



Town of Cottesloe

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

Tuesday, 28 April 2020

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

Signed:

A handwritten signature in blue ink, appearing to be 'John' followed by a stylized flourish.

Presiding Member

Date: 26/5/2020

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, 28 April 2020

NEIL HARTLEY
Acting Chief Executive Officer

4 May 2020

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

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

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

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

4 PUBLIC QUESTION TIME**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

4.2 PUBLIC QUESTIONS

Mr Jack Walsh – 35 Grant Street, Cottesloe

Q1. How many submissions were received from Grant Street residents re the bike plan?

A1. Taken on Notice.

Q2. What was the thrust of these submissions?

A2. Taken on Notice.

Q3. How many submissions in total were received from Cottesloe residents?

A3. 26 Submissions.

Q4. Has there been account made of the bike numbers use in the east/west streets?

A4. Taken on Notice.

Q5. Why is there no mention in the background in the report of the community response two years ago for the motion to put a bike path off Grant Street?

A5. Taken on Notice.

Q6. Why is there no mention that the Department of Transport when first consulted said they considered Grant Street was not suitable for a bike path as outlined on the Town plan?

A6. Taken on Notice.

Q7. When has the Department of Transport indicated that grant funding may be available?

A7. Taken on Notice.

Q8. Have the officers' reasons for including a Grant Street bike path been critically examined i.e. the foreshore upgrade finishes at Eric Street, not at Grant Street and the safe bike plans that were mentioned were what so upset Grant Street residents when they were last proposed?

A8. Taken on Notice.

Q9. Could we please have more frequent emptying of the Grant Marine Park bins. At the current moment they've been overflowing quite often of late and it's very messy. From Broome Street down.

A9. This request will be passed on to the relevant officer to action.

5 PUBLIC STATEMENT TIME

Mr Jack Walsh – 35 Grant Street, Cottesloe

Mr Walsh outlined his concerns regarding the proposed bike plan, previous lack of support by Main Roads for Grant Street as an important route, residents' concerns about a bike path on Grant Street and issues to be considered for the bike plan for the whole area.

6 ATTENDANCE

Elected Members

Mayor Philip Angers

Cr Lorraine Young

Cr Caroline Harben

Cr Helen Sadler

Cr Craig Masarei

Cr Melissa Harkins

Cr Michael Tucak (via Electronic Communications)

Cr Kirsty Barrett

Cr Paul MacFarlane

Officers

Mr Neil Hartley

Acting Chief Executive Officer

Mr Shane Collie

Manager Corporate Services and Governance

Ms Freya Ayliffe

Manager of Compliance and Regulatory Services

Mr Shaun Kan

Manager Engineering Services

Ms Gayle O'Leary

Planning Officer

Ms Mary-Ann Winnett

Governance Coordinator

6.1 APOLOGIES

Nil

Officers Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 DECLARATION OF INTERESTS

Mayor Angers declared a FINANCIAL INTEREST in item 10.1.1 by virtue "my wife and I offer our house for short stay accommodation from time to time."

Mayor Angers declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "one of the paths is going through Marmion St and I live near but not on a designated street. Noting that the item doesn't involve development or that to the extent it may, my interest is common to a significant number of ratepayers or electors".

Cr Young declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I live on Grant Street, which is designated a local route. There's no development contemplated and to the extent that it might be a development I share that interest with a great number of Cottesloe residents."

Cr Young declared an IMPARTIALITY INTEREST in item 10.3.2 by virtue "I'm a former member of the school community."

Cr Masarei declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I live on Marmion Street but the interest is common to a significant number of electors and ratepayers."

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I'm member of West Cycles Transport and Advocacy."

Cr Barrett declared an IMPARTIALITY INTEREST in item 10.3.2 by virtue "I'm on the executive of North Cottesloe Primary School."

Cr MacFarlane declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I live on Broome Street and a secondary cycle route is planned to progress down Broome Street so there's no development which will affect my house so I share an interest with other residents and Councillors."

Mr Collie declared an IMPARTIALITY INTEREST in item 10.1.3 by virtue "I am mentioned in this item."

8 CONFIRMATION OF MINUTES

Moved Cr Sadler

Seconded Cr Masarei

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 25 February 2020 be confirmed as a true and accurate record subject to the following changes:

- deletion of the duplication of Cr Sadler's declaration of IMPARTIALITY INTEREST at item 11.1;
- replacement of the word 'member' with 'donor' in Cr Tucak's declaration of IMPARTIALITY INTEREST at item 13.1.1;
- deletion of the duplication of Cr Tucak's declaration of IMPARTIALITY INTEREST at item 10.1.3;
- addition of Mr Kan's declaration of IMPARTIALITY INTEREST in item 10.1.1 by virtue "one of the tenants is known to me."
- addition of Mr Kan's declaration of IMPARTIALITY INTEREST in item 11.1 by virtue "Mr Rodda is known to me."
- no changes required to vote on the resolution for dealing with confidential items.

NOTE:

- no changes were required to the recording of the order in which the confidential items were listed (the resolution stated the doors would be closed for all confidential items, except 13.1.1) and the minutes stated that the public remained for consideration of item 13.1.1 and left the chambers after consideration of item 13.1.1.
- The Administration has checked the above changes against the audio recording.

Carried 8/1

Moved Cr Sadler

Seconded Cr Masarei

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 March 2020 be confirmed as a true and accurate record.

Carried 9/0

9 PRESENTATIONS**9.1 PETITIONS**

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.

10 REPORTS**10.1 REPORTS OF OFFICERS****COUNCIL RESOLUTION**

Moved Mayor Angers Seconded Cr Masarei

That Council adopts en-bloc the following Officer Recommendations contained in the Agenda for the Ordinary Council Meeting on 28 April 2020:

Item # Report Title

10.1.7 Financial Statements For The Period 1 July 2019 to 31 March 2020

Carried 9/0

PLANNING**10.1.1 PROPOSED SCHEME AMENDMENT 11 TO LOCAL PLANNING SCHEME NO.3 (JOHN CURTIN HOUSE ADDITIONAL USE)**

File Ref: SUB/2798
Applicant(s) Proponents: Element Advisory Pty Ltd
Attachments: 10.1.1(a) Draft Scheme Amendment 11 - Lot 400 No.24 Jarrad Street Cottesloe - Council Adoption [under separate cover]
10.1.1(b) Schedule of Submissions - Scheme Amendment No.11 to LPS3 - John Curtin House [under separate cover]
Responsible Officer: Neil Hartley, Acting Chief Executive Officer
Author: Gayle O'leary, Planning Officer
Author Disclosure of Interest: Nil

Mayor Angers declared a FINANCIAL INTEREST in item 10.1.1 by virtue "my wife and I offer our house for short stay accommodation from time to time."

Mayor Angers left the meeting at 6:20 pm.

SUMMARY

At its meeting of 26 November 2019, Council resolved to initiate a standard Scheme Amendment (Scheme Amendment No. 11) to the Town of Cottesloe Local Planning Scheme No.3 (LPS3). The purpose of the proposed amendment was to allow for the use of 'Short Stay Accommodation' and 'Community Purposes' on Lot 400 No.24 Jarrad Street, Cottesloe ("John Curtin House") as an additional use.

The purpose of the amendment is to formalise the existing uses which has operated onsite for some years.

Following the statutory advertising period, the Scheme Amendment No. 11 report (**Attachment a**), which includes details of and the justification for the proposal, is now being returned to Council for adoption in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

BACKGROUND

In September 2019, Element Advisory Pty Ltd on behalf of the National Trust of Australia (WA) presented to the Town their intention to lodge a formal scheme amendment request to allow short-stay accommodation and community activities at John Curtin House.

The Applicant sought to accommodate a maximum of four people.

At its Ordinary Council Meeting of 26 November 2019, it was resolved:

THAT Council:

1. In accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, resolve to initiate standard Scheme Amendment No. 11 to LPS3 by:

1.1. Amending Schedule 2 – Additional Uses as follows:

No.	Description of Land	Additional Use	Conditions
A11	Lot 400 (No.24) Jarrad Street, Cottesloe	<ul style="list-style-type: none"> • Short Stay Accommodation • Community Purpose 	<p>1. The use of the premises shall be carried out in accordance with an approved Management Plan that addresses among other concerns, minimising any impacts on the amenity of the locality, and shall include appropriate preventative measures accordingly.</p> <p>2. Short Stay Accommodation shall be restricted to a maximum of 4 persons.</p> <p>3. Up to 2 car parking spaces associated with the Community Purpose use may be accommodated within the verge, subject to the arrangement not causing any adverse impacts on the amenity of the locality and with approval of Council.</p> <p>4. No additions to the existing premises are permitted, unless otherwise approved by the Town.</p> <p>5. The permitted uses shall operate with the current owners, unless otherwise approved by the Town.</p>

- 1.2. Modifying the scheme map by designating Additional Use No.11 over Lot 400, 24 Jarrad Street, Cottesloe, in accordance with the scheme amendment map.
2. Resolve that the amendment is standard as it is consistent with a region planning scheme that applies to the scheme area (consistent with attached Form 2A).
3. Refer a copy of the proposed Scheme Amendment 11 documentation to the Environmental Protection Authority, and any other relevant public authority, for consideration and comment.
4. Subject to formal assessment not being required by the Environmental Protection Authority and no objection received from the Western Australian Planning Commission, proceed to advertise the proposed Scheme Amendment 11 for public comment with a submission period of not less than 42 days in accordance with the Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015.
5. Further consider the scheme amendment proposal together with any public submissions lodged with the Town of Cottesloe following the conclusion of the statutory public advertising period.

The proposal has undergone statutory advertising and the scheme amendment documentation, together with a schedule of submissions (**Attachment b**) are now being returned to Council for final adoption.

STRATEGIC IMPLICATIONS

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

Priority Area 4: Managing Development

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015

Heritage Act WA 2019

Local Planning Scheme No. 3

FINANCIAL IMPLICATIONS

There are no perceived financial implications arising from the officer's recommendation, other than the costs associated with the gazettal of the scheme amendment text.

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

Consultation measures have included:

- Referral of the scheme amendment documentation to the Environmental Protection Authority (EPA) prior to the commencement of public advertising. The EPA subsequently determined that the amendment will not be assessed under the Environmental Protection Act 1986 (EPA Act);
- Referral of the scheme amendment documentation to the Heritage Council of Western Australia (HCWA) prior to the commencement of public advertising. The HCWA advised that they have no objections to the scheme amendment and they support the proposal; and
- Public advertising of the proposal for a period of not less than 42 days from 3 February 2020 to 30 April 2020, including:
 - letters sent to surrounding landowners and relevant public authorities;
 - public notice of proposal published in locally circulated newspapers;
 - public notice of the proposal posted on the Town of Cottesloe's website; and

- copies of the proposal and supporting information made available at the Town of Cottesloe's Administration Centre as well as the Grove Library for inspection.

In total two (2) submissions were received from the HCWA and from the applicant, both in support of the proposal. The applicant submission requested that condition 5 of the scheme amendment be revised slightly to reflect current management of John Curtin House by the National Trust of Australia (WA) and remove potential for ambiguity, as per the applicant's discussions with the Town during the scheme amendment initiation stage.

A schedule of submissions is per **(Attachment b)** containing officer responses to each submission received.

OFFICER COMMENT

An additional use of 'Short Stay Accommodation' and 'Community Purpose' at John Curtin House will allow members of the public to further appreciate the heritage significance of the place without compromising the amenity of the site and its surrounds. Further, this proposal does not constitute a precedent for Short Stay Accommodation in the Residential Zone as the Additional Use has been considered on its individual merits, as would any subsequent proposals to amend the Local Planning Scheme to allow this land use in the Residential Zone.

No objections were received from the public during the public consultation period and the scale of the proposed uses is in keeping with the existing character of the area. The proposed uses are not considered likely to pose an unacceptably adverse impact on the amenity of abutting and nearby residents, proposed that appropriate management plans are enforced in conjunction with the proposed uses.

A development application for planning approval will be required for the land uses which, among other information, will require a House Management Plan outlining required guest behaviour for visitors to John Curtin House and emergency contact details.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Harkins

THAT Council:

1. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolve to adopt standard Scheme Amendment No. 11 to LPS3 by:

- 1.1. Amending Schedule 2 – Additional Uses as follows:

No.	Description of Land	Additional Use	Conditions
A11	Lot 400 (No.24) Jarrad Street, Cottesloe	<ul style="list-style-type: none"> • Short Stay Accommodation • Community 	1. The use of the premises shall be carried out in accordance with an approved Management Plan that addresses among other concerns,

		Purpose	<p>minimising any impacts on the amenity of the locality, and shall include appropriate preventative measures accordingly.</p> <p>2. Short Stay Accommodation shall be restricted to a maximum of 4 persons.</p> <p>3. Up to 2 car parking spaces associated with the Community Purpose use may be accommodated within the verge, subject to the arrangement not causing any adverse impacts on the amenity of the locality and with approval of Council.</p> <p>4. No additions to the existing premises are permitted, unless otherwise approved by the Town.</p> <p>5. The permitted uses shall be operated by the National Trust of Australia (WA), unless otherwise approved by the Local Government.</p>
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- 1.2 Modifying the scheme map by designating Additional Use No.11 over Lot 400, 24 Jarrad Street, Cottesloe, in accordance with the scheme amendment map.**
2. Resolve that the amendment is standard as it is consistent with a region planning scheme that applies to the scheme area (consistent with attached Form 2A).
 3. Refer a copy of the proposed Scheme Amendment No. 11 documentation together with a copy of Council's resolution to the Western Australian Planning Commission for approval in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
 4. Notify the applicant, landowners and submitters of Council's decision

Carried 8/0

Mayor Angers returned to the meeting at 6:21pm.

ADMINISTRATION**10.1.2 ELECTED MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT POLICY**

File Ref: SUB/2798
Attachments: 10.1.2(a) DRAFT Elected Member Training and Professional Development Policy [under separate cover]
10.1.2(b) Conferences, Seminars and Training Policy - Current [under separate cover]
Responsible Officer: Shane Collie, Manager Corporate Services and Governance
Author: Ann-Marie Donkin, Governance Officer
Author Disclosure of Interest: Nil

SUMMARY

A recommendation is made to adopt a new Policy, Elected Member Training and Professional Development.

BACKGROUND

The *Local Government Legislation Amendment Act 2019* came into operation on 9 August 2019, introducing mandatory training for Elected Members to ensure they were provided with the necessary the skills and resources to understand and carry out their role.

Section 61 of the *Local Government Legislation Amendment Act 2019* requires local governments to develop a policy related to elected member professional 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

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

POLICY IMPLICATIONS

The officer's recommendation is to revoke the current Conferences, Seminars and Training Policy and adopt a new Policy of Council.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.126. Training of council members

- (1) *Each council member must complete training in accordance with regulations.*
 - (2) *Regulations may –*
 - (a) *prescribe a course of training; and*
 - (b) *prescribe the period within which training must be completed; and*
-

- (c) *prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and*
- (d) *provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5,000 for the offence*

Section 5.127. Report on training

- (1) *A local government must prepare a report for each financial year on the training completed by council members in the financial year.*
- (2) *The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.*

Section 5.128. Policy for continuing professional development

- (1) *A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.*
**Absolute majority required*
- (2) *A local government may amend* the policy.*
**Absolute majority required*
- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) *The CEO must publish an up-to-date version of the policy on the local government's website.*
- (5) *A local government –*
 - (a) *Must review the policy after each ordinary election; and*
 - (b) *May review the policy at any other time.*

The *Local Government (Administration) Regulations 1996 – Part 10*, provides the legal framework for elected member statutory training.

FINANCIAL IMPLICATIONS

Currently sufficient funds exist within the Annual Budget (Governance – Member Costs). This will be reviewed during the 2020/21 budget process.

STAFFING IMPLICATIONS

The current Conferences, Seminars and Training Policy, covers elected members and employees. Employee training and development is a function of the Chief Executive Officer and is operational in nature. The Chief Executive Officer is to manage and implement the training and development requirements of the staff of the organisation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

- Elected Members

The intention to develop an updated Policy on this matter to ensure compliance with the new legislation was noted at the 3 March 2020 Briefing Forum of Council.

Considering this Policy is specified by the Act and relates to requirements of the elected members' tenure, advertising the Draft Policy for public comment is not considered to be required.

OFFICER COMMENT

The draft policy describes the Town of Cottesloe's approach to enabling elected members to meet the statutory obligations in relation to elected member training and gives effect to the requirement to adopt a continuing professional development Policy.

Staff are of the view that the Draft Policy meets the necessary legislative requirements as well as providing guidance on elected member training and professional development that is not of a statutory nature. Relevant areas of the current Policy have been retained where they are still applicable.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Young

THAT Council;

1. **REVOKES** the current Conferences, Seminars and Training Policy; and,
2. **ADOPTS** the new Elected Member Training and Professional Development Policy as attached.

Carried by Absolute Majority 9/0

10.1.3 ACTING CHIEF EXECUTIVE OFFICER POLICY

File Ref:	SUB/2798
Attachments:	10.1.3(a) DRAFT Appointment of Acting Chief Executive Officer Policy [under separate cover] 10.1.3(b) Senior Employees and Appointment of Acting Chief Executive Officer Policy - Current [under separate cover]
Responsible Officer:	Shane Collie, Manager Corporate Services and Governance
Author:	Ann-Marie Donkin, Governance Officer
Author Disclosure of Interest:	Shane Collie Manager Corporate Services and Governance, Freya Ayliffe, Manager Compliance and Regulatory Services, Shaun Kan, Manager Engineering Services

Mr Collie declared an IMPARTIALITY INTEREST in item 10.1.3 by virtue "I am mentioned in this item."

SUMMARY

This report presents a draft Policy for Council adoption relating to the Temporary Appointment of an Acting Chief Executive Officer. As part of this proposed new Policy the previous Policy on this matter is recommended to be revoked.

BACKGROUND

As part of the wider review of the Town's Policies and in accordance with the *Local Government Legislation Amendment Act 2019* Council is required to adopt a Policy relating to the Temporary Appointment of an Acting Chief Executive Officer. While the Town has an existing Policy on this matter there are some minor changes that are needed with respect to terminology as well as referencing the new legislative requirements in place by virtue of the *Local Government Legislation Amendment Act 2019*.

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

The recommendation to this report is for the adoption of a new Policy and the revocation of an existing Policy.

STATUTORY ENVIRONMENT

Section 2.7 (2)(b) of the *Local Government Act 1995* allows Council to determine the local government policies.

Section 5.39C of the *Local Government Legislation Amendment Act 2019* stipulates that a Policy must be adopted by the Council for the Temporary Employment or Appointment of a Chief Executive Officer:

5.39C. Policy for temporary employment or appointment of CEO

(1) *A local government must prepare and adopt* a policy that sets out the process to be followed by the local government in relation to the following —*

- (a) the employment of a person in the position of CEO for a term not exceeding 1 year;*
- (b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.*

** Absolute majority required*

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

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

The existing policy has been redrafted and provides guidelines that will meet the requirements of the new *Local Government Legislation Amendment Act 2019*. The revised Policy reflects current industry practice and is a practical method of ensuring ongoing continuity for when the Chief Executive Officer is absent through leave, illness or other circumstances.

The new Policy does not vary in intent from the prior Policy, however replaces "Deputy Chief Executive Officer" with "Executive Managers". This title ensures consistency in the appointment of Senior Officers pursuant to the *Local Government Act* and negates the need for a report to go to Council such as occurred in February when there was a requirement for a brief period of Acting Chief Executive Officer.

The new Policy also references the *Local Government Legislation Amendment Act 2019* in terms of adopting the Policy as a matter of compliance along with placing the Policy on the Town's website.

The new Policy references "Executive Managers" which has the effect of having the Chief Executive Officer determine who of the 3 Executive Managers performs the role of Acting Chief Executive Officer pursuant to the Policy adopted by Council.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Masarei

THAT Council by absolute majority:

1. **REVOKES** the existing Senior Employees and Appointment of Acting Chief Executive Officer Policy; and,
2. **ADOPTS** the new Acting Chief Executive Officer Policy as attached

Carried by Absolute Majority 9/0

10.1.4 PURCHASING POLICY

File Ref:	SUB/2798
Attachments:	10.1.4(a) DRAFT Purchasing Policy [under separate cover]
	10.1.4(b) Purchasing Policy - Current [under separate cover]
	10.1.4(c) Purchasing Authority Limits Policy - Current [under separate cover]
Responsible Officer:	Neil Hartley, Acting Chief Executive Officer
Author:	Shane Collie, Manager Corporate Services and Governance
Author Disclosure of Interest:	Nil

SUMMARY

This report presents a review of the Town's Purchasing Policy and the Purchasing Authority Limits Policy and recommends that Council adopts an updated Purchasing Policy as attached **(Attachment a)**.

The two existing policies intended for revocation are provided for reference **(Attachments b and c)**.

BACKGROUND

As part of the wider review of the Town's policies the Purchasing Policy and the Purchasing Authority Limits Policy have been reviewed together and have been updated as one Policy. It has been recognised for some time that there have been inefficiencies, particularly with the threshold limits and requirements to seek multiple quotations for the supply of goods and services.

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

The report recommends that Council adopts an updated Purchasing Policy and revokes two existing policies.

STATUTORY ENVIRONMENT

Section 2.7 (2)(b) of the *Local Government Act 1995* allows Council to determine the local government policies.

Section 11A of the Local Government (Functions and General) Regulations 1996 requires Council to adopt and implement a Purchasing Policy.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation. There are no perceived direct financial implications arising from the officer's recommendation. It is considered that there are significant efficiencies that can be made by adopting the new Policy, particularly in respect of staff time.

STAFFING IMPLICATIONS

It is anticipated that the new Policy would see a substantially reduced amount of time spent in seeking quotations, therefore reducing staff time, therefore reducing costs.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Nil.

OFFICER COMMENT

The key changes to the Purchasing Policy are listed below:

- Linking the Purchasing Thresholds with the Purchasing Authority Limits. This will ensure consistency with the purchase amounts and the Staff designated limits.
- The new Policy coincides with the introduction of an Electronic Purchasing system through the Town's IT supplier. This will remove the need for hand written Purchase Orders (except where required in the field) and a far smoother system where there is a lot of pre fill used in the documentation.
- Additionally the new system will have in built parameters that will be linked to the Purchase Thresholds and Authority limits. For example if an officer is seeking to issue a Purchase Order for an amount that requires two quotes, the system will not produce a Purchase Order until that requirement is complied with. Elected members may recall this was one area which was non compliant in the recent Compliance Audit Return, which was in the main due to the limitations of the current system.
- The Purchasing Threshold limits have been increased, in particular for those lower limit areas where obtaining quotations has proven to be onerous, time consuming and of little benefit in obtaining value for money. The below table references actual examples using the old Threshold limits compared to the proposed new ones.

Payment Analysis 01-09-19 to 30-11-19									
OLD									
						No of Invoices			Total quotes required excl tenders
Payment between \$0 and \$500 made via purchase order						326	no quotes required		
Payment between \$501 and \$5,000 made via purchase order						186	2 verbal or written		372
Payment between \$5,001 and \$50,000 made via purchase order						38	3 written		114
Payment between \$50,001 and \$150,000 made via purchase order						5	3 written		15
Payment greater than \$150,000 made via purchase order						1	tender		
Total						556			501
NEW									
Payment between \$0 and \$2,000 made via purchase order						447	no quotes required		
Payment between \$2,001 and \$10,000 made via purchase order						88	At least 2 verbal		176
Payment between \$10,001 and \$50,000 made via purchase order						15	At least 2 written		30
Payment between \$50,001 and \$150,000 made via purchase order						5	At least 3 written		15
Payment greater than \$150,000 made via purchase order						1	tender		
Total						556			221

In the example above the proposed new Threshold limits would have seen a reduction of 280 quotations required to be obtained, the majority of which would be goods procured under \$2,000. The staff time “saved” in this sense is substantial and it is not considered that the transparency or integrity of the Policy is compromised by adjusting these limits.

Verbal quotations still require adequate records to be kept of suppliers contacted and the prices obtained. Additionally, staff are required to be vigilant when it comes to Purchasing to ensure that the right balance is obtained when purchasing goods and services. A unique supply of feature fencing for instance would normally attract greater scrutiny than say a bulk order of copy paper. Emphasis is drawn to the “minimum” or “at least” points as staff are required to use their discretion to implement greater than the minimum standard of quotes or scrutiny should this be considered warranted.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council:

1. REVOKES the current Purchasing Policy and Purchasing Authority Limits Policy; and,
2. ADOPTS the new Purchasing Policy as attached.

COUNCILLOR AMENDMENT

Moved Cr Masarei

Seconded Cr MacFarlane

That point 2 be amended as follows:

- 2. Subject to Clause 6 of the draft Purchasing Policy being amended to provide for the Amount of Purchase - \$10,000 to \$50,000 be 3 quotations rather than 2 quotations, adopts the new Purchasing Policy as attached.**

Carried 9/0

SUBSTANTIVE MOTION AND COUNCIL RESOLUTION

THAT Council:

- 1. REVOKES the current Purchasing Policy and Purchasing Authority Limits Policy; and,**
- 2. Subject to Clause 6 of the draft Purchasing Policy being amended to provide for the Amount of Purchase - \$10,000 to \$50,000 be 3 quotations rather than 2 quotations, adopts the new Purchasing Policy as attached.**

Carried 9/0

COUNCILLOR RATIONALE:

- 1. Purchases of \$10,000 to \$50,000 are a significant expenditure of ratepayers' funds.**
- 2. Best value for money is demonstrated by obtaining 3 quotations rather than 2 quotations.**
- 3. The Western Australian Public Sector and many other Local Government Councils have a policy of obtaining 3 quotations for similar purchase amounts.**
- 4. The requirement of 3 quotations does not impose an unreasonable burden on the Administration.**

ENGINEERING**10.1.5 DEPARTMENT OF TRANSPORT LONG TERM CYCLE NETWORK FINAL PUBLIC CONSULTATION**

File Ref:	SUB/2798
Attachments:	10.1.5(a) Cottesloe - Long Term Cycle Network - A3 [under separate cover]
	10.1.5(b) LTCN Route Classification Description [under separate cover]
	10.1.5(c) Mr Walsh - Bike plan e-mail [CONFIDENTIAL] [UNDER SEPARATE COVER]
	10.1.5(d) LTCN Draft Letter and Photos [CONFIDENTIAL] [UNDER SEPARATE COVER]
	10.1.5(e) Long Term Cycle Network -Public Consultation Feedback [CONFIDENTIAL] [UNDER SEPARATE COVER]
Responsible Officer:	Neil Hartley, Acting Chief Executive Officer
Author:	Shaun Kan, Manager, Engineering Services
Author Disclosure of Interest:	Nil

Mayor Angers declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "one of the paths is going through Marmion St and I live near but not on a designated street. Noting that the item doesn't involve development or that to the extent it may, my interest is common to a significant number of ratepayers or electors".

Cr Young declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I live on Grant Street, which is designated a local route. There's no development contemplated and to the extent that it might be a development I share that interest with a great number of Cottesloe residents."

Cr Masarei declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I live on Marmion Street but the interest is common to a significant number of electors and ratepayers."

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I'm member of West Cycles Transport and Advocacy."

Cr MacFarlane declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue "I live on Broome Street and a secondary cycle route is planned to progress down Broome Street so there's no development which will affect my house so I share an interest with other residents and Councillors."

SUMMARY

Council is asked to consider the public feedback received in conjunction with the officers' recommendation and accept the Long Term Cycle Network (LTCN) for adoption by the State Government.

Council is asked to note that this consultation is currently ongoing and closes 17 April 2020. A late item (updated report) will be brought to the April 2020 Ordinary Council Meeting to meet the Department of Transport's adoption timeframes.

BACKGROUND

In August 2019, a draft LTCN was developed based on the results from a resident route aspiration survey. Council then endorsed this Active Transport Committee supported plan in September 2019. This was submitted to the Department of Transport (DoT) for consideration.

Following DoT indicating support for this plan, Council at the March 2020 Ordinary Meeting endorsed a Community Engagement Plan for the attached LTCN to be advertised for final consultation through written submissions. This is currently open and closes 17 April 2020 with one submission received to date and has been attached as a Confidential Document.

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 1.1: Develop an 'integrated transport strategy' that includes cycling, park and ride, Cott Cat, public transport and parking management strategies to meet the needs of pedestrians, cyclists and other non-vehicular traffic.

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 1.1: Develop an 'integrated transport strategy' that includes cycling, park and ride, Cott Cat, public transport and parking management strategies to meet the needs of pedestrians cyclists and other non-vehicular traffic.

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation. Co-contribution grant funding is available from the DoT. Applications will be made once the LTCN is finalised by the State Government.

STAFFING IMPLICATIONS

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

The works will be completed either by contractors or consultants.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The project will promote cycling as a sustainable option for travel.

CONSULTATION

Town of Cottesloe Staff

Elected Members

Cottesloe residents and the wider community

Department of Transport

OFFICER COMMENT

Whilst the Department of Transport may have endorsed the attached LTCN following consideration of previous feedback provided in 2019, Council should they wish to do so can consider the latest submission and ask for adjustments to be made. The State Government can then review all changes requested collectively by all Western Australian Councils and modify the final LTCN accordingly for an optimum network to be adopted.

The enclosed Confidential Attachments are all the public submissions received during the consultation period that closed 17 April 2020. The public are in general supportive of the LTCN with the exception of two streets, namely, Grant Street and the section of Kathleen Street whereby suggestions have been made either to not include them in the strategy or for an alternative route to be selected for safety reasons.

Kathleen Street

The Administration is in favour of requesting the DoT to consider replacing the secondary route of Kathleen Street as indicated on the attached LTCN plan with the parallel running section of Marmion Street located immediately to the west. The latter street has received support as a dedicated bike route both during the 2019 and recent 2020 consultation. Furthermore, Marmion Street is also wider and has better connectivity to key destinations.

Grant Street

Council is asked to note that the significance of this local route connecting Grant Street Train Station to the beach will be realised in time to come when the Foreshore upgrade and surrounding areas of North Cottesloe are completed, generating more trips to this area.

The incorporation of safe bicycle lanes along this section of Grant Street will deliver sustainability outcomes by influencing a modal shift towards public transportation and cycling as commuting options. This will in turn reduce the demand on car parking, particularly over summer.

Safety concerns raised by residents associated with bike lanes being incompatible with existing narrow roads and location of footpaths can be addressed during detailed design. Residents at that time can be consulted again on various options that mitigate such risk before a preferred layout is determined.

Notwithstanding the above, Council should they wish to do so, can ask for the DoT to not include Grant Street in the LTCN.

Accordingly Council is asked to consider accepting the changes detailed in the officers recommendation to allow the State Wide LTCN to be finalised by the DoT. Applications for grants can then be made by the Town in late 2020 and over subsequent years to progressively fund the implementation of these Primary and Secondary routes.

Elected Members are asked to note that the cost of building local networks such as Grant Street within the attached plan will be the Municipal's responsibility and would have to be considered in both annually and long term financial plans.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Sadler

THAT Council:

1. **THANKS** the community for their submissions through the Town's media channels and provide a response to the general concerns raised during the recent public consultation process;
2. **THANKS** the Department of Transport for developing an endorsed Long Term Cycle Network by giving due consideration to community feedback;
3. **NOTES** the submissions provided during the latest consultations through written submissions;
4. **APPROVES** the attached Long Term Cycle Network that has been endorsed by the State Government subject to the Department of Transport giving consideration for Kathleen Street, one of the allocated secondary routes to be replaced by the same parallel running section of Marmion Street immediately to the west for reasons outlined within the officers comment section.

Carried 9/0

FINANCE**10.1.6 RATES WRITE OFF - RIGHT OF WAY 62B**

File Ref: SUB/2798
Attachments: Nil
Responsible Officer: Neil Hartley, Acting Chief Executive Officer
Author: Wayne Richards, Finance Manager
Author Disclosure of Interest: Nil

SUMMARY

In February 2018 Council resolved to accept ownership of Lot 67 Marine Parade (Right of Way 62B) and to write off all rates and emergency services levies outstanding which at that time totalled \$3,885.34. Due to a number of factors the transfer process was delayed and has only recently been processed. During this time an extra \$2,435.66 of levies and charges have been incurred taking the total to \$6,321.00. The purpose of this report is to now write off the total amount outstanding of \$6,321.00.

BACKGROUND

In November 2017, Council received correspondence from one of the owners of ROW 62B to transfer the title of Lot 67 D/P 3392 (ROW 62B Marine Parade) to Council, on the condition that all the rates, stamp duty and other related expenses be the responsibility of the Town of Cottesloe.

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

FINANCIAL IMPLICATIONS

The amount to be written off in total is \$6,321.00. This amount is inclusive of rates, emergency services levies (which are unable to be recovered) and other charges, and is in accordance with the existing budgetary allocations.

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

Owners of ROW 62B (Lot 67 D/P 3392) Broome Street, Cottesloe.

OFFICER COMMENT

The request from the owners of ROW 62B is in keeping with the objectives of Council Policy and similar requests have been supported by Council in the past.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Angers Seconded Cr Masarei

THAT Council by absolute majority, WRITES OFF all rates, emergency services levies and other charges for ROW 62B (Lot 67 D/P 3392), totalling \$6,321.00 as at 3 April 2020.

Carried by Absolute Majority 9/0

10.1.7 FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2019 TO 31 MARCH 2020

File Ref: SUB/2798
Attachments: 10.1.7(a) Monthly Financial Statements for the period 1 July 2019 to 31 March 2020 [under separate cover]
Responsible Officer: Neil Hartley, Acting Chief Executive Officer
Author: Wayne Richards, Finance Manager
Author Disclosure of Interest: Nil

SUMMARY

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

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

BACKGROUND

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

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

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

Resource requirements are in accordance with the existing budgetary allocation. Whilst the recent COVID-19 pandemic has had an effect on Council's operations, it has only had a minor financial impact on the Town to date. There have been refunds to customers for venue hire and also some cancelled events.

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 31 March 2020 was \$4,129,834 as compared to \$3,350,587 this time last year. This is due to a range of factors including, but not limited to, year to date capital expenditure being less than anticipated.
- Rates receivables at 31 March 2020 stood at \$530,065 as shown on page 25 of the attached Financial Statements.
- Operating revenue is more than year to date budget by \$196,274 with a more detailed explanation of material variances provided on page 21 of the attached Financial Statements. Operating expenditure is \$558,126 less than revised year to date budget with a more detailed analysis of material variances provided on page 21.
- The Capital Works Program is shown in detail on pages 33 to 36.
- Whilst Salaries and Wages are not reported specifically, they do represent the majority proportion of Employee Costs which are listed on the Statement of Financial Activity (by Nature and Type) on page 7 of the attached Statements. As at 31 March 2020 Employee Costs were \$183,437 less than the budgeted year to date amount.
- The balance of cash backed reserves was \$9,826,509 as at 31 March 2020 as shown in note 7 on page 27 of the monthly financial statements.

List of Accounts for March 2020

The List of Accounts paid during March 2020 is shown on pages 37 to 44 of the attached Financial Statements. The following significant payments are brought to Council's attention:

- \$529,346.38 to the Department of Fire and Emergency Services for levies collected by the Town on their behalf.
- \$46,563.00 to Nature Based Play Pty Ltd for stage one of the nature discovery playground.
- \$34,362.56 to Surf Life Saving WA for lifeguard services.
- \$223,274.72 to WA Treasury Corporation for loan repayments.
- \$94,638.73 & \$103,616.89 to Solutions 4 Building Pty Ltd for construction works at the new depot site.
- \$38,372.27 to the Western Metropolitan Regional Council for waste disposal fees.
- \$113,468.81 & \$113,650.64 to the Town of Cottesloe staff for fortnightly payrolls.

Investments and Loans

Cash and investments are shown in note 4 on page 23 of the attached Financial Statements. The Town has approximately 52% of funds invested with National Australia Bank, 24% with Commonwealth Bank of Australia and 24% with Westpac Banking Corporation. A balance of \$9,826,509 was held in reserve funds as at 31 March 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 \$3,466,866 as at 31 March 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 \$530,065 as compared to \$505,622 this time last year.

Sundry debtors are shown on note 6, page 25 of the attached Financial Statements. The sundry debtors show that 25% or \$12,383 is older than 90 days. Infringement debtors are shown on note 6 page 26 and stood at \$497,291 as at 31 March 2020.

Budget Amendments

The budget amendments are listed on pages 12, 13 and 24 of the Financial Statements.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Angers

Seconded Cr Masarei

THAT Council RECEIVES the Financial Statements for the period 1 July 2019 to 31 March 2020 as submitted to the 28 April 2020 meeting of Council.

Carried 9/0

10.2 RECEIPT OF COMMITTEE MINUTES

10.2.1 RECEIPT OF COMMITTEE MINUTES

- Attachments:**
- 10.2.1(a) Amended Unconfirmed Minutes Public Art Advisory Special Meeting 25 March 2020. [under separate cover]**
 - 10.2.1(b) Unconfirmed Minutes North Cottesloe Primary School Traffic Safety Committee Meeting 8 April 2020 [under separate cover]**

COUNCIL RESOLUTION

Moved Cr Young

Seconded Mayor Angers

THAT Council RECEIVES the Public Art Advisory Committee Special Meeting minutes of 25 March 2020 and the North Cottesloe Primary School Traffic Safety Committee Meeting minutes of 8 April 2020.

Carried 8/1

10.3 REPORTS OF COMMITTEES**10.3.1 PUBLIC ART ADVISORY COMMITTEE SPECIAL MEETING MINUTES - 25 MARCH 2020
POSSIBLE ART PURCHASE 2020****COMMITTEE RECOMMENDATION**

The Committee recommends that;

1. Starman by Michael Sibel - \$11,700;
2. Converse by Henning Meeves and Claire Molloy - \$2,600; and
3. Vessel/Capsule by Tony Davis - \$20,000,

be purchased as the Sculpture by the Sea purchase by the Town of Cottesloe in 2020.

OFFICER RECOMMENDATION

That the Committee Recommendation be noted.

COUNCILLOR MOTION

Moved Cr Tucak

Seconded Cr Harben

That the Committee Recommendation and Rationale be noted; and

The earlier Committee Recommendations (set out below) be noted:

1. July 2019 OCM, Item 10.3.1, Recommendation Point 2 (Council resolved 6/0 “not be put”)
2. October 2019 OCM, Item 10.3.1, Recommendations 12 – 16 (Council resolved 8/0 “lay on the table”)

Rationale:

- Several previous AAP recommendations remain as active recommendations until Council takes a vote on them.
- Noting the 2020 Acquisition Recommendation is an opportunity for Council to properly “tidy up” the older items.

July 2019 OCM Item 10.3.1 (AAP Recommendations)

2. That Council raises with Sculpture by the Sea the scope for the Town to match public funds raised by Sculpture by the Sea, for example through the Australian Cultural Fund, specifically in support of the 2020 Cottesloe event up to a cap of \$75,000;

October 2019 OCM Item 10.3.1 (AAP Recommendations)

Recommendations 12 to 16, on various topics, that can as needed be further considered by the PAAC in future.

PROCEDURAL MOTION

Moved Cr Young

Seconded Mayor Angers

That the motion be now put.

Carried 9/0

COUNCILLOR MOTION**Moved Cr Tucak****Seconded Cr Harben**

That the Committee Recommendation and Rationale be noted; and

The earlier Committee Recommendations (set out below) be noted:

1. July 2019 OCM, Item 10.3.1, Recommendation Point 2 (Council resolved 6/0 “not be put”)
2. October 2019 OCM, Item 10.3.1, Recommendations 12 – 16 (Council resolved 8/0 “lay on the table”)

Rationale:

- Several previous AAP recommendations remain as active recommendations until Council takes a vote on them.
- Noting the 2020 Acquisition Recommendation is an opportunity for Council to properly “tidy up” the older items.

July 2019 OCM Item 10.3.1 (AAP Recommendations)

2. That Council raises with Sculpture by the Sea the scope for the Town to match public funds raised by Sculpture by the Sea, for example through the Australian Cultural Fund, specifically in support of the 2020 Cottesloe event up to a cap of \$75,000;

October 2019 OCM Item 10.3.1 (AAP Recommendations)

Recommendations 12 to 16, on various topics, that can as needed be further considered by the PAAC in future.

Lost 1/8

OFFICER’S RECOMMENDATION (FORESHADOWED)**Moved Cr Sadler****Seconded Cr Harbin**

That the Committee Recommendation and Rationale be noted.

10.3.2 NORTH COTTESLOE PRIMARY SCHOOL TRAFFIC SAFETY COMMITTEE MEETING MINUTES – 8 APRIL 2020**REQUEST FOR COUNCIL APPROVAL CONCEPT AND PUBLIC CONSULTATION****COUNCILLOR MOTION/COMMITTEE RECOMMENDATION**

THAT the Committee recommends;

THAT Council:

1. THANKS the Department of Education and Main Roads Western Australia for their contributions;
2. APPROVES the attached concept for the purpose of detail design development in conjunction with a road safety audit that is carried out by Main Roads suggested safety auditor and re-engagement with the State Government to discuss opportunities for construction funding contribution;
3. APPROVES the Engineering consultant who undertakes the detailed design to develop the design and a cost estimate together with traffic analysis for further discussions with the State Government to explore construction funding opportunities.
4. NOTES that subjected to point two:
 - a. The Administration will work closely with the Department of Education and Main Roads Western Australia to progress the design of the attached concept and;
 - b. The final design will be brought to an Ordinary Council Meeting to ensure the concerns raised by the community have been adequately addressed before formally submitting to the State Government for consideration to provide construction funding for the project.

CEO Note: Following the Agenda Forum on 21 April 2020, Council is asked to consider an amendment to point 2 of the committee's recommendation:

2. APPROVES the attached concept for the purpose of detail design development in conjunction with, a road safety audit (that is to be consistent with the 25 February 2020 Ordinary Council Meeting Item 10.3.1 – Kiss and Drop Community Engagement Committee Recommendation and Council Resolution Point (2)(b)(i)), that is carried out by Main Roads suggested safety auditor and re-engagement with the State Government to discuss opportunities for construction funding contribution;

COUNCILLOR MOTION

Moved Cr Harkins

Seconded Cr MacFarlane

THAT Council:

1. THANKS the Department of Education and Main Roads Western Australia for their contributions;
2. APPROVES the use of the attached concept for the purpose of a detail design development in conjunction with a road safety audit that (that is consistent with the 25 February 2020 Ordinary Council Meeting item 10.3.1 – Kiss and Drop Community Engagement Committee Recommendation and Council Resolution Point (2(b) (i))), is carried out by Main Road's suggested safety auditor and re-engagement with the State

Government to discuss opportunities for construction funding opportunities.

3. APPROVES the engineering consultant who undertakes the detailed design to develop the design and a cost estimate together with traffic analysis for further discussions with the State Government to explore construction funding opportunities.
4. NOTES that subject to point two:
 - a. The Administration will work closely with the Department of Education and Main Roads Western Australia to progress the design of the attached concept ~~and~~;
 - b. The final design will be subject to a second road safety audit covering the safety of the design for all users including pedestrians and cyclists accessing the school site; and
 - c. Following the completion of the second road safety audit, the detailed design plans and the road safety audit report will be brought to an Ordinary Council Meeting to ensure the concerns raised by the community have been adequately addressed before formally submitting to the State Government for consideration to provide construction funding for the project.

COUNCILLOR AMENDMENT

Moved Cr Young

Seconded Cr Tucak

5. That in addition to the minutes being on the Town of Cottesloe website under the 'Committees and Working Groups' page, the committee minutes for the NCPSTSC be also included under the heading 10.3.2 of the Council Agenda page.

Carried 9/0

SUBSTANTIVE MOTION AND COUNCIL RESOLUTION

THAT Council:

1. THANKS the Department of Education and Main Roads Western Australia for their contributions;
2. APPROVES the use of the attached concept for the purpose of a detail design development in conjunction with a road safety audit that (that is consistent with the 25 February 2020 Ordinary Council Meeting item 10.3.1 – Kiss and Drop Community Engagement Committee Recommendation and Council Resolution Point (2((b) (i))), is carried out by Main Road's suggested safety auditor and re-engagement with the State Government to discuss opportunities for construction funding opportunities.
3. APPROVES the engineering consultant who undertakes the detailed design to develop the design and a cost estimate together with traffic analysis for further discussions with the State Government to explore construction funding opportunities.
4. NOTES that subject to point two:
 - a. The Administration will work closely with the Department of Education and Main Roads Western Australia to progress the design of the attached concept;
 - b. The final design will be subject to a second road safety audit covering the

safety of the design for all users including pedestrians and cyclists accessing the school site; and

- c. Following the completion of the second road safety audit, the detailed design plans and the road safety audit report will be brought to an Ordinary Council Meeting to ensure the concerns raised by the community have been adequately addressed before formally submitting to the State Government for consideration to provide construction funding for the project.
5. That in addition to the minutes being on the Town of Cottesloe website under the 'Committees and Working Groups' page, the committee minutes for the North Cottesloe Primary School Traffic Safety Committee be also included under the heading 10.3.2 of the Council Agenda page.

Carried 7/2

RATIONALE

Point 2 – incorporates reference to February 2020 OCM.

Point 4 b - including a final safety audit following the detailed design is standard practice and will be covered by the funds provided by MRWA.

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 COUNCILLOR MOTION - NAMING OF LANEWAY: RIGHT OF WAY 36**

The following motion has been proposed by Cr Harkins.

COUNCILLOR MOTION

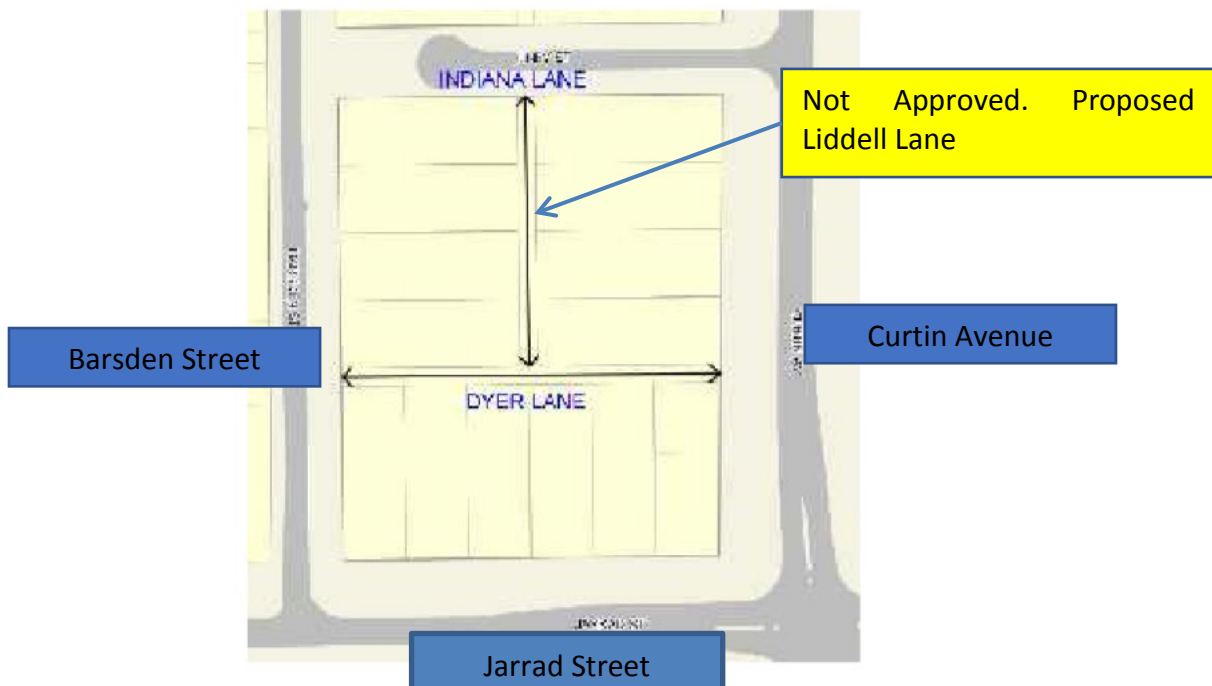
Moved Cr Harkins

Seconded Cr Sadler

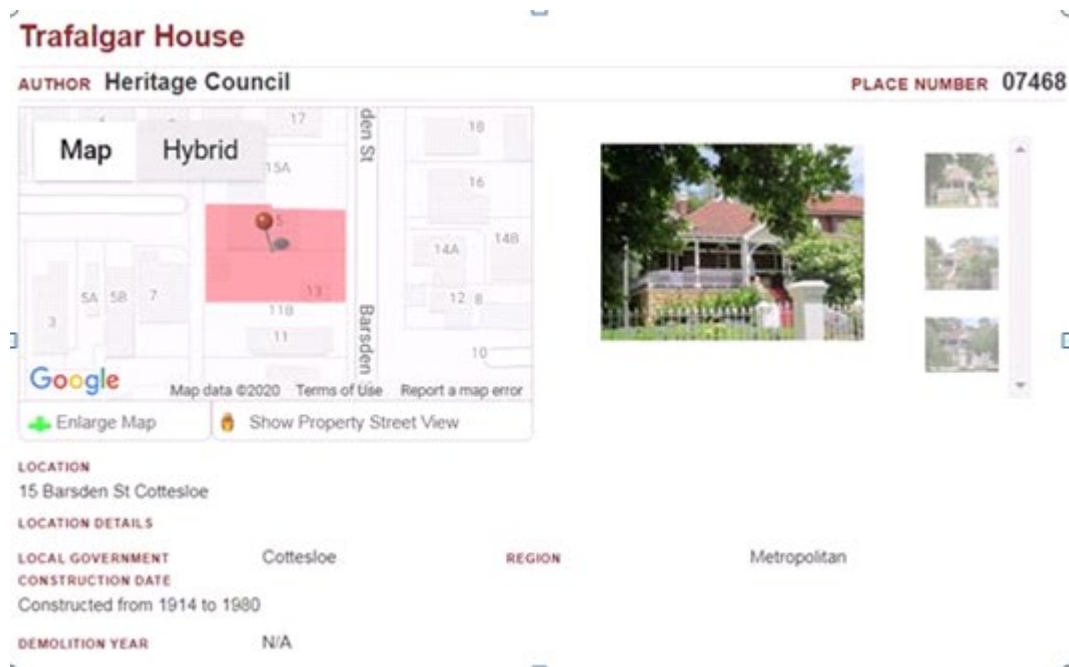
THAT Council:

1. **NOTES** that the name “Indiana Laneway” for the North-South section of Right of Way 36 approved by Council at the 26 November 2019 Ordinary Meeting was **NOT** approved by Landgate;
2. Given point one, **AUTHORISES** the alternative name ‘Liddell Lane’ for the North South section of Right of Way 36 to be submitted to Landgate;
3. **NOTES** that ‘Liddell Lane’ referred to in point two has passed Landgate’s preliminary validation and further documentation would need to be provided by the Administration to the State Government for consideration before a formal decision can be made by Landgate;
4. Requests the Administration to write to effected residents informing them of the outcome and process in points one to three

Carried 9/0

COUNCILLOR RATIONALE

- This item came to council on 26 November 2019 approving the use of the name 'Indiana Lane' for the North – South laneway (Landgate did not approve the use of Jack's Lane, nor Jack's other Lane) and 'Dyer Lane' for the East-West section of ROW 36 (See Attached);
- Landgate has NOT approved the use of Indiana due to it's close association with other iconic features within Cottesloe, so we need to request the use of another suitable name for the laneway;
- 'Dyer Lane' has been approved;
- The suggested name, 'Liddell' would be very suitable given this links to Trafalgar House which is a heritage listed property located at 15 Barsden Street (very close to the lane). It was built for Mr W.T Liddell (the first ratepayer in Barsden Street) – manager of the Hoskins Foundry and Kalgoorlie Foundry. Hoskins Foundry was a major Western Australian engineering company from the later 1800's.



OFFICER COMMENT

Nil.

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

Moved Mayor Angers Seconded Cr Masarei

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

Carried 9/0

The public and members of the media were requested to leave the meeting at 7:27pm.

13.1.1 COVID-19 RENTAL SUBSIDY REQUESTS – TOWN LEASES

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (e(ii)) as it contains information relating to a matter that if disclosed, would reveal information that has a commercial value to a person.

File Ref: SUB/2792

Attachments: Nil

Responsible Officer: Neil Hartley, Acting Chief Executive Officer

Author: Shane Collie, Manager Corporate Services and Governance

Author Disclosure of Interest: Nil

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Barrett Seconded Cr Masarei

THAT Council:

- 1. APPROVES a rental waiver of 50% and a rental deferment of 50% for the three months of April, May and June 2020 to Yellowdot Enterprise Pty Ltd t/as Barchetta for 149 Marine Parade, COTTESLOE, subject to evidence being provided of the approval of the “Job Keeper” allowance.**
- 2. THAT this concession for Barchetta be reviewed at the 23 June 2020 meeting of Council, depending on the situation at that time in respect of COVID-19.**
- 3. APPROVES the waiving of the 2020 season ground rental for the Cottesloe Rugby Union Football Club of 47 Broome Street, COTTESLOE (Harvey Field).**
- 4. THAT additional concessions for the Cottesloe Rugby Union Football Club such as rates and utilities be considered at the 23 June 2020 meeting of Council depending on the situation at that time in respect of COVID-19.**

5. THAT Council note that a future agenda item linked to the 2020/21 budget is anticipated to propose concessions for fees and charges for community based and not for profit groups including those that operate from Town of Cottesloe premises.

Carried 9/0

MOTION FOR RETURN FROM BEHIND CLOSED DOORS

Moved Mayor Angers

Seconded Cr Harben

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

Carried 9/0

No public and members or the media returned to the meeting.

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

As no members of the public returned to the meeting the resolution for item 13.1.1 was not read aloud.

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 7:30pm.