

# TOWN OF COTTESLOE



## ORDINARY COUNCIL MEETING

# AGENDA

**ORDINARY COUNCIL MEETING  
TO BE HELD IN THE  
Council Chambers, Cottesloe Civic Centre  
109 Broome Street, Cottesloe  
6:00 PM Tuesday, 25 February 2025**

# Town of Cottesloe

## ORDINARY COUNCIL MEETING

Notice is hereby given that the next Ordinary Council Meeting will be held in the Council Chambers, Cottesloe Civic Centre 109 Broome Street, Cottesloe on **25 February 2025** commencing at **6:00 PM**.

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

Yours faithfully,



William Matthew Scott  
**Chief Executive Officer**

21 February 2025

## DISCLAIMER

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

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

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

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

The Town of Cottesloe wishes to advise that any plans or documents contained within the agenda or minutes may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

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

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

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



# DISCLOSURE OF INTERESTS

Agenda Forum

Ordinary Council Meeting

Special Council Meeting

Name of Person Declaring an interest

Position

Date of Meeting

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

## INTEREST DISCLOSED

Item No

Item Title

Nature of Interest

Type of Interest

Financial

Proximity

Impartiality

## INTEREST DISCLOSED

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Item No

Item Title

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Type of Interest

Financial

Proximity

Impartiality

## DECLARATION

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

## Notes for Your Guidance

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

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

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

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

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

### INTERESTS AFFECTING FINANCIAL INTEREST

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

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

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

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

### **INTERESTS AFFECTING IMPARTIALITY**

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

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

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

### **IMPACT OF AN IMPARTIALITY DISCLOSURE**

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

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

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

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

**2 DISCLAIMER**

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

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****Stephen Mellor - 8 Graham Court, Cottesloe**

- Q1 Is a reduction in likely parking fees [due to cancelation of Sculptures by the Sea] also be an income reduction for the annual budget?
- R1 No. The Town of Cottesloe does not charge parking fees. Additionally, given the time of year Sculpture by the Sea normally occurs, the impact on parking infringements is not expected to be significant.
- Q2 Should [the status of the Indiana development] not this be updated before approving the Strategy?
- R2 The status of the Indiana development does not have a material impact on the Local Planning Strategy. The Indiana Tea House is within the Metropolitan Regional Scheme, which is managed by the Western Australian Planning Commission (WAPC).
- Q3 Would [the inclusion of 22 John Street] not this be more than a 'Minor' modification [in the Local Planning Strategy] allowed in Point 4 of the Resolution for the CEO to approve?
- R3 The CEO has not exercised delegated authority in relation to modifying the Local Planning Strategy (LPS) regarding 22 John Street. This is why the matter has been presented for Council's consideration.  
(Note: at the OCM Council resolved not to include 22 John Street in area F of the Local Planning Strategy.)
-

- Q4a Is this not a breach of the accepted consultation process with the community [to include 22 John Street in area F of the Local Planning Strategy]?
- R4a Given the recent subdivision application for 22 John Street, the Administration believed there was sufficient merit, for its inclusion into Area F, hence the recommendation for Council's consideration. (As noted above, Council has resolved not to include 22 John Street in area F of the Local Planning Strategy.)
- Q4b Will this not add to "Public consultation fatigue" but rather increase lack of faith in the Council's process and commonsense governance?
- R4b Refer to R3 & R4a.
- Q5 With the inclusion and potential sub-division of the site, would not this put at risk the tree canopy and open space so important to and in conflict with the GIS?
- R5 The Greening Infrastructure Strategy (GIS) primarily addresses green infrastructure on public land. While it references green infrastructure on private land, the mechanisms to manage this have not yet been investigated or adopted by Council.
- Q6 With the Fiveight *Indiana* Proposal currently still in the Local Planning Strategy and that the inclusion of a Surf Club storage shed near the Mudurup Rocks was planned, can the community be assured that locating this in such a risk area will be properly considered should the proposal resurface?
- R6 As mentioned above, the status of the Indiana development does not have a material impact on the Local Planning Strategy. The Redevelopment Parameters for the Indiana redevelopment, adopted by Council at the June Ordinary Council Meeting (Resolution OCM090/2024), require the proponent to assume all costs and risks associated with relocating the boatshed and also that any revised redevelopment proposal must set out how environmental and heritage issues raised by the redevelopment are to be resolved, to the Town's satisfaction.
- Q7 If the proposal is still in 'discussion' will Fiveight be made responsible in their building works for the CHRMAP management building and 'fortification' works?
- R7 Further to R6, the Redevelopment Parameters require the proponent to assume all risks and costs including risks and costs associated with protecting the site from coastal hazards, (both existing hazards and those identified during the lease term).
- Q8 Has the Licence Agreement with the *Magpies* been agreed and signed?

- R8 No.
- Q9 Have the whole year 'available hire days and hours' been made publicly available?
- R9 As with all Council facilities available for hire, potential hirers may contact the Town to check the availability of Anderson Pavilion.
- Q10 Are hire users of the Pavilion covered for insurance purposes by the Town's [insurance] policy?
- R10 All users hiring Anderson Pavilion have the same insurance coverage as those hiring any other Council facility.

#### **4.2 PUBLIC QUESTIONS**

### **5 PUBLIC STATEMENT TIME**

### **6 ATTENDANCE**

#### **Elected Members**

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

#### **Officers**

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

#### **6.1 APOLOGIES**

#### **6.2 APPROVED LEAVE OF ABSENCE**

Cr Chilla Bulbeck  
Cr Brad Wylynko

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE****7 DECLARATION OF INTERESTS****8 CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Council held on Tuesday 17 December 2024 be confirmed as a true and accurate record.

**9 PRESENTATIONS****9.1 PETITIONS**

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

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

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

**9.2 PRESENTATIONS****9.3 DEPUTATIONS**

**10      REPORTS**

**10.1    REPORTS OF OFFICERS**

**COUNCIL RESOLUTION**

**That Council adopts the following en-bloc Officer Recommendations contained in the Agenda for the Ordinary Meeting of Council 25 February 2025:**

\_\_\_\_, \_\_\_\_ , \_\_\_\_ , \_\_\_\_ , \_\_\_\_ , \_\_\_\_ , \_\_\_\_

**CORPORATE AND COMMUNITY SERVICES****10.1.1 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2024 TO 31 DECEMBER 2024**

**Directorate:** Corporate and Community Services  
**Author(s):** Sheryl Teoh, Finance Manager  
**Authoriser(s):** Vicki Cobby, Director Corporate and Community Services  
**File Reference:** D25/6036  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

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

**OFFICER RECOMMENDATION IN BRIEF**

That Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 31 December 2024.

**BACKGROUND**

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

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

**OFFICER COMMENT**

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached financial statements:

- The net current funding position as at 31 December 2024 was \$11,594,137 compared to \$8,676,154 at the same time last year.

- Operating revenue exceeds the year-to-date budget by \$110,226 while operating expenditure is less than the year-to-date budget by \$1,398,839. A detailed explanation of material variances is provided in Note 3: Explanation of Material Variances, in the attached financial statements.
- Cash and investments are shown in Supplementary Information 3: Cash and Financial Assets at Amortised Cost, of the attached financial statements. The Town has 36.84% of funds invested with the Commonwealth Bank of Australia, 35.62% with the National Australia Bank, and 27.55% with the Westpac Banking Corporation.
- The balance of cash-backed reserves was \$7,591,088 as at 31 December 2024, as shown in Supplementary Information 4: Reserve Accounts.
- The Capital Works Program is detailed in Supplementary Information 5: Capital Acquisitions. It shows that capital expenditure is less than the year-to-date budget by \$480,710. An explanation of material variances is provided in Note 3: Explanation of Material Variances in the attached financial statements.
- Rates, sundry debtors, and other receivables are shown in Supplementary Information 7: Receivables. Outstanding rates amount to \$3,829,989, compared to \$3,424,660 at the same time last year. Sundry debtors and other receivables indicate that 38.5%, or \$335,781, are older than 90 days, which includes outstanding infringements.
- Information on borrowings is shown in Supplementary Information 10: Borrowings, of the attached financial statements. The Town had total principal outstanding of \$1,933,710 as at 31 December 2024.

#### **List of Accounts Paid for December 2024**

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

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

- \$506,000.00 to Eco Shark Barrier P/L for the shark barrier
- \$177,575.46 and \$170,818.54 to the Town of Cottesloe Staff for Fortnightly payroll
- \$171,068.70 to the Shire of Peppermint Grove for the Grove Library contribution
- \$112,460.12 to Solo Resource Recovery for waste collection services
- \$83,616.23 to Hames Sharley (WA) P/L for Planning consultancy
- \$72,179.80 to FJ Fitsimmons & Co for road construction
- \$50,757.00 and \$48,783.00 to the Australian Taxation Office for Payroll deductions
- \$46,690.68 and \$46,375.30 to SuperChoice Services Pty Ltd for Superannuation contributions
- \$41,447.22 to Dept. Mines, Industry Regulation & Safety for Building Services Levies
- \$37,076.75 to Surf Life Saving Western Australia for lifeguard services
- \$36,099.86 to Western Metropolitan Regional Council for waste disposal services

- \$31,904.00 to Scarboro Toyota for Toyota Corolla
- \$31,707.99 to Managed IT Pty Ltd for IT services, maintenance and licensing

Payment listings for October and November 2024 have been included in the attachments to this report. Whilst all material payments were communicated in the October and November reports to Council, the full payment listings were not attached.

### **ATTACHMENTS**

- 10.1.1(a) Monthly Financial Statements for the period 1 July 2024 to 31 December 2024 [under separate cover]
- 10.1.1(b) Payment Listing December 2024 [under separate cover]
- 10.1.1(c) Payment Listing November 2024 [under separate cover]
- 10.1.1(d) Payment Listing October 2024 [under separate cover]

### **CONSULTATION**

Internal

### **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 6.4

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

### **POLICY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

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

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

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

### **RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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



**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 31 December 2024.**

**10.1.2 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2024 TO 31 JANUARY 2025**

**Directorate:** Corporate and Community Services  
**Author(s):** Sheryl Teoh, Finance Manager  
**Authoriser(s):** Vicki Cobby, Director Corporate and Community Services  
**File Reference:** D25/6041  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

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

**OFFICER RECOMMENDATION IN BRIEF**

That Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 31 January 2025.

**BACKGROUND**

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

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

**OFFICER COMMENT**

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached financial statements:

- The net current funding position as at 31 January 2025 was \$10,168,322 compared to \$7,849,854 at the same time last year.
  - Operating revenue exceeds the year-to-date budget by \$174,578 while operating expenditure is less than the year-to-date budget by \$3,234,960. A detailed explanation
-

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

- Cash and investments are shown in Supplementary Information 3: Cash and Financial Assets at Amortised Cost, of the attached financial statements. The Town has 39.48% of funds invested with the Westpac Banking Corporation, 34.97% with the National Australia Bank, and 25.55% with the Commonwealth Bank of Australia.
- The balance of cash-backed reserves was \$7,467,524 as at 31 January 2025, as shown in Supplementary Information 4: Reserve Accounts.
- The Capital Works Program is detailed in Supplementary Information 5: Capital Acquisitions. It shows that capital expenditure is less than the year-to-date budget by \$374,508. An explanation of material variances is provided in Note 3: Explanation of Material Variances in the attached financial statements.
- Rates, sundry debtors, and other receivables are shown in Supplementary Information 7: Receivables. Outstanding rates amount to \$3,361,941, compared to \$2,779,625 at the same time last year. Sundry debtors and other receivables indicate that 63.4%, or \$349,987, are older than 90 days, which includes outstanding infringements.
- Information on borrowings is shown in Supplementary Information 10: Borrowings, of the attached financial statements. The Town had total principal outstanding of \$1,933,710 as at 31 January 2025.

#### **List of Accounts Paid for January 2025**

The list of accounts paid during January 2025 is included in the attachment. This includes purchases made via electronic fund transfers and cheque payments, credit card payments, and fuel cards payments.

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

- \$197,843.06, \$187,797.30 and \$178,120.73 to the Town of Cottesloe Staff for Fortnightly payroll
- \$92,918.11 and \$92,875.00 to Solo Resource Recovery for waste collection services
- \$180,891.14 to the Western Metropolitan Regional Council for Waste disposal services
- \$171,068.70 to the Shire of Peppermint Grove for Grove Library contribution
- \$59,323.00, \$55,184.00 and \$51,147.00 to the Australian Taxation Office for Payroll deduction
- \$142,137.60 to the Programmed Property Services Pty Ltd for Repairs and maintenance
- \$47,134.36, \$46,388.25 and \$46,321.24 to the SuperChoice Services Pty Ltd for Superannuation
- \$37,752.79 to the Electricity Generation and Retail Corporation for Electrical services
- \$33,432.25 to the Managed IT Pty Ltd for Licensing agreement

**ATTACHMENTS**

- 10.1.2(a) Monthly Financial Report 1 July 2024 to 31 January 2025 [under separate cover]
- 10.1.2(b) Payment Listing January 2025 [under separate cover]

**CONSULTATION**

Internal

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 6.4

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

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 31 January 2025.**

**10.1.3 ACCEPTANCE OF THE 2023/2024 ANNUAL REPORT**

**Directorate:** Corporate and Community Services  
**Author(s):** Vicki Cobby, Director Corporate and Community Services  
**Authoriser(s):** William Matthew Scott, Chief Executive Officer  
**File Reference:** D25/7064  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

For Council to consider accepting the Town of Cottesloe 2023/24 Annual Report, including the 2023/24 Annual Financial Statements and Audit Opinion and the date of the Annual Meeting of Electors.

**OFFICER RECOMMENDATION IN BRIEF**

It is recommended that Council accept the 2023/24 Annual Report, incorporating the Annual Financial Statements and Audit Report and sets the date for the General Meeting of Electors.

**BACKGROUND**

The Town's 2023/24 Annual Financial Statements have now been audited and the Audit Report to the Mayor and Chief Executive Officer has been received from the Office of the Auditor General (OAG).

The OAG held the Town's audit exit meeting on 7 February 2025 and invited the audit committee. This provided the audit committee the opportunity to hear directly from the auditors, and ask any questions regarding the Annual Financial Statements and any audit findings. The Audit Committee also met on 7 February 2025 and noted the Annual Financial Statements and Audit Report as presented, to be recommended for acceptance as part of the 2023/2024 Annual Report.

In accordance with s5.53. Annual Reports, Local Government Act 1995, the Annual Report must include:

- a report from the mayor;
- a report from the CEO;
- an overview of the plan for the future of the district, including major initiatives that are proposed to commence or to continue in the next financial year;
- the financial report;
- payments made to prescribed employees;
- the auditor's report;
- Disability Services Act 1993 reports;
- register of complaints details (vis. number and how the complaints were dealt with);
- other details required by regulations or be prescribed.

**OFFICER COMMENT**

The Annual Report for the Town of Cottesloe for 2023/24 if accepted at the present meeting, 25 February 2025, sees the General Meeting of Electors being required to be held by 22 April 2025 at the latest (56 days) with a minimum of 14 days notice required for the holding of the meeting.

The audit opinion is **unmodified** and includes an **emphasis of matter**. An unmodified audit opinion (also referred to as an unqualified audit opinion) is a good result for the Town, it means that the auditors conclude that the financial statements are prepared, in all material respects, in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards. An emphasis of matter does not change the audit opinion, they are used by auditors to draw the attention of users to a matter that they think is important to their understanding of the financial statements.

Should Council accept the 2023/24 Annual Report, the date for the Annual General Meeting of Electors (GME) can be resolved. As per sections 5.27 and 5.29, Local Government Act the GME must be held within 56 days of the Council accepting the Annual Report, noting there must be 14 day's public notice, prior to the meeting. Given these requirements it is recommended that the GME be held on Tuesday 18 March 2024 at 5:30pm in the War Memorial Hall. The GME will be held before the Agenda Forum (for the 25 March 2025 Ordinary Council Meeting).

**ATTACHMENTS**

**10.1.3(a) 2023/2024 Annual Report [under separate cover]**

**CONSULTATION**

Office of the Auditor General  
Grant Thornton  
Audit Committee

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

5.53. Annual Reports  
5.54. Acceptance of Annual Reports  
5.27. Electors General Meetings  
5.29. Convening Electors Meetings

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

There Annual Report is prepared within the Budget parameters set by Council.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION**

**That Council, by Absolute Majority:**

- 1. ACCEPTS the ANNUAL Report for the Town of Cottesloe for the year ended 30 June 2024.**
- 2. SETS the time and date of the General Meeting of Electors at 5:30pm, 18 March 2024 in the War Memorial Hall, and that the purpose of the meeting be - "to discuss the contents of the 2023/24 Annual Report (incorporating the 2023/24 Annual Financial Statements and Auditor's Report) and any other general business".**

**NOTES that local public notice will be issued on 26 February 2025, to ensure the minimum 14 days notice of the General Meeting of Electors is provided.**

**DEVELOPMENT AND REGULATORY SERVICES****10.1.4 EVENT APPLICATION ELECTRIC ISLAND 2026**

**Directorate:** Development and Regulatory Services  
**Author(s):** Paul Neilson, Acting Director Development and Regulatory Services  
**Authoriser(s):** William Matthew Scott, Chief Executive Officer  
**File Reference:** D24/44332  
**Applicant(s):** EG Productions Pty Ltd  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

For Council to consider approving the use of Cottesloe Beach for a three days for the 2026 Electric Island event. The event will be held on Friday 17 April 2026 from 4pm until 10pm, Saturday 18 April 2026 3pm to 10 pm and Sunday 19 April 2026 from 2pm until 9pm.

**OFFICER RECOMMENDATION IN BRIEF**

It is recommended that Council APPROVE the use of Cottesloe Beach for the Electric Island, subject to the event complying with relevant statutory requirements including the requirement to submit comprehensive event, risk, noise, security, traffic and parking plans.

**BACKGROUND**

An application has been received from EG Productions for a three day for the Electric Island event at Cottesloe Beach on Friday 17 April 2026 from 4pm until 10pm, Saturday 18 April 2026 3pm to 10 pm and Sunday 19 April 2026 from 2pm until 9pm. In previous years the event has been only held for two days.

The event will consist of one stage which will feature a number of high calibre, international acts that will be announced closer to the time. Ticket sales from the 2024 event revealed that the average age of participants was 40 yrs. The proposed timeframe will allow patrons to visit local businesses both before and after the event bringing economic stimulus to the area. Other infrastructure includes a bar providing both alcoholic and non-alcoholic drinks, and food vans providing a variety of food to patrons.

**OFFICER COMMENT**

In addition to the above, the applicant will be required to provide comprehensive event, risk, noise, medical, security, traffic, and parking plans.

The applicant shall also, in conjunction with the Cottesloe Surf Lifesaving Club, ensure that suitable measures are implemented to enable club members access to its facilities for the week leading up to the event and the event days.

Fireworks by the event organiser are proposed at the conclusion of each night.



**BUMP IN/BUMP OUT**

The bump-in will be a staged approach to ensure the public have access to the grassed area and beach for as long as safely possible. Bump in will commence on Tuesday 14 April 2026 and bump out Sunday 19 April 2026. The proposed capacity for the event is 8,000 patrons each day.

**RISK MANAGEMENT**

A draft risk management plan (RMP) will be submitted to comply with the requirements of ISO 31,000.

**TRAFFIC MANAGEMENT PLAN**

A traffic management plan is required to be submitted from an approved traffic management company.

**SECURITY**

Event organisers have engaged a reputable security company for the event. Security will be on site prior to, during and post event. They will also conduct regular patrols of the surrounding areas and identify problem areas. Police will also be deployed to the event (at least 10 officers) known as 'user pay' as per the requirements of the *Police Amendment Act 2011*. Consultation has been undertaken with Surf Lifesaving WA as to whether the hirer requires lifeguard services.

**FIRST AID**

First aid will be on site for the duration of the event and will be located in a marquee clearly visible to patrons. Clear access will be maintained at all times for emergency vehicles.

**NOISE**

The applicant as submitted submit an application for a regulation 18 noise approval, as per the requirements of the *Environmental Protection (Noise) Regulations 1997*. The approval will include conditions relating to:-

- Noise level limits;
- Strict start and finish times;
- The requirement for affected residents and businesses to be notified of the event at least seven days prior to the event;
- A dedicated complaints line for the event (to be answered in person at all times); and
- Noise level limits to be monitored by an independent acoustic consultant.

**STAKEHOLDER CONSULTATION**

The event organisers will be required to liaise with -

- The Cottesloe Surf Lifesaving Club

- Indigo Oscar restaurant
- Approval from Fiveight's to use the grassed area (if used)
- Surrounding businesses

### COMPLIANCE

The applicant is required to obtain approval from WA Police and Racing, Gaming and Liquor. An event approval will be issued with relevant conditions imposed as per the requirements of:-

- *Public Health Act 2016*
- *The Health (Public Buildings) Regulations 1992;*
- *Food Act 2008; and*
- *Environmental Protection (Noise) Regulations 1997.*

Further, Environmental Health Officers will be on site for the duration of the event to ensure compliance with set conditions.

Public liability insurance with a cover of \$20 million dollars to be provided.

A question raised at Council's Agenda Forum held on the 18 February 2025 was the capacity for Council to make a decision upon, or, to impose additional conditions on the 2026 Electric Island Event post the holding of the 2025 Electric Island Event (to be held on the 5 & 6 April). This would provide the Town with the opportunity to review the operation of the 2025 event and apply conditions to address any adverse outcomes experienced.

Town staff have been in liaison with the event organisers about the option of Council deferring a decision on the 2026 Electric Island Event until either the April or May Ordinary Council Meetings 2025. The organisers advise that their preference is to gain approval for the event at Council's Ordinary Meeting held in March 2025 principally:-

1. To secure Tier 1 international artists to perform and need more than a year of lead time which is impossible if the dates and the venue are not secured.
2. That the organisers can immediately announce the dates for the 2026 Event following the 2025 Event and put some early bird discounted tickets on sale for our supporters and the people in the local area. This would be a small quantity of tickets, like 1,500 per day only.

In light of the advice from the event organisers, and, in the interests of a high quality event in 2026, it is recommended that the decision not be deferred but that Council include an additional recommendation which allows for the potential for the inclusion of additional conditions to apply as determined by the Chief Executive Officer, subject to the benefit of a review of the operations of the 2025 Event. This will provide certainty for the 2026 Electric Island Event but enable additional conditions to be applied if required.

**ATTACHMENTS**

10.1.4(a) Electric Island 2026 Site map [under separate cover]

**CONSULTATION**

Surrounding businesses

The Surf Club

Elected Members

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

*Public Health Act 2016*

*The Health (Public Buildings) Regulations 1992*

*Food Act 2008*

*Environmental Protection (Noise) Regulations 1997*

*Police Amendment Act 2011*

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

Major Strategy 1.1: Supporting an active, healthy and inclusive community culture, our residents enjoy access to a range of social, cultural and recreation activities.

**RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

Environmental Health Officers will be on site for the duration of the event to monitor compliance with event conditions, including noise level limits and potential noise complaints.

The total revenue through associated event fees is as per the 2025/26 fees and charges and is approximately \$75000 including day hire and Regulation 18 approval. Bump in and out dates are unchanged from the Town previous approval. Additional staff costs for overtime are estimated at \$2000.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

The applicant is aware that single use plastics and balloons are prohibited.

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**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council APPROVES the use of Cottesloe Beach for the Electric Island event, including fireworks, to be held on Friday 17 April 2026 from 4pm until 10pm, Saturday 18 April 2026 3pm to 10 pm and Sunday 19 April 2026 from 2pm until 9pm SUBJECT to:**

- 1. Compliance with relevant statutory requirements being met including the provision of comprehensive event, risk, noise, medical, security, traffic and parking plans; and**
- 2. Access to the beach including disabled access, to be maintained at all times. Extension of the event fencing into the water is not permitted.**
- 3. [The potential inclusion of additional conditions to apply to the event as determined by the Chief Executive Officer subject to a review of the operations of the 2025 Electric Island Event.](#)**

**EXECUTIVE SERVICES****10.1.5 SEAVIEW GOLF CLUB REDEVELOPMENT ADVISORY COMMITTEE**

<b>Directorate:</b>	<b>Executive Services</b>
<b>Author(s):</b>	<b>Shaun Kan, Director Engineering Services</b>
<b>Authoriser(s):</b>	<b>William Matthew Scott, Chief Executive Officer</b>
<b>File Reference:</b>	<b>D25/6078</b>
<b>Applicant(s):</b>	<b>Internal</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

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**SUMMARY**

For Council to consider nominations received from the Seaview Golf Club (SVGC) to appoint a new Committee member and a deputy onto the Committee.

**OFFICER RECOMMENDATION IN BRIEF**

That Council APPROVES the new SVGC Committee Member, the deputy and the attached revised Committee Terms of Reference (ToR).

**BACKGROUND**

In April 2024 Council adopted the SVGC Facilities Strategy, the Committee ToR and appointed the various members (2 SVGC members and 4 elected members) below:

- Mayor Lorraine Young;
- Cr Brad Wylynko;
- Cr Sonja Heath;
- Cr Katy Mason;
- SVGC Member 1 – Mr Tim Wilhelm; and
- SVGC Member 2 – Mr Steve Joske

Since then, the community aspiration survey and the site assessments have been completed. Three project concepts are currently being developed.

On 3 February 2025, the Town was informed by the SVGC of Mr Steve Joske resignation (see attached email correspondence)

**OFFICER COMMENT**

Section 5.11 (2) (b) of the Local Government Act 1995 states that an individual's membership to the committee ceases when they resign. Given the vacancy and the membership composition within the approved ToR, the SVGC has nominated the following individuals to replace Mr Joske (see attached correspondence):

- Mr David Rogers (Committee Member)
  - Mr James Green (Deputy Committee Member)
-

The following options are open to Council:

- Option 1: Amend the ToR to include a Deputy Member within the approved membership composition to appoint both Mr Rogers and Mr Green into their respective nominated roles; and
- Option 2: Does not amend the Committee ToR and only appoints only Mr David Rogers as a Committee Member.

The preferred option is Option 1, as it provides the greatest opportunity for SVGC to participate and contribute to the Committee.

Attached is a proposed Committee ToR that allows for the SVGC to have a deputy member. This needs to be adopted by Council in order to progress option 1. The revisions within this attachment have been highlighted in blue.

### **ATTACHMENTS**

- 10.1.5(a) Email - SVGC Advisory Committee - Nomination of Committee Member - February 2025 [under separate cover]**
- 10.1.5(b) Sea View Golf Club Redevelopment Advisory Committee Terms of Reference - Revised February 2025 [under separate cover]**

### **CONSULTATION**

SVGC

### **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

*5.10. Committee members, appointment of*

*5.11. Committee membership, tenure of*

### **POLICY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

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

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

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

### **RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

Administration will be in attendance at each meeting. This is within current staffing allocations.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION**

**THAT Council by absolute majority**

- 1. NOTES the resignation of Mr Steve Joske from the Seaview Golf Club Redevelopment Advisory Committee and thanks him for his contribution;**
- 2. APPROVES the amendment of the Seaview Golf Club Redevelopment Advisory Committee Terms of Reference to include a Deputy Member within the Membership Composition (As Attached); and**
- 3. APPOINTS Seaview Golf Club's nominees Mr David Rogers as the Committee Member and Mr James Green as the Deputy Member of the Seaview Golf Club Redevelopment Advisory Committee.**

**10.1.6 APPOINTMENT OF THE PRESIDING MEMBER - CEO RECRUITMENT ADVISORY COMMITTEE**

**Directorate:** Executive Services  
**Author(s):** William Matthew Scott, Chief Executive Officer  
**Authoriser(s):** William Matthew Scott, Chief Executive Officer  
**File Reference:** D25/7786  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

For Council to appoint a Presiding Member to the Chief Executive Officer (CEO) Recruitment Advisory Committee (the Committee).

**OFFICER RECOMMENDATION IN BRIEF**

That Council appoints the Mayor as the Presiding Member of the CEO Recruitment Advisory Committee.

**BACKGROUND**

At the 26 November 2025 Ordinary Council Meeting (OCM) the Council established the Chief Executive Officer Recruitment Advisory Committee and appointed the following Elected Members (Resolution OCM 211/2024):

- Mayor Young
- Cr Harkins
- Cr Heath; and
- Cr Irvin

At the 17 December OCM, Mr Steven Cole was appointed as the independent person to the Committee.

Previously Local Government Committees were able to elect their own Presiding Member, however, Section 5.12 Presiding Members and Deputies, *Local Government Act 1995*, has now been amended, requiring the Local Government (Council) to appoint the Presiding Member of any Committee (by Absolute Majority). As the Committee had not met or elected a Presiding Member prior to the change to the legislation, the position of Presiding Member (and Deputy) is currently vacant until Council makes an appointment.

It should be noted that the Committee did meet on the 21 February 2025, and a Presiding Member was chosen at the meeting, via Section 5.14 who acts if no Presiding Member, *Local Government Act 1995*. This election was for that meeting only, and should Council not make a permanent appointment of the Presiding Member, under Section 5.12, a similar decision will need to occur each time the Committee meets.



**OFFICER COMMENT**

The purpose for the change in Section 5.12 was to remove the need for a secret ballot, should more than one Committee Member be nominated for the position of Presiding Member (or Deputy).

Given the nature and size of the Committee, it is unlikely there will be a need for a Deputy Presiding Member, and therefore Council is only being requested to appoint a Presiding Member.

**ATTACHMENTS**

Nil

**CONSULTATION**

WALGA

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

5.12 Presiding members and deputies

5.14 5.14 Who acts if no Presiding Member

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION**

**THAT Council by absolute majority appoint \_\_\_\_\_ as the Presiding Member of the Chief Executive Officer Recruitment Advisory Committee.**

**10.1.7 CEO QUARTERLY INFORMATION BULLETIN**

**Directorate:** Executive Services  
**Author(s):** Jacquelyne Pilkington, Governance & Executive Office Coordinator  
**Authoriser(s):** William Matthew Scott, Chief Executive Officer  
**File Reference:** D25/4278  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

To provide Council information and statistics on key activities during the year on a quarterly basis, as requested by Council or recommended by the Administration.

**OFFICER RECOMMENDATION IN BRIEF**

THAT Council notes the information provided in the Quarterly Information Bulletin (Attachments).

**BACKGROUND**

This report is consistent with the Town's Council Plan 2023 – 2033, Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance and Major Strategy 4.3: Deliver open, accountable and transparent governance.

**OFFICER COMMENT**

Elected Members should be aware that the Council Plan deliverables do not currently have a priority rating. Deliverable priorities will be considered by Council at a future meeting. In the interim all deliverables have been commented on.

**ATTACHMENTS**

**10.1.7(a) CEO Quarterly Information Report [under separate cover]**

**CONSULTATION**

Nil

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 5.41 Functions of CEO

**POLICY IMPLICATIONS**

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

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**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council notes the information provided in the Quarterly Information Bulletin**



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

**10.2.1 RECEIPT OF AUDIT COMMITTEE MINUTES**

**Attachments: 10.2.1(a) Unconfirmed minutes of Audit Committee Meeting held on 7 February 2025 [under separate cover]**

**THAT Council RECEIVES the attached Unconfirmed Minutes of the Meeting held on 7 February 2025 and ADOPTS the recommendations contained within.**

**10.2.2 RECEIPT OF CEO RECRUITMENT COMMITTEE MEETING MINUTES**

**Attachments: 10.2.2(a) Unconfirmed Minutes - CEO Recruitment Committee Meeting  
[under separate cover]**

**THAT Council RECEIVES the attached Unconfirmed Minutes of the Meeting held on CEO Recruitment Committee Meeting.**

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

Nil

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

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

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

**13.1.1 WALGA ENERGY SUSTAINABILITY AND RENEWABLE PROJECT - STAGE 2 ELECTRICITY SALES AGREEMENT**

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

**13.1.2 CEO RECRUITMENT**

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

**MOTION FOR RETURN FROM BEHIND CLOSED DOORS**

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

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



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

**14 MEETING CLOSURE**