall Hire Policy. A recommendation is made for the adoption of an updated Town of Cottesloe Civic Centre Hall Hire Policy.

**BACKGROUND**

The Town of Cottesloe Civic Centre Hall Hire Policy was adopted in 1997 and was last reviewed in 2002. As a part of the Town's Policy review, the Cottesloe Civic Centre Hall Hire Policy has been updated. The updated Policy can be found as an attachment.

The Civic Centre Hall Hire Booking Policy should be read in conjunction with the Town's Event and Facility Classification Policy as Hall Hire bookings are classified as per the Event and Facility Classification Policy. These classifications are then assessed against the Schedule of Fees and Charges to ensure the appropriate fees are charged. This provides provisions for Charitable, Community, Educational, Tourism and Commercial bookings.

The Event and Facility Classification Policy was originally developed as a range of organisations and individuals host events in Cottesloe, from large scale public events to small scale community events typically seek ways to minimise their costs – including seeking discounts for venue hire. Due to the number of requests for fee waivers, a clear and well defined Policy was developed. The Policy classified events and facility bookings more efficiently and consistently. A number of these requests are for charitable purposes where Council waives any hire fees to support the charitable activity.

The Event and Facility Classification Policy is currently under review.

**STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

This report is consistent with the Town's *Corporate Business Plan 2017 – 2021*.

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Priority Area 6: Providing open and accountable local governance.

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

### **POLICY IMPLICATIONS**

The report recommends that Council adopts an updated Cottesloe Civic Centre Hall Hire Policy. There are no perceived adverse Policy implications arising from the officer's recommendation.

Conditions 3.4 and 3.5 will limit to amount of bookings by one hirer. This will impact on some repeat hirers of the halls.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

### **FINANCIAL IMPLICATIONS**

The Town currently receives bookings for the Civic Centre through a commercial operator. As per the 2020/21 Schedule of Fees and Charges the hire fee for a commercial hall bookings are as follows;

|                   |               |
|-------------------|---------------|
| War Memorial Hall | \$80 per hour |
| Lesser Hall       | \$40 per hour |

### **STAFFING IMPLICATIONS**

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

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

### **CONSULTATION**

Nil

### **OFFICER COMMENT**

Through an internal Policy review, the administration has identified issues that have arisen from the current management of the hall hire bookings. These have been addressed through the updated Cottesloe Civic Centre Hall Hire Policy.

By regulating the frequency of hire will offer a degree of equality of the usage. This will prevent one user group from monopolising a facility and ensure that this can only be achieved under an exclusive licence agreement. Conditions 3.4 and 3.5 are set to limit the amount of bookings by one hirer, the conditions may need to be further regulated.

The Policy provides provision for the administration to use discretion for denying applications which could be considered inappropriate for a community facility. Historical feedback has ascertained that this has been an issue for the Town.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

THAT Council:

1. ADOPTS the Draft Town of Cottesloe Civic Centre Hall Hire Policy as attached.
2. REVOKES the current Town of Cottesloe Civic Centre Hall Hire Policy (2002).

**COUNCILLOR MOTION AND COUNCIL RESOLUTION**

Moved Cr Young

Seconded Cr Barrett

THAT Council:

1. **ADOPTS the Draft Town of Cottesloe Civic Centre Hall Hire Policy as attached, subject to the following amendments:**
  - i. **Para 3.11 be amended to read “bookings are for the relevant hall only and do not permit the use of any other hall or space at the Cottesloe Civic Centre;**
  - ii. **Para 6 to include the following introductory words: “This Policy should be read in conjunction with relevant legislation including...”**
  - iii. **Move para 6.4 to new para 7.8 and renumber paras 6.5 and 6.6 accordingly; and**
2. **REVOKES the current Town of Cottesloe Civic Centre Hall Booking Policy (2002).**

**Carried 5/0**

**COUNCILLOR RATIONALE:**

1. Para 1 i, above: amended to provide greater clarity;
2. Para 1 ii, above: amended to allow flexibility by referring to a non-exhaustive list of legislation to which the Policy may be subject. An exhaustive list may mislead the public where new legislation is passed before the Policy is reviewed/updated;
3. Para 1 iii, above: para 6.4 refers to a Council Policy rather than to legislation and so properly belongs in para 7;
4. Para 2: to correct the reference to the Policy to be revoked.

**10.1.6 CORPORATE BUSINESS PLAN 2020 TO 2024**

**File Ref:** SUB/2798  
**Attachments:** 10.1.6(a) Corporate Business Plan 2020 to 2024 [under separate cover]  
**Responsible Officer:** Matthew Scott, Chief Executive Officer  
**Author:** Shane Collie, Executive Manager Corporate Services and Governance  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

The Town's most recent Corporate Business Plan (CBP) concluded on 30 June 2020. The development of a new Plan commenced some time ago however was delayed in the main by the impact of COVID 19. Workshops were held in May and June of this year and the outcomes of those discussions have resulted in the preparation of a new CBP to cover the period 1 July 2020 to 30 June 2024. The Plan is submitted for adoption by Council.

**BACKGROUND**

The *Local Government Act 1995*, requires Western Australia local governments to plan for the future of the district. Amendments made in August 2011 to the *Local Government (Administration) Regulations 1996*, state that a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP), together form a 'Plan for the Future' of a district. In the drafting of the Annual Budget the local government is to have regard to the contents of the Plan for the Future.

The CBP is required to be reviewed annually and does not have the formal advertising and consultation obligation that is required for the SCP. It also differs from the SCP which requires a complete review every four (4) years, with best practice determining that a desktop review be undertaken at the two (2) year mark of the plan. The CBP however requires an update annually and is effectively the intermediary document between the SCP and the Town's Annual Budget. The document is a very effective tool as it has specific actions contained within, which are logically assigned to individual Directorates. Outcome Measurement is a key part of the CBP.

Consultants, Tuna Blue, were engaged to assist Council through the CBP development process with two Workshops being held and an Outcomes Report prepared. The Outcomes Report has previously been submitted to Council's Briefing Forum in September 2020.

A Corporate Business Plan 2020 to 2024 has now been drafted based on the Outcomes Report and is submitted for Council's adoption. Introductory comments, colour coding and statistical data has been added to the Plan to give it a holistic and complete feel.

The new Plan has been moulded at the Administration level by the Senior Management team and is considered to be in a form ready for adoption by Council. The Plan will then be

included on the Town's website and made available to any members of the community that desire.

Attention will then turn to the next stage of the Town's Integrated Planning Framework being the renewal of the Town's Strategic Community Plan. The Strategic Community Plan does have a formal advertising component associated with its development.

### **STRATEGIC IMPLICATIONS**

This report is consistent with the Town's *Strategic Community Plan 2013 – 2023*.

Priority Area 6: Providing open and accountable local governance

This report recommends the updating of the Town's *Corporate Business Plan*.

### **POLICY IMPLICATIONS**

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

### **STATUTORY ENVIRONMENT**

Section 5.56 of the *Local Government Act 1995*, requires Western Australian local governments to produce a 'Plan for the Future' of the district.

The *Local Government (Administration) Regulations 1996*, state that a "Strategic Community Plan and Corporate Business Plan, together form a 'Plan for the Future' of a district".

Local Government (Administration) Regulations 1996:

19DA. Corporate Business Plans, requirements for (Acts. 5.56)

- (1) A local government is to ensure that a Corporate Business Plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A Corporate Business Plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A Corporate Business Plan for a district is to —
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.
- (4) A local government is to review the current Corporate Business Plan for its district every year.



- (5) A local government may modify a Corporate Business Plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a Corporate Business Plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.

\*Absolute Majority required.

- (7) If a Corporate Business Plan is, or modifications of a Corporate Business Plan are adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation. Where there are known budget amounts above \$200,000 applicable to a particular project the amounts are listed in the far right column of the main section of the CBP.

**STAFFING IMPLICATIONS**

The staffing implications arising from the officer’s recommendation are noted where designated Directorates are identified as having responsibilities in implementing the CBP.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**CONSULTATION**

Councillors, Executive Leadership Team and Consultants Tuna Blue. The Corporate Business Plan is a publically available document and will be placed on the Town’s website.

**OFFICER COMMENT**

The adoption of the CBP achieves compliance with the *Local Government (Administration) Regulations 1996*, and has been influenced by the Department of Local Government’s Framework and Guidelines for Integrated Planning and Reporting.

The CBP has, as has previously been the case, been split into 6 priority areas and contains 94 specific actions as follows:

- Priority Area 1 – Community 19 Actions
- Priority Area 2 – Infrastructure 17 Actions
- Priority Area 3 – Environment 12 Actions
- Priority Area 4 – Managing Development 8 Actions
- Priority Area 5 – Economic Sustainability 16 Actions

- Priority Area 6 – Governance 16 Actions

The 94 actions in are split into Directorate areas of responsibility:

- Engineering 29
- Compliance and Regulatory Services 10
- Corporate 24
- Executive 25
- Development 6

The Action items additionally have been assigned a Service Priority as determined by Council at the recent Workshops held. These are as follows:

- Flagship Items 14
- Very High 26
- High 26
- Moderate 28

The Corporate Business Plan is submitted to Council for adoption.

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Young    Seconded Cr Barrett**

THAT Council by Absolute Majority, subject to any amendments, ADOPTS the Town of Cottesloe Corporate Business Plan 2020 – 2024, as per Attachment 1 to this report.

**COUNCILLOR AMENDMENT**

**Moved Cr Sadler    Seconded Cr Young**

**THAT Council by Absolute Majority, ADOPTS the Town of Cottesloe Corporate Business Plan 2020-2024 subject to the following amendment:**

- 1. That item 2.4 d “Complete Eric Street Cycleway from Eric Street to Curtin Avenue” occurs in timeframe 21/22 and 22/3.**
- 2. That item 2.4 e Implement the adopted strategies contained within the Town of Cottesloe Long Term Cycle Network Strategy occurs in timeframe 22/23 and 23/24.**
- 3. THAT this amendment DOES NOT form part of the CEOs Key Performance Assessment.**
- 4. CHANGES to “Flagship” the Service Priority assigned to 4.1 (b) “Complete the Cottesloe Town Centre Precinct Plan including consideration of infill to identified areas”.**

**Carried 5/0**

**COUNCILLOR AMENDMENT**

Moved Cr Barrett

Seconded Cr Young

**THAT Council by Absolute Majority ADOPTS the Town of Cottesloe Corporate Business Plan 2020-2024, as per Attachment 1 to this report, subject to the following amendments;**

|  |   |             |  |           |            |       |         |                    |
|--|---|-------------|--|-----------|------------|-------|---------|--------------------|
| 1.1 Helping families flourish and connect in Cottesloe |   |             |  |           |            |       |         |                    |
| <b>Strategies and enabling documents</b>               |   |             |  |           |            |       |         |                    |
|  | Actions   | Responsible | Success  | Service   | Timeframes |       |         |                    |
|  |   | Directorate | Indicator  | Priority  | 20/21      | 21/22 | 22/23   | 23/24              |
| g.   | Investigate and consider Implementation of Skating facilities into Town Public Open Space Infrastructure. | Engineering | Allocation of funds to carry out investigation.          | Very High |            |       |         |                    |
|  |   |             |  |           |            |       |         | <b>Carried 5/0</b> |
| 2.4 Develop an 'Integrated Transport Strategy'....     |   |             |  |           |            |       |         |                    |
| <b>Strategies and enabling documents</b>               |   |             |  |           |            |       |         |                    |
|  | Actions   | Responsible | Success  | Service   | Timeframes |       | Actions | Responsible        |
|  |   | Directorate | Indicator  | Priority  | 20/21      |       |         | Directorate        |
| f.   | Lobby for funds to Implement the Foreshore PSP  | Engineering | Foreshore PSP funded and constructed                     | Very High |            |       |         |                    |
|  |   |             |  |           |            |       |         | <b>Carried 5/0</b> |
| 1.1 Helping families flourish and connect in Cottesloe |   |             |  |           |            |       |         |                    |
| <b>Strategies and enabling documents</b>               |   |             |  |           |            |       |         |                    |
| h.   | Review the adequacy of Public Toilets within the district.  | Engineering | Review outcome included in future Capital Works program. | Moderate  |            |       |         |                    |
|  |   |             |  |           |            |       |         | <b>Carried 4/1</b> |

**SUBSTANTIVE MOTION AND COUNCIL RESOLUTION**

**THAT Council by Absolute Majority, ADOPTS the Town of Cottesloe Corporate Business Plan 2020-2024, as per Attachment 1 to this report, subject to the following amendments:**

- 1. That item 2.4 d “Complete Eric Street Cycleway from Eric Street to Curtin Avenue” occurs in timeframe 21/22 and 22/3.**
- 2. That item 2.4 e Implement the adopted strategies contained within the Town of Cottesloe Long Term Cycle Network Strategy occurs in timeframe 22/23 and 23/24.**
- 3. THAT this amendment DOES NOT form part of the CEOs Key Performance Assessment.**
- 4. CHANGES to “Flagship” the Service Priority assigned to 4.1 (b) “Complete the Cottesloe Town Centre Precinct Plan including consideration of infill to identified areas”.**

|  |   |             |  |           |            |       |         |             |  |
|--|---|-------------|--|-----------|------------|-------|---------|-------------|--|
| 1.1 Helping families flourish and connect in Cottesloe |   |             |  |           |            |       |         |             |  |
| <b>Strategies and enabling documents</b>               |   |             |  |           |            |       |         |             |  |
|  | Actions   | Responsible | Success  | Service   | Timeframes |       |         |             |  |
|  |   | Directorate | Indicator  | Priority  | 20/21      | 21/22 | 22/23   | 23/24       |  |
| g.   | Investigate and consider Implementation of Skating facilities into Town Public Open Space Infrastructure. | Engineering | Allocation of funds to carry out investigation.          | Very High |            |       |         |             |  |
| h.   | Review the adequacy of Public Toilets within the district.  | Engineering | Review outcome included in future Capital Works program. | Moderate  |            |       |         |             |  |
| 2.4 Develop an 'Integrated Transport Strategy'....     |   |             |  |           |            |       |         |             |  |
| <b>Strategies and enabling documents</b>               |   |             |  |           |            |       |         |             |  |
|  | Actions   | Responsible | Success  | Service   | Timeframes |       | Actions | Responsible |  |
|  |   | Directorate | Indicator  | Priority  | 20/21      |       |         | Directorate |  |
| f.   | Lobby for funds to Implement the Foreshore PSP  | Engineering | Foreshore PSP funded and constructed                     | Very High |            |       |         |             |  |

**Carried by Absolute Majority 5/0**

## COUNCILLOR RATIONALE:

1. The timeframes above align with the report provided by the administration to the Active Transport Working Group for the meeting dated 25/10/2020.
2. This time frame supports the administration to apply for grants in the 2021/2022 government funding cycles in order for progress to occur as suggested in the 2022/2023/2024 financial years.
3. Completion of the Cottesloe Town Centre Precinct Plan is a critical first step that is required in order to implement the plan and unlock the potential of the village, meet the Town's obligations to the State for increased density and improve the Town's revenue.
4. This needs the flagship priority level in order to focus the administration's efforts and ensure that the implementation phase can be achieved in a timely manner.

## POINTS 1.1 HELPING FAMILIES FLOURISH AND CONNECT IN COTTESLOE (G &amp; H) AND 2.4 DEVELOP AN 'INTEGRATED TRANSPORT STRATEGY'....(F):

- 81% of Cottesloe Residents have shown strong support for a Skate Facility within Cottesloe in the recent survey. The Town should therefore make it a high priority to find a solution to make this a reality for the Youth of Cottesloe. It is also consistent with our Community Strategic Plan where many residents asked for more focus on facilities for the Youth.
- Insufficient Public Toilets has been a issue for a long time within Cottesloe. Therefore a review of this is necessary.
- The Foreshore PSP is indicated as a Primary Route in the adopted Long Term Cycle Network which is a State Government driven initiative. It also received the highest support and priority in the Community Survey for Cycle Infrastructure in the Town. The cost of this PSP would be prohibitive and we therefore need to source funding through other avenues.

**10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES**

Nil.

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

Nil.

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

Nil.

**12.2 OFFICERS****COUNCIL RESOLUTION**

Moved Mayor Angers

Seconded Cr Young

That Council accepts Late Item L1 as urgent business.

Carried 5/0

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

Moved Cr Young

Seconded Mayor Angers

That, in accordance with Standing Orders 15.10, Council discuss the confidential reports behind closed doors.

Carried 5/0

*The public and members of the media were requested to leave the meeting at 7:57pm.*

**L.1 CEO PROPOSED KEY PERFORMANCE CRITERIA 2020-21**

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (a) as it contains information relating to a matter affecting an employee or employees.

**File Ref:** SUB/2792

**Attachments:** L.1(a) DRAFT Proposed CEO Performance Criteria 2020-2021 **[CONFIDENTIAL]**

**Responsible Officer:** Matthew Scott, Chief Executive Officer

**Author:** Matthew Scott, Chief Executive Officer

**Author Disclosure of Interest:** Financial - Requirement under Contract of Employment

Matthew Scott declared a FINANCIAL INTEREST in item L1 by virtue "the item deals with elements of his contract."

Mr Scott left the meeting at 7:57pm.

Shaun Kan declared a FINANCIAL INTEREST in item L1 by virtue "the item effects his employment."

Mr Kan left the meeting at 7:58pm.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Young**

**Seconded Cr Sadler**

**THAT Council ADOPTS the attached CEO Key Performance Criteria's for 2020/21.**

**Carried 5/0**

**MOTION FOR RETURN FROM BEHIND CLOSED DOORS**

**Moved Cr Young**

**Seconded Cr Sadler**

**In accordance with Standing Orders 15.10 that the meeting be re-opened to members of the public and media, and motions passed behind closed doors be read out if there are any public present.**

**Carried 5/0**

*The meeting was re-opened to the public at 8:02pm, however no members of the public or media were in attendance.*

**13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

**L.1 CEO PROPOSED KEY PERFORMANCE CRITERIA 2020-21**

As no members of the public returned to the meeting the resolution for item L1 was not read out.

**14 MEETING CLOSURE**

The Mayor announced the closure of the meeting at 8:02pm.