

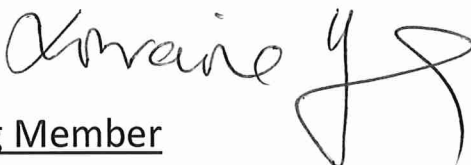


# Town of Cottesloe

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

**Tuesday, 7 February 2023**

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

Signed: 

Presiding Member

Date: 28.2.23

# TOWN OF COTTESLOE



## SPECIAL COUNCIL MEETING CONFIRMED MINUTES

SPECIAL COUNCIL MEETING  
HELD IN THE  
Council Chambers, Cottesloe Civic Centre  
109 Broome Street, Cottesloe  
7 pm Tuesday, 7 February 2023



**MATTHEW SCOTT**  
Chief Executive Officer

10 February 2023

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**Agenda and minutes are available on the Town's website [www.cottesloe.wa.gov.au](http://www.cottesloe.wa.gov.au)**

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

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

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

**2 DISCLAIMER**

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

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

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

Cr Sadler requested to attend remotely under the new regulations which was approved by the Presiding Member.

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

Nil

**4.2 PUBLIC QUESTIONS**

Special Council Meeting - 7 February 2023

Thomas Jowett – 31 Eric Street, Cottesloe

Q1: When was it decided for this meeting to be held?

R1: The meeting was called under the provisions of the Act on Friday afternoon, 3 February 2023.

Q2: How were the residents of Cottesloe alerted to this meeting?

R2: The residents were alerted by Public Notice issued and displayed on the Town's website and the Town's Facebook page and it is understood it was disseminated by the Town's email listing. Also all successful EOI applicants received a direct email from the CEO, containing the public notice.

**5 PUBLIC STATEMENT TIME**

Nil

**6 ATTENDANCE****Elected Members**

Mayor Lorraine Young  
Cr Helen Sadler – Remote Attendance  
Cr Craig Masarei  
Cr Kirsty Barrett  
Cr Chilla Bulbeck  
Cr Brad Wylynko

**Officers**

|                          |  |
|--------------------------|--|
| Mr Matthew Scott         | Chief Executive Officer                      |
| Mr Shane Collie          | Director Corporate and Community Services    |
| Ms Freya Ayliffe         | Director Development and Regulatory Services |
| Mr Shaun Kan             | Director Engineering Services                |
| Ms Jacquelyne Pilkington | Governance & Executive Office Coordinator    |

**6.1 APOLOGIES**

Cr Melissa Harkins  
Cr Paul MacFarlane

**Officers Apologies**

|                     |                                |
|---------------------|--------------------------------|
| Mr Wayne Zimmermann | Manager of Planning            |
| Mr Ed Drewett       | Coordinator Statutory Planning |
| Mr Renuka Ismalage  | Manager Projects and Assets    |

**6.2 APPROVED LEAVE OF ABSENCE**

Nil

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 DECLARATION OF INTERESTS**

Mayor Young declared an Impartiality Interest in Item 12.1.1 by virtue “as some of the successful Expression of Interest parties are known to me”

Deputy Mayor Sadler declared an Impartiality Interest in Item 12.1.1 by virtue “as some of the successful Expression of Interest parties are known to me”

Cr Bulbeck declared an Impartiality Interest in Item 12.1.1 by virtue “as some of the successful Expression of Interest parties are known to me”

Cr Barrett declared an Impartiality Interest in Item 12.1.1 by virtue “as some of the successful Expression of Interest parties are known to me”

Cr Masarei declared an Impartiality Interest in Item 12.1.1 by virtue “as some of the successful Expression of Interest parties are known to me”

## **8 PRESENTATIONS**

### **8.1 PETITIONS**

Nil

### **8.2 PRESENTATIONS**

Nil

### **8.3 DEPUTATIONS**

Nil

## **9 REPORTS**

### **9.1 REPORTS OF OFFICERS**

## **10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## **11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**

### **11.1 ELECTED MEMBERS**

### **11.2 OFFICERS**

## **12 MEETING CLOSED TO PUBLIC**

### **12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

SCM001/2023

### **MOTION FOR BEHIND CLOSED DOORS**

Moved Cr Wylynko

Seconded Cr Barrett

That, in accordance with Section 5.23(2) (c) (d) and (e)(ii), Council discuss the confidential

reports behind closed doors.

Carried 6/0

For: Mayor Young, Crs Sadler, Masarei, Barrett, Bulbeck and Wylynko

Against: Nil

*The public and members of the media were requested to leave the meeting at 7:08 pm*

SCM002/2023

Moved Cr Barrett

Seconded Cr Masarei

Standing orders be suspended.

Carried 6/0

Cr Masarei left the meeting at 8:09 pm.

Cr Masarei returned to the meeting at 8:12 pm.

Cr Wylynko left the meeting at 8:12 pm.

Cr Wylynko returned to the meeting at 8:15 pm.

Cr Bulbeck left the meeting at 8:15 pm.

Cr Bulbeck returned to the meeting at 8:18 pm.

SCM003/2023

Moved Mayor Young

Seconded Cr Bulbeck

That standing orders be resumed at 8:24 pm

Carried 6/0

#### **12.1.1 REQUEST FOR TENDER - LOT 149 MARINE PARADE**

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (c) (d) and (e(ii)) as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person.



**OFFICER RECOMMENDATION**

That Council endorse the completed Request for Tender (RFT) and Commercial Lease Terms Sheet documents prepared to facilitate the calling of Tenders for the operation of a food/beverage outlet at Lot 149 Marine Parade and that Tenders be called.

**SCM004/2023****COUNCILLOR MOTION****Moved Cr Bulbeck****Seconded Cr Masarei**

**THAT Council endorse the completed Request for Tender (RFT) and Commercial Lease Terms Sheet documents, as amended, prepared to facilitate the calling of Tenders for the operation of a food/beverage outlet at Lot 149 Marine Parade, and that Tenders be called.**

**Carried 6/0****For: Mayor Young, Crs Sadler, Masarei, Barrett, Bulbeck and Wylynko****Against: Nil****Councillor Rationale**

After considering the proposed Request for Tender (RFT) and Commercial Lease Terms Sheet documents, Council amended the Commercial Lease Terms Sheet document to better document the Council's intent.

**SCM005/2023****MOTION FOR RETURN FROM BEHIND CLOSED DOORS****Moved Cr Masarei****Seconded Cr Bulbeck**

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

**Carried 6/0****For: Mayor Young, Crs Sadler, Masarei, Barrett, Bulbeck and Wylynko****Against: Nil**

*The public and members of the media returned to the meeting at 8:26 pm.*

**12.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC****12.1.1 REQUEST FOR TENDER - LOT 149 MARINE PARADE**

The resolution for item 12.1.1 was read aloud.

**13 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 8:28 pm.