



Town of Cottesloe

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

Tuesday, 29 October 2019

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

A handwritten signature in black ink, appearing to read 'J. Mansfield', is written over a horizontal line.

Signed:

Presiding Member

Date: 26/11/2019

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

MINUTES

ORDINARY COUNCIL MEETING
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 29 October 2019

MAT HUMFREY
Chief Executive Officer

12 November 2019

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 6:00pm.

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.

The Presiding Member advised Standing Orders do not allow questions during council meetings, all questions should be asked at either Agenda or Briefing Forums or via telephone.

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

Ken McIntyre – 20 Florence Street, Cottesloe – Items 10.3.1 and 10.1.6

Q2: What are we doing to mitigate erosion on the coast?

A2: Results from our coastal studies do not indicate any erosion.

Q3: Are we immune to climate change in Cottesloe?

A3: No

Q4: Is there something about this community that says we can keep on going the way we're going without change?

A4: There is no indication that this is the case.

Chilla Bulbeck – Flat 8, 19 Broome St, Cottesloe – Item 10.3.1

Q2: I'm asking could clarification on the green infrastructure that would be lost and the time it would take to recoup in terms of plantings be identified as part of the survey?

A2: No green infrastructure is expected to be lost. All planting recently done by the school that are in the alignment of the road and footpath can be safely relocated within the vicinity. Additional trees are part of the new design. The survey does focus on the importance of trees for the project.

Q3: Could it be clearer, what would happen if the State and Federal Government won't fund the remainder of the project?

A3: This would be a decision for Council.

Q4: Will ratepayers be asked to fund the remainder of the carpark and if so can a question be included in the survey asking if ratepayers are willing to support this many hundreds of thousands to build the carpark?

A4: Council has taken this into consideration and has resolved accordingly when endorsing the community consultation for the project.

Q5: The survey says the problem is improved access to North Cottesloe Primary School with a view to reducing congestion but I understand the congestion is only 10 minutes per day between 3:00pm and 3:10pm every day. Is this correct and if so can this be addressed in the survey?

A5: This is in the traffic engineering report that forms part of the consultation package.

Q6: A number of concerned residents feel they aren't being consulted and that there isn't any transparency so can Council address these issues?

A6: The consultation is open to all Cottesloe residents.

Q7: Can Council consider the following ways of improving community access:

J Council and Agenda Forums and meetings to be live streamed so they can be viewed from home;

J The website to include a clear link for feedback: 'make a comment', 'make an enquiry' or, 'lodge a complaint';

J Council to include information on upcoming community consultation when undertaking letter drops; and

J Could Council staff be encouraged to go out for several hours every two or three months and do doorknocking to test the pulse of the community, identify issues and concerns and feed them back into the decision making.

A7: Live streaming has been considered in the past but there is no budget provision available to install such a capacity. It is however a service that Council could consider at its 2020/21 budget if it wished to.

We will investigate if the Town's Web Page can be improved to include a clearer link for feedback (e.g. 'make a comment', 'make an enquiry' or, 'lodge a complaint'). This may require a 2021/22 budget allocation also.

Whilst letter drops are not often utilised as a contemporary community consultation tool, information on upcoming community consultation is included in the subscriber emailed newsletter "Mayoral Update" which does include upcoming community consultation.

A regular bi-monthly personalised consultation would provide a high quality consultation opportunity, however this would potentially cut across the role that Councillors already undertake, and with

approximately 3800 rate assessments, would require a resource of approximately one full-time-equivalent staff member.

4.2 PUBLIC QUESTIONS

Julie Bradley – 18 North St, Cottesloe – Item 10.1.1

- Q1. Why has there been no follow up when a number of building compliance orders from Cottesloe Council to North Street Store have not been actioned by the due date?
- A1: There have been many follow-ups by the building surveyor with the occupiers of that property at the moment to ensure compliance with the building code.
- Q2. Who's responsibility is it to follow these up and close them out?
- A2: The responsibility rests with the building surveyor and the Town of Cottesloe.
- Q3. Why does Council allow the continued use of 100m² of residential space for commercial purposes without a formal planning submission after 20 months of use?
- A3: There is a report before Council tonight for Council to consider taking action. An updated recommendation has been provided this afternoon as the Town has received a retrospective planning application.

Pete Thomson – 14A North Street, Cottesloe Item 10.1.1

- Q1. Please advise what action is being taken to address the rat infestation which appears to have increased since the North Street Store commenced trading.
- A1: The Town carries out regular inspections of the North Street Store and no issues have been raised about any rodent activity, but we will check with the health officers in the morning to ensure that's still the case.
- Q2. Noisy patrons grouped around the outside of the North Street Store building are a more common occurrence around the hotels of Cottesloe rather than what was once a quiet and well maintained shop.
- Q3. The strong aroma of cooking is an issue which may appeal to patrons of the shop whilst they wait for their meals, but is an ongoing issue which effects nearby residents and should be addressed. Please advise if this issue is under investigation or has been reported previously.
- A2/&3: These issues will be considered by Council as the Development Application is assessed. It hasn't been raised yet that the noise levels are exceeding the limits that are allowed for the site but we will continue to ensure the Town monitors it and we will take action under the noise regulations if the limits are exceeded.

Drew Williams – 14B North Street, Cottesloe – Item 10.1.1

- Q1. The North Street Store has been operating at over twice the 70m² as outlined in the LPS3 since February 2017. Why has the Town of Cottesloe not taken action to reduce the usage to under 70m² as outlined in the LPS3 and why have the proprietors not been prosecuted?
- A1:** A retrospective planning application has been received today and will be considered by the Town. The Town does have to follow process and allow owners of properties to submit development applications as the first step of any enforcement proceedings.
- Q2. Why has the front yard of the North Street Store been allowed to be used as a dining area since mid-2018 without seating approval and without being part of the LPS3?
- A2:** This is part of the development application that has been received and will be considered by Council.
- Q3. I believe the North Street Store is a fire risk to my property due to the residential component of the property being used for commercial purposes, including baking. Why has the Town of Cottesloe not ensured that a copy of the BCA audit completed on 18 September 2019 be provided to Town of Cottesloe within 10 business days as outlined in previous email correspondence and why have the recommendations of that audit not been enforced?
- A3:** The Town has received the BCA audit and the building surveyor will be working with the owners and the proprietors of that property to ensure it complies with the building code.

Gary Bradley – 18 North Street, Cottesloe – Item 10.1.1

- Q1. Can Council provide a \$cost breakdown of ratepayers' money used for the non-conforming use of the North Street Store i.e. administration staff time, legal costs, landscaping and bollards to the outside of the premises.
- A1:** The Town doesn't have a cost breakdown to hand and we wouldn't ordinarily keep a break-down for every individual application or enforcement action, it would be unusual for us to do that.
- Q2. If so will Council look to recover reatepayers' money from the owners of the North Street Store?
- A2:** No, the compliance obligations of the Town are normally funded through rate sources.

5 PUBLIC STATEMENT TIMEJulie Bradley – 18 North St, Cottesloe – Item 10.1.1

) Thanked Council and Administration for their efforts and support

-) Acknowledged the progressive planning by Council over last few years in developing sites that are more suitable for this sort of commercial enterprise
-) Acknowledged some of the areas developed for commercial enterprises such as Daisys obviously work a lot better than our narrow street on a very busy North Street
-) Trying to cope with a small shop that dominates our street
-) We've experienced 20 months of indecision
-) Hopeful of a fair decision before end of 2019
-) Offered some practical and fair practices for all:
 - o Happy with the 8:00am-9pm opening
 - o Appreciate the store closing early on Saturday and Sunday
 - o Happy with the 69sqm of commercial space that's in use
 - o We're able to cope with them selling take-away food as long as it's prepared from their offsite location
 - o Not enough room in 69sqm for hygienic preparation of food
 - o We're aware of the risk of fire in such a close residential area with the number and size of the ovens they've had over the time
 - o We have aromas 24 hours a day
 - o We don't agree to any seating being provided inside or outside of the premises, it's never existed before and is not part of the history
 - o No use of the front garden

Drew Williams 10.1.1 14B North Street, Cottesloe – Item 10.1.1

-) Proprietors of North Street Store are operating illegally, out of scope, with little to no intervention from Cottesloe Council
-) Our family has to endure the NSS operating as a non-confirming use, utilising over two and a half times the permitted 70m² as outlined in the LPS3

Front Yard Dining Area

- o Creates relentless noise pollution to our property 7 day per week
- o 3 metres from our main bedroom window
- o Does not have planning approval from Cottesloe Council
- o Creates steady stream of loud adult conversations, dogs barking, children shouting, babies crying which can be heard clearly inside our home
- o Regularly affects our sleep, affecting our health and well-being, the ability to rest and relax
- o Disturbing our right to quiet enjoyment of our residential property

- Tried to mitigate the noise pollution by installing double glazed windows at considerable cost, but has had little effect.

Fire Hazard

- Use of commercial ovens in a residential dwelling is a potential fire risk
- The location of ovens and potential for fire to hop to our property in the middle of the night is of real concern to us

Parking

- Cars regularly park on our verge, in our driveway
- We've been verbally abused by customers of NSS when we've asked them to move their cars that were obstructing our driveway and verge
- Some customers refused to move their cars until they finished getting their order
- We often have to park over 100 metres from our property due to congestion and people parking on our verge
- Visitors to our property also have no parking available within close proximity
- Car alarms and car horns often sound due to the mayhem created in the local streets during peak business times
- Unrestricted, unapproved seating located in front yard encourages patrons to eat in, extending their stay at NSS and exacerbating parking issues
- Exacerbates parking issues

The Business

- This corner shop has turned into a fast food outlet, coffee shop, café, bakery and catering operation all in one
- It's not a shop for which the premises is gazetted in the LPS3
- Not the 'corner shop' concept peddled by the proprietors, rather a large commercial baking and catering operation
- I implore Council to take a decisive action, uphold the LPS3 to reduce the commercial operations to 70m² or under as a matter of urgency
- Do not allow for any further expansion above 70m² as has been applied for in the DA
- Any extension is an outrageous proposal and should be immediately stopped

Lachlan Bisset – 28 Forrest Street, Cottesloe – Item 10.1.1

-) Craig and I are owners of the North Street Store.
-) We've lodged an application today

-) It has been a huge application, it's been a lot of work and cost us a lot of money
-) We've taken great pains to put in an application designed to deal with the problems that people are having while allowing continued use of the store
-) We feel like we've done what we set out to achieve to bring back the old corner store vibe
-) The DA deals with noise, traffic, parking and we've used the best consultants we could
-) We'd like to take this opportunity to sort everything out all at once and we can get on with our business and affected residents can get what they need
-) We'd like to work together to sort it out once and for all
-) We have a video of what the site looked like before we took it on
-) Our door is always open for anybody to discuss, our number is on the side of the building, so give us a call or knock on the door

Gary Bradley – 18 North Street, Cottesloe – Item 10.1.1

-) LPS3 shows 3 conditions for additional use including hours of operation (8:30am-9pm), number of hours per week, a floor area of no more than 70sqm without approval
-) Use is to be carried out without any undue adversity on the amenities or locality
-) At last week's planning meeting, the Coordinator Statutory Planning admitted the proprietors had admitted they exceeded the 70² metres without approval
-) They also knew the hours of operation but in the early part opened before and after those hours until complaints stopped them
-) The business is not being carried without undue adverse impact on the locality
-) A better term would be it has severely impacted Elizabeth Street and surrounds
-) It has punished 8 families in Elizabeth Street, who can no longer park outside their home because of the yellow line
-) With the opening hours and preparation time it equates to 115 hrs per week
-) Residents put up with shop noise both front and rear, vehicle noise (including slamming of doors)
-) Loud greetings when people meeting each other in the street
-) Circus tent type lights on the shop front
-) We suffer from inadequate kitchen filters
-) Cooking smells all hours of the day

-) If shop was restricted 70² metres as in the condition from first day of operation, we wouldn't be in the situation we're in now
-) Thanks to foresight of Council that developed and still promote the Jarrad/Napoleon/Station Street precinct there is now ample parking and facilities to cater for large numbers of people to shop and eat out – this is where businesses like NSS, who are looking to get bigger, should be encouraged to move to and leave the small corner shop with the restricted square metrics space to a business that suits and fits in and not adversely affect and impact on the locality
-) Implore you to consider the ratepayers and residents of Elizabeth Street and surrounds for the long time when making your decision

6 ATTENDANCE

Elected Members

Mayor Philip Angers
Cr Lorraine Young
Cr Helen Sadler
Cr Melissa Harkins
Cr Craig Masarei
Cr Caroline Harben
Cr Paul MacFarlane
Cr Kirsty Barrett

Officers

Mr Mat Humfrey	Chief Executive Officer
Mr Neil Hartley	Acting Deputy Chief Executive Officer
Ms Freya Ayliffe	Manager of Compliance and Regulatory Services
Mr Ed Drewett	Coordinator Statutory Planning
Ms Mary-Ann Winnett	Governance Coordinator

6.1 APOLOGIES

Cr Michael Tucak

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 an IMPARTIALITY INTEREST in item 10.1.8

Cr Sadler declared a FINANCIAL INTEREST in item 10.1.1

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.7

Cr Barrett declared an IMPARTIALITY INTEREST in item 10.3.1

Mat Humfrey declared an INTEREST in item 10.1.6

8 CONFIRMATION OF MINUTES

Moved Cr Sadler

Seconded Cr Harkins

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 September 2019 be confirmed as a true and accurate record.

Carried 8/0

Moved Cr Sadler

Seconded Cr Young

That the Minutes of the Special Meeting of Council held on Tuesday 22 October 2019 be confirmed as a true and accurate record.

Carried 8/0

9 PRESENTATIONS**9.1 PETITIONS**

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of the public present, the Mayor announced that items 10.1.1, 10.1.5, 10.1.7, 10.1.13, 10.1.14, 10.3.1, 10.3.2 have been withdrawn for discussion

The Presiding Member advised that item 10.1.4 has been withdrawn from the agenda.

Item 10.1.2, 10.1.3, 10.1.6, 10.1.8, 10.1.9, 10.1.10, 10.1.11, 10.1.12, 10.2.1 will be dealt with en bloc.

10 REPORTS**10.1 REPORTS OF OFFICERS****PLANNING****10.1.1 LOT 8 (16) NORTH STREET - EXTENSION AND CHANGE TO NON-CONFORMING USE
- UPDATE**

File Ref: SUB/2798
Applicant(s) Proponents: Altus Planning
Attachments: 10.1.1(a) Attachments - 16 North Street
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Ed Drewett, Coordinator Statutory Planning
Author Disclosure of Interest: Nil

Cr Sadler declared a FINANCIAL INTEREST in item 10.1.1 by virtue "her son works for North Street Store."

Cr Sadler left the meeting at 6:27pm.

SUMMARY

This report provides an update to Council regarding the unauthorised uses occurring at the North Street Store.



Photo - North Street Store

BACKGROUND

On 23 July 2019, Council considered a retrospective planning application for an increased floor area to the North Street Store and resolved:

1. *THAT Council DEFER its decision in respect to the retrospective planning application for the expansion of the commercial uses from 70m² to 175m² on Lot 8 (16) North Street Cottlesloe, as shown in the application received 18 April 2019, to allow the application, including the on-site eating area, to be advertised as required under clause 4.11.2 of Local Planning Scheme No. 3.*
-

2. *That following advertising, the application be referred back to Council for consideration under clauses 4.11.3 and 4.11.4 of Local Planning Scheme No. 3.*

The Council report of 23 July 2019 is attached.

On 26 July 2019, the Town wrote to the applicant to advise:

- The current planning application for 'retrospective modifications to existing shop use' will need to be amended to 'extension of and change of non-conforming use'. This will incur an additional fee of \$295;
- The floor plan will be required to be amended to show the gross floor area of all the existing/proposed structures and uses, including the outdoor eating area, fridge storage area and shed if these are to be retained;
- Local Planning Scheme No. 3 clauses 4.11.3 and 4.11.4 are required to be addressed. In this regard, it is considered that the front section of the building has changed from the non-conforming use of 'delicatessen/gourmet takeaway' to now include the bakery and tables and chairs for consumption of food/coffee on the premises which can only be considered if the proposed uses are considered to be *less detrimental to the amenity of the locality, and closer to the intent of the zone than the existing non-conforming use*. The rear portion of the building (approved as a dwelling) may also possibly be considered as an alteration or extension to the non-conforming use of 'delicatessen/gourmet takeaway', including the area for the preparation of food beyond that previously utilised by the non-conforming use (ie: including the bakery preparation area). However, this could only be considered by Council *having regard to the objectives of the residential zone which include non-residential uses where they are compatible with the amenity of the residential locality, and with appropriate development standards applied* (ie: adequate on-site parking, loading bay etc).
- Having consideration of the above, and the concerns of some residents regarding traffic congestion, noise, staff working late at night and/or early in the morning, large delivery truck(s), blocking of residents' crossover and driveways, and lighting etc, it is considered that some of the uses should be reduced in scale or removed from the site, such as the bakery, as a matter of priority and prior to the amended proposal being advertised to residents in the locality.

On 14 August 2019, the Town's officers had a meeting with the applicant and proponents to discuss the above matters and were advised that they would be submitting a new planning application shortly addressing all of the above and that they were in the process of relocating the bakery component to premises in South Fremantle.

On 4 October 2019, the Town received correspondence from the applicant that provided an interim update on proceedings and requested a deferral of consideration of the proposal until no later than 29 October 2019. A sketch site plan and front elevation were also received.

On 14 October 2019, the applicant advised the Town that a new planning application for the North Street Store would be submitted by Friday 25 October 2019.

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

-)) *Planning & Development Act 2005*
-)) *Planning and Development (Local Planning Schemes) Regulations 2015;*
-)) *Local Planning Scheme No. 3;*

FINANCIAL IMPLICATIONS

Legal costs will likely be incurred if the matter is referred to the Town's solicitors to issue a direction for the unauthorised uses to cease.

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 application has not been advertised as the Town has been awaiting the submission of a new or modified planning application with the inclusion of revised plans.

OFFICER COMMENT

Since the July Council meeting the Town has been liaising with the applicant and proponents regarding the submission of a new or modified planning application that may enable Council to have discretion to consider the unauthorised uses at the premises.

The original planning application could not be approved as it was for modifications to an existing shop, whereas (based on legal advice) the unauthorised uses are not included in the definition of 'shop' and are not permitted under the Town's Local Planning Scheme in the Residential R20 zone unless approved as an extension and change to a non-conforming use.

As discussed previously (see report 29 July 2019), a Council report of February 2003, and Council resolution, acknowledged non-conforming use rights as a 'delicatessen/gourmet takeaway' at 16 North Street, describing it as selling of a range of products including gourmet takeaway dishes, and including the use of the kitchen area on the site for the preparation of takeaway dishes.

The applicant’s update regarding the progress of their application and the sketches submitted are noted but are insufficient for a planning assessment. Furthermore, based on the sketches provided it has been observed that vehicles are not currently parking on-site in the configuration shown on the plan, and the proposed construction of a solid (noise) wall with a translucent roof canopy, awning extension, paving and decking in the front garden will further increase the floor area of the commercial use, albeit for outdoor dining. An Occupancy Certificate will also be required for all existing and proposed changes.

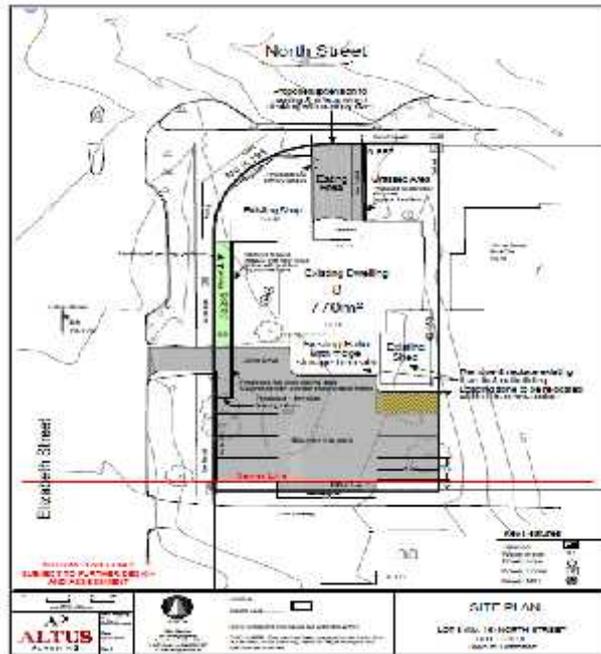


Fig. 1 - Sketch Site Plan

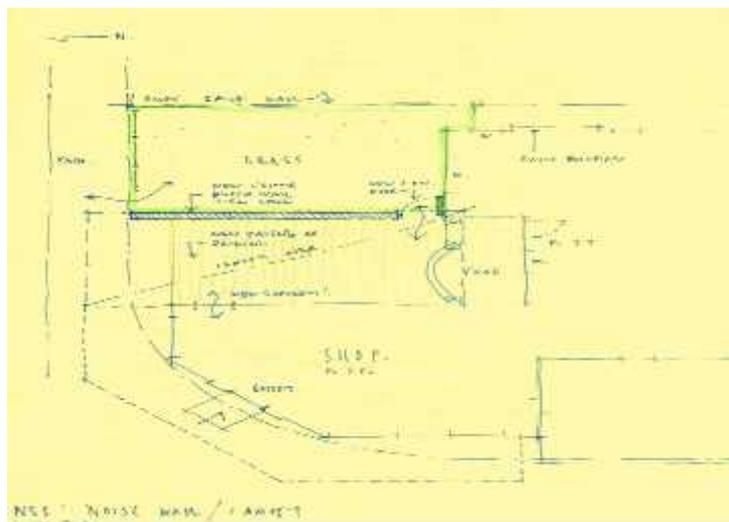


Fig. 2 – Sketch noise/wall plan

On 14 October 2019, the applicant advised the Town that a revised planning application will be submitted by Friday 25 October 2019.

In view of the length of time that the unauthorised uses have been operating from the site and on-going parking and noise concerns raised by neighbours, it is recommended that Council advise the applicant that unless a new or modified planning application is submitted by 29 October 2019 (prior to the Council meeting) the Town's solicitors will be instructed to commence legal proceedings to cease the unauthorised uses and remove any unauthorised structures on the site.

If a revised application is received by this date then, following advertising, it will be referred back to Council for consideration.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

1. THAT Council advise the applicant that unless a new or modified planning application for the North Street Store on Lot 8 (16) North Street, Cottesloe is received on or before 29 October 2019 then the matter will be referred to the Town's solicitors to commence legal proceedings to cease the unauthorised uses and remove any unauthorised structures on the site.
2. Providing a new or modified planning application is received on or before 29 October 2019 then, following advertising, it will be referred back to Council for consideration.

AMENDED OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Harben

That Council note the Town has received a retrospective application for the extension and change to the non-conforming use on Lot 8 (16) North Street, Cottesloe, and request staff to advertise the proposal to owners and occupiers in the vicinity in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, prior to it being referred to Council for consideration.

Carried 7/0

Cr Sadler returned to the meeting at 6:30pm.

10.1.2 PLANNING APPLICATIONS DETERMINED UNDER DELEGATION

File Ref: SUB/2798
Applicant(s) Proponents: Nil
Attachments: 10.1.2(a) List of Open DAs - 23 Oct 2019
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Ed Drewett, Coordinator Statutory Planning
Author Disclosure of Interest: Nil

SUMMARY

This report provides details of the planning applications determined by officers acting under delegation for the month of September 2019.

BACKGROUND

Pursuant to Local Planning Scheme No. 3, Council has delegated its power to determine certain planning applications to the Chief Executive Officer and the Coordinator, Statutory Planning. This provides efficiency in processing applications, which occurs on a continual basis.

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

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

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

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.

CONSULTATION

Nil

OFFICER COMMENT

During September 2019 the following planning applications were determined under delegation:

Address	Owner	Applicant	Description	Delegation Notice	Date Determined
3/9 Napoleon Street	P & N Algeri	Ms K A Read	Change of Use – Boxing Cardio Studio	19/08/2019	03/09/2019
106 Broome Street	Ms G M Anderson	Webb & Brown Neaves Pty Ltd	Two-storey dwelling	19/08/2019	03/09/2019
1/21 Avonmore Terrace	Mr J Greenaway	Owner	Roof terrace and stairs	19/08/2019	03/09/2019
9 Napier Street	C J Hoffmann	Ross McAndrew Architect	Two-storey dwelling	19/08/2019	03/09/2019
10 Webb Street	E Davidson & C Kruk	Owner	Home Business – Retrospective Change of Use	27/08/2019	16/09/2019
1-8/9 Overton Gardens	Owners of 9 Overton Gardens	Bravura Design Pty Ltd	Garage - Retrospective	27/08/2019	16/09/2019
70 Forrest Street	J Townsend	R Finnie	Swimming Pool & Fence	27/08/2019	16/09/2019

Please note that Council will be provided with an up-to-date list of all outstanding Development Applications with the OCM Agenda.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council receive this report on the planning applications determined under delegation for the month of September 2019.

Carried 8/0

ADMINISTRATION**10.1.3 VLAMINGH NATURE DISCOVERY SCAPE - PURCHASING POLICY VARIATION**

File Ref: SUB/2798
Attachments: 10.1.3(a) Cottesloe Coastcare comments [under separate cover]
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Neil Hartley, Acting Deputy Chief Executive Officer
Author Disclosure of Interest: Nil Applicable

SUMMARY

Cottesloe Coastcare Association (Cottesloe Coastcare) has been heavily involved in the design considerations for the Vlamingh Nature Discovery Scape. Following the calling of quotations, physical inspections of sample work elsewhere, and an on-site meeting in Cottesloe, a commercial provider, Nature Based Play, was selected to undertake the design component of the program.

The design has now been completed and Cottesloe Coastcare would like to have the construction works undertaken by Nature Based Play. This can be achieved but requires a Council decision.

This report recommends that on this occasion, Council authorise Cottesloe Coastcare to select the preferred contractor.

BACKGROUND

The Town engaged with Cottesloe Coastcare to design the Vlamingh Nature Discovery Scape. Coastcare's vision was to turn a somewhat unkempt site into a place for children to connect with nature. Coastcare and Town Officers inspected a number of "nature play" sites in surrounding areas and the scape created in Mosman Park was the stand out example of what was desired to be achieved in Cottesloe. Quotations to undertake the concept design stage for a similar standard facility were then sought (as per the Purchasing Policy) and following a Cottesloe site meeting being conducted, Nature Based Play was subsequently chosen. The quotation accepted was for \$2,100 and the design has now been completed, with the input from Cottesloe Coastcare.

When Council adopted the budget on 25 June 2019, it particularly wished to see the project progress and resolved to allocate \$50,000 towards capital construction cost, noting that this will only allow a partial "Stage 1" construction (the total project cost is estimated to be approximately \$100,000). Cottesloe Coastcare is currently seeking external funds with the view to seeing the project finalised next year.

It is proposed that as Cottesloe Coastcare has been intricately involved in the design phase, it would be ideally suited to also coordinate its construction on the Town of Cottesloe's behalf. Nature Based Play has undertaken the design, but can also facilitate its construction (generally through separate contractors) for the various components of the work.

Cottesloe Coastcare is very supportive of engaging Nature Based Play to undertake the construction works and has provided the attached reasons for that. The Town could simply have allocated the \$50,000 to Coastcare, for it to undertake the project as a community venture, but as Coastcare is not registered for GST (and even though the project is clearly a public work) Coastcare would then have been required to pay GST on any purchases (effectively meaning only some \$45,500 would actually be spent on the construction program). To achieve this, the construction invoices will need to be in the Town's name and the Town will need to pay those invoice costs. The question then arises as to whether it is a "Town of Cottesloe project", or a "Cottesloe Coastcare project", and whether the Town's Purchasing Policy applies. The Town's Purchasing Policy would require various degrees of quotation to be sought if it were a Town of Cottesloe project.

STRATEGIC IMPLICATIONS

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

Priority Area 3: Enhancing beach access and the foreshore

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

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

The Purchasing Policy is relevant to the decision.

STATUTORY ENVIRONMENT

Local Government Act 1995 (Section 2.7. Role of council)

The Council's role is to (inter alia) oversee the allocation of the local government's finances and resources; and determine the local government's policies.

FINANCIAL IMPLICATIONS

There are no perceived financial implications arising from the officer's recommendation, outside of the existing 2019/20 budget allocation (\$50,000) for the project.

STAFFING IMPLICATIONS

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

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The project is located in a very environmentally sensitive area, but this is accommodated in the Vlamingh Nature Discovery Scape design and construction program. Coastcare will revegetate the area with native local provenance seedlings to restore biodiversity around and within the project site.

CONSULTATION

Cottesloe Coastcare Association

OFFICER COMMENT

Whilst the Purchasing Policy outlines that additional quotations should be sought, there is value in having Nature Based Play working with its usual contractors to gain the same quality of outcome that Coastcare is seeking (noting that the Mosman Park scape was considered to be “the stand out example” of what was desired to be achieved at Cottesloe, and this work was coordinated by Nature Based Play). Also, it is Coastcare’s preference for Nature Based Play to remain engaged with the project, having worked closely with them on developing the project’s design.

Council is invited to consider allowing Cottesloe Coastcare to project manage the Vlamingh Nature Discovery Scape on the Town of Cottesloe’s behalf, and for it to decide on the preferred contractors it wishes to undertake the project, noting that the invoices are to be in the name of, and be remitted to the Town for payment.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council reinforce its wish to see the Vlamingh Nature Discovery Scape progress and for Cottesloe Coastcare to play a primary role in its design and construction, and

- 1. Authorises Cottesloe Coastcare to select the preferred project co-ordinator and sub-contractors and to coordinate the project’s construction (up to a maximum \$50,000 cost); and**
- 2. Acknowledges that as the facility is on Town of Cottesloe controlled land and will be a Town facility for the community, invoicing and payment controls should be undertaken through the Town’s accounting systems and procedures, with Cottesloe Coastcare being requested to follow the Town’s Purchasing Policy requirements where practicable.**

Carried 8/0

10.1.4 EVENT APPLICATION - COTTESLOE OUTDOOR FILM FESTIVAL - 2021 - 2023

File Ref: SUB/2798
Attachments: 10.1.4(a) Event Application Form - Cottesloe Film Festival
10.1.4(b) Covering Letter
Responsible Officer: Neil Hartley, Acting Deputy Chief Executive Officer
Author: Gabrielle Hall, Events Coordinator
Author Disclosure of Interest: Nil

Item 10.1.4 was withdrawn prior to consideration by Council

10.1.5 EVENT APPLICATION - COTTESLOE PARK RUN

File Ref: SUB/2798
Attachments: 10.1.5(a) Event Application, map and cover letter - Cottesloe Parkrun
Responsible Officer: Neil Hartley, Acting Deputy Chief Executive Officer
Author: Gabrielle Hall, Events Coordinator
Author Disclosure of Interest: Nil

SUMMARY

Cottesloe Parkrun is seeking approval to host its running event at Cottesloe Beach on Wednesday, 25 December 2019 and each Saturday from 8.00am to 9.00am until June 2020.

Parkrun has been held in Cottesloe since 2014, however permits have not been issued since 2016 as the event did not comply with the Event and Facility Classification policy.

Cottesloe Parkrun has now been able to comply with the policy and Officers suggest that the application be approved, and that the bond be waived for this application (with Parkrun being invited to apply for a 2020/21 Community Grant for the money required for the \$300bond for its 2021/22+ event applications).

BACKGROUND

Cottesloe Parkrun is a free weekly five kilometre timed event for runners of all standards, which has been taking place every Saturday at 8.00am on Marine Parade, Cottesloe. There are currently 270 patrons participating.

It offers an opportunity for all the local community, male or female, young or old, to come together on a regular basis to enjoy and get physically active. Parkrun encourages people to jog or run together irrespective of their ability. Every week runners grab a post parkrun coffee in Cottesloe to chat to other runners and be a part of the running community.

Parkrun has been held in Cottesloe since 2014. Valid annual event permits were held by Cottesloe Parkrun in 2014 and 2015. Since 2016 however, annual permits have not been issued as the event did not comply with the Event and Facility Classification policy. Several conversations have been had with the organisers in an endeavour to resolve the barriers for it to attain a valid permit in accordance with the Town policy.

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 1.11: Help families flourish and connect in Cottesloe.

POLICY IMPLICATIONS**Beach Policy**

Thought has been given to the following beach policy items: consideration of how timing, location and activities may affect other beach users and residents and 'using discretion to ensure that the prime usage of Cottesloe and North Cottesloe beaches remains passive recreation.' As this is a weekly event, this could adversely impact other beach and beach path users, which is not consistent with the intended outcomes of the Beach Policy.

Event Classification Policy

The event meets the assessment criteria of a Community Event as outlined in the policy as it is organised by a not for profit, incorporated organisation and satisfies two of the criteria. 'The event does not seek to promote a product, service or company (sponsorship excepted)' and 'spectating at the event is free'.

STATUTORY ENVIRONMENT

Local Government Act 1995

Health (Public Buildings) Regulations 1992

Food Act 2008

Town's Health Local Law 1997

Health (Miscellaneous Provisions) Act 1911

Environmental Protection (Noise) Regulations 1997

FINANCIAL IMPLICATIONS

These figures are broken down as stated in the 2019/20 Schedule of Fees and Charges, Beach Community event with under 500 patrons;

Bond \$300.00, per event

Hire \$80.00, per hour per event

Cottesloe Parkrun, on behalf of Parkrun Australia request the above fees are waived.

STAFFING IMPLICATIONS

Outside of the normally expected event/administrative requirements, there are no unduly burdensome 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

Cottesloe Parkrun

Parkrun Australia Inc.

Cottesloe Surf Life Saving Club

Indiana Tea House

OFFICER COMMENT

Parkrun has been held on a weekly basis in Cottesloe since 2014. In the 2014/15 budget Cottesloe Parkrun were awarded a community grant for \$5000 which funded the start up of Cottesloe Parkrun.

The Christmas Day event has been formally applied for through the event application process since 2015 and has received approval each year. There was however, no Christmas Day event in 2018.

The necessary insurance documents have been received from Parkrun Australia with the Town of Cottesloe listed as an interested party.

As the event organisers have indicated that they would like the permit fee and bond waived, this item is required to be presented to Council for its consideration.

Officers recommend that the bond be waived for this application but to ensure consistency of approach in regard to bonds (and eliminate the need for future Council reports seeking a bond waiver) that Parkrun be invited to apply for a 2020/21 Community Grant for the money required for the bond (\$300). If the application is successful, those funds would then be held in Trust by the Town to be available for future Event Permit bonds.

It is also proposed that as the area sought for the park run is a public place, that no "guarantee of exclusive use" of Cottesloe Beach or paths be offered. To assist Parkrun in managing its event logistics in that regard, it will be advised to regularly visit the Town's website where public events are listed, so it is aware of any future third party events that might also be approved are taking place at the same time/location as its own.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council APPROVE the application to hold the Cottesloe Parkrun at Cottesloe Beach on Wednesday, 25 December 2019 and from 8.00am to 9.00am each Saturday until 30 June 2020, subject to the following conditions:

1. Class this event as a 'Community' event and waive both the standard hire charge (of \$80.00 per hour) and the bond (of \$300).
2. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, be provided prior to the event.
3. Provision at least one month prior to the event for the approval of the Chief Executive Officer, of a transport or parking plan and appropriate access/signage to and from the event.
4. Neighbouring properties to be notified of the event taking place, and provided with a

- mechanism to provide feedback about the event, if required. The event must not impede on normal Surf Life Saving activities at Cottesloe Beach.
5. All signage to be approved by the Chief Executive Officer one month prior to the event.
 6. The event complying with all noise management conditions imposed on the event by the Town of Cottesloe.
 7. Compliance with the Town's *Beaches and Beach Reserves Local Law 2012*.
 8. Compliance with relevant sections of the Town's *Beach Policy*.
 9. The event complying with all requirements of the:
 -) *Health (Public Buildings) Regulations 1992*
 -) *Food Act 2008*
 -) *Town's Health Local Law 1997*
 -) *Town's Liquor (Licensed Premises) Policy*
 -) *Health (Miscellaneous Provisions) Act 1911*
 -) *Environmental Protection (Noise) Regulations 1997*
 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 being made for rubbish removal and collection, including the provision for recycling.
 12. The Applicant (including by directing any parties under their control or supervision) using its 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 not being used by the Applicant (and any parties under its control or supervision) in setting up, during or in clearing up after the event.
 14. That the event being 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 being provided to the event organisers, who are to complete the checklist and return it to the Town after the event (with the aim of reducing the amount of plastics used at the event).
 17. The provision of a Disability Access and Inclusion Plan to the Town prior to the first event occurring.
 18. The Applicant acknowledging that Council provides no guarantee of exclusive use of Cottesloe Beach or paths as it is a public place and will be also available for future third party events.
 19. Dual use paths and in situ equipment can only be used as an incidental part of the

event and cannot be 'reserved' in any way. The event must also not impede on the general public's and beachgoers using the beachfront paths.

ADVICE NOTE

Public Events on Town's website

As Council provides no guarantee of exclusive use of Cottesloe Beach or paths (as it is a public place and will also be available for future third party events), to best manage its event logistics Parkrun is encouraged to regularly visit the Town's website where public events are listed, so it is aware of any future third party events that might also be approved and are to take place at the same time/location as its own.

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.

COUNCILLOR MOTION AND COUNCILLOR RESOLUTION

Moved Cr Young

Seconded Cr Sadler

That this item be deferred for further consideration by Council.

Carried 8/0

10.1.6 EVENT APPLICATION - COMMUNITY SKIN SCREENING WEEK

File Ref: SUB/2798
Attachments: 10.1.6(a) Event Application - melanomaWA [under separate cover]
Responsible Officer: Neil Hartley, Acting Deputy Chief Executive Officer
Author: Gabrielle Hall, Events Coordinator
Author Disclosure of Interest: Nil

Mat Humfrey declared an INTEREST in item 10.1.6 by virtue "he regularly participates in their fund raising activities."

SUMMARY

melanomaWA is seeking approval to host their Community Skin Screening Week at Cottesloe Beach on Monday, 18 November 2019 to Friday, 22 November 2019 from 9.00am to 3.00pm.

The activity has a history of very successful involvement at Cottesloe Beach, but will change its focus this year as it has less funding available to it than in the past.

It is suggested that the application be approved, to enable beachgoers the opportunity to take advantage of the service.

BACKGROUND

Since 2014 melanomaWA has partnered with the Lions Cancer Institute using the services of its mobile skin-screening unit to provide the Perth community with a convenient opportunity to be screened for skin cancer. This is a community service facilitated by melanomaWA.

Skin cancer is known to be Australia's 'national cancer'. In particular, melanoma is one of the most serious and life threatening forms of skin cancer, and is now the most common form of cancer for 15-39 year olds, male and female. Melanoma is largely preventable – UV protection is the only prevention, and early detection and diagnosis is key to long term survival.

The Community Skin Screening Week event focus has been on the early detection of melanoma and is held annually at Cottesloe Beach. The objectives of melanomaWA event are to:

- ⌋ Remove obstacles that prevent people from getting their skin screened, such as cost, inconvenience and low prioritising.
- ⌋ Highlight the importance of early detection as key to improving survival rates.
- ⌋ Increase awareness of sun smart and skin safe behaviours, and improve the rate of regular skin checks.
- ⌋ Showcase the work that melanomaWA does in the Western Australian community.
- ⌋ Highlight National Skin Cancer Action Week.

The past events have been successful in terms of number of screenings, skin cancers detected and media coverage. In 2016, melanomaWA were awarded the Community Citizen

of the Year, Active Citizenship award for the 2015 melanomaWA Community Skin Screening Week.

In the past, melanomaWA and the Lions Cancer Institute covered the associated costs of the Community Skin Screening Week event. MelanomaWA we were unable to secure the assistance of Lions Cancer Institute for the 2019 event. The 2019 event will therefore be around an awareness event rather than a detection event.

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

Beach Policy

This event appears to be in compliance with the Town of Cottesloe's Beach Policy.

Event/Facility Classification Policy

Under the Event/Facility Classification Policy the event would be considered a Charitable Event as, '*the primary aim of the event is to promote awareness of a significant community or health issue*'.

STATUTORY ENVIRONMENT

Local Government Act 1995

Health (Public Building) Regulations 1992

Food Act 2008

Town's Health Local Law 1997

Health (Miscellaneous Provisions) Act 1911

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

FINANCIAL IMPLICATIONS

The Town has not charged melanomaWA in the past for bin facility fees and charges. It is therefore recommended that the bin and parking fees be waived. Staff recommend that the bond for this event, and other community events, be charged in accordance with the Schedule of Fees and Charges.

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

melanomaWA

Town of Cottesloe

OFFICER COMMENT

As the event's main purpose is to provide information about the importance of early detection of melanoma as a way of preventing skin cancer, which provides a low impact valuable service to the community, the application is recommended for approval.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council APPROVE the application to hold the Community Skin Screening Week at Cottesloe Beach on Monday, 18 November 2019 to Friday, 22 November 2019 from 9.00am to 3.00pm, subject to the following conditions:

- 1. Class this event as a 'Charitable' event and a bond of \$200 be applied, to be paid prior to the event commencing.**
- 2. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, to be provided prior to the event.**
- 3. Provision of a transport or parking plan and appropriate access/signage to and from the event, which is to be provided for the approval of the Chief Executive Officer as soon as possible prior to the event.**
- 4. Neighbouring properties are notified of the event taking place, and provided with a mechanism to provide feedback about the event, if required.**
- 5. All signage to be approved by the Chief Executive Officer, as soon as possible prior to the event.**
- 6. The event complies with all noise management conditions imposed on the event by the Town of Cottesloe.**
- 7. Compliance with the Town's *Beaches and Beach Reserves Local Law 2012*.**
- 8. Compliance with relevant sections of the Town's Beach Policy.**

9. The event complies with all requirements of the:
- Ñ1 *Health (Public Buildings) Regulations 1992*
 - Ñ1 *Food Act 2008*
 - Ñ1 *Town's Health Local Law 1997*
 - Ñ1 *Town's Liquor (Licensed Premises) Policy*
 - Ñ1 *Health (Miscellaneous Provisions) Act 1911*
 - Ñ1 *Environmental Protection (Noise) Regulations 1997*
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 are made 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, except where approved by the Chief Executive Officer prior to the event, where such items are required for medical purposes.
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.
17. The 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 8/0

10.1.7 STRATEGIC DIRECTION - FIRST PEOPLES

File Ref: SUB/2798
Attachments: Nil
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Neil Hartley, Acting Deputy Chief Executive Officer
Author Disclosure of Interest: Nil

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.7 by virtue "she is a member of Reconciliation WA."

SUMMARY

The Council has in the recent past, through its Briefing Sessions and at Council Meetings, considered its position in regard to traditional owners or "First Peoples", and how best to recognise them through Council Policies and Town activities.

Officers have been progressing the matter over recent months and this report proposes to build on that work and on Council's previous positions.

BACKGROUND

The Town has resolved its intention to commit to greater engagement with the local indigenous population and their recognised elders as per the following Resolution from the August 2018 Ordinary Meeting of Council:

1. *That for the consideration of Council, the Administration prepare draft policy to deal with the following matters:*
 - a. *Acknowledgement of the Traditional Owners and Custodians of the Town of Cottesloe - such policy to include details of the appropriate form or forms of such Acknowledgement and the circumstances in which such Acknowledgement or Acknowledgements are to be given; and*
 - b. *procedures for the involvement of the Traditional Owners and Custodians of the Town of Cottesloe in the management of Aboriginal heritage sites within the Town of Cottesloe.*
2. *In preparing the abovementioned draft policy, the Administration shall:*
 - a. *first consult with the Traditional Owners and Custodians of the Town of Cottesloe; and*
 - b. *consider any necessary changes to the Town's Standing Orders.*
3. *That if the draft policy is not presented to Council by December that an officer's report be provided on the status of the policy development.*

The December 2018 Council Meeting followed on with the below position: *That Council;*

1. *Thank the representatives of the Gidgup family for providing their insight into the stories of & significance that Mudurup Rocks, Cottesloe Beach and the marine environment have for the Traditional Owners;*
-

2. *Formally acknowledge that the area known as Mudurup Rocks, Cottesloe Beach and the marine environment has great significance for Traditional Owners and will respect the cultural significance of this area;*
3. *Ensure that early and meaningful engagement with Traditional Owners occurs as a part of the development of the Foreshore Master Plan or any other works affecting Mudurup Rocks; and*
4. *Work with Traditional Owners to understand the ways that Traditional Owners would like to see the significance of the area recognised, preserved and promoted to all; and*
5. *Ensure that early and meaningful engagement with Traditional Owners occurs on future projects of significance in Cottesloe.*

And at the 26 July 2019 Council Meeting – *“That Council apply to become a member of Reconciliation WA.”*

There has also been a draft Welcome to Country and Acknowledgement of Country Policy presented to a recent Briefing Forum for discussion.

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 6.1: Ongoing implementation of Council’s community consultation policy.

POLICY IMPLICATIONS

The consideration of a policy position is the subject of this report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Aboriginal Heritage Act 1972

Mudurup Rocks is a protected site under the *Aboriginal Heritage Act 1972* and any works at this site must be done in accordance with the processes provided for in this Act.

FINANCIAL IMPLICATIONS

Appointment of a First People’s Engagement Consultant will require a dedicated budget allocation. The necessary funds will need to be considered as part of the mid year budget review (and will require a continued ongoing allocation for the 2020/21 financial period). Longer term and broader financial implications will be dependent on the eventual policy wording and the Reconciliation Action Plan commitments and could include for example, allocations for directional and interpretive signage, meeting and consultation costs, and celebration/welcome to country expenses, etc.

STAFFING IMPLICATIONS

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

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

Whilst the costs for research and preparation of a Policy would be accommodated using existing officer time, there would be the requirement for consultation to occur and so it could be a time consuming process to reach an eventual conclusion.

CONSULTATION

A workshop with representatives from Reconciliation WA in March 2019 and officers have also met with the Chief Executive Officer of Reconciliation WA, Mr James Back, to discuss indigenous engagement and Reconciliation Action Plans. Reconciliation WA's preferred term is First Peoples when referring to our Aboriginal community members.

The Chief Executive Officer and other officers have met with Ms Margaret Gidgup, representing the Gidgup family on several occasions since the February 2019 workshop.

The final draft of the policy is still in development stage, but will require consultation to be undertaken prior to its final consideration by Council.

OFFICER COMMENT

The Town of Cottesloe is now a member of Reconciliation WA and officers have met several times with representatives from that organisation, seeking advice and guidance on how best to implement in a respectful and meaningful way, the Council's Resolution. This advice has been most helpful and staff can see benefits in being able to access this advice on an ongoing basis as we commence formal engagements with indigenous elders on a number of projects.

A summary of progress on this project is outlined below:

1. Standing Orders

Currently there is no mechanism under the Standing Orders that could be used to require an Acknowledgement at the beginning of meetings, however the process of reviewing and updating the Standing Orders Local Law has commenced with advertisements commencing on 15 October on the Town's Web Page (with submissions due to close on 9 December 2019).

2. Policy Development

A draft policy has been discussed at a Councillors' Briefing Session and is designed to provide clarity on Council's position. Any Policy will involve significant research and consultation and is anticipated will likely take up to 12 months to develop and undertake the consultation required. The eventual policy could incorporate for example, the following considerations:

1. Being applicable to all representatives responsible for organising events/functions/ceremonies/meetings where 'Acknowledgement of Country' or 'Welcome to Country' ceremonies could be included in official proceedings;
2. Outline recognition actions in which the Town wishes to engage (e.g. a 'Acknowledgement of Country');

3. Suitable definitions of terms;
4. Phraseology to be used by Town representatives and in Town documents;
5. Recognising the correct representative(s) of the relevant local Aboriginal community.
6. Styles of performances anticipated (like Traditional Welcoming Songs; Traditional Dance; Didgeridoo performance; and/or "Smoking" Ceremony);
7. The appropriate order of presentations at events;
8. Wordings to be included in public documents like Cottesloe's Community Strategic Plan, its Corporate Business Plan; and in its Council Agenda and Minutes as well as its official webpage; and
9. Understanding and observing cultural protocols.

3. Aboriginal Engagement Consultant

A draft Request for Quotation has been developed but is not finalised. Feedback has suggested that it might be better to split any contract into two components, commencing with progressing some opportunities like the Reconciliation Action Plan consultation, whilst deferring other consultations on specific local sites until after, for instance, the Foreshore Masterplan is finalised and there being more clarity over the Indiana site.

4. Reconciliation Action Plan

The Town has obtained membership of Reconciliation WA, however a Reconciliation Action Plan is yet to be commenced. This will likely form part of the Aboriginal Engagement Consultancy referred to in #4 above.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Sadler

No Seconder, Lapsed

THAT Council note the progress made with its recognition of traditional owners and confirm that Officers continue to progress the following initiatives:

1. Updating the Standing Orders to include a suitable Welcome to Country and Acknowledgement;
2. Development of a First Peoples' *Welcome to Country and Acknowledgement of Country* Policy;
3. Appointment of a First People's Engagement Consultant (with a funding allocation to be considered as part of the 2019/20 mid year budget review); and
4. A Reconciliation Action Plan to be developed for future community consultation and Council endorsement.

COUNCILLOR MOTION

Moved Cr Young

Seconded Cr Harkins

That Council note the progress made with its respect and recognition of traditional owners (First Peoples) and confirm that Officers should continue to work with Reconciliation WA, and work with other local governments and appropriate State Government and Federal Government bodies to:

1. Progress the Development of a First People's Engagement and Consultation Strategy to include:
 - i. agreeing on suitable wording for the acknowledgement of First People's at Council meetings; and
 - ii. Guidelines for future consultation with First Peoples on the management of Aboriginal (First People) heritage sites within the Town of Cottesloe, and on projects of significance in Cottesloe, including identifying parties to be consulted and the preferred form of consultation;

AND

2. Develop a draft Reconciliation Action Plan for Council consideration.

COUNCILLOR AMENDMENT

Moved Cr Sadler

No Seconder, Lapsed

Add a point 3 as follows:

3. Identify appropriate ways to first understand the views of traditional owners in the Cottesloe area, being the group we are seeking to respect, recognise, engage better and reconcile with, which may include (without limitation) a suitable consultant.

SUBSTANTIVE MOTION AND COUNCIL RESOLUTION

That Council note the progress made with its respect and recognition of traditional owners (First Peoples) and confirm that Officers should continue to work with Reconciliation WA, and work with other local governments and appropriate State Government and Federal Government bodies to:

1. **Progress the Development of a First People's Engagement and Consultation Strategy to include:**
 - i. **agreeing on suitable wording for the acknowledgement of First People's at Council meetings; and**
 - ii. **Guidelines for future consultation with First Peoples on the management of Aboriginal (First People) heritage sites within the Town of Cottesloe, and on projects of significance in Cottesloe, including identifying parties to be consulted and the preferred form of consultation;**

AND

2. **Develop a draft Reconciliation Action Plan for Council consideration.**

Carried 8/0

10.1.8 TENDER (T09/2019) - INFORMATION TECHNOLOGY SERVICES

File Ref: SUB/2798
Attachments: 10.1.8(a) T09/2019 Tender Assessment [CONFIDENTIAL]
[UNDER SEPARATE COVER]
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Neil Hartley, Acting Deputy Chief Executive Officer
Author Disclosure of Interest: Nil

Mayor Angers declared an IMPARTIALITY INTEREST in item 10.1.8 by virtue "one of the contractors who submitted a tender is known to him."

SUMMARY

Tenders were recently advertised for Information Technology Services to assist the organisation in providing an efficient system of technology. The service is designed to provide the necessary level of expertise that an organisation our size requires, but without the need to employ in-house officers in this field.

Council is asked to consider the submissions received, the analysis undertaken by the administration, and consider a recommendation to award the tender.

BACKGROUND

Tenders were recently advertised for Information Technology Services for an initial five year period, plus an extension of up to three years. The tender document describes the Town's current technological environment and desired future state. It also outlines the solution requirements and required service levels.

There are three service categories included in this RFT to be evaluated together. These are:

1. ICT Planning and Advisory Services
2. ICT Business Solutions Implementation Services
3. ICT Environment Management Services

The Town of Cottesloe's Purchasing Policy objectives are to:

-)] Provide compliance with the *Local Government Act 1995* and the *Local Government Act (Functions and General) Regulations 1996*.
-)] Deliver a best practice approach to all purchasing arrangements for the Town of Cottesloe, and accompanying procedures to assist staff.
-)] Ensure consistency for all purchasing activities that integrate all of the Town of Cottesloe's operational areas.

On this occasion, tenders were called, with the tender being advertised in the West Australian on 7 August, as well as in the local newspapers, and closed on 28 August, 2019.

Bids were received and assessed against quantitative and qualitative criteria to ensure that competence and value for money outcomes were achieved by the preferred supplier.

The recommended contractor was identified through this process. Seven compliant tenders were received through the process, with four of those being fully assessed (the remaining three were considered to be uncompetitive due to inadequate information provision).

A summary of the results are attached.

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 compliant with the Purchasing Policy.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 3.57 (1) requires a Local Government to invite tenders before entering into a contract of a prescribed kind under which another person is to supply goods or services.

Local Government (Functions and General) Regulations 1996

Part 4 Division 2 – Tenders for Providing Goods and Services

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation. The Tender is for a fixed annual price, with the exception of Project and Portfolio Governance services, which is "on demand" and therefore will be priced for the Town's consideration if/when those services are sought (e.g. efficiency assessments, capability improvement planning, and systems development life-cycle approaches, etc.).

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

Journey One (independent tender consultant)

OFFICER COMMENT

Due to the size of the tenders, one hard copy set is available for Elected Members to review at the Council office.

As this is a tender for the supply of internal operational information technology services, and it was anticipated that the current supplier would likely be a contender, it was decided to utilise the services of an independent specialist to formulate the tender document, and assess the tender submissions.

The recommended tenderer (refer to confidential attachment) has been determined to be the submission that best represents value for money as per the attached tender assessment. Rates provided are competitive in comparison with other bids received and their responses to the qualitative criteria have demonstrated a good understanding of the requirements and to deliver the required high quality outcomes.

The recommended provider (refer to confidential attachment) was assessed to:

1. Have a strong level of competence in the vast majority of requirements (>95%);
2. Have a clear alignment of industry standard frameworks and toolsets with the approach offered;
3. Be very competitive financially, with a clear and predictable cost structure;
4. Demonstrate experience with other local government departments;
5. Have offered terms exactly as required, with no significant departure from what was developed;
6. Offer a transition that would be seamless as it is effectively a continuation of the current service; and
7. Have key partnerships in place that are valuable (e.g. Telstra).

Pricing was a differentiating factor, with other suppliers having higher pricing. Other bidders were to varying degrees capable, although some did not provide enough details to be evaluated successfully, or provide sufficient details to instil high levels of confidence.

The preferred supplier of the service provides the combination of being equally as (if not more) competent as the next best bidders, but is also the most price competitive.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council:

1. **APPROVE** awarding a five year contract for Cottesloe's Information Technology Services, to Recommended Supplier for the assessed fee shown in the confidential attachment;
2. **Delegates authority to the Chief Executive Officer to negotiate the terms and to enter into a contract with the recommended supplier in accordance with the Tender**

submitted;

3. Authorises the Chief Executive Officer to manage the Managed IT Services contract, including the provision of possible variations (provided the variation is necessary in order for the goods or services to be supplied, does not change the general scope of the contract, and is managed within the allotted budget allocation); and
4. Authorises the Mayor and/or Chief Executive Officer to sign the Contract and affix the Town's Common Seal (if required).

Carried 8/0

Footnote: The successful tenderer was Managed IT Services at the tendered price of \$145,427.60 per annum.

10.1.9 LIFEGUARD SERVICES AT COTTESLOE BEACH - CONTRACT VARIATION (TENDER T06/2019)

File Ref: SUB/2798
Attachments: 10.1.9(a) Correspondence and Deed of Agreement
[CONFIDENTIAL] [UNDER SEPARATE COVER]
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Neil Hartley, Acting Deputy Chief Executive Officer
Author Disclosure of Interest: Nil

SUMMARY

Council at its 27 August 2019 meeting, awarded Tender T06/2019, Lifeguard Services, to Surf Life Saving WA Inc. (SLSWA) for a five year period commencing 1 October 2019.

SLSWA has sought changes to the proposed contract (which formed part of the tender) but one of these changes in particular is considered to be outside of the parameters of being “minor” and therefore a decision by Council is appropriate. The major change that SLSWA has requested is essentially to transfer a portion of the risk that would otherwise be held by the contractor (SLSWA) back to the Principal (the Town).

This report recommends that the changes are acceptable in principle, subject to the final wording reflecting a comparable obligation by both parties.

BACKGROUND

Paid lifeguard services are provided at Cottesloe Beach between 1 October and 30 April each year to ensure the safety of beach goers during the peak swimming season. A tender for a new five year contract to provide these services was called and Surf Life Saving WA Inc. was subsequently awarded the contract at the 27 August 2019 Council meeting.

SLSWA subsequent to the tender being awarded, has asked for several modifications to the contract. With the exception of one, the requests are considered to be minor in nature, but the proposed major change (to the indemnity clause) will elevate the level of risk the Town of Cottesloe will need accept if it is to agree to the SLSWA’s request.

Whilst the contract between the Town and SLSWA is yet to be signed, the service has begun to be provided in good faith by SLSWA. It has been agreed that the previous Deed between the Town and SLSWA, plus the relevant mutually agreeable terms of the proposed contract (in combination) would provide the basis for our agreement for the time being.

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 3.2: Continue to improve access to beach facilities.

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996

FINANCIAL IMPLICATIONS

The 2019/20 Budget contains an allocation of \$218,360 for the provision of lifeguard services and the SLSWA will provide that service in keeping with this budget estimate.

STAFFING IMPLICATIONS

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

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

Even though a potential environmental incident could occur, there are no perceived additional sustainability implications arising from the officer's recommendation.

CONSULTATION

Surf Life Saving WA

McLeods Barristers & Solicitors

OFFICER COMMENT

Surf Life Saving WA Inc. has a demonstrated capacity and ability to provide the services required at Cottesloe Beach, and it is expected similar or even better levels of service/professionalism can be expected from SLSWA into the future.

The changes SLSWA is requesting to the contract, is essentially to transfer a portion of the risk that would otherwise be held by the contractor (SLSWA) back to the Principal (the Town). The purpose of the indemnity clause that is requested to be changed, is to require the Contractor to indemnify the Principal in respect of any loss or damage etc. arising from a contractual breach etc by the contractor. This is a reasonably standard requirement in a contract for services. If the clause was modified to reduce the instances where SLSWA was liable, then the Town could potentially be liable for a contractual breach or other form of misconduct committed by the Contractor. This in normal circumstances, would not be in the best interests of the Town. Also, whilst SLSWA was the only tenderer, had the conditions been changed to those that SLSWA would now like, we may have received more tenderers.

The level of risk from a consequential perspective is obviously elevated for the Town, however it is not considered that the likelihood of that risk occurring will change. SLSWA is a professional organisation and its representatives are responsible. If there is an unfortunate event that results in a future claim, it is anticipated that it will be the result of an unplanned

human error, not maliciousness. None-the-less, a risk assessment of the requested changes would place the risk level at “high” (vis. a major to catastrophic consequence, but only an unlikely to possible likelihood) and so it warrants due consideration.

Officers have concluded that notwithstanding the risk to the Town is elevated by the proposed changes, any future possible event would inevitably involve the Town being “joined” with SLSWA in any claim, and likely irrespective of how the contract is worded. Also, a failure to negotiate a mutual agreement could leave Cottesloe Beach without any life guards at all, which is not in anyone’s best interests. Therefore reaching a mutual agreement on the requested changes to the clauses is supported. The attached SLSWA requested changes to the indemnity clause is however, not considered to reflect a comparable obligation by both parties, and so the officer recommendation proposes that the Chief Executive Officer be authorised to negotiate acceptable changes with does succeed in achieving that comparable obligation.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council:

- 1. AGREES that modifying the drafted contract such that a mutually agreeable outcome is achieved is in the best interests of all stakeholders, and supports (subject to #2 below) there being changes to the clauses outlined by Surf Life Saving WA Inc.;**
- 2. AUTHORISE the Chief Executive Officer to seek legal and insurance advice and to negotiate modifications to the proposed Contract with Surf Life Saving WA Inc. for the Tender T06/2019 – Lifeguard Services; and**
- 3. AUTHORISE the Mayor and Chief Executive Officer to sign and apply the common seal to contract documentation if they consider that the contract is in the best overall interests of the Town of Cottesloe.**

Carried 8/0

ENGINEERING**10.1.10 FORESHORE STAGE 2 DESIGN OPTIONS FOR CENTRAL STAIRS AND BEACH ACCESS STEPS**

File Ref: SUB/2798
Attachments: 10.1.10(a) Site Works Locality Plan
10.1.10(b) Beach access and Central Stairs concepts
10.1.10(c) FPIC correspondence
Responsible Officer: Shaun Kan, Manager, Engineering Services
Author: Sukhbaj Brar, Engineering Technical Officer
Author Disclosure of Interest: Nil

SUMMARY

Council is being presented with the design options and feedback from the Foreshore Precinct Implementation Committee (FPIC) on those options for two elements on the Foreshore. Following consideration of this information, Council is asked to provide direction on both elements.

BACKGROUND

An allocation of \$170,000 has been approved as part of the 2019/2020 budget for the following works along the Foreshore at Cottesloe Main Beach:

-)] Construction of beach access steps
-)] Refurbishment of Central Stairs
-)] Extension of limestone retaining wall to connect with the CSLSC steps

The approved funding will also cover Town of Cottesloe staff time for project and contract administration.

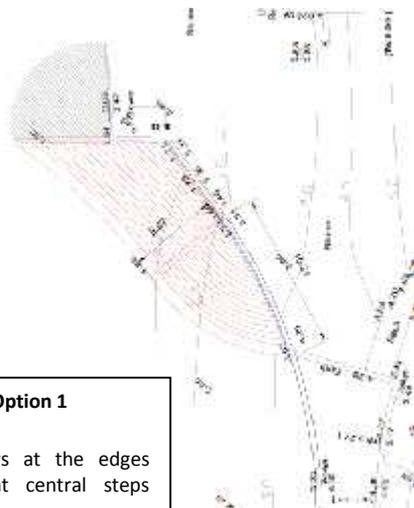
Tim Davies Landscaping (TDL), the appointed design consultants, have developed (4) options for the “*Central Stairs*” and three (3) options for the “*Beach Steps*” which are shown below. The Foreshore Precinct Implementation Committee (FPIC) were invited to provide comments on the various concepts.

The following diagram provides an indication on the location of the works within the precinct.

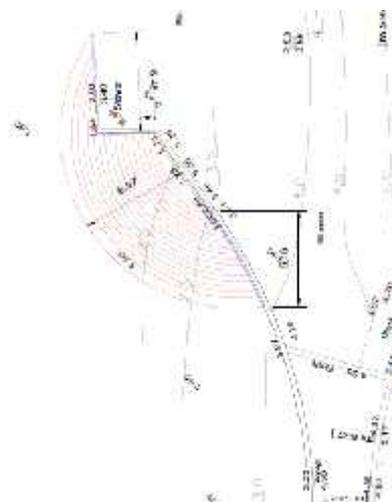


The following options have been developed by TDL:

Beach Steps



Beach Step Option 1
Curved stairs at the edges with straight central steps (~\$101,000)



Beach Step Option 2
Curved steps the whole way around with no shower relocation required (~\$113,350)



Beach Step Option 3
Full width circular steps onto the beach requiring the shower relocation (~\$148,500)

Central Stairs

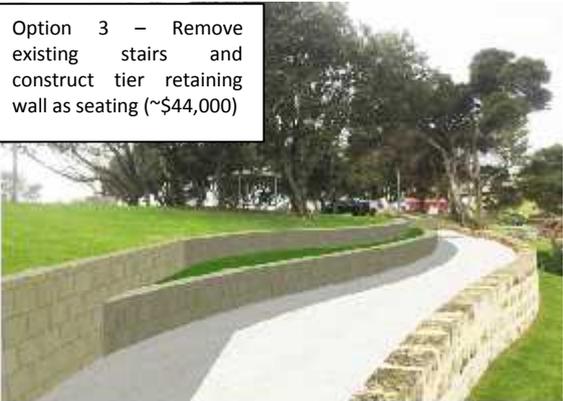
Option 1 - Remove existing stairs and extend Retaining wall (~\$20,000)



Option 2 - Remove existing stairs, extend retaining wall and construct new stairs further south (~\$36,000)



Option 3 - Remove existing stairs and construct tier retaining wall as seating (~\$44,000)



Option 4 - Combination of option 2 and 3 (~\$54,000)



STRATEGIC IMPLICATIONS

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

Priority Area 3: Enhancing beach access and the foreshore

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

POLICY IMPLICATIONS

There are generally no perceived policy implications arising from the officer's recommendation with the exception of the Town's Disability Access and Inclusion Policy. Although the proposed beach steps and central stairs options do not provide the required disability access, it would be important to note that the equal opportunities have been provided through the recently completed universal access paths in stage one works.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government Regulations Act 1996

FINANCIAL IMPLICATIONS

The options recommended for these projects will marginally exceed the budget that has been included in the 2019/2020 budget – but is within the materiality level set. However, if the Council wishes to proceed with the extension to the retaining walls, as originally set out in the budget, a further budget allocation will need to be considered as a part of the Mid Year Budget Review.

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

Foreshore Precinct Implementation Committee

OFFICER COMMENT

The Administration's preferred concepts are option one for both the Beach Access Steps and the Central Stairs. This was based on the cost, a total of \$121,000 for both these components, making the project achievable within the allocated budget and that both achieved the required functionality. The newly constructed universal access ramp and the driveway provide the required access from Marine Parade to the terraces for all users, eliminating the need for a new set of central stairs. The recommended option for the beach

access steps would be sufficient to provide access at the end of the new driveway to the beach.

However, FPIC has reviewed the concept plan and provided the following feedback:

-)] Option three is the preferred option for the Beach Access Steps as option one and two were found to be less aesthetically appealing;
-)] Option two is the preferred option for the Central Stairs;
-)] A fifth option comprising of the central stairs remaining and only for the Marine Parade landing to be removed and replaced with gentle sloping turf has been suggested.

The feedback provided by the FPIC members has been attached for Council's consideration.

Council is asked to note that FPIC's preferred options for the Central Stairs and Beach Access Steps, costing approximately \$185,000 exceeds the approved funding. A further budget amendment would be required if Council wishes to extend the retaining wall at the bottom of the Cottesloe Surf Life saving Club Stairs (towards the groyne) as was originally included in the budget. These retaining wall extension works have been estimated to be \$25,000. Addition funds required will be sourced through cost savings from other projects within the capital and operational program.

It is strongly recommended that option five for the central stairs as put forward by FPIC is not further considered. Once any works commence on any part of the stairs, any non-compliance not addressed will cause a public liability issue for the Town. As the stairs themselves do not comply, they should not remain once any other work begins.

Attached are the full concepts provided by the consultants for the central stairs and beach access steps.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council:

- 1. APPROVES Option three for the Beach Steps.**
- 2. APPROVES Option two for the Central Stairs.**
- 3. NOTES that for the extension of the retaining walls, as originally budgeted to occur, a further budget allocation will be required.**

Carried 8/0

10.1.11 STACK STREET WORKS DEPOT - LEASE RENEWAL OPTION

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

SUMMARY

Council is being asked to consider an extension of the current lease at 8 Stack Street (until 29 February 2019 to accommodate the completion of the new depot.

BACKGROUND

Following the sale of the former Works Depot site on Nailsworth Street, Cottesloe in November 2012, 8 Stack Street in Fremantle was leased to provide accommodation for the Town's Maintenance Operations. Extension options within the agreement ended 31 October 2017. Renewals have since been made on an annual basis.

Construction of the new depot in Mosman Park commenced in late August 2019 and design changes to the depot workshop were required midway through the building phase to avoid the removal of four trees. This has delayed the completion by seven weeks from the original practical completion date of November 2019. The current depot lease would need to be extended accordingly to avoid any disruptions to the Town of Cottesloe's maintenance operations.

The contractor has not applied any associated cost to this resultant extension of time.

STRATEGIC IMPLICATIONS

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

Priority Area 5: Providing sustainable infrastructure and community amenities

The provision of a works depot is critical towards delivering valuable community works and services to achieve objectives of the *Strategic Community Plan 2013 to 2023*.

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

The leasing of the Stack Street Depot site is considered an exempt land transaction for the purposes of 3.59 of the Act due to the relatively low value of the annual rental and outgoings.

FINANCIAL IMPLICATIONS

The monthly lease cost for the facility is \$14,356.51 (plus GST) in addition to all outgoings of approximately \$2,000 per month. These costs have been included in the 2019/2020 Budget.

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

) Edinger Real Estate

) Town of Cottesloe Staff

OFFICER COMMENT

The Stack Street Depot is critical to the Town's maintenance operations. It is preferred that lease renewal be for a period of three months to February 2020 to allow for the depot construction within the Town of Mosman Park's Depot site to be completed. Sourcing for a temporary site or separable portion practical completion of the new depot could end up costing more than the lease extension with the risk associated with major disruptions to maintenance operations or further delays to the remainder of the new depot.

Normally, a delay of this magnitude would only require a two month extension of the current lease. Council is asked to note 4 month lease extension is required for the following reasons:

1. End of year holiday shut down is in mid December 2019 and January 2020 (1 month);
2. The current agreement expires the end of October 2019.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

That Council AUTHORISE the Chief Executive Officer to enter a four month extension for 8 Stack Street Fremantle depot site till 29 February 2020 and to execute any documents required for the extension to this lease.

Carried 8/0

FINANCE**10.1.12 FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2019 TO 30 SEPTEMBER 2019**

File Ref:	SUB/2798
Attachments:	10.1.12(a) Monthly Financial Statements for the period 1 July 2019 to 30 September 2019
	10.1.12(b) Accounting for work bonds, building bonds and hire bonds - Local Government Position Paper 1
Responsible Officer:	Mat Humfrey, 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.

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 2019 was \$10,020,399 as compared to \$9,088,606 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 year to date budget, rates levied slightly earlier than last year, and also a larger brought forward surplus from 2018-2019 due mainly to uncompleted capital works projects.
-)] Rates receivables at 30 September 2019 stood at \$4,053,031 as shown on pages 2 and 25 of the attached Financial Statements.
-)] Operating revenue is more than year to date budget by \$10,513 with a more detailed explanation of material variances provided on page 21 of the attached Financial Statements. Operating expenditure is \$640,794 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 30 September 2019 Employee Costs were \$86,752 more than the budgeted year to date amount. This was caused by several factors, including capital/operating costings, and staff departures and leave pay-outs and therefore a budget a transfer from the Leave Reserve may be required at 30 June 2020.

-)] The balance of cash backed reserves was \$10,384,055 as at 30 September 2019 as shown in note 7 on page 27 of the monthly financial statements.

List of Accounts for September 2019

The List of Accounts paid during September 2019 is shown on pages 37 to 44 of the attached Financial Statements. The following significant payments are brought to Council's attention:

-)] \$536,347.36 to the Department of Fire and Emergency Services for levies collected on their behalf.
-)] \$32,353.85 to the Western Metropolitan Regional Council for waste disposal charges.
-)] \$36,512.55 to the Australian Taxation Office for the monthly business activity statement.
-)] \$25,159.83 & \$23,778.65 to SuperChoice Services for staff superannuation contributions.
-)] \$35,324.14 to Environmental Industries Pty Ltd for foreshore works.
-)] \$113,447.80 to Rico Enterprises Pty Ltd T/A Solo Resource for waste collection/disposal costs.
-)] \$99,374.00 to T-Quip for a new street sweeper.
-)] \$242,938.72 to WA Treasury Corporation for loan repayments.
-)] \$67,790.25 to Total Eden Pty Ltd for the installation of tree cells at Napoleon Street.
-)] \$45,211.13 to the Town of Mosman Park for depot lease charges.
-)] \$132,771.58 & \$109,556.79 to the Town of Cottesloe staff for fortnightly payroll.

Investments and Loans

Cash and investments are shown in note 4 on page 23 of the attached Financial Statements. Council has approximately 29% of funds invested with National Australia Bank, 26% with Bankwest, 35% with Commonwealth Bank of Australia and 10% with Westpac Banking Corporation. Council had a balance of \$10,376,586 in reserve funds as at 30 September 2019.

Information on borrowings is shown in note 10 on page 30 of the attached Financial Statements and shows Council had total principal outstanding of \$3,615,137 as at 30 September 2019.

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 \$4,053,031 as compared to \$4,073,296 this time last year.

Sundry debtors are shown on note 6, page 25 of the attached Financial Statements. The sundry debtors show that 13% or \$27,014 is older than 90 days. Infringement debtors are shown on note 6 page 26 and stood at \$397,725 as at 30 September 2019.

Bonds, Cash in lieu of Public Open Space

The Office of the Auditor General issued a position paper on 1 July 2019 to clarify the treatment of bonds and cash in lieu of public open space (please refer attachment). The Town has conducted a review of its own treatment of these items and is required to make the following changes (as will many other Local Governments throughout the State);-

- Bonds raised via building applications, along with venue hire bonds and other miscellaneous bonds have been classified by the Town as trust and held in a separate trust bank account. As at 30 June 2019 and moving forwards, these monies will now be treated as “other creditors” on the statement of financial position and the cash transferred to the Town’s municipal account.
- Cash received in lieu of public open space monies have been held in reserves by the Town. As per the advice from the Office of the Auditor General, section 154 of the Planning and Development Act 2005 requires these monies to be held in a trust fund. As at 30 June 2019 and moving forwards, these monies will now be transferred from reserves and placed in the Town’s trust bank account until such time as a decision is made by Council to spend these monies on an appropriate project.

These changes will be made in the following weeks and should be reflected in both the annual financial report as at 30 June 2019 and future monthly financial statement reports to Council.

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 Cr Sadler

Seconded Cr Harkins

THAT Council RECEIVE the Financial Statements for the period 1 July 2019 to 30 September 2019 as submitted to the 29 October 2019 meeting of Council.

Carried 8/0

EXECUTIVE SERVICES**10.1.13 ELECTED MEMBER APPOINTMENT TO EXTERNAL COMMITTEES AND INCORPORATED BODIES**

File Ref: SUB/2798
Attachments: Nil
Responsible Officer: Neil Hartley, Acting Deputy Chief Executive Officer
Author: Elizabeth Nicholls, Senior Administration Officer
Author Disclosure of Interest: Nil

SUMMARY

To appoint the members/delegates and deputy members/delegates to external Committees and incorporated bodies including:

-)] Cottesloe Coastcare Association Inc.
-)] Development Assessment Panel
-)] The Grove Library Management Committee
-)] ProCott Inc.
-)] SHINE Community Care Inc.
-)] SHINE Community Services Combined Councils Committee
-)] Western Australian Local Government Association (WALGA) – Central Metropolitan Regional Zone
-)] Western Metropolitan Regional Council (WMRC)
-)] Western Suburbs District Planning Committee
-)] Western Suburbs Regional Organisation of Councils (WESROC)

BACKGROUND

Under section 5.11 of the *Local Government Act 1995*, tenure to a Committee is held until the next ordinary Local Government election which was held 19 October 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.

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Local Government Act 1995

5.11. Committee membership, tenure of

(1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*

(a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or

(b) the person resigns from membership of the committee; or

(c) the committee is disbanded; or

(d) the next ordinary elections day,

whichever happens first.

Planning and Development Act (Western Suburbs District Planning Committee)

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

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

Elected Members

OFFICER COMMENT

Details of the external Committees (in alphabetical order) and their previous appointments are included for consideration by Elected Members.

Cottesloe Coastcare Association Inc.

Cottesloe Coastcare is a group of local volunteers who joined together in 1995 to achieve a more robust and diverse ecosystem for the Cottesloe foreshore. This group is an incorporated body and its constitution provides for a nominee of Council.

One member and one deputy member are required.

Previous appointments include:

)) Cr Thomas (member)

)] Cr Harkins (deputy member)

Development Assessment Panel

Under the Development Assessment Panel regulations each local government nominates four elected members of the Council, comprising two local members and two alternate deputy local members to sit on the local Development Assessment Panel as required.

Local government elections may result in a change to membership if current councillors who are members are not re-elected.

Council is free to nominate from its Elected Members whoever is willing and able to be a DAP member and is considered well-suited for the purpose. Elected members with a leading role in the affairs of the Town would be appropriate.

It would be recommended that a combination of at least two of these members are appointed as delegate/deputy delegate in case any applications are referred to the Development Assessment Panel prior to the mandated training being made available for new members.

Previous appointments include (with the required training having been undertaken):

-)] Cr Pyvis (primary delegate)
-)] Cr Young (primary delegate)
-)] Mayor Angers (deputy delegate)
-)] Cr Tucak (deputy delegate)

The Grove Library Management Committee

This committee was formed to determine issues of policy and all other matters associated with the day to day management of the library. This committee consists of elected members from the Councils of Cottesloe, Peppermint Grove and Mosman Park as well as the Library Manager and library support staff.

Library meetings are usually held three to four times a year. One member and a deputy member are required.

Previous appointments include:

-)] Cr Pyvis (member)
-)] Cr Tucak (deputy member)

ProCott Inc.

ProCott Inc. is an incorporated body promoting the interests of the Cottesloe business community in the town centre using differential rates income provided by the Town of Cottesloe.

Under the agreement between ProCott Inc. and the Town of Cottesloe, ProCott Inc. is required to give the Town of Cottesloe reasonable notice in writing of all proposed meetings of its directors and permits two Elected Members of the Town of Cottesloe to attend and participate in the discussions at all meetings of its directors.

Two members and a deputy member are required.

Previous appointments include:

-)] Cr Young (member)
-)] Cr Sadler (member)
-)] Cr Thomas (deputy member)

SHINE Community Care Inc.

SHINE Community Care Inc. is an incorporated body which provides services to the frail aged and elderly disabled mainly through funding provided by the Home and Community Care Program.

The board of SHINE operates independently of the Combined Councils Committee (mentioned below) and it would be best practice if the members of the board are not the same Elected Members as those who serve on the SHINE Community Services Combined Councils Committee.

One member and a deputy member are required.

Following Cr Thomas' resignation from the SHINE Community Care Inc. board, no replacement Elected Member was initially appointed to this Committee, but Cr Young was appointed following a short delay.

SHINE Community Services Combined Councils Committee

This Committee consists of Elected Members from the Councils of Claremont, Cottesloe, Peppermint Grove and Mosman Park. It oversees the formal agreement between the four Councils and SHINE Community Care. It meets at least annually and on other occasions as required. One member and a deputy member are required.

Previous appointments include:

-)] Cr Thomas (Cr Young)

Western Australian Local Government Association (WALGA) – Central Metropolitan Regional Zone

Western Australian Local Government Association zone meetings occur every two months. Two delegates are required. The Chief Executive Officer attends as a non-voting member.

These delegates are also entitled to attend the Annual State Conference of WALGA.

The following Local Governments are members of the WALGA Central Metropolitan Zone:

-)] Town of Cambridge
-)] Town of Cottesloe
-)] Town of Claremont
-)] Town of Mosman Park
-)] Shire of Peppermint Grove
-)] City of Perth
-)] City of Subiaco
-)] Town of Vincent

WALGA is the voice of Local Government in Western Australia. As the peak industry body WALGA advocates on behalf of the State's 139 Local Governments and negotiates service agreements for the sector. WALGA is not a government department or agency and its mission is to provide strong representation, strong leadership, enhance the capacity of and build a positive public profile for, Local Government.

Previous appointments include:

-)] Mayor Angers (delegate)
-)] Cr Sadler (delegate)
-)] Cr Young (deputy delegate)

Western Metropolitan Regional Council (WMRC)

This Committee is usually attended by an Elected Member from each member Council and a staff representative (the Chief Executive Officer).

The following Local Government Authorities are members of the WMRC:

-)] Town of Claremont
-)] Town of Cottesloe
-)] Town of Mosman Park
-)] Shire of Peppermint Grove
-)] City of Subiaco

The WMRC is a statutory local government authority established in 1989 by five western suburbs local government's to undertake waste management functions. Like all local governments the WMRC is administered by a 'Council' of members, one member from each of the participating local governments. The Regional Council meets regularly to administer the functions and duties of the organisation.

The principal activity is the operation of the Brockway Waste Transfer Station situated on the corner of Brockway Road and Lemnos Street, Shenton Park. Here municipal solid waste (MSW) from member councils and others is received and aggregated into larger loads for transport in sealed containers to landfill sites located on the outer fringes of the Perth metropolitan area.

In addition to this the Regional Council operates a green waste recycling operation where readily separate able green waste is diverted from the waste stream, ground up into mulch and sold to the horticultural industry.

One member and one deputy member are required.

Previous appointments include:

-)] Cr Rodda (member)
-)] Cr Tucak (deputy member)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

THAT Council by absolute majority :

1. APPOINTS Cr _____ as member and Cr _____ as deputy member of the Cottesloe Coastcare Association.
2. APPOINTS Cr _____ and Cr _____ as its primary delegates and Crs _____ and _____ as alternate deputy delegates to the Development Assessment Panel.
3. APPOINTS Cr _____ as member and Cr _____ as deputy member of the Grove Library Management Committee.
4. APPOINTS Cr _____ and Cr _____ as members and Cr _____ as deputy member to ProCott Inc.
5. NOMINATES Cr _____ as member and Cr _____ as deputy member of the board of SHINE Community Care Inc.
6. APPOINTS Cr _____ as member and Cr _____ as deputy member of the SHINE Community Services Combined Council Committee.
7. APPOINTS Cr _____ and Cr _____ as delegate and Cr _____ as deputy delegate of the WALGA - Central Metropolitan Zone.
8. APPOINTS Cr _____ as member and Cr _____ as deputy member of the Western Metropolitan Regional Council.

COUNCILLOR MOTION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Harkins

THAT Council by absolute majority:

1. APPOINTS Cr Harben as member and Cr Harkins as deputy member of the Cottesloe Coastcare Association.
2. APPOINTS Cr Young and Cr MacFarlane as its primary delegates and Mayor Angers and Cr Masarei as alternate deputy delegates to the Development Assessment Panel.
3. APPOINTS Cr Harben as member and Cr Tucak as deputy member of the Grove Library Management Committee.
4. APPOINTS Cr Harkins and Cr Barrett as members and Cr Harben as deputy member to ProCott Inc.
5. NOMINATES Cr Young as member and Cr Harben as deputy member of the board of SHINE Community Care Inc.
6. APPOINTS Cr Masarei as member of the SHINE Community Services Combined Council Committee.
7. APPOINTS Cr MacFarlane and Cr Sadler as delegates and Cr Masarei as deputy delegate of the WALGA - Central Metropolitan Zone.
8. APPOINTS Cr Young as member and Cr Tucak as deputy member of the Western Metropolitan Regional Council.

Carried 8/0

10.1.14 ELECTED MEMBER APPOINTMENT TO COMMITTEES AND ADVISORY BODIES

File Ref:	SUB/2798
Attachments:	10.1.14(a) Audit Committee Charter [under separate cover]
	10.1.14(b) Active Transport Working Group Charter [under separate cover]
	10.1.14(c) Community Safety Reference Group Charter [under separate cover]
	10.1.14(d) Design Advisory Panel Charter [under separate cover]
	10.1.14(e) Foreshore Precinct Advisory Committee [under separate cover]
	10.1.14(f) North Cottesloe Primary School Traffic Safety Advisory Committee [under separate cover]
	10.1.14(g) Public Art Advisory Committee [under separate cover]
	10.1.14(h) Public Open Space Working Group [under separate cover]
	10.1.14(i) Universal Access and Inclusion Community Reference Group [under separate cover]
Responsible Officer:	Mat Humfrey, Chief Executive Officer
Author:	Elizabeth Nicholls, Senior Administration Officer
Author Disclosure of Interest:	Nil

SUMMARY

To appoint the members and deputy members to Town facilitated advisory committees, working groups, panels and community reference groups including:

-)] Audit Committee
-)] Active Transport Working Group
-)] Community Safety Reference Group
-)] Design Advisory Panel
-)] Foreshore Precinct Advisory Committee
-)] North Cottesloe Primary School Traffic Safety Advisory Committee
-)] Public Art Advisory Committee
-)] Public Open Space Working Group
-)] Universal Access and Inclusion Community Reference Group

BACKGROUND

Under section 5.11 of the *Local Government Act 1995*, tenure to a Committee is held until the next ordinary Local Government election which was held 19 October 2019.

The Audit Committee is the only formal Committee (under the *Local Government Act 1995*), however, it is also necessary appoint members to the advisory committees, working groups, panels and community reference groups listed above.

It should be noted that no committee at the Town currently has any form of Delegated Authority, all committees are only able to provide advice and recommendations to Council, not make decisions on Council's behalf.

The title of the different committees/groups provides an indication of formality as outlined below.

Advisory Committees

Formal Minutes are kept with recommendations to be moved, seconded and voted on to then be referred to Council to be resolved. Meetings are generally open to the public in accordance with the *Local Government Act 1995*. Due to the formal nature of the meetings, Advisory Committees are for matters of high profile or with a significant governance role.

A charter is to be endorsed by Council providing direction to the Advisory Committee.

Working Groups

Working Groups address a single issue and have defined membership and regular meetings. The group works with professional staff (officers and/or consultants) to prepare proposals requested by Council which is then presented to Council for resolution.

Terms of reference are to be endorsed by Council providing direction to the Working Group.

Panels

Panels provide Council with feedback on proposals received from third parties. They do not provide recommendations, nor statements to support or reject proposals that have been received. Panel feedback is provided to Council when considering proposals that have been provided to the Panel for comment.

Policies provide direction to Panels regarding how/when Panels are to provide feedback to Council and who chairs the Panel. Policies require endorsement by Council.

Community Reference Groups

Community Reference Groups provide insight on issues relevant to a section of the community. While Council would normally appoint the core of the reference group, it can also allow people meeting a certain criteria to participate.

A charter is to be endorsed by Council providing direction to Community Reference Groups, specifically addressing how the group meet, who is allowed to participate and what happens with any issues raised during their meetings.

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 Design Advisory Panel Policy will be updated to reflect the purpose and direction of the Panel.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.11. Committee membership, tenure of

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
 - (b) the person resigns from membership of the committee; or*
 - (c) the committee is disbanded; or*
 - (d) the next ordinary elections day,*
- whichever happens first.*

7.1A. Audit committee

- (1) *A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*
- (2) *The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.*
- * Absolute majority required.*
- (3) *A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.*
- (4) *An employee is not to be a member of an audit committee.*

Local Government (Audit Regulations) 1996 specifies the functions of the Audit Committee.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

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

STAFFING IMPLICATIONS

At least one senior staff member and one administrative staff member will be in attendance at each meeting. This is met within current staffing allocations.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Elected Members

OFFICER COMMENT

Details of the advisory committees, working groups, panels and community reference groups (in alphabetical order) and their previous appointments are included for consideration by Elected Members.

Audit Committee

The Audit Committee is responsible for the reviewing and making recommendations to Council regarding financial management, risk management, internal controls, legislative compliance, internal and external audit planning and reporting.

The purpose of the Audit Committee is to:

-)] Guide and assist the local government in carrying out its financial management and audit functions.
-)] Monitor and advise the Chief Executive Officer in reviews conducted into financial management and audit systems and procedures.
-)] Oversee the implementation of any resulting Council recommendations so as to support better decision-making, greater accountability to the community and ensure a more efficient and effective Local Government.

Council is required to appoint an Audit Committee in accordance with the *Local Government Act 1995* with the members to be appointed by the local government and at least three of the members (and the majority) to be Elected Members.

Council may wish to consider appointing an expert member to this committee. It would be recommended that such a person hold accounting or auditing qualifications.

The Town's Auditors attend the meetings. Additionally, the Chief Executive Officer and Deputy Chief Executive Officer are also in attendance, but cannot be members of this committee.

Active Transport Working Group

The Active Transport Working Group advises Council on the infrastructure and policy requirements to increase active transport within the Town of Cottesloe.

Community Safety Reference Group

The Community Safety Reference Group put forward issues and ideas with a view to improving community safety within the Town.

Representative of Fremantle Police, Cottesloe Police and the WALGA Safety Advisor attend the meetings.

Design Advisory Panel

The Design Advisory Panel advises Council on the design quality of submissions or applications made to the Town. The Panel can also provide feedback on designs that Town has had developed for its own projects if Council requires it.

Foreshore Precinct Advisory Committee

The Foreshore Precinct Advisory Committee advises Council and makes recommendations on improvements to the Central Foreshore Zone.

North Cottesloe Primary School Traffic Safety Advisory Committee

The North Cottesloe Primary School Traffic Safety Advisory Committee advises Council and makes recommendations on improvements to infrastructure associated with North Cottesloe Primary School.

Representatives of the North Cottesloe Primary School (generally the Principal or Deputy Principal), the P&C and the board attend the meetings.

Public Art Advisory Committee

The Public Art Advisory Committee advises Council and makes recommendations on any acquisition to and the maintenance of the Town's Public Art Collection.

Public Open Space Working Group

The Public Open Space Working Group advises Council on infrastructure and policy requirements to improve all public open space provided by the Town (outside the Central Foreshore Precinct).

Universal Access and Inclusion Community Reference Group

The Universal Access and Inclusion Community Reference Group puts forward ideas and raises issues with a view to improving universal access across the Town.

Representatives of the Department of Communities, SHINE Community Services and Lady Lawley Cottage attend the meetings.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

THAT Council, by absolute majority:

1. APPOINTS Crs _____ as members of the Audit Committee.
2. ENDORSES the Audit Committee charter as attached.
3. APPOINTS Crs _____ as members and Cr _____ as deputy member of the Active Transport Working Group.
4. ENDORSES the Active Transport Working Group charter as attached.
5. APPOINTS Cr _____ as a member and Cr _____ as deputy member of the Community Safety Reference Group.

6. ENDORSES the Community Safety Reference Group charter as attached.
7. APPOINTS Cr _____ as the Chair of the Design Advisory Panel.
8. ENDORSES the Design Advisory Panel charter as attached.
9. APPOINTS Crs _____ as members and Cr _____ as deputy member of the Foreshore Precinct Advisory Committee.
10. ENDORSES the Foreshore Precinct Advisory Committee charter as attached.
11. APPOINTS Crs _____ as members of the North Cottesloe Primary School Traffic Safety Advisory Committee.
12. ENDORSES the North Cottesloe Primary School Traffic Safety Advisory Committee charter as attached.
13. APPOINTS Crs _____ as members of the Public Art Advisory Committee.
14. ENDORSES the Public Art Advisory Committee charter as attached.
15. APPOINTS Crs _____ as members and Cr _____ as deputy member of the Public Open Space Working Group.
16. ENDORSES the Public Open Space Working Group charter as attached.
17. APPOINTS Cr _____ as a member and Cr _____ as deputy member of the Universal Access and Inclusion Community Reference Group.
18. ENDORSES the Universal Access and Inclusion Community Reference Group charter as attached.

COUNCILLOR MOTION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Sadler

THAT Council, by absolute majority:

1. **APPOINTS Crs Masarei, MacFarlane and Barrett as members of the Audit Committee.**
2. **APPOINTS Crs Sadler, Young and Barrett as members of the Active Transport Working Group.**
3. **APPOINTS Cr Harben as a member of the Community Safety Reference Group.**
4. **APPOINTS Cr Tucak as the Chair and Cr Harben as Deputy Chair of the Design Advisory Panel.**
5. **APPOINTS Crs Harkins, Young, MacFarlane and Tucak as members of the North Cottesloe Primary School Traffic Safety Advisory Committee.**
6. **APPOINTS Mayor Angers and Crs Tucak and Harben as members of the Public Art Advisory Committee.**
7. **APPOINTS Crs Harkins, Sadler and Barrett as members and Cr Tucak as Deputy member of the Public Open Space Working Group.**
8. **APPOINTS Cr Sadler as a member of the Universal Access and Inclusion Community Reference Group.**
9. **APPOINTS Mayor Angers and Crs Harkins, Sadler, MacFarlane and Barrett as**

members and Cr Tucak as Deputy member of the Foreshore Precinct Advisory Committee.

Carried 8/0

THAT Council:

10. ENDORSES the Audit Committee charter as attached.
 11. ENDORSES the Active Transport Working Group charter as attached, subject to expanding the number of community representatives (paragraph 4, Membership) to “up to 4”.
 12. ENDORSES the Community Safety Reference Group charter as attached.
 13. ENDORSES the Foreshore Precinct Advisory Committee charter as attached, subject to amending paragraph 6 (Membership) to include the following words: “Community Representatives are required to have experience and expertise in areas and disciplines that will assist the Committee in carrying out its Purpose.”
 14. DEFERS consideration of the Design Advisory Panel charter as attached to allow the Administration to advise Council on changes to the charter to: align it more closely to the terms of the WAPC Design Review Guide May 2019, including provisions relating to Purpose, role of Chair in voting and calculation of quorum, relevant expertise of members; consider expanding membership to allow Deputy Community Members; and to deal expressly with Elected Members’ attendance as Observers at Panel meetings.
 15. ENDORSES the North Cottesloe Primary School Traffic Safety Advisory Committee charter as attached.
 16. ENDORSES the Public Art Advisory Committee charter as attached, subject to amending paragraph 6 (Membership) to include the following words: “Community Representatives are required to have experience and expertise in areas and disciplines that will assist the Committee in carrying out its Purpose.”
 17. ENDORSES the Public Open Space Working Group charter as attached, subject to:
 - i. the addition of the words “and the SVGC/Harvey Field Recreation Precinct” after the words “...outside of the Central Foreshore precinct” in paragraphs 3 (Purpose) and 4 (Terms of Reference), in order to remove the Recreation Precinct from the deliberations of the Working Group; and
 - ii. the removal of one expert member in para 5 (membership) and amending the number of community representatives to “up to two”.
 18. ENDORSES the Universal Access and Inclusion Community Reference Group charter as attached.
- Carried 8/0
19. REQUESTS the Administration to advertise for community vacancies on all Council committees and bring all nominations received to the December Ordinary Council meeting for consideration by Council;

20. **REQUESTS** the Mayor to write to all current community members of Council Committees existing as at 19 October 2019, (other than the Design Review Panel, the North Cottesloe Primary School Traffic Safety Committee, the Public Art Advisory Committee and the Foreshore Precinct Advisory Committee) thanking them for their contribution to Council;
21. **REAPPOINTS**, on an interim basis, the community members of the Foreshore Precinct Advisory Committee, the North Cottesloe Traffic Safety Committee and the Art Advisory Panel – until such time as the advertising for community members has been completed and Council have been able to consider any applications received.

Carried 8/0

10.2 RECEIPT OF COMMITTEE MINUTES

10.2.1 RECEIPT OF COMMITTEE MINUTES

- Attachments:**
- 10.2.1(a) Unconfirmed Minutes - AAP Meeting - 10 October 2019 [under separate cover]**
 - 10.2.1(b) Unconfirmed Minutes - Community Safety and Crime Prevention - 1 October 2019 [under separate cover]**

COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council note the attached Unconfirmed Minutes of the Committee Meetings.

Ñ1 Art Advisory Panel – 10 October 2019

Ñ1 Community Safety and Crime Prevention Minutes – 1 October 2019

Carried 8/0

10.3 REPORTS OF COMMITTEES**10.3.1 ART ACQUISITION PANEL RECOMMENDATIONS**

File Ref: SUB/2798
Attachments: Nil
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Mat Humfrey, Chief Executive Officer
Author Disclosure of Interest: Nil

Cr Barrett declared an IMPARTIALITY INTEREST in item 10.3.1 (recommendation 14) by virtue "one of the sculptures being dealt with is in close proximity to the school where she is P&C President."

SUMMARY

The Art Advisory Panel (committee) met on 5 September 2019 and the Minutes were noted at the September 2019 Ordinary Council Meeting. Ten recommendations were put forward for Council's consideration. Council considered the second and third Committee Recommendation but deferred consideration of the other eight recommendations.

At the subsequent Art Advisory Panel meeting on 10 October a number of these recommendations were amended and new ones added.

BACKGROUND

Please refer to the Minutes of the AAP meeting for the background on each recommendation.

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.

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.

STAFFING IMPLICATIONS

There are no perceived staffing implications arising from the committee's recommendations.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the committee's recommendations.

CONSULTATION

Nil

OFFICER COMMENT

Officers have no concerns with the recommendations made by the Art Advisory Panel. While most of the recommendations can be accommodated within current budget allocations and staff resources, some consideration will need to be given to the final cost of the plinth project before it is finally approved.

VOTING REQUIREMENT

Simple Majority

COMMITTEE RECOMMENDATIONS**1. SUPERSEDED COMMITTEE RECOMMENDATION**

Recommendation that Council endorse the Railway Corridor Greening design (by Josh Byrne Associates) subject to:

1. Moving location F on the median strip between the PSP and access road as marked on Drawing DD-204 (Appendix 1); and
2. An additional location P as marked on Drawing DD-211 (Appendix 2).

2. AMENDED COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Mayor Angers

Recommend that Council endorse the Railway Corridor Greening design (by Josh Byrne Associates) subject to:

- 1) Moving location F on to the median strip at its widest point between the PSP and access road as marked on Drawing DD-204 (Appendix 1 – Location F); and**
- 2) An additional location P as marked on Drawing DD-211 (Appendix 2 – Location P).**

Carried 8/0

3. COMMITTEE RECOMMENDATION (Deferred at the OCM on 24 September)

That the Art Advisory Panel requests Council consult with the Art Advisory Panel on any potential extension or new agreement with Sculpture by the Sea.

3. COUNCILLOR MOTION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Mayor Angers

That Council declines the recommendation in regards to the Sculpture by the Sea extension on the agreement.

Carried 8/0

4. COMMITTEE RECOMMENDATION (Deferred at the OCM on 24 September)

The current Panel, which is now known as the Art Advisory Panel, recommends that as soon as possible an addition be made to the Acquisition of Artworks Policy 4.3n):

‘No conditions may be placed on donations’

and the nomenclature ‘Art Advisory Panel’ should be used in any redrafted Policy.

(Appendix 3 – City of Fremantle Art Policy)

4. COUNCILLOR MOTION**Moved Cr Young****Seconded Cr Sadler**

That Council decline the committee recommendation that an addition be made to the Acquisition of Artworks Policy to the effect that ‘no conditions may be placed on donations’.

Lost 0/8**4. COUNCILLOR MOTION (FORESHADOWED) AND COUNCIL RESOLUTION****Moved Cr Harkins****Seconded Cr Masarei**

That Council DEFER point 4 of the committee recommendation to obtain a briefing from the Public Art Advisory Committee.

Carried 7/1**5. COMMITTEE RECOMMENDATION (Deferred at the OCM on 24 September)**

- 1) That the AAP request Council approve in principle the concept of ‘Plinth 6011’ as outlined by Stephen Mellor (Art Advisory Panel Community Representative) to Council at the 6 August 2019 Briefing Forum and that further detailed development of the practicalities, location options within the Cottesloe boundaries, funding possibilities and budgets should proceed and report back to Council (by date).
- 2) That if the Council approves the above, the Council approve and undertake approaches to the Shire of Peppermint Grove to participate in the Plinth project and to investigate the Library Corner as the location for the Plinth.

Appendix 4 – Briefing Forum 6 August 2019

5. COUNCILLOR AMENDMENT AND COUNCIL RESOLUTION**Moved Cr Young****Seconded Cr Barrett**

That Council request that the Art Advisory Panel undertake further detailed development of the practicalities, location options within the Cottesloe boundaries, funding possibilities and budgets for the concept of “Plinth 6011”, as outlined by Stephen Mellor (Art Advisor Panel Community representative) to Council at the 6 August 2019 Briefing Forum, and report back to Council.

Carried 7/1

6. SUPERSEDED COMMITTEE RECOMMENDATION

That the Town's Acquisition of Artworks Policy is amended to add clause 4.2 as follows:

- 1) 4.2 - That a donation of 0.15% of the stated value of a Development Application is made to for the public art in the Town as a condition of any development approval where the value of the submitted development application is over \$2,000,000;
- 2) That the Town's Standard Conditions are amended to include a Standard Condition that reflects Resolution One above;

Rationale: Wearne Development application and WALGA Arts and Culture Report.

7. AMENDED COMMITTEE RECOMMENDATION

That the Town report to Council on a draft policy under LPS3 to implement the requirement for a provisional percentage allocation for public art from developers for projects greater than \$2,000,000 (eg Wearne, Seapines, Station Street) excluding single residential developments.

In the policy it be stated that Council is the decision making authority regarding the nature and extent of the proposed artwork.

That this replaces the previous recommendation under 5.1 at the September Art Advisory Panel which is withdrawn.

7. COUNCILLOR MOTION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Young

That Council request the administration to include consideration of a "percentage for art policy" applicable to larger scale Development Applications as part of the current Local Planning Strategy review.

Included the policy it be stated that the Council is the decision making authority regarding the nature and extent of the proposed artwork.

Carried 8/0

8. COMMITTEE RECOMMENDATION (Deferred at the OCM on 24 September) AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Barrett

That the Art Advisory Panel requests Council to consult with the Art Advisory Panel on any potential signage strategy.

Carried 5/3

**For: Crs Sadler, Young, Masarei, Harben and Barrett
Against: Mayor Angers, Crs Harkins and MacFarlane**

9. COMMITTEE RECOMMENDATION (Deferred at the OCM on 24 September)

That the Art Advisory Panel recommend to Council that the proposed 'Take 3 by the Sea' artwork from North Cottesloe Surf Life Saving Club not be permitted.

9. COUNCILLOR MOTION**Moved Cr Young****Seconded Mayor Angers**

That Council DEFER this recommendation pending the Public Art Advisory Committee articulating the rationale for that recommendation more fully .

9. COUNCILLOR AMENDMENT**Moved Cr Harkins****Seconded Cr Sadler**

Add the words ‘and allow discussions with the North Cottesloe Surf Life Saving Club in regards to alternative locations’.

Carried 8/0**9. SUBSTANTIVE MOTION AND COUNCIL RESOLUTION**

That Council DEFER this recommendation pending the Public Art Advisory Committee articulating the rationale for that recommendation more fully and allow discussions with the North Cottesloe Surf Life Saving Club in regards to alternative locations.

Carried 8/0**10. SUPERSEDED COMMITTEE RECOMMENDATION**

That the Art Advisory Panel request Council give urgent attention to the required upgrading of a significant historic site, Vlamingh Memorial, including the viewing area.

11. AMENDED COMMITTEE RECOMMENDATION

The AAP request Council have a report prepared on the opportunities that exist at the Vlamingh Memorial site for consideration at a future AAP meeting.

That this replaces the previous recommendation on this topic at the September Art Advisory Panel meeting which is withdrawn.

11. COUNCILLOR MOTION AND COUNCIL RESOLUTION**Moved Cr Sadler****Seconded Cr Harkins**

That the Art Advisory Panel request Council have a report prepared on the opportunities that exist at the Vlamingh Memorial site for consideration at a future AAP meeting.

That this occurs prior to consideration of the next financial year’s budget.

That Council request the administration as part of the report to investigate possible grant funding for any restoration at this historic site.

Carried 8/0**12. COMMITTEE RECOMMENDATION of SUPPORT**

That the Panel supports the concept of a mural on the Eric Street PSP underpass and an

application for funding.

That Council supports the concept of a mural on the Eric Street PSP underpass and an application for funding.

13. NEW COMMITTEE RECOMMENDATION

That the Art Advisory Panel request Council approve the relocation of 'Home is Where the Heart is' sculpture at PSP location B as part of the activation of the PSP surrounds and enable more public direct engagement with the works.

14. NEW COMMITTEE RECOMMENDATION

That the Art Advisory Panel request Council approve the relocation of 'Kinetic Interference' sculpture at PSP location D as part of the activation of the PSP surrounds and enable more public direct engagement with the works.

15. NEW COMMITTEE RECOMMENDATION

A copy of the minutes from the Library Management Committee meeting which discussed the loan of 'Threshold of a Dream' to the Grove Library be circulated to the Art Advisory Panel committee members and a copy of those minutes be put before Councillors as an attachment when considering the loan of 'Threshold of a Dream' at both Agenda and OCM meetings.

16. NEW COMMITTEE RECOMMENDATION

That the relocation of the Gomboc 'Relationship: Together (Series)' as discussed by the Art Advisory Panel not be relocated to a site west of Marine Parade due to conservation of the coastal landscape (fragile dunes) and visual impediment to the natural coastal vista.

12-16 COUNCILLOR MOTION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Mayor Angers

That items 12 to 16 lay on the table.

Carried 8/0

10.3.2 STATIC SPEED DISPLAYS

File Ref: SUB/2798
Attachments: 10.3.2(a) Example Speed Sign [under separate cover]
Responsible Officer: Mat Humfrey, Chief Executive Officer
Author: Neil Hartley, Acting Deputy Chief Executive Officer
Author Disclosure of Interest: Nil

SUMMARY

The Community Safety & Crime Prevention Committee recently requested that one or two Static Speed Display signs be purchased. These signs do have a positive impact upon vehicle drivers, reminding them of the speed of the local roads of the area, but to maximise their impact value, they do need to be relocated around the local government on a regular basis.

There is no present budget allocation for this signage or for the resources to position and relocate them on a regular basis, and also, the most appropriate type of sign is yet to be decided. It is therefore proposed that the matter be referred to the 2019/20 budget review for consideration.

BACKGROUND

Static Speed Displays have recently been used in Cottesloe (on loan through the Western Australian Local Government Association's Roadwise program).

The Community Safety & Crime Prevention Committee meeting of 1 October resolved that the Council request that the Administration evaluate the quotes received for Static Speed Displays and if funds are available, one or two be purchased.

The Town currently has a trailer with a speed display board mounted on it (and which performs a similar task) but the addition of semi-permanent signage (see attached example) is also requested by the Community Safety & Crime Prevention Committee.

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

There is no direct reference to this type of initiative within the Town's *Corporate Business Plan 2017 – 2021*.

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Local Government Act 1995

3.52 Public access to be maintained

Outlines that a local government is to ensure that (generally) public thoroughfares are kept open for public use.

FINANCIAL IMPLICATIONS

There is no current budget allocation for these signs, which vary in price from \$5 – 14,000 (capital purchase price only). Installation/relocation costs for the sign are estimated at approximately \$1,500 for each relocation, plus traffic management if required, which would be required four to six times each year.

STAFFING IMPLICATIONS

There will be a staffing implication if the work is undertaken by the Town's works employees, and particularly as to maximise the positive impact on driver behaviour, the signs are required to be relocated on a regular basis.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are considered to be positive environmental sustainability implications arising from the officer's recommendation as vehicle speeds will reduce, and therefore the associated additional costs of that will be reduced.

CONSULTATION

Community Safety & Crime Prevention Committee.

OFFICER COMMENT

These sign initiatives are often positioned in built up residential areas and along bust streets where speeding often occurs. Indications are that they do have a positive impact upon vehicle drivers, reminding them of the speed of the local roads of the district. It is suggested that the option of purchasing one (or two) Static Speed Displays, be referred to the 2019/20 budget review (which will be referred to Council in early 2020) for consideration.

VOTING REQUIREMENT

Simple Majority

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Sadler

THAT Council does not consider as part of its 2019/20 budget review deliberations, the possibility of purchasing one (or two) Static Speed Displays, plus the necessary operational resources to enable the unit(s) to be relocated up to several times each year.

Carried 8/0

At this point in the meeting the En Bloc items were moved and resolved.

COUNCILLOR MOTION

Moved Cr Sadler

Seconded Cr Harkins

That Items 10.1.2, 10.1.3, 10.1.6, 10.1.8, 10.1.9, 10.1.10, 10.1.11, 10.1.12, 10.2.1 be considered en bloc.

Carried 8/0

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:

12.1 ELECTED MEMBERS

12.2 OFFICERS

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

14 MEETING CLOSURE

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