

TOWN OF COTTESLOE



FULL COUNCIL MEETING

MINUTES

**The Ordinary Meeting of Council
held in the Council Chambers, Cottesloe Civic Centre
on 23 September, 2002, commencing at 7.05pm.**

ORDINARY MEETING OF FULL COUNCIL

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ORDINARY MEETING OF COUNCIL

23 September, 2002

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson announced the meeting opened at 7.05pm.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

2.1 PRESENT

The Mayor:	Mr J.C. Hammond
Councillors:	Cr. J.S. Birnbrauer
	Cr. M.E. Ewing (from 7.06pm)
	Cr. B.R. Miller
	Cr. K.J. Morgan
	Cr. P. Rattigan
	Cr. A.O. Sheppard
	Cr. J. Utting
	Cr. J.F. Walsh
	Cr. R. Whitby
Chief Executive Officer:	Mr S.D. Tindale
Manager, Engineering Services:	Mr M.R. Doig
Manager, Development Services:	Mr S. Sullivan
Manager, Corporate Services:	Mr A. Lamb

2.2 APOLOGIES

Cr. A. Furlong. Mayor Hammond announced Cr. Furlong's apology, noted his recent ill health and wished him a speedy recovery.

2.3 LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Cr. Ewing announced that she would be an apology for the next month's meeting.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr. Miller, seconded Cr. Ewing, that the minutes of the Ordinary Meeting of Full Council held on the 26 August, 2002, be confirmed.

Carried 10/0

7 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**7.1 AMALGAMATION**

The Mayor announced that he planned to meet with the Mayor of Fremantle in response to his approach regarding amalgamation. The Mayor reported that he had recently been made aware of Council's previous resolution concerning amalgamation. He made it clear he would be putting forward his personal views on the matter and that he would report back to Council.

7.2 HERITAGE – NO. 66 FORREST STREET

The Mayor reported that the owner of No. 66 Forrest Street had extended an invitation to Council members and the "Post" to view the property which has been extensively and fastidiously renovated over the past 18 months. This house was once owned by Sir John Forrest.

7.3 LADY LAWLEY COTTAGE

The Mayor reported that Red Cross was looking for people for the fund-raising committee and for donations.

7.4 WALGA – DISTINGUISHED SERVICE AWARDS

The Mayor congratulated Crs Ewing and Furlong for receiving prestigious Western Australia Local Government Association Awards recently. Cr. Ewing was awarded a Distinguished Service Award in recognition of her distinguished service to the community and Cr. Furlong was awarded the Meritorious Award in recognition of his more than 12 years of service to the community.

7.5 GRANT STREET STATION – CLOSURE

The Mayor reported that SOS Cottesloe and others had expressed concern over the closure times for Grant Street Station, noting that disabled people and others such as nurses, who worked shifts, are disadvantaged and may be put at danger of having to travel from other stations to home at night.

7.6 CLAREMONT POOL – REQUEST FOR CONTRIBUTION

The Mayor reported that a letter from the Town of Claremont had been received after the Works & Corporate Services Committee meeting agenda had been sent to all members. He noted that the letter provided additional information in relation to Claremont's request.

8 PUBLIC STATEMENT TIME**8.1 Mr G. Wheatley – Item TP112**

Mr Wheatley spoke in support of the Committee recommendation for the deletion of the vertical column on the upper floor balcony.

- 8.2 Mr Peter Batros – Item TP113
Mr Batros spoke in support of the Committee recommendation.
- 8.3 Mr Philip Nikulinsky - -Item TP114
Mr Nikulinsky spoke in support of the application and against condition (5) in the recommendation. He suggested that if Council could not delete condition (5), it defer the matter to allow the owner time to look at alternatives.
- 8.4 Ms. Michele Rodgers – TP114
Ms. Rodgers spoke against condition (5) in the recommendation noting that the property comprised two titles for 50 years and that amalgamation of the lots would unreasonably restrict further user of the property.
- 8.5 Mr Peter Robinson – TP116
Mr Robinson spoke as a resident of Cottesloe and Captain of the Sea View Golf Club in support of the heritage listing of the golf course. He noted that the letter from the Heritage Council may have been misleading in its reference to buildings on the course and Jarrad Street. Mr Robinson asked Council to support the registration, subject to buildings and Jarrad Street not being included.
- 8.6 Mr Trevor Saleeba – Item TP124
Mr Saleeba spoke in support of the application and sought amendments to conditions (1)(f)(ii) and (1)(f)(iii) to allow for options of a privacy screen and a car parking bay within the front setback.
- 8.7 Mr Gene Matthews – Item TP124
Ms. Matthews spoke in opposition to the upgrading and development of the units at No. 126 Broome Street. Ms. Matthews expressed concerns over levels and the size of balconies.
- 8.8 Mr Stephen Drake-Brockman – Item No. 9
Mr Drake-Brockman spoke in support of the petition calling for the restoration of tethering facilities for dogs formerly available outside the “Blue Duck Café”.
- 8.9 Mr Tony Howarth – W31
Mr Howarth spoke on behalf of the Cottesloe Rugby Club in support of the Committee recommendation, noting the problems caused by the current cricket pitch for junior football and rugby and of the need for this oval to facilitate their competitions.

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

Cr. Birnbrauer presented a petition signed by 15 residents of Cottesloe. The prayer reads:

“We the undersigned ratepayers of the Town of Cottesloe, would be grateful for your earnest consideration of this petition for the restoration of the tethering facilities for dogs formerly available outside the Blue Duck Restaurant and along Marine Parade in the vicinity of the beach at north Cottesloe.”

Moved Cr. Birnbrauer, seconded Cr. Ewing

That the petition presented by various ratepayers and residents of Cottesloe be accepted and referred to the October meeting of the Works & Corporate Services Committee for consideration and report.

Carried 10/0

10 REPORTS OF COMMITTEES AND OFFICERS

DEVELOPMENT SERVICES COMMITTEE

16 September, 2002

HEALTH

H4 INDIANA TEAHOUSE - APPLICATION FOR EXTENDED TRADING PERMIT

File No.:	Indiana Teahouse
Applicant:	Indiana Teahouse
Author:	Ms. Ruth Levett
Report Date:	9 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

The purpose of the report is to outline the proposed application by the Indiana Teahouse for an Extended Trading Permit (ETP) to sell and supply liquor without a meal to patrons in 20% of the restaurant. The intention of the recommendation is to give conditional consent to the proposal to accompany the applicant's submission to the Office of Racing, Gaming and Liquor.

STATUTORY ENVIRONMENT

Section 60 (4)(c) of the Liquor Act 1988 as amended.

POLICY IMPLICATIONS

Office of Racing, Gaming and Liquor Policy 'Extended Trading Permits for Restaurants to Sell and Supply Liquor Without a Meal'.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

BACKGROUND

The Indiana Teahouse has advised Council that it proposes to make an application to the Office of Racing, Gaming and Liquor for an Extended Trading Permit to sell and supply liquor to patrons without a meal in 20% of the restaurant. The Indiana is seeking Council's consent to the proposal, as the Lessor of the property. A copy of the letter is attached.

CONSULTATION

Public consultation is not normally required by the Office of Racing, Gaming and Liquor for this particular type of licence. However, Council may require public consultation as a condition of consent. Council may also write to the Director of Liquor Licensing informing him of the decision and requesting that any such application be required to undertake public consultation.

STAFF COMMENT

Where other conditions can be satisfied and it can be demonstrated that the principle function of supplying meals to customers is maintained, an application by a restaurant for an ETP may be supported. In accordance with Section 60 (4)(c) of the Liquor Licensing Act, permission to allow 20% of patrons in a restaurant to consume alcohol without a meal can now be approved by the Liquor Licensing Authority.

As outlined in the attached Policy document the applicant shall comply with a number of conditions, including:

- Liquor must be consumed at a dining table;
- The initial ETP period is for one year;
- The 20% is based on the maximum seating capacity as shown on the current premises Eating House Licence (48 patrons);
- The area applied for must be defined and is not portable;
- Trading hours for the ETP are consistent with hotel trading hours and not restaurant trading hours;

As the Lessor of the property Council may give consent to or refuse permission to an application by Indiana for an ETP. Should Council refuse permission the reasons for the refusal are to be outlined. The licensing authority has the power to grant an application where it considers the consent has been capriciously or unreasonably withheld or that the application is in the public interest.

The Indiana Teahouse is an exclusive style dining venue attracting more sophisticated and mature patrons. No complaints have been received in relation to the behaviour of patrons of the restaurant. The proprietors of the restaurant have displayed a responsible attitude to alcohol consumption within the premises. Through their active involvement in the Western Accord, they are assisting to reduce the impact of alcohol consumption on the community. It is unlikely that problems associated with consumption of excessive alcohol will be experienced as a result of the proposed ETP.

An Extended Trading Permit for a restaurant cannot be used for another purpose or to preface another type of liquor licence. It should be noted that a previous application for a Special Facility Licence was withdrawn.

In accordance with Section 74 of the Liquor Act, the Council and other parties may lodge an objection to the application for an ETP only after it has been lodged as a formal application with the Office of Racing, Gaming and Liquor, and only on the grounds outlined in the Act. Should Council refuse permission for an ETP as the Lessor, it is recommended that an objection to the application also be lodged.

Should Council give consent to the application, it is recommended that it is subject to public consultation being undertaken in accordance with the Liquor Act. The appeal process is a matter for the Director of Liquor Licensing.

Voting

Simple majority required.

H4

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) Gives consent to the proposed application by the Indiana Teahouse for an Extended Trading Permit (ETP) to sell and supply liquor without a meal to patrons in 20% of the restaurant subject to:
 - (a) public consultation being undertaken in accordance with the Liquor Act; and
 - (b) all conditions outlined in the Office of Racing, Gaming and Liquor Policy 'Extended Trading Permits for Restaurants to Sell and Supply Liquor Without a Meal', being met.
- (2) Requires that any costs associated with the application for an ETP, including any amendment to the Lease are to be paid in full by the Indiana Teahouse.

Carried 8/2

H5

LA PALME D'OR - APPLICATION FOR OUTDOOR EATING AREA

File No.:	Shop 1-2/12 Napoleon Street
Applicant:	La Palme D'Or
Author:	Mr Ruth Levett
Report Date:	9 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

The purpose of the report is to outline the proposed application by La Palme D'Or of Napoleon Close, to place tables and chairs on the footpath immediately outside the windows facing Napoleon Street. The intention of the recommendation is to approve the application on a trial period of twelve months.

STATUTORY ENVIRONMENT

Activities on Thoroughfares and Trading In Thoroughfares and Public Places Local Law 2001, Division 3.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Annual Licence Fee \$507.00.

BACKGROUND

La Palme D'Or is seeking Council's approval to place three 600mm round tables and a total of six chairs immediately in front of the windows of the coffee shop facing Napoleon Street. La Palme D'Or currently has seating within the coffee shop for 24 patrons and patrons may also sit at the tables located in the centre of Napoleon Close.

CONSULTATION

Nil.

STAFF COMMENT

The following comments were recorded at the July 2000 meeting of the Development Services Committee:

"Advice was given to the applicant stating that it would be unlikely that Council would support an application for an outdoor eating area in Napoleon Street."

It is understood that this advice was based on the perception that tables and chairs would significantly impinge on pedestrian access on the footpath in Napoleon Street. As shown on the attached plan, the proposed tables and chairs are up against the windows with one of the tables adjacent to the street seating located at the entrance to the arcade. At this point there is a distance of 1.2 metres between the table and the seating.

This distance is considered to be the minimum distance to enable safe pedestrian access. Previous local laws required a minimum pedestrian access width of 1.5 metres. The current local law simply requires that the placement of chairs and tables on a footpath does not impede pedestrian access. Council may impose a condition setting out the required minimum pedestrian access width.

Assessment of other outdoor eating areas has revealed that the pedestrian access width in the majority of cases is not more than 1.2 metres. Observation of pedestrian flow has revealed that there is adequate space for two people to comfortably pass in the same or opposite directions without causing any congestion.

It is therefore recommended that the proposal by La Palme D'Or to place three 600mm round tables and a total of six chairs immediately in front of the windows of the coffee shop facing Napoleon Street, be supported subject to the following conditions:

- (1) the approval being for an initial trial period of twelve months to 30 September, 2003;
- (2) a maximum of three tables and six chairs on the Napoleon Street footpath at any time;

- (3) the tables and chairs being removed at the close of business daily and stored inside the coffee shop;
- (4) a minimum unobstructed pedestrian access of 1.2 metres being maintained at all times; and
- (5) compliance with all other requirements of the Thoroughfares and Trading In Thoroughfares and Public Places Local Law 2001.

VOTING

Simple majority required.

OFFICER RECOMMENDATION

That Council:

Supports the proposal by La Palme D'Or to place three 600mm round tables and a total of six chairs immediately in front of the windows of the coffee shop facing Napoleon Street, be supported subject to the following conditions:

- (1) The approval being for an initial trial period of twelve months to 30 September, 2003;
- (2) A maximum of three tables and six chairs on the Napoleon Street footpath at any time;
- (3) The tables and chairs being removed at the close of business daily and stored inside the coffee shop;
- (4) A minimum unobstructed pedestrian access being maintained at all times; and
- (5) Compliance with all other requirements of the Thoroughfares and Trading In Thoroughfares and Public Places Local Law 2001.

COMMITTEE COMMENT

Cr. Miller expressed concern in relation to the application and advised that he would like to recommend two tables not three. Photographs taken showing the tables in position were circulated. The Committee were satisfied that, based on the photographs provided, the proposal would not adversely affect the movement of the public along the street.

The recommendation was modified for reasons of clarity.

H5

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

Supports the proposal by La Palme D'Or as per the plans received on 15 August 2002, to place three 600mm round tables and a total of six chairs immediately in front of the windows of the coffee shop facing Napoleon Street, subject to the following conditions:

- (a) **the approval being for an initial trial period of twelve months to 30 September, 2003;**

- (b) a maximum of three tables and six chairs on the Napoleon Street footpath at any time;
- (c) the tables and chairs being removed at the close of business daily and stored inside the coffee shop;
- (d) a minimum unobstructed pedestrian access of 1.2m being maintained at all times; and
- (e) compliance with all other requirements of the Thoroughfares and Trading In Thoroughfares and Public Places Local Law 2001.

Carried 10/0

PLANNING

TP108 AUTHORISATION FOR MS JANINE MCDONALD, PLANNING OFFICER TO ENTER PREMISES IN ACCORDANCE WITH THE PROVISIONS OF CLAUSE 7.5 OF THE NO. 2 TOWN PLANNING SCHEME TEXT

File No.: D2.3
Author: Mr Stephen Sullivan
Report Date: 6 September 2002
Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

PURPOSE OF REPORT

To confirm authorisation of Ms Janine McDonald, Planning Officer to inspect sites for the purpose of ascertaining whether the provisions of the Scheme are being observed.

PLANNING FRAMEWORK AND IMPLICATIONS

Statutory Environment:	Town of Cottesloe Town Planning Scheme No. 2
TPS Policy Implications:	N/A
Financial Implication:	Nil
Strategic Implication:	Nil

COMMENT

The purpose of the report is to include Ms McDonald in the authorisation of staff that are involved in the inspection of sites for the purposes as set out in clause 7.5 of the Town Planning Scheme text. The relevant clause is reproduced below:-

“An officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.”

CONCLUSION

Council should provide authorisation for Ms Janine McDonald, Planning Officer entry to buildings or land for the purpose of ascertaining whether the provisions of the Scheme are being observed. This should prevent any technicality in the court system where Council staff are seeking to provide evidence as an authorised officer of the Council.

VOTING REQUIREMENTS

Simple Majority.

TP108 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That for the purposes of Clause 7.5 of the Town of Cottesloe Town Planning Scheme No. 2, Ms Janine McDonald, Planning Officer is authorised, at all reasonable times, to enter any building or land to ascertain whether the provisions of the Scheme are being observed.

Carried 9/1

TP109 NO. 57 (LOT 1) ERIC STREET- PROPOSED TWO STOREY METAL ADDITION TO THE EXISTING RESIDENCE

File No:	No. 57 Eric Street
Author:	Stephen Sullivan
Report Date:	9 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale
Property Owner:	M & A Mercer
Applicant:	Odden Rodrigues Architects
Date of Application:	24 July, 2002
M.R.S. Reservation:	Urban
Zoning (TPS No. 2):	Residential
Density:	R20
Lot Area:	823m²

SUMMARY

The proposal is recommended for approval, subject to conditions. It is considered that Council should make an exercise of discretion to approve the building heights under Clause 5.1.1 (c) of the Scheme.

It is also considered that the western side setback of 2.4m is appropriate for a secondary street.

The recommendation imposes a condition relating to the projection of the studio into the front setback area, requiring it to comply with Clause 1.5.4 of the R Codes. Further, modifications to the materials on the side of the development have been recommended.

STRATEGIC IMPLICATIONS

N/A.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 2

POLICY IMPLICATIONS

TPS Policy Implications:	No. 5 - Building Heights
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HERITAGE LISTING

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

Area of Non-Compliance

Statutory Non-compliance	Min/Required	Proposed
N/A		
Discretionary Provisions	Min/Required	Proposed
Wall height	6.0m (14.95)	7.05m (16.00)
Flat roof height	7.0m (15.95)	7.55m (16.50)
Western side setback	6.0m	2.4m secondary street setback
Front setback	6.0m	4.8m

CONSULTATION

Neighbours notified by registered mail - one submission in support of the development.

The neighbour backing onto the subject property has written in support of the proposed height extension of the southern boundary fence, as it will increase privacy for both properties. The rear setback of the subject property is compliant with the 40m² courtyard requirement of R Code Clause 2.1.2.

BACKGROUND

Consideration of this matter was deferred to the Design Advisory Panel for comment. The panel met on Tuesday 3 September 2002. The form and scale of the building was considered satisfactory, however, concern was expressed in relation to the use of zinalume on the sides of the building.

STAFF COMMENT

Based on the comments from the Design Advisory Panel, it is recommended approval be granted, however, a further condition is recommended. This condition relates to clause 5.1.2(c) of the existing Town Planning Scheme text, which requires Council to consider the use of the materials as it relates to the amenity of the locality.

The applicant has submitted revised plans on the 5 September 2002 that show the material of the additions changing from zinc sheet metal cladding and zinalume wall cladding to painted "ecoply" timber panels and solarsafe silver mist polycarbonate cladding. The eave overhang to the front setback has also been modified so that it is a maximum of 0.75m

VOTING

Simple Majority.

COMMITTEE COMMENT

The Committee noted the front eave setback had been increased from 4.8m to 5.25m

TP109 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) **GRANT its Approval to Commence Development for the two storey metal addition to the existing residence at No. 57 (Lot 1) Eric Street, Cottesloe in accordance with the plans received on the 24 July, 2002 and the revised plans that were received on the 5 September, 2002, subject to the following conditions:**
 - (a) **All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**
 - (b) **Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.**
 - (c) **The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.**
 - (d) **The roof and wall surfaces being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.**
 - (e) **The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.**
 - (f) **Any front boundary fencing to Eric Street and for the northern 6.0m of the Marmion Street boundary being of an "Open Aspect" design and the subject of a separate application to Council.**
- (2) **The submitter be advised of Councils decision.**

Carried 9/1

TP110 NO. 30 (LOTS 46-48) JARRAD STREET- PROPOSED THREE STOREY BRICK AND METAL MIXED USE DEVELOPMENT

File No: No. 30 Jarrad Street
Author: Mr Stephen Sullivan
Report Date: 12 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale
Property Owner: Acemount Pty Ltd
Applicant: Hillam Architects
Date of Application: 19 June, 2002

M.R.S. Reservation: Urban
Zoning (TPS No. 2): Town Centre
Density: R100
Lot Area: 1277m²

SUMMARY

For consideration of an application for Planning Consent by Council.

STRATEGIC IMPLICATIONS

N/A

STATUTORY ENVIRONMENT

Town Planning Scheme No. 2

POLICY IMPLICATIONS

TPS Policy Implications:	No. 1 - Vehicle Parking Requirements Town Centre No. 5 - Building Heights
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HERITAGE LISTING:

State Register of Heritage Places - N/A
 TPS No. 2 - N/A
 Town Planning Scheme Policy No. 12 N/A
 Draft Heritage Strategy Report - N/A
 Municipal Inventory - N/A
 National Trust - N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	Max/Required	Proposed
Plot Ratio	1.0	1.17
Discretionary Provisions	Max/Required	Proposed
Number of storeys	2	3
Wall height	6.0m (13.36)	9.67m (17.03)
Roof ridge height	8.5m (15.86)	11.33m (18.69)

Setbacks of residential units	As per R Codes (9.0m setbacks to 3 street frontages)	Nil
Setbacks of canopies at south-west corner, southern entrance and western entrance	Contained on site	Overhang boundary by 2.4m, 1.0m and 0.6m respectively
Northern setback (under BCA)	3.0m	Nil
Car parking	AS2890.1 (11.1b)	Non-compliant
Private balconies	1 per unit	None for units 8-10
Communal open space	20%	Nil
Major openings	1 per habitable room	None for living/dining areas of units 9 & 10

CONSULTATION

Three Neighbours notified by registered mail - three submissions.

Submissions have been received from the owners of No. 9 Napoleon Street, 32 Jarrad Street and 2A Railway Street. All submissions raise concerns regarding increased usage and vehicle access onto Clapham Lane. Further issues raised are building bulk and rubbish collection.

BACKGROUND

The application was considered by Council at its July, 2002 meeting at which it resolved to refer the application to the Design Advisory Panel for comment.

Whilst the Design Advisory Panel supported the concept, there were concerns in relation to the residential layout of the proposed development, the movement of vehicular traffic along Clapham Lane and the possible non-conformity with the Building Code of Australia.

The Panel also suggested that additional retail floor space should be supported on the lower level, with a subsequent reduction in the requirement for parking. Discussions with the applicant have indicated that this may not be viable if residential units are to be removed to accommodate this additional commercial floor space.

At its August meeting, council resolved to defer consideration as follows:

That Council:

- (1) *defer consideration of the application for Approval to Commence Development submitted by a part two storey, part three storey mixed use development at No. 30 (Lots 46, 47 & 48) Jarrad Street;*
- (2) *engage the services of a Traffic Consultant to prepare a report on the issues and options for addressing traffic management issues associated with the proposed development and the*

- potential for other developments to impact upon Clapham Lane/Railway Street and Clapham Lane/Stirling Highway;*
- (3) seek comments from appropriately qualified Consultants on the design and layout of the proposal.*
 - (4) subject to (2) and (3), request that the applicant submit revised plans incorporating the following changes to the site planning of the proposed development:*
 - (a) plot ratio excess;*
 - (b) increase setback from Clapham Lane;*
 - (c) allowance for a standard 3.0m by 3.0m corner truncation to Clapham Lane and Railway Street;*
 - (d) improved amenity in the layout of the residential units, addressing such matters as improved outlook from habitable rooms and the provision of appropriate private courtyards; and*
 - (e) parking spaces are to be measured clear of any columns.*
 - (5) engage a Traffic Consultant to study the impact of the development on surrounding roads.*
 - (6) authorise the Manager, Development Services, to commence action on items (2) and (3) prior to the August meeting of Council.*
 - (7) advise the submitters of council's decision.*

STAFF COMMENTS

The following comments are made:

Traffic Study

In response to council's august resolution, Sinclair Knight Mertz were engaged to address parts (2) and (5) of Council's resolution. Their report was received late on the 11 September, 2002.

Their findings are circulated separately from this agenda.

Design Assessment

The Planning Group were engaged to review the proposal in light of their experience gained through the assessment of applications in the Subiaco Redevelopment Authority Area. Their report was received on the 12 September, 2002 following consultation with Sinclair Knight Mertz.

Comments

At the time of the preparation of this report, it has not been possible to finalise the report on this application. Either a further report will be prepared or further comments made to the Development Services Committee will be made on this application.

VOTING

Simple Majority.

OFFICER RECOMMENDATION

That the Manager, Development Services will provide a further report to the Development Services Committee following a review of the two additional studies carried out on the proposal.

COMMITTEE COMMENT

The Manager, Development Services discussed the two reports that had been received from the consultants relating to traffic management and the development proposal. The two options presented by the Traffic Consultant were outlined by the Manager, Development Services.

The Manager, Development Services was of the opinion that option 1 was not really feasible to develop Clapham Lane as a street with a commercial frontage and that option 2 of developing Clapham Lane further as an access road was appropriate, provided Council still looked at developing the north-south pedestrian links through the Town Centre.

The proposal was discussed in detail including matters such as:

- was it an appropriate site for mixed use development having regard to the existing and potential noise and odours;
- the prominence of the site;
- the widening of the street;
- design of the development; and
- additional floor space as a consequence of the widening.

It was considered that a special meeting of the Development Services Committee be held at 5:30pm on Monday, 23 September, 2002 and all Councillors be invited. The purpose of the meeting would be to allow the applicants to present a briefing on the proposal before consideration by Council that night.

TP110 COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That:

- (1) a Special Meeting of the Development Services Committee be held at 5.30pm prior to the Council meeting to be held on 23 September 2002 to discuss revised plans for No. 30 Jarrad Street, that are to be submitted by the applicant; and
- (2) all Councillors be invited to attend the meeting and the Manager of Development Services prepare a report.

Carried 10/0

TP111 PROPOSED TOWN PLANNING SCHEME AMENDMENT NO. 34 - PROHIBITION OF MULTIPLE USES WITHIN THE LOWER DENSITY CODINGS

File No:	D2.4
Author:	Mr Stephen Sullivan
Report Date:	4 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

To adopt draft Town Planning Scheme Amendment No. 34 and commence the process to advertise the proposed Town Planning Scheme amendment following an assessment by the Environmental Protection Authority.

STRATEGIC IMPLICATIONS

The proposed amendment is required to address an anomaly that currently exists within the existing Town Planning Scheme text.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 2

POLICY IMPLICATIONS

TPS Policy Implications:	N/A
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CONSULTATION

The proposed amendment to the existing Town Planning Scheme will need to follow the statutory process for amending Town Planning Schemes. This will result in the amendment being open to a statutory public submission period to be determined by Council.

It is suggested that the advertising period be for a period of 42 days. The advertising should be carried out by advertising the Notice (Form No. 3) of the proposed Amendment:

- in a local newspaper , one a week for two consecutive weeks; and
- public notice boards in the Civic Centre, Town Centre and the Library;

The amendment will be available for inspection at the Council offices.

BACKGROUND

Legal advice was sought concerning the proposed development at No. 24 Princes Street. Having regard to the legal advice, it was recommended to Council that an amendment to the existing Town Planning Scheme be introduced to clearly identify that multiple dwellings are not permissible in density codings of R30 or less.

Under the current Residential Planning Codes, the development standards for multiple dwellings only commence in the R40 density coding. The revised Residential Design Codes have introduced multiple dwellings into the R35 coding. In order not to create further problems when the Residential Design Codes are introduced, the amendment should address this change under the Residential Design Codes.

STAFF COMMENT

The report on the proposed amendment that will make multiple dwellings a prohibited land use in areas that have a density coding of R30 or less, is circulated separately from this Agenda.

VOTING

Simple Majority.

TP111 **OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) In pursuance of Section 7 of the Town Planning and Development Act (1928 as amended), amend the Town of Cottesloe Town Planning Scheme No. 2, insofar as it affects Table 1 – Zoning Table of the Scheme Text, by amending the Table to prohibit Multiple Dwellings in areas coded R30 or less.
- (2) Adopt proposed Scheme Amendment No. 34 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes.
- (3) Undertake a 42 day advertising period for the proposed Amendment.
- (4) Refer the proposed Scheme Amendment to the Environmental Protection Authority in accordance with section 7A1 of the Town Planning & Development Act (1928 as amended).
- (5) Forward to the Western Australian Planning Commission a copy of Council's decision and the proposed Scheme Amendment document.

AMENDMENT

Moved Cr. Morgan, seconded Cr. Sheppard

That the motion be deferred.

Lost 4/6

The original motion was put.

COUNCIL RESOLUTION

That Council:

- (1) In pursuance of Section 7 of the Town Planning and Development Act (1928 as amended), amend the Town of Cottesloe Town Planning Scheme No. 2, insofar as it affects Table 1 – Zoning Table of the Scheme Text, by amending the Table to prohibit Multiple Dwellings in areas coded R30 or less.**
- (2) Adopt proposed Scheme Amendment No. 34 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes.**
- (3) Undertake a 42 day advertising period for the proposed Amendment.**
- (4) Refer the proposed Scheme Amendment to the Environmental Protection Authority in accordance with section 7A1 of the Town Planning & Development Act (1928 as amended).**
- (5) Forward to the Western Australian Planning Commission a copy of Council's decision and the proposed Scheme Amendment document.**

Carried 9/1

TP112 NO. 16 (LOT 102) GADSDON STREET – COLUMN TO EXISTING BALCONY

File No: No. 16 Gadsdon Street
Author: Ms. Janine McDonald
Report Date: 9 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Sullivan

Property Owner: Eric Street Pty Ltd
Applicant: Psaros Developments Pty Ltd
Date of Application: 20 August 2002

M.R.S. Reservation: N/A
Zoning (TPS No. 2): Residential
Density: R30
Lot Area: N/A

SUMMARY

The purpose of this report is to seek Council approval to the inclusion of a steel column to an existing boundary.

STRATEGIC IMPLICATIONS

N/A

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
Residential Planning Codes of Western Australia

POLICY IMPLICATIONS

TPS Policy Implications:	Nil
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HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	N/A
Discretionary Provisions	N/A

CONSULTATION

A submission was received from the following:

Unit 25 - 15 Eric Street

Dianne and Grant Wheatley raised objection to the proposal on the basis that it would obstruct a large proportion of what is left of their southwest view. Requests that Council reject the application based on the amenity provisions contained within Clause 5.1.2 of the Scheme.

STAFF COMMENT**Background**

In October 2001, Council granted planning consent for the two storey dwelling at No. 16 Gadsdon Street subject to a number of conditions, notably:

- (vi) *the balustrading on the ground and upper floor balconies being of visually permeable material; and*
- (vii) *the vertical balcony support structures to the west of the building face being removed."*

The imposition of the abovementioned conditions was the result of lengthy negotiations between the applicants, Administration and the Wheatley's when the proposal was first considered. The conditions were designed to preserve as far as practicable, the Wheatley's southwest view. In addition, the Development Services Committee noted the impact of the proposed development on the property to the north (the unit development containing the Wheatley's flat) and felt that there were special circumstances that warranted a greater setback than normal. As a result, the development was required to be setback 8m from the Gadsdon Street boundary.

This application proposes to reinstate a 60mm diameter steel vertical support structure to the northwest corner of the upper floor balcony. The applicant states that the reason for reinstating the column is primarily aesthetic and that the "pergola without a steel column does not look architecturally correct".

Discussion

The Wheatley's unit is a bedsit arrangement that has only one large window to the lounge/bedroom area. The unit is on the second floor and the window faces the south. Through this window, the owners enjoy views of the sky, vegetation and ocean to the south west. Under Clause 5.1.2 of the Scheme Council is obliged to have regard to the need for limiting the height or location of buildings to preserve or enhance views. It is considered reasonable, therefore that the column, not be reinstated in order to preserve the little view that the Wheatley's enjoy.

Further, Council has already made a determination that the column be removed from the plans. Nothing has transpired in the interim that warrants a reversal of the previous decision and the applicant's argument that the column is needed for aesthetic purposes does not provide sufficient justification to overturn the original decision.

CONCLUSION

Given the above, it is recommended that the application for planning consent be refused.

VOTING

Simple Majority.

TP112 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) REFUSE its Approval to Commence Development for the inclusion of a steel column on the upper floor balcony at No. 16 (Lot 102) Gadsdon Street, in accordance with the application and plans submitted on 20 August, 2002 as Council is of the opinion that the column is not required for structural support and will partially obscure the views enjoyed by the property to the north.
- (2) Advise the submitter of Council's decision.

Carried 10/0

TP113 NO. 32 (LOT 46) GIBNEY STREET – 2 STOREY RESIDENCE

File No:	No. 32 Gibney Street
Author:	Ms. Janine McDonald
Report Date:	6 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Sullivan
Property Owner:	Mrs L Batros
Applicant:	Webb Brown & Neaves
Date of Application:	31 May 2002
M.R.S. Reservation:	N/A
Zoning (TPS No. 2):	Residential
Density:	R30
Lot Area:	380m ²

SUMMARY

The purpose of this report is to seek Council approval to the development of a new two storey residence. Conditional approval is recommended.

STRATEGIC IMPLICATIONS

N/A.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
Residential Planning Codes of Western Australia

POLICY IMPLICATIONS

TPS Policy Implications:	N/A
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HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	N/A
Discretionary Provisions	N/A

CONSULTATION

Submissions were received from the following property owners:

No. 25 Beach Street

Raises objection to the proposal primarily on the basis that the north facing areas of the upper storey of the development will overlook their living areas. By way of mitigation, the submission suggests that the upper floor be limited to bedroom accommodation only and that the balcony and excessive north facing windows be deleted.

No. 5 Broome Street

Also raises objection to the proposal and requests that sill heights to the windows to Bedroom 3 on the upper storey be raised to 1.65m to prevent overlooking into their backyard. In addition, the submission suggests that the boundary wall to the truncated portion of the lot is unnecessarily high at 2.2m and suggests it be reduced to 1.9m.

STAFF COMMENT**Background**

Subdivision approval was granted in August 2001 to subdivide No. 28 (Lot 76) Gibney Street into 3 lots of 290m² to 380m². This development application is for a 2 storey dwelling with cellar on the largest, rear lot. The subject lot has access to Council owned rights-of-way on 2 sides and is primarily flat.

A copy of the plans have been circulated separately from this report.

SubmissionsNo. 25 Beach Street

This property contains a double enclosed garage on its rear boundary that will partially obscure the visibility from the proposed development into the living areas of No. 25 Beach Street. In any event, the pool and part of the back yard at the above address are already visible from the right-of-way through an open aspect fence.

The proposed upstairs sitting room is not a main living room which are all located on the ground floor. Therefore, requesting that this room be limited to a bedroom will not have any significant effect. The proposed development meets

the setback requirements of the Residential Planning Codes not including the additional distance provided by the right-of-way.

No. 5 Broome Street

As with the above, a double enclosed garage at the rear of this property will obscure some visibility from the upper storey of the proposed development. The setback distances to the eastern boundary accord with the Residential Planning Codes and there is also the additional distance provided by the right-of-way. Given the above, and as the windows in question are not to a main living area, there does not appear to be any reason to require an increase to the sill heights.

Conclusion

It is recommended that the proposed development be approved as submitted.

VOTING

Simple Majority.

TP113 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council

- (1) **GRANT its Approval to Commence Development for a two storey residence at No. 32 (Lot 46) Gibney Street, Cottesloe in accordance with the plans received on the 17 July and 14 August, 2002, subject to the following conditions:**
 - (a) **All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**
 - (b) **Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.**
 - (c) **The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.**
 - (d) **The roof surface being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.**
 - (e) **The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.**

(f) The boundary fence being reduced in height to 1.8 metres.

(2) Advise the submitters of Council's decision.

Carried 10/0

TP114 NO. 26 (LOTS 46 & 47) MARINE PDE - PROPOSED STUDIO ADDITION

File No: No. 26 Marine Parade
Author: Ms. Janine McDonald
Report Date: 11 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr. Stephen Sullivan

Property Owner: M Rodgers
Applicant: P Nikulinsky Architect
Date of Application: 25 July, 2002

M.R.S. Reservation: N/A
Zoning (TPS No. 2): Residential
Density: R30
Lot Area: 819m²

SUMMARY

The purpose of this report is to seek Council approval for the construction of a studio at the rear of the property. Conditional approval is recommended.

STRATEGIC IMPLICATIONS

N/A

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
 Residential Planning Codes of Western Australia

POLICY IMPLICATIONS

TPS Policy Implications:	Policy No. TPSP 004: Outbuildings
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HERITAGE LISTING:

State Register of Heritage Places - N/A
 TPS No. 2 - N/A
 Town Planning Scheme Policy No. 12 N/A
 Draft Heritage Strategy Report - N/A
 Municipal Inventory - N/A
 National Trust - N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	N/A
Discretionary Provisions	N/A

CONSULTATION

None required.

STAFF COMMENT

Background

The proposed development is a single storey studio located at the rear of the property. The subject land slopes downwards from its highest point at the right-of-way, which abuts the rear of the property, towards Marine Parade. Given the above, the studio is proposed to be built on an existing levelled area.

Rear Boundary Setback

The Residential Planning Codes require a 6m average setback from the rear boundary for development on land coded R30. The setback of the proposed studio to the rear boundary averages 1.2m.

Outbuilding Floor Area

Town Planning Scheme Policy 003: Outbuildings requires a total maximum floor area of 60m². The proposed studio, if approved, would bring the total outbuilding floor area on the site to approximately 119m² taking into account the large garage and shed existing on the land.

Conclusion

Notwithstanding the above, given the local context and the fact that the development is at the rear of the property, it is considered that the reduced rear setback and additional outbuilding floor area will have minimal impact upon neighbouring properties. As a result, it is recommended that Planning Consent be granted.

VOTING

Simple Majority.

TP114 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr. Ewing, seconded Cr. Walsh

That Council GRANT its Approval to Commence Development for the proposed studio at No. 26 (Lots 46 & 47) Marine Parade, Cottesloe in accordance with the plans received on the 25 July, 2002, subject to the following conditions:

- (1) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
- (2) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.
- (3) The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.
- (4) The roof surface being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.

- (5) The lots being amalgamated, and a new Certificate of Title being created, prior to use of the proposed studio.
- (6) The studio is not to be used for commercial or business purposes.

COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Whitby

That this matter be deferred to the October meeting of the Development Services Committee.

Carried 9/1

Note: The applicant requested that condition (5) be deleted or the item be deferred to allow the applicant to consider alternatives.

TP115 NO. 38 (LOT 110) FORREST STREET – MINOR ALTERATIONS TO EXISTING RESIDENCE

File No: No. 38 Forrest Street
Author: Ms. Janine McDonald
Report Date: 6 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Sullivan

Property Owner: Dr T M Clarke
Applicant: As above
Date of Application: 24 July, 2002

M.R.S. Reservation: N/A
Zoning (TPS No. 2): Residential
Density: R20
Lot Area: 319m²

SUMMARY

The purpose of this report is to seek Council approval for minor alterations and additions to the existing residence. Deferral and referral to the Design Advisory Panel is recommended.

STRATEGIC IMPLICATIONS

N/A

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
Residential Planning Codes of Western Australia

POLICY IMPLICATIONS

TPS Policy Implications:	N/A
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HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	N/A	N/A
Discretionary Provisions	Min required	Proposed
Side setback	4.0m	1.5m

CONSULTATION

Submissions were received from the following:

36 Forrest Street

Raises concerns with the proposed alterations citing the following:

- The modified sidewall will be overpowering and is too close to the western boundary where they believe the setback should be 1800mm.
- The enlarged window at the south-western corner (living room) of the building will affect the privacy enjoyed at No. 36.
- The flat roof at the south-western corner of the building and the modified window on the front façade of the house will be aesthetically displeasing.

40 Forrest Street

Raises concerns with the proposed alterations citing the following:

- The modifications to the front façade will be out of harmony with the adjoining property on 40 Forrest Street.
- Structural work carried out on the roof at the south-eastern corner of the building may adversely affect No. 40.
- The proposal will make the western wall of the dwelling 17 metres long, which does not comply with the required setback from the boundary.

95 Broome Street

Raised no objection to the proposed development.

BACKGROUND

Approval to subdivide No. 38 Forrest Street into 2 lots of 319m² each was approved in December 1997. The existing dwelling was constructed as part of a comprehensive redevelopment of the lots, approval of which was granted in November 1997. Assessment of the original application raised concerns regarding the loss of views enjoyed by the occupants of 91 Broome Street and as a result, a greater rear setback was provided. It appears that as a result of the increased rear setback, a concession to the side setbacks was granted.

The proposed development comprises alterations to the existing residence, specifically; enclosure of the front balcony at the upper floor level, enclosure of a side balcony on the upper level and enclosure of the balcony on the upper level at the rear of the property. No additional windows are proposed as a

result of the alterations although the windows on front façade and south-western corner of building will be increased in size and height.

STAFF COMMENT

The alterations proposed, whilst seemingly minor in nature, have the potential to significantly alter the façade of the development. This may not normally be a consideration, but No's. 38 and 40 are adjoining houses that were developed in tandem and are meant to be visually alike.

Furthermore, there is concern also that the enlargement of the lounge room window and the proposed increase in side wall length may have a detrimental impact on the neighbouring property. It needs to be considered if, given the concession to the side set back already given, a further concession should be allowed.

Conclusion

Given the above concerns, it is recommended that the determination of the application be deferred until such time as the aesthetic issues have been considered by the Design Advisory Panel.

VOTING

Simple Majority.

COMMITTEE COMMENT

Manager of the Development Services advise the Committee about the privacy issue and the impact down the side of the property and does not comply with setbacks

TP115 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) **Defer consideration of the application for Approval to Commence Development submitted by Dr T Clarke for alterations/additions at No. 38 (Lot 110) Forrest Street to the October, 2002 meeting of Council; and**
- (2) **Refer the application for Approval to Commence Development to the October meeting of the Design Advisory Panel for consideration.**

Carried 10/0

TP116 SEA VIEW GOLF COURSE – LISTING ON THE STATE REGISTER OF HERITAGE PLACES

File No.:	E10.10
Author:	Mr Stephen Sullivan
Report Date:	10 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

To advise the Minister for the Environment and Heritage on Council's position in relation to the listing of the Sea View Golf Course on the State Register of Heritage Places.

STRATEGIC IMPLICATIONS

The listing of the Sea View Golf Course on the State Register of Heritage Places will reinforce the history of the District through the retention of the existing course and the existing use. It may also limit to some extent the future use of the Reserve should the existing use cease.

STATUTORY ENVIRONMENT

Metropolitan Region Scheme
Land Administration Act
Heritage of Western Australia Act 1990

POLICY IMPLICATIONS

Nil

HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

CONSULTATION

Nil.

BACKGROUND

During November 2000, Council received a request from Mrs Patricia Watts to include the Sea View Golf Course and Club on the Municipal Inventory. At that meeting, the Development Services Committee resolved as follows:

"That Mrs Dorothy Ericson be requested to:

- (1) assess the information provided by Mrs Patricia Watts in relation to Class A reserves A6613 and A1664;*
- (2) provide a report on Class A reserves A6613 and A1664, similar to the reports prepared for other properties on the Council's Municipal Inventory; and*
- (3) advise Council in relation to the appropriateness of including Class A reserves A6613 and A1664 on the Municipal Inventory."*

The item was considered by Council and the resolution was defeated. The note to the Council minutes advising why the motion was lost is reproduced below:

“Note: Council noted that Class A Reserve status provided greater protection than could be afforded by Council’s Municipal Inventory.”

Council was advised on the 26 February, 2001 by the Heritage Council that it had received a request for listing of the Sea View Golf Course on the State Register of Heritage Places. There were two referrals to the Heritage Council for the inclusion of the course for listing on the State Register of Heritage Places.

On the 3 July, 2001, the Heritage Council advised Council that they had commissioned a consultant to establish the cultural heritage significance and level of significance of the place. They also requested information from Council. The results of the study would then be presented to the Register Committee for recommendation regarding the entry of the place in the State Register of Heritage Places. The information would then be presented to Council for consideration and comment.

Council resolved as follows at its November, 2001 meeting:

“That the Heritage Council be advised that:

- (1) Council:*
 - (a) will exercise its right to attend any meeting of the Heritage Council concerning the listing of the Sea View Golf course;*
 - (b) request that consideration of this matter be deferred until Council more fully resolves its position in relation to the request for listing of the golf course on the States Register of Heritage Places;*
- (2) Council has appointed Mayor Hammond and/or the Chief Executive Officer as Council’s representative.”*

The Mayor and the Chief Executive Officer met with the Heritage Council and it was recommended that the property be included on the State Register of Heritage Places, with one dissenting vote.

STAFF COMMENT

Correspondence has been received from the Office of the Minister for the Environment and Heritage requesting Council’s position in relation to the registration of the Seaview Golf Course on the State Register of Heritage Places.

The letter identifies Council’s objection to the listing as being the uncertainty of the long term lease of the golf course.

The proposed listing includes the golf course, buildings and the portion of Jarrad Street, which bisects the course. The letter does not refer to the portion of the golf course that is located on Pearse Street. This aspect should be clarified.

Council has supported, in principle, the long-term lease for the Sea View Golf course. Based on this decision, it is recommended that Council support the registration of the site for listing on the State Register of Heritage Places.

OFFICER RECOMMENDATION

That Council advise the Office of the Minister for the Environment and Heritage that:

- (1) It supports the registration of the Sea View Golf Course on the State Register of Heritage Places; and
- (2) It seeks clarification from them as to whether the portion of Pearse Street that is used by the Golf Club, will be part of the registration.

COMMITTEE COMMENT

Cr. Ewing advised the Committee that she believed an agreement should be reached in relation to the lease, before consideration of the listing. She felt that Jarrad Street should not be part of the Heritage listing and the club house has no historic or aesthetic value.

The Chief Executive Officer advised that there were two issues and these were whether the golf course had any merit for Heritage listing and the lease itself. He felt that the Heritage Council may list the golf course for heritage reasons.

Cr. Walsh advised that the heritage of Cottesloe is in its beaches, trees and open space, not built heritage.

The Manager, Development Services made comments on the lease and adaptive uses for the land if the lease was not renewed or the golf club no longer existed.

Cr. Ewing felt the correspondence was conflicting in that the original listing was for the Golf Course and Harvey Field, whereas the current proposal includes the buildings and Jarrad Street.

It was felt that consideration of the request should be deferred and clarification be sought from the Office of the Minister for the Environment and Heritage as to the exact details of the proposed listing.

DECLARATION OF INTEREST

Cr. Morgan declared a proximity interest in item TP116 noting he owned a part share of approximately 1 metre of Pearse Street frontage opposite the golf course. He left the meeting at 8.04pm, before discussion or voting on the matter commenced.

Moved Cr. Sheppard, seconded Cr. Utting

That Cr. Morgan's interest as declared be considered to be trivial.

Carried 6/3

Cr. Morgan returned to the meeting at 8.05pm.

Crs Sheppard and Morgan advised the meeting of their membership of the Sea View Golf Club as it related to Council's Code of Conduct and declarations relating to impartiality.

COMMITTEE RECOMMENDATION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) defer consideration of this matter to the October, 2002 meeting of Council;
- (2) advise the Office of the Minister for the Environment and Heritage that Council does not support the listing of the Jarrad Street and Pearse Street road reserves and any buildings located on the golf course; and
- (3) Seek clarification from the Office of the Minister for Heritage and Environment on what is proposed to be heritage listed.

AMENDMENT

Moved Cr. Morgan, seconded Cr. Sheppard

That the motion be deleted and substituted with the Officer's Recommendation with the addition to (1) after "*places*" and before "*and*" of the following:

"Subject to it not including the listing of Jarrad Street and any buildings located on the golf course;"

5/5 Carried on Mayor's Casting Vote

The amended motion was put.

TP116 **COUNCIL RESOLUTION**

That Council advise the Office of the Minister for the Environment and Heritage that:

- (1) It supports the registration of the Sea View Golf Course on the State Register of Heritage Places, subject to it not including the listing of Jarrad Street and any buildings located on the golf course; and**
- (2) It seeks clarification from them as to whether the portion of Pearse Street that is used by the Golf Club, will be part of the registration.**

5/5 Carried on Mayor's Casting Vote

Cr. Ewing called for the votes to be recorded.

DIVISION

For: Mayor Hammond, Crs. Morgan, Sheppard, Utting & Walsh.

Against: Crs. Birnbrauer, Ewing, Miller, Rattigan & Whitby.

TP117 **NO. 1 (LOT 48) KATHLEEN STREET – GROUND FLOOR AND SECOND STOREY ADDITIONS**

File No:	No. 1 Kathleen Street
Author:	Ms. Janine McDonald
Report Date:	10 September, 2002
Author Disclosure of Interest:	Nil

Senior Officer: Mr Steven Sullivan
Property Owner: Ms J. Bougher
Applicant: Tangent Nominees Pty
Date of Application: 16 August 2002

M.R.S. Reservation: N/A
Zoning (TPS No. 2): Residential
Density: R20
Lot Area: 463m²

SUMMARY

The purpose of this report is to seek Council approval to ground floor and second storey additions to an existing residence. Conditional approval is recommended.

STRATEGIC IMPLICATIONS

N/A.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
Residential Planning Codes of Western Australia

POLICY IMPLICATIONS

TPS Policy Implications:	N/A
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HERITAGE LISTING:

State Register of Heritage Places - N/A
TPS No. 2 - N/A
Town Planning Scheme Policy No. 12 N/A
Draft Heritage Strategy Report - N/A
Municipal Inventory - N/A
National Trust - N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	N/A	N/A
Discretionary Provisions	Min Required	Provided
Side setback to proposed study	1.1m	Nil

CONSULTATION

A submission was received from the following property owner:

No. 74 Grant Street

The rear boundary of this property abuts the southern side boundary of the development site. The submission raises objection to the proposal stating that the second storey would block out the north sun in winter, compromise their privacy and adversely affect their lifestyle.

STAFF COMMENT**Background**

The subject lot is currently developed with a single storey dwelling and an enclosed single garage at the Kathleen Street frontage. The property abuts a Council owned right-of-way to the rear.

The proposed development comprises a second storey addition to accommodate a new master bedroom and en-suite and the demolition of the enclosed garage to be replaced by a new study on the ground level. An alternative covered carport has been provided at the rear of the property in addition to a dedicated, uncovered parking bay at the front of the property. The upper storey addition contains windows only on its west and east facing walls. There are no south facing windows.

Submission

The objective of Clause 1.7.2 of the Residential Planning Codes is to prevent new development from depriving an adjacent lot of sunlight. This is to be achieved by ensuring that the new development does not place any more than 50% of an adjacent lot in shadow at the sun's zenith on June 21. The proposed second storey addition meets this criteria.

In addition, there are no proposed windows on the south facing elevation as previously stated, so overlooking or loss of privacy cannot be substantiated.

Side Setback

The Residential Planning Codes require a 1.1 metre setback from the side boundary for a wall of the height proposed for the study which is approximately 3.9 metres. The fact that a boundary wall exists is not sufficient justification to support a nil setback as the garage walls are to be demolished and replaced entirely. In addition, the height of the proposed wall is such that it is likely to impact upon the streetscape and the neighbouring property (the current wall height is 2.7m). Further, the plans indicate that there is the potential for the whole study to be moved to the south so a 1-metre setback to the boundary could practically be achieved. The inclusion of a setback and subsequent removal of the parapet wall could arguably improve the front elevation of the development and would certainly be more in keeping with surrounding development.

Conclusion

It is recommended that the proposed development be approved subject to the study being setback 1 metre from the northern boundary.

Voting

Simple Majority.

TP117 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council GRANT its Approval to Commence Development for a second storey at No. 1 (Lot 48) Kathleen Street, Cottesloe in accordance

with the plans received on the 16 August, 2002 and 10 September, 2002 subject to the following conditions:

- (1) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
- (2) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.
- (3) The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.
- (4) The roof surface being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.
- (5) The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.
- (6) Revised plans being submitted for approval by the Manager, Development Services, showing the proposed study being setback 1.0 metre from the northern boundary.
- (7) The applicant demonstrating that satisfactory access into and out of the rear car parking space can be achieved.
- (8) Approval of the car parking space forward of the front setback line should not be construed as Council's support for roof covered car parking at a later date.

Carried 10/0

TP118 **(LOT 12 AND 13) WILLIAM STREET, COTTESLOE – PROPOSED DEMOLITION OF AN EXISTING SINGLE HOUSE**

File No:	20 William Street
Author:	Mr Stephen Sullivan
Report Date:	9 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale
Property Owner:	Ms. Elizabeth Benda
Applicant:	Owner
Date of Application:	26 August, 2002

M.R.S. Reservation:	Urban
Zoning (TPS No. 2):	Residential
Density:	R 20
Lot Area:	Each lot is 607m² in area.

SUMMARY

To make a determination on an application for planning consent for the demolition of an existing building.

It is recommended that approval for demolition not be granted.

STRATEGIC IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2

POLICY IMPLICATIONS

Nil

HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	Contributory Building – Claremont Hill Heritage Area.
Municipal Inventory -	Category 3
National Trust -	N/A

CONSULTATION

Nil.

BACKGROUND

The applicant has submitted an application for Approval to Commence Development for the demolition of the existing house. A letter in support of the application is circulated separately from the Agenda.

The existing building is located across two existing lots. Demolition of the existing building will result in two lots that could be developed under the existing Town Planning Scheme.

The building is listed as a Category 3 building on the Municipal Inventory. The property is also located within the proposed Claremont Hill Heritage Area and is classified as an “Essential” building. Circulated separately from this report is a copy of the information contained in the Municipal Inventory and the Draft Heritage Strategy – Volume 3, relating to this property.

Staff comment

The demolition of the existing building would result in two lots that may need to be provided with some services before they would be capable of being sold as

separate lots. The lots would be consistent with the width and area of other lots in William Street. These lots would be on the one title and therefore, do not need to go through the subdivision process to be created.

Clause 5.1.2 of the existing Town Planning Scheme text states the following:

Notwithstanding the specific provisions of this Scheme in considering a proposed development, Council shall have regard to and may impose conditions relating to the following -

- (a) ...
- (b) *the need for preservation of existing trees or areas or buildings of architectural or historical interest;*
- (c) ...

The building has been identified in the Draft Heritage Strategy Report - Volume 3, as being an "Essential" building to the character of the Claremont Hill Heritage Area.

There are only two other properties in William Street that have been identified within the Heritage Report – Volume 3 that are described as essential (No. 2 William Street) or contribute (No. 6 William Street) to the character of the area.

The Heritage report recommends that Council exercise demolition control over this site, based on the buildings aesthetic, historic and social significance to the locality. Therefore, based on the assessment, it is recommended that demolition not be supported.

The site is large enough to allow for two grouped dwellings. An alternative to demolition could be the development of the site with a second dwelling, with the retention of the existing dwelling. This retains the existing building and still allows for the development of the site at a higher density than currently exists.

VOTING

Simple majority

OFFICER RECOMMENDATION

That Council, having regard to Clause 5.1.2(b) of the Town of Cottesloe Town Planning Scheme No. 2 and Clause 1.7 (b) of the Residential Planning Codes, REFUSES its Approval to Commence Development for the demolition of the existing dwelling at No. 20 (Lots 12 and 13) William Street, as Council is of the opinion that the existing building, is:

- (1) Of architectural and historical interest; and
- (2) An essential building element in the character of the locality.

COMMITTEE COMMENT

Cr. Birnbrauer spoke of offering assistance to the owner by way of engaging a heritage consultant.

Cr. Walsh made comments on the fact that if owner was to build a house to the rear and it would have a lot of overlooking issues. There were or will be new

buildings on either side of the property and all the way down the street, and therefore, would recommend permitting demolition of the building.

The Manager, Development Services advised the Committee that the heritage report identified the building as being important to the character of the area and recommendation of refusal for the demolition of the building was on that basis.

Chief Executive Officer made the comment that the process of demolition and new residences is two separate issues.

The Committee supported demolition on the basis that the existing street contained new dwellings and the building was located over two lots.

TP118 **COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

GRANT its Approval to Commence Development for the demolition of the existing dwelling at No. 20 (Lots 12 and 13) William Street Cottesloe, subject to the following conditions:

- (1) **All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**
- (2) **A photographic record of the existing residence being submitted to Council prior to a Demolition Licence being issued.**

Carried 8/2

TP119 **SEAVIEW COMMUNITY KINDERGARTEN – PROPOSED SIGN**

File No: C3.8
Author: Mr Stephen Sullivan
Report Date: 10 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

Property Owner: Department of Land Administration
Applicant: Mr John Garland
Date of Application: 20 August, 2002

M.R.S. Reservation: Regional Park and Recreation Reserve

SUMMARY

To advise the Western Australian Planning Commission on an application for approval to erect a new sign on the above site.

STRATEGIC IMPLICATIONS

N/A

STATUTORY ENVIRONMENT

Metropolitan Region Scheme

POLICY IMPLICATIONS

TPS Policy Implications:	No. 10 - Advertising
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HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

CONSULTATION

Nil.

BACKGROUND

The site is reserved under the Metropolitan Region Scheme. The Western Australian Planning Commission is the approving authority.

The applicants have made an application to erect a new sign. The sign would display the name and telephone number of the Kindergarten. In addition, it is proposed to identify the names of 8 to 12 businesses that support the Kindergarten. It is proposed to be located near the south-east corner of the property, facing onto Broome Street.

Details of the proposal are circulated separately from the Agenda.

STAFF COMMENT

The proposal complies with area requirements under draft Town Planning Scheme Policy No. 10 which relates to advertising. The following guidelines apply:

7.3 Foreshore, Recreation & Other Reserves

Advertising shall be limited to the name of the club or business to a maximum size of 10m².

On the foreshore reserve, Council favours the development of advertising facing Marine Parade (i.e. not visible from the foreshore). Council may permit the development of advertising visible from the foreshore indicating the name of a club or business to a maximum size of 5m² and may permit sponsorship and temporary advertising as per the following general policy:

“Council may permit sponsorship advertising to club premises to a maximum size of 10m² and may impose conditions for the removal of the advertising after a period of time.

Council may permit temporary advertising associated with an event or other use authorised by Council. Such advertising shall be limited to the promotion of the event or use and the sponsor of the event.”

Whilst the sign will contain the name of commercial companies, it will be similar to the requirements for signs on the beachfront. The total area of the proposed sign is 1.62m², which includes the name of the commercial sponsors.

It is recommended that Council advise the Western Australian Planning Commission that it has no objection to the location or size of the sign.

The applicant has also requested that council waiver its application fee. The cost of the application fee would be \$50 and it is recommended that the fee be waived.

VOTING

Simple Majority.

TP119 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) **Advise the Western Australian Planning Commission that it holds no objection to the proposed sign as detailed in the application received on the 20 August, 2002; and**
- (2) **Waivers the application fee.**

Carried 9/1

TP120 **NO. 121 (LOT 6) GRANT STREET, COTTESLOE – TWO STOREY ADDITIONS AND ALTERATIONS TO AN EXISTING SINGLE HOUSE**

File No: 121 Grant Street
Author: Mr Stephen Sullivan
Report Date: 4 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

Property Owner: K D Hitchen & B E Meredith
Applicant: Gerard McCann Architect
Date of Application: 19 June, 2002

M.R.S. Reservation: Urban
Zoning (TPS No. 2): Residential
Density: R 20
Lot Area: 1442m²

SUMMARY

The purpose of this report is for Council to make a determination for planning consent on additions and alterations to the above-mentioned property in the draft Claremont Hill Heritage Area.

Revised plans were received on the 10 September, 2002. It is recommended that approval be granted subject to certain special conditions of Planning Consent.

STRATEGIC IMPLICATIONS

Draft Town of Cottesloe Heritage Strategy.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
 Residential Planning Codes

POLICY IMPLICATIONS

TPS Policy Implications:	Building Heights Policy No. 5
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HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	Contributory – Claremont Hill Heritage Area
Municipal Inventory -	N/A
National Trust -	N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	Max/Required	Proposed
N/A		
Discretionary Provisions	Max/Required	Proposed
Wall Height	6.0m	7.3m to 7.8m
Ridge Height	8.5m	8.6m to 10.5m
Side Setback to West – Upper Storey Wall to Bedroom 1, Ensuite and Wardrobe with Major Openings	3.4m	1.6m
Proposed Boundary wall – eastern boundary - 2.7-3.2m high by 12.2m in length	1.5m	Nil
Modifications to existing garage (existing set back of 1.2m)	6.0m	4.5m
Proposed Arbours	N/A	1.2m – 2.8m
Secondary Setback to Joinery Way	6.0m	1.2m

CONSULTATION

Neighbours were notified by registered mail. No submissions were received.

BACKGROUND

Council records indicate that an application was submitted to Council for a new two-storey residence in February of 2000. The application was approved by Council at the March 2000 Council Meeting. However, the development was not carried out.

Consideration of the application was deferred by Council at the request of the applicant.

The matter was referred informally to the September meeting of the Design Advisory Panel for comment. The Panel members were advised of the proposal and the extent of the existing building that was being retained. The Panel members present were supportive of the proposal due to the distance that the proposed addition was set back and the variation in the roof design. Additional plans were received on the 10 September, 2002.

STAFF COMMENT

The letter accompanying the application shows the outline of the existing building and the area of the new work. It also seeks to support the ridge and wall height variation. The proposed use of the basement has been explained in further detail in the additional information.

The proposal involves the retention of an existing contributory building, which is to be upgraded, including the addition of a two storey addition to the rear of the existing building. The development is occurring on a site that could be developed with three grouped dwellings. The rear of the property fronts onto Joinery Way and the proposed addition is located some 40m away. It is considered that the wall and ridge height variations could be supported in this situation.

It is recommended that the application for Planning Consent be granted subject to the imposition of certain conditions relating to:

- (a) western upper floor setback;
- (b) details of the harbour and front fencing;
- (c) tennis court fencing; and
- (d) secondary street setback

Voting

Simple majority

TP120 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

GRANTS its Approval to Commence Development for the proposed two storey additions and alterations to the existing single house at No. 121 (Lot 6) Grant Street, Cottesloe in accordance with the plans received on 19 June, 2002 and the revised plans received on the 10 September, 2002, subject to the following conditions:

- (1) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**
- (2) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.**
- (3) The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.**
- (4) The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.**
- (5) Any front boundary fencing to Grant Street being of an “Open Aspect” design and the subject of a separate application to Council.**
- (6) Revised plans being submitted for approval by the Manager, Development Services, showing:**
 - (a) details of the proposed retaining walls, boundary fences and finished ground levels along the eastern and western boundary;**
 - (b) details of the proposed arbours;**
 - (c) details of the proposed tennis court fencing;**
 - (d) the garage being setback 1.5m from the Joinery Street boundary; and**
 - (e) the upper floor western window to Bedroom 1 being modified to prevent overlooking into the adjoining property by either:**
 - (i) having opening sill heights of not less than 1650mm above the Ffl, or**
 - (ii) being constructed of fixed obscure glazing or screening to a height of at least 1650mm above the FFL, or**
 - (iii) being deleted;**
- (7) The illumination of the tennis court is required to be the subject of a separate application for Council’s Planning Consent.**
- (8) The tennis court is not to be used for commercial purposes.**

Carried 10/0

TP121 NO. 46 (LOTS 19 AND 18) BROOME STREET, COTTESLOE – PROPOSED DEMOLITION OF AN EXISTING SINGLE HOUSE

File No: 46 Broome Street
Author: Mr Stephen Sullivan
Report Date: 9 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Sullivan

Property Owner: Dr Mario Terri
Applicant: Owner
Date of Application: 29 July 2002

M.R.S. Reservation: Urban
Zoning (TPS No. 2): Residential
Density: R 20
Lot Area: Each lot is 420m²

SUMMARY

To make a determination on an application for planning consent for the demolition of an existing building.

It is recommended that demolition approval be granted.

STRATEGIC IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2

POLICY IMPLICATIONS

Nil

HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	Category 3
National Trust -	N/A

CONSULTATION

Nil.

BACKGROUND

The applicant has submitted an application for Approval to Commence Development for the demolition of the existing house.

The existing building is located across two existing lots. Demolition of the existing building will result in two lots that could be developed under the existing Town Planning Scheme.

The building is listed in the Municipal Inventory as a Category 3 building. Circulated separately from this report is a copy of the information contained on the Municipal Inventory relating to this property.

As a consequence of the change of delegation at its May 2002 meeting, demolition of buildings that are listed on the Municipal Inventory are to be referred to Council for determination.

STAFF COMMENT

Listing of properties occurs in various ways. At its highest level, the property may be listed on the State Register of Heritage Places. The property may be protected in the Town Planning Scheme text, or to a lesser extent in a Town Planning Scheme Policy.

Council was required to prepare a Municipal Inventory for the District. This provided Council's with a body of information that had identified properties or places that were of Cultural Heritage Significance "...for the present community and future generations".

It is clear that buildings that are listed on the State Register of Heritage Places and in the Town Planning Scheme are of significance. This would include places that are on a list in a Town Planning Scheme Policy or included in a precinct.

Properties that are included on the Municipal Inventory are properties that have been identified in a database.

At the May 2002 meeting of Council, the delegation to the Manager, Development Services was changed. Previously, the Manager, Development Services could permit demolition of buildings that were either a category 3, 5 or 6 building. The change in delegation resulted in Council becoming the determining body for any proposals involving the demolition of a building listed in the Municipal Inventory.

The Category 1 and 2 buildings in the Municipal Inventory have been included in Town Planning Scheme Policy No. 12 and may eventually be included in Schedule 1 of the Town Planning Scheme text with finalisation of proposed Town Planning Scheme Amendment No. 30.

When dealing with an application for Planning Consent for the demolition of this and other buildings, Clause 5.1.2 of the existing Town Planning Scheme text requires Council to consider the following:

"Notwithstanding the specific provisions of this Scheme in considering a proposed development, Council shall have regard to and may impose conditions relating to the following -

(a) ...

- (b) *the need for preservation of existing trees or areas or buildings of architectural or historical interest;*
- (c) *..."*

Council is required to determine whether there is a need for the preservation of the building if it is of the opinion that the building is of architectural or historical interest. The Municipal Inventory provides some background into the property. The review of the Municipal Inventory suggests no change to the Category listing for this property.

The options open to Council are:

- (1) grant its approval for the demolition of the building;
- (2) investigate further the significance of the property, then determine whether to support demolition or not;
- (3) refuse to grant approval to demolish the building; OR
- (4) refuse demolition until plans are submitted for replacement buildings on the site.

Refusal to permit demolition could result in an appeal and Council should be clear in terms of the significance of the building to warrant refusal of the application in terms of Clause 5.1.2(b) of the Scheme text.

Council could consider the formulation of a Policy in terms of guiding the community on the demolition of buildings. This could include requiring the applicant to demonstrate why, on planning grounds, that demolition of the building should be permitted. It is suggested that this be discussed further at the Development Services Committee meeting.

This property is not listed on the State Register or is included on any existing or proposed Town Planning Scheme list. Therefore, it is recommended that demolition be supported.

VOTING

Simple majority

TP121 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

GRANTS its Approval to Commence Development for the demolition of the existing dwelling at No. 46 (Lots 19 and 18) Broome Street Cottesloe, subject to the following conditions:

- (1) **All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**
- (2) **A photographic record of the existing residence being submitted to Council prior to a Demolition Licence being issued.**

Carried 8/2

TP122 NO. 9 (LOT 24) GRANT STREET, COTTESLOE – PROPOSED DEMOLITION OF AN EXISTING GROUPED DWELLING

File No: 9 Grant Street
Author: Mr Stephen Sullivan
Report Date: 9 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

Property Owner: P. Rattigan
Applicant: Owner
Date of Application: 23 August, 2002

M.R.S. Reservation: Urban
Zoning (TPS No. 2): Residential
Density: R 30
Lot Area: 739m²

SUMMARY

To make a determination on an application for planning consent for the demolition of an existing two storey grouped dwelling.

It is recommended that approval for demolition be granted.

STRATEGIC IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2

POLICY IMPLICATIONS

Nil

HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	Category 3
National Trust -	N/A

CONSULTATION

Nil.

BACKGROUND

The applicant has previously submitted an application for Approval to Commence Development for the demolition of the existing house located at the front of the site. Approval was granted by the Manager, Development Services under delegated authority on 7 August 2001. That approval expired on the 6 August 2002.

A new application for the demolition of the building has been received. However, with the change in delegation powers to the Manager, Development Services, the application is to be referred to Council for determination.

STAFF COMMENT

The existing site consists of two grouped dwellings. It is proposed to demolish the existing building located at the front of the site and retain the recently constructed dwelling at the rear of the site.

The existing building located at the front of the site is identified as a Category 3 building on the Municipal Inventory. Circulated separately from this report is a copy of the information of this property from the Municipal Inventory.

Clause 5.1.2 of the existing Town Planning Scheme text states the following:

“Notwithstanding the specific provisions of this Scheme in considering a proposed development, Council shall have regard to and may impose conditions relating to the following -

- (a) ...*
- (b) the need for preservation of existing trees or areas or buildings of architectural or historical interest;*
- (c) ...”*

The property has not been identified in any other existing or proposed heritage lists or located in any heritage areas under the existing Town Planning Scheme.

The circumstances have not changed since the original assessment of the application took place in August 2001.

Therefore, it is recommend that demolition of the property be permitted.

VOTING

Simple majority

Cr. Rattigan declared an interest as a closely associated person and left the Chamber at 8.25pm, did not participate in the debate or vote on the matter.

TP122 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

GRANTS its Approval to Commence Development for the demolition of the existing grouped dwelling at No. 9 (Lot 24) Grant Street Cottesloe, subject to the following conditions:

- (1) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**

- (2) A photographic record of the existing residence being submitted to Council prior to a Demolition Licence being issued.

Carried 6/3

Cr. Rattigan returned to the Chamber at 8.33pm.

TP123 NO. 2 (LOT 121) SALVADO STREET, COTTESLOE – PROPOSED DEMOLITION OF AN EXISTING SINGLE HOUSE – LE FANU

File No: 2 Salvado Street
Author: Mr Stephen Sullivan
Report Date: 9 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

Property Owner: Ms. F Drake-Brockman
Applicant: Owner
Date of Application: 19 June, 2002

M.R.S. Reservation: Urban
Zoning (TPS No. 2): Residential
Density: R 30
Lot Area: 1497m²

SUMMARY

To make a determination on an application for planning consent for the demolition of an existing building.

A determination on the application cannot be made until the Heritage Council has advised Council of its recommendation.

STRATEGIC IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
Heritage of Western Australia Act 1990

POLICY IMPLICATIONS

Nil

HERITAGE LISTING:

State Register of Heritage Places -	Permanent
TPS No. 2 -	Schedule 1
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	Category 1
National Trust -	Listed
Register of the National Estate -	Listed

CONSULTATION

The request for demolition of the property has been referred to the Heritage Council for comments as required by section (11)(2) of the Heritage of Western Australia Act 1990.

BACKGROUND

The applicant has submitted an application for Approval to Commence Development for the demolition of the existing house.

The owner has previously sought to have the property demolished. An appeal against Council's decision was dismissed

The owner has also sought to have the property condemned under the Health Act. Council resolved to issue a notice requiring the property owner to upgrade the premises, however, this was not carried out by the owner.

STAFF COMMENT

The property is listed in Schedule 1 of the Town Planning Scheme text. Clause 6.1.1 of the Scheme Text states the following:

"The Council considers that the places of natural beauty, and historic buildings, and objects of historic or scientific interest listed in Schedule 1 should be conserved and preserved."

The property has been determined to be of State significance as it has a permanent listing in the State Register of Heritage Places.

At present, it is considered that demolition should not be supported under the Town Planning Scheme as it is of local and state significance.

Council cannot make a decision until such time, as the Heritage Council have considered this matter. The Development Committee of the Heritage Council will meet on the 10 September, 2002 and the Heritage Council meeting will be held on the 13 September 2002.

Further comments will be made to Council following receipt of advice from the Heritage Council.

VOTING

Simple majority.

OFFICER RECOMMENDATION

Further comments will be made to the Development Services Committee following receipt of advice from the Heritage Council.

COMMITTEE COMMENT

The Manager, Development Services drew the Committees attention to the letter received from the Development Committee of the Heritage Council, which had been tabled at the meeting. The letter advised Council that:

- it did not support the demolition of the building;

- the Heritage Council was currently examining other alternatives to demolition under the Heritage of Western Australia Act 1990; and
- it would be advised of the outcome of these investigations.

TP123 **COMMITTEE RECOMMENDATION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council DEFER consideration of the application for the demolition of the building at No. 2 Salvado Street pending further advice from the Heritage Council of Western Australia.

Moved Cr. Ewing, seconded Cr. Birnbrauer that the motion be put.

Carried 7/3

The original motion was put.

COUNCIL RESOLUTION

That Council DEFER consideration of the application for the demolition of the building at No. 2 Salvado Street pending further advice from the Heritage Council of Western Australia.

Carried 9/1

TP124 **NO. 126 (LOT 85) BROOME STREET – PROPOSED ALTERATIONS & ADDITIONS TO AN EXISTING TWO STOREY BLOCK OF 6 MULTIPLE DWELLINGS**

File No:	126 Broome Street
Author:	Mr Stephen Sullivan
Report Date:	11 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale
Property Owner:	E.W.S Holdings Pty Ltd
Applicant:	Saleeba Adams Architects
Date of Application:	21 August, 2002
M.R.S. Reservation:	Urban
Zoning (TPS No. 2):	Residential
Density:	R20
Lot Area:	1012m ²

SUMMARY

To consider an application for Planning Consent.

Further comments will be made to the Development Services Committee following the assessment of the application.

STRATEGIC IMPLICATIONS

N/A.

STATUTORY ENVIRONMENT

Residential Planning Codes of Western Australia
Town of Cottesloe Town Planning Scheme No. 2

POLICY IMPLICATIONS

TPS Policy Implications:	N/A
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Area of Non-Compliance

The application is still being assessed for statutory compliance.

HERITAGE LISTING:

State Register of Heritage Places	N/A
TPS No. 2	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report	N/A
Municipal Inventory	N/A
National Trust	N/A

CONSULTATION

Neighbours were notified by registered mail. The submission period closed on 3 September, 2002. Three submissions were received.

Submissions were received from the owners at No. 128A Broome Street, No. 30 Napier Street and 1 Nailsworth Street.

The issues raised in the submission include:

No. 30 Napier Street

- loss of privacy through removal of an existing tree and additional windows;
- reduced access to rear of site due to new building construction; and
- difficulty in accessing rear car parking spaces.

No. 128A Broome Street

- concerned about effect of 6.0m high boundary wall to the south of their dwelling; and
- concerned about inc raising the height of the right of way.

No. 1 Nailsworth Street

- loss of privacy through the addition of a new window into the eastern wall of the building;
- loss of privacy due to new balcony to north-east corner of the site; and
- site is heavily landscaped and there is concern about impact of lighting on existing bird habitat at the rear of their site.

BACKGROUND

An application for additions and alterations to 6 existing units at No. 126 Broome Street has been submitted for planning approval. No. 126 is on the eastern side of Broome Street opposite the tennis courts.

The purpose of the application is to renovate and upgrade the units to bring them to an acceptable standard for strata titling.

The proposed alterations and additions result in a number of aesthetic and structural changes to the building, the most significant of which are:

- two garage walls on the northern boundary;
- a new storey (loft to unit 4) at the front of building;
- filling of the northern side of the site to RLs 26.9, 26.4 and 25.9 (adjoining ground level to the north is approximately RL 25.3);
- solid wall of 4.0m in height to within 3.3m of the street boundary;
- a substantial area of additional carport at the rear of the site; and
- new decking to each unit at the first floor level.

DESIGN ADVISORY PANEL

The application was referred to the Design Advisory Panel for comment. The panel expressed concern in relation to the following areas of the development:

- the adverse impact the overall height of the proposed northern boundary wall would have on the dwelling to the north-east;
- the elevated ground levels to the north of the development;
- the potential adverse impact of the use of the elevated courtyards on the properties to the north; and
- increased demand for parking due to the enlargement of the size of the units, which was not addressed in the development.

The Panel believed that the development would improve the area due to the upgrading of the site.

It was considered that the proposed third level would not adversely impact on the locality due to the distance away from the street boundary, the existing setting and the development to the front of the building.

STAFF COMMENT

The concept for the proposed development is supported, however, there are aspects of the development that are likely to impact on the adjoining properties. These were raised with the Design Advisory Panel and should be addressed.

The development is still being assessed for compliance with the provisions of the Town Planning Scheme and the Residential Planning Code. Therefore, further comments will be made to the Development Services Committee following completion of the development assessment of the application.

OFFICER RECOMMENDATION

Further comments will be made to the Development Services Committee following completion of the assessment of the application for Planning Consent.

COMMITTEE COMMENT

The Committee requested that they view the large scale plans.

The Manager Development Services advised that the large scale plans were the same plans shown to the Design Advisory Panel and referred to issues relating to the:

- proposed eastern boundary wall, located on the northern boundary;
- filling of the site to create elevated useable courtyard areas that were approximately 1.2-2.5m above the property to the north;
- number of parking spaces provided;
- construction of new balconies closer to the northern boundary and the use of vertical screening to address the non-compliance with the side boundary setback and overlooking; and
- proposed third storey.

The Committee supported the development subject to the imposition of conditions addressing the first four points.

TP124 COMMITTEE RECOMMENDATION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) GRANTS its Approval to Commence Development for the proposed additions and alterations to the existing two storey block of 6 multiple dwellings at No. 126 (Lot 85) Broome Street, Cottesloe in accordance with the plans received on the 21 August 2002, subject to the following conditions:
 - (a) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
 - (b) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.
 - (c) The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.
 - (d) The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.
 - (e) Any front boundary fencing to Broome Street being of an "Open Aspect" design and the subject of a separate application to Council.
 - (f) Revised plans being submitted for approval by the Manager, Development Services, showing:
 - (i) the deletion of the proposed easternmost garage located on the northern boundary and a car parking space being substitutes in lieu thereof;

- (ii) a reduction in the proposed finished levels of the raised courtyards to the north of the existing building in order to reduce the impact of the changes on the property to the north;
 - (iii) an additional car parking space being provided on-site;
 - (iv) details of the proposed privacy screens on the new balconies located on the northern side of the building; and
 - (v) deletion of the 4.0m high screen wall located between the proposed development and the Broome Street boundary.
- (2) The submitters be advised of Council's decision.

AMENDMENT NO. 1

Moved Cr. Sheppard, seconded Cr. Miller

That the motion be amended by the addition of the following words "*or satisfactory privacy screen be provided*". To (1)(f)(ii) after the words "*existing building*".

Lost 1/9

AMENDMENT NO. 2

Moved Cr. Morgan, seconded Cr. Utting

That the motion be deleted and substituted with:

That Council:

- (1) *Defer this matter to the October meeting of Development Services Committee; and*
- (2) *request the applicant to submit revised plans addressing the issues in (1)(f).*

Carried 9/1

The amended motion was put.

That Council:

- (1) **Defer this matter to the October meeting of Development Services Committee; and**
- (2) **request the applicant to submit revised plans addressing the issues in (1)(f).**

Carried 10/0

TP125 REVIEW OF 1995 MUNICIPAL INVENTORY – PROPOSED DRAFT 2002 MUNICIPAL INVENTORY

File No:	D3.4
Author:	Mr Stephen Sullivan
Report Date:	11 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

To determine the process for the finalisation of the review of the 1995 Municipal Inventory.

The draft 2002 Municipal Inventory proposes to modify the list of buildings in the Inventory by adding a further 28 places and modifying the classification or status of 26 other properties.

The Consultant has recommended that 9 properties be removed from the Municipal Inventory.

There have been 30 properties on the Municipal Inventory that Council has permitted to be either demolished or removed.

It is recommended that those properties that are proposed to be added in the revised Municipal Inventory, or their classification is changed, should be advised in writing and provided with a six week submission period for comments.

Further consideration and discussion is required in relation to the status of the Category 3 buildings on the Municipal Inventory.

STRATEGIC IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Heritage of Western Australia Act 1990

POLICY IMPLICATIONS

Nil:

CONSULTATION

To be determined by Council.

BACKGROUND

The Heritage of Western Australia Act 1990 requires Council to review the Municipal Inventory after a four year period. The review is late, although there are no punitive provisions for non-compliance with the Act.

The Heritage of Western Australia Act 1990 does not set out the process for the review of a Municipal Inventory. There is currently a working party that has been organised to review the Municipal Inventory provisions in the Heritage of Western Australia Act 1990 with a view to providing a common framework for Local Authorities to work from.

The Act uses the words "proper public consultation", although it does not define that term.

McDougall and Vines were engaged to carry out the review and their draft final document has been submitted to Council.

The objective of the review, as stated in the report, was to " ...re-assess the classification of places on the 1995 Municipal Inventory, and make recommendations for any changes to enable a comprehensive Heritage management strategy to be implemented".

The review focussed on those buildings and sites that are outside the proposed Heritage areas, as these were the subject of a separate comprehensive report.

STAFF COMMENT

The recommended changes to the Municipal Inventory have been split up into three areas and these are identified as follows:

Municipal Inventory Structure

The review of the Municipal Inventory suggested various changes to the structure of the Municipal Inventory as follows:

- (a) separate identification of those properties that have been demolished (23 places) (section 3.2.1 of review);
- (b) identify the Category 6 Buildings on the Municipal Inventory, but no heritage planning controls be considered (section 3.2.2.);
- (c) separate the significant sites from the building listings(section 3.2.3);
- (d) separation of streets that have significant street tree planting and modifications to delete trees removed in Burt Street and add those in Finey Street (Section 3.2.4);
- (e) Aboriginal Heritage to be identified by interpretation signs and advice being sought on the management of these sites from the relevant body (section 3.2.5).

Building Inventory

In terms of the Building Inventory, the following changes are proposed:

- (1) removal of 9 places as it is considered that they do not warrant inclusion in the Municipal Inventory (section 3.3.1);
- (2) removal of 7 places that Council has previously agreed to their removal from the Municipal Inventory (Section 3.3.2 – subject to verification by Council);
- (3) inclusion of 28 additional places in the revised Municipal Inventory (Section 3.3.3);
- (4) change the management categories for 21 places (Section 3.3.4);
- (5) the addition of 5 places to Schedule 1 of the Town Planning Scheme text (Section 3.3.5).

Other Suggested Changes

Other suggested changes include:

- (i) Council implement a policy of using a Heritage advisor to review the significance of a Category 3 property before making a decision in relation to its demolition (Section 5.1- first three paragraphs).
- (ii) Council having to determine "...the level of controls it considers necessary and appropriate to retain the established historic character of Cottesloe." (Section 5.1 – last paragraph).

CONCLUSION

The draft Municipal Inventory report proposes to modify the Building Inventory (Section 3.3) by adding a further 28 places and modifying the classification or status of 26 other properties. These property owners should be advised of the proposal and be given an opportunity to comment on the proposal.

It is suggested that the owners of the 9 properties where the Consultant has recommended those buildings should be removed from the Municipal Inventory, be advised in writing of the recommendation.

Notification of the 30 property owners of places that have been either demolished or removed by a decision of Council would not be required.

Once Council has made a decision in relation to the changes suggested in Section 5.1, then it would need to determine the process to be followed.

There a number of typographical errors that need to be corrected and clarification of certain points before the Municipal Inventory Review is presented to the public.

It is suggested that Council undertake the following consultation process:

- (1) write to those property owners that have been included on the draft 2002 Municipal Inventory or had their classification changed and request their comments on the inclusion or change on the Municipal Inventory;
- (2) display the draft 2002 Municipal Inventory:
 - (a) at the Council offices;
 - (b) at Council's Library; and
 - (c) on Council's website.
- (3) allow a six week submission period;
- (4) following the close of the submission period, review the submissions and finalise the 2002 Municipal Inventory;
- (5) advise the submitters of Council's decision; and
- (6) refer a copy of the revised Municipal Inventory to the Heritage Council ;

VOTING

Simple Majority.

DECLARATIONS OF INTEREST

Cr. Morgan declared an interest in this item, left the Chamber at 8.55pm, did not participate in the debate or vote on the matter.

Mayor Hammond declared an interest in this item, left the Chamber at 8.56pm, did not participate in the debate or vote on the matter.

Deputy Mayor, Cr. Ewing, took the chair.

TP125 **OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) Write to those property owners that have been included on the draft 2002 Municipal Inventory or had their classification changed and request their comments on the inclusion or change on the Municipal Inventory;
- (2) Display the draft 2002 Municipal Inventory:
 - (a) at the Council offices;
 - (b) at Council's Library; and
 - (c) on Council's website.
- (3) Allow a six week submission period;
- (4) Following the close of the submission period, review the submissions and finalise the 2002 Municipal Inventory;
- (5) Advise the submitters of Council's decision; and
- (6) Refer a copy of the revised Municipal Inventory to the Heritage Council.

AMENDMENT

Moved Cr. Sheppard, seconded Cr. Rattigan

That the motion be amended by substituting "*six week*" with "*twelve week*" in (3).

Carried 8/0

The amended motion was put.

COUNCIL RESOLUTION

- (1) Write to those property owners that have been included on the draft 2002 Municipal Inventory or had their classification changed and request their comments on the inclusion or change on the Municipal Inventory;**
- (2) Display the draft 2002 Municipal Inventory:**
 - (a) at the Council offices;**
 - (b) at Council's Library; and**
 - (c) on Council's website.**
- (3) Allow a 12 week submission period;**
- (4) Following the close of the submission period, review the submissions and finalise the 2002 Municipal Inventory;**
- (5) Advise the submitters of Council's decision; and**
- (6) Refer a copy of the revised Municipal Inventory to the Heritage Council.**

Carried 8/0

Mayor Hammond and Cr. Morgan returned to the meeting at 9.00pm and Mayor Hammond resumed the Chair.

TP126 NO. 38 (LOT 2) GRANT STREET – 2 STOREY DWELLING

File No: No. 38 Grant Street
Author: Ms. Janine McDonald
Report Date: 12 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr. Stephen Sullivan

Property Owner: C Dermer
Applicant: Cross Fishwick & Associates
Date of Application: 6 August, 2002

M.R.S. Reservation: N/A
Zoning (TPS No. 2): Residential
Density: R20
Lot Area: 617m²

SUMMARY

The purpose of this report is to seek Council approval for the construction of a new two-storey dwelling. Conditional approval is recommended.

STRATEGIC IMPLICATIONS

N/A.

STATUTORY ENVIRONMENT

Town of Cottesloe Town Planning Scheme No. 2
Residential Planning Codes of Western Australia

POLICY IMPLICATIONS

TPS Policy Implications:	Policy No. TPSP 003: Garages and Carports in Front Setback Area.
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HERITAGE LISTING:

State Register of Heritage Places - N/A
 TPS No. 2 - N/A
 Town Planning Scheme Policy No. 12 - N/A
 Draft Heritage Strategy Report - N/A
 Municipal Inventory - N/A
 National Trust - N/A

AREA OF NON-COMPLIANCE

Statutory Non-compliance	N/A	N/A
Discretionary provisions	Min required	Proposed
Ridge Height	RL 17.0	RL 17.4
Front setback garage	6.0m	4.5m
East wall lower level	2.9m	1.5 – 2.0m
East wall upper level	4.0m	3.0 – 3.7mm
West wall upper level	1.9m	1.5m

CONSULTATION

Submissions were received from the following landowners:

No. 36 Grant Street

This property is located on the western boundary of the subject lot and its owner raised some concerns with respect to the potential for overlooking. He requested that the western end of the upstairs balcony be screened for privacy and that the upper portion of the stairwell window be glazed with obscure glass.

No. 40 Grant Street

This property is located on the eastern boundary of the subject lot. The submitter wishes to draw Council's attention to the filling work that has been carried out on the subject land which has raised the ground level. He requests that Council ensures that any building constructed does not commence at an artificially high level, thus creating excessive overshadowing on the eastern side.

STAFF COMMENT

Background

The subject site is currently undeveloped and has a fall of approximately 3.6 metres across the lot, in a south-westerly to north-easterly direction. The proposal is for a two storey dwelling with a cellar and a double garage 4.5m from the front boundary.

There have been a number of applications for Approval to Commence Development over the land dating back to 1995, all of which subsequently lapsed without any development occurring. The latest application for a two-storey dwelling was submitted and conditionally approved in August 1999. An appeal against two conditions of the planning approval which related to development forward of the front 6 metre setback line and a lowering of the ground levels was subsequently lodged with the Hon. Minister for Planning.

With respect to development forward of the front setback line, the Hon. Minister upheld the appeal as the 4.5 metre setback was consistent with adjacent properties and the Town of Cottesloe had approved the setback when it considered the original proposal in 1997.

The owner appealed against the condition requiring a reduction in fill levels in order to reduce the height and impact of the proposed retaining wall in the northeast corner of the site, particularly along the eastern boundary. The applicant advised that he was willing to lower the building levels of the courtyard at the rear by 300mm. The Hon. Minister concluded that this represented a reasonable compromise.

Building Height

Notwithstanding any filling that may have been carried out since, building height has been calculated using site levels that were given for the previous applications and a natural ground level at the centre of the site was obtained by averaging the four corners of the land. The proposed development exceeds the 8.5m height requirement specified in the Scheme by approximately 400mm.

The elevation shows that the area of non-compliance is only a small portion of the roof ridge and as such, does not raise any concern.

Side Setbacks

Calculation of side setbacks show that the proposed development is non-compliant in three areas:

- (a) The eastern wall at ground level (not including the garage) should be setback 2.9 metres from the boundary in accordance with the R-Codes. The application proposes a varying setback of 1.5 – 2.0 metres.
- (b) The eastern wall at the upper level should be setback 4.0 metres from the boundary in accordance with the R-Codes. The application proposes a varying setback of 3.0 – 3.7 metres.
- (c) The western wall at the upper level should be setback 1.9 metres from the boundary in accordance with the R-Codes. The application proposes a setback of 1.5 metres.

With respect to (a) above it is not considered necessary to require a greater setback than provided as the windows located on the wall are to less frequently used rooms such as bathrooms and bedrooms and do not have the potential to overlook being that they are at the lower level.

Similarly, with respect to (c) above, the windows located on this wall are either to non-habitable rooms or are highlights. The window with potential to overlook is the stairwell window which the adjoining neighbour to the west has requested be glazed with obscure glass.

The upper eastern wall (item b above) has the potential to overlook the adjacent property from both the balcony and the guest bedroom. Given that the guest bedroom is likely to be infrequently used, this window is not considered to be an issue. Further, the view is to the side of the property and will have little impact. No objections were received from the adjoining property owner with respect to overlooking. It is recommended however, that the eastern side of the balcony be enclosed with appropriate screening to prevent overlooking into the rear/outdoor living areas of the adjacent property.

Front Setback

Town Planning Scheme Policy No. 3 states that Council may, in a particular case, allow lesser setbacks than those prescribed and may allow a garage or carport up to 4.5 metres from a primary street. It is considered appropriate to exercise this discretion in this instance as a 4.5 metre setback is consistent with neighbouring properties to the west and will therefore provide some continuity to the streetscape in this locality.

Submissions

The concerns raised in the submission from No. 36 Grant Street relates primarily to overlooking from the upper floor balcony and stairwell. It is considered that these concerns can be satisfactorily addressed by the imposition of conditions that will:

- (a) provide screening to the western face of the upper floor balcony; and

- (b) require the upper portion of the stairwell window to be glazed with obscure glass.

The submission from No. 40 Grant Street requests that calculations of building heights take into account the filling that has occurred. As stated previously, building height has been calculated using levels obtained for the previous application that are considered to represent natural ground level as far as practicable. The current development proposal reduces the building levels in accordance with the previous appeal decision and will therefore result in less impact on the adjoining property at the north-eastern boundary.

CONCLUSION

The proposed development be approved subject to conditions.

VOTING

Simple Majority.

TP126 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr. Ewing, seconded Cr. Walsh

That Council:

- (1) GRANTS its Approval to Commence Development for the two-storey residence at No. 38 (Lot 2) Grant Street Cottesloe, as shown on the plans received on the 6 August, 2002, subject to the following conditions:
 - (a) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
 - (b) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights of way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.
 - (c) The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture, or otherwise, except with the written consent of Council.
 - (d) The roof surface being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining, or nearby neighbours, following completion of the development.
 - (e) The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.
 - (f) All mechanical equipment being installed at sufficient distance from the property boundary to ensure noise levels are within those specified in the Environmental Protection (Noise) Regulations 1997.
 - (g) Revised plans being submitted for approval by the Manager, Development Services, showing:
 - (i) The upper portion of the stairwell window being glazed with fixed obscure glazing to prevent overlooking into the adjoining property.

- (ii) The eastern and western ends of the upper floor balcony being screened to prevent overlooking into the adjoining property.
- (2) Advise the submitters of this decision.

AMENDMENT

Moved Cr. Walsh, seconded Cr. Ewing

That the motion be deleted and substituted with the following:

“Council delegate its authority to the Manager, Development Services, to make a determination on the application for Planning Consent at No. 38 Grant Street:

- (1) based on the September, 2002 recommendation of the Development Services Committee; and
- (2) following consideration of the contents of the letter from Mr Lapsley, No. 1 Lyons Street.”

Carried 10/0

The amended motion was put.

COUNCIL RESOLUTION

Council delegate its authority to the Manager, Development Services, to make a determination on the application for Planning Consent at No. 38 Grant Street:

- (1) based on the September, 2002 recommendation of the Development Services Committee; and
- (2) following consideration of the contents of the letter from Mr Lapsley, No. 1 Lyons Street.

Carried 10/0

TP127 NO. 30 (LOTS 46-48) JARRAD STREET- PROPOSED THREE STOREY BRICK AND METAL MIXED USE DEVELOPMENT

File No:	No. 30 Jarrad Street
Author:	Mr Stephen Sullivan
Report Date:	20 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale
Property Owner:	Acemount Pty Ltd
Applicant:	Hillam Architects
Date of Application:	19 June, 2002

M.R.S. Reservation:	Urban
Zoning (TPS No. 2):	Town Centre
Density:	R100
Lot Area:	1277m²

SUMMARY

For consideration of an application for Planning Consent by Council.

STRATEGIC IMPLICATIONS

N/A

STATUTORY ENVIRONMENT

Town Planning Scheme No. 2

POLICY IMPLICATIONS

TPS Policy Implications:	No. 1 - Vehicle Parking Requirements Town Centre No. 5 - Building Heights
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HERITAGE LISTING:

State Register of Heritage Places -	N/A
TPS No. 2 -	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report -	N/A
Municipal Inventory -	N/A
National Trust -	N/A

AREA OF NON-COMPLIANCE

The following table shows the areas of non-compliance with the original application. A new assessment is being carried out on the revised application received on the 20 September, 2002 and Council will be further advised at the Special Development Services Committee meeting of the remaining areas of non-compliance.

Statutory Non-compliance	Max/Required	Proposed
Plot Ratio	1.0	1.17
Discretionary Provisions	Max/Required	Proposed
Number of storeys	2	3
Wall height	6.0m (13.36)	9.67m (17.03)
Roof ridge height	8.5m (15.86)	11.33m (18.69)
Setbacks of residential units	As per R Codes (9.0m setbacks to 3 street frontages)	Nil
Setbacks of canopies at south-west corner, southern entrance and western entrance	Contained on site	Overhang boundary by 2.4m, 1.0m and 0.6m respectively
Northern setback (under BCA)	3.0m	Nil
Car parking	AS2890.1 (11.1b)	Non-compliant
Private balconies	1 per unit	None for units 8-10
Communal open space	20%	Nil
Major openings	1 per habitable room	None for living/dining areas of units 9 & 10.

CONSULTATION

Three submissions were received from the owners of No. 9 Napoleon Street, 32 Jarrad Street and 2A Railway Street. All submissions raise concerns regarding increased usage and vehicle access onto Clapham Lane. Further issues raised are building bulk and rubbish collection.

BACKGROUND

The Development Services Committee discussed this proposal in detail at its September, 2002 meeting (TP110).

The Committee agreed to arrange a special meeting of the Development Services Committee with an invitation for all Councillors to attend. This would allow the applicant to present the revised proposal to Councillors prior to consideration at the September meeting of Council.

STAFF COMMENT

The following comments are made:

Revised Plans

Revised plans for the proposed development were received after the close of business on Thursday, 19 September, 2002. The elevations were received on the Friday morning. The additional report from the Planning Consultant was received by e-mail Friday morning.

The revised plans were sent to the Design Advisory Panel members that considered the proposal at the meeting held on the 6 August, 2002 for consideration and comment prior to midday on Monday, 23 September, 2002.

A copy of the revised plans were referred to the Building, Health and Engineering sections. Comments from staff will be included in a final presentation to the special meeting of the Development Services Committee.

Submission from the applicant

The Planning Consultant has submitted a letter on behalf of the applicant that refers to :

- (a) the revised plans and elevations submitted by the architect;
- (b) a schedule of modifications to the original plans; and
- (c) a draft set of conditions prepared by the Planning Consultant in anticipation of an approval for Council, based on a series of conditions received from the East Perth Redevelopment Authority.

Review of Revised Application

The application is currently being review and issues being considered include:

- define café use – kitchen facilities - ducting to café – height of ducting → design
- noise attenuation → design issues
- memorial on titles - noise
- café toilet facilities (staff/customers)
- plot ratio
- location of mechanical plant equipment location and affect on car parking numbers

- parking access
- parking numbers
- parking standards (width)
- amalgamation/widening
- bin locations
- servicing of retail
- need for corner truncation
- verandahs – approval of overhangs by Department of Land Administration
- external plumbing fittings
- signage
- light wells → demonstrate practical use of light wells during winter
 - overlooking into light wells
 - roof grills (security)
- need for restriction on numbers to café
- need for restriction on hours of operation
- adequacy of courtyards - to be at least 12m² ?
- paving of 1.5m setback space from Clapham Lane
- geo-technical report on drainage of the site
- removal of un-used crossovers
- re-sealing of Clapham Lane.

Some of the above-mentioned issues have already been addressed in the revised plans.

CONCLUSION

The development has been modified to address the traffic concerns expressed by the traffic consultants. This has resulted in additional floor space being provided on the upper level as a consequence of the road widening. The Design Advisory Panel were satisfied with the height of the original proposed development. Further comments are being sought.

The principal issue with the development is the matter of having residential dwellings in a commercial area. The Town Planning Scheme Town Centre Zone Development Policy Plan contains a note that states the following:

Note: Council supports second storey residential use.

Mixed use developments are becoming increasingly popular, however, it is critical to ensure that the future occupants of the development are made aware that they will be living in a commercial precinct and not a purely residential environment.

The application has been independently assessed with specific emphasis on the issues relating to mixed-use development. That assessment has identified matters, including the issue of noise, which can be addressed through conditions of Planning Consent.

Once the review of the application has been completed, alternative recommendations will be made available at the special meeting of the Development Services Committee.

VOTING

Simple Majority.

OFFICER RECOMMENDATION

That the Manager, Development Services will provide a further report to the Development Services Committee following a review of the revised plans.

TP127 **COMMITTEE RECOMMENDATION**

Moved Cr. Ewing, seconded Cr. Walsh

That Council give delegated authority to the Manager, Development Services to make a determination on the application for Planning Consent, based on the memo dated 23 September, 2002 from the Manager, Development Services.

AMENDMENT NO. 1

Moved Cr. Miller, seconded Cr. Morgan

That the motion be deleted and substituted with the following:

“That this item be deferred to a Special Meeting of Council to be held Wednesday, 25 September, 2002, to allow members more time to deal with this late item.”

Lost 3/7

AMENDMENT NO. 2

Moved Cr. Miller, seconded Cr. Ewing

That the motion be deleted and substituted with the following:

Moved Cr. Ewing, seconded Cr. Walsh

That Council give delegated authority to the Manager, Development Services to make a determination on the application for Planning Consent, based on the memo dated 23 September, 2002 from the Manager, Development Services.

Carried 9/1

The amended motion was put.

COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Walsh

That Council give delegated authority to the Manager, Development Services to make a determination on the application for Planning Consent, based on the memo dated 23 September, 2002 from the Manager, Development Services.

Carried 9/1

WORKS & CORPORATE SERVICES

17 September, 2002

C72 STATUTORY FINANCIAL STATEMENTS

File No.: C7.14
Applicant: N/A
Author: Mr Alan Lamb
Report Date: 11 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

SUMMARY

The Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 31 August, 2002, are presented for perusal and it is recommended that they be received.

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

BACKGROUND

The Financial Statements are presented monthly.

CONSULTATION

N/A.

STAFF COMMENT

Looking at the Operating Statement on page three it will be noted that overall expenditure is down on expectations of year to date expenditure and that the corresponding total income is in line with predictions. Variances are mainly due to timing differences however, it is noted that income from parking and building is higher than expected. Parking income is recognised when infringements are paid not when they are issued and so the higher than expected income (in July) relates to recovery efforts of staff.

VOTING

Simple majority.

C72 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Ewing

That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the month ending

31 August, 2002, as submitted to the September meeting of the Works & Corporate Services Committee.

Carried 10/0

C73 **SCHEDULE OF INVESTMENTS & SCHEDULE OF LOANS**

File No.:	C7.12 & C7.13
Applicant:	N/A
Author:	Mr Alan Lamb
Report Date:	11 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

The Schedule of Investments and Schedule of Loans for the period ending 31 August, 2002, are presented for perusal and it is recommended that they be received.

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

BACKGROUND

The Schedule of Investments and Schedule of Loans are presented monthly.

CONSULTATION

N/A.

STAFF COMMENT

As will be seen from the Investments statement on page 32, \$2,177,999.14 was invested as at 31 August, 2002. Of this \$570,445.66 related to reserves (restricted funds) and \$1,607,553.48 to unrestricted funds. 74.39% was invested with the National Bank, 16.46% with Home Building Society and 9.15% with Bankwest.

VOTING

Simple majority.

C73 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Ewing

That Council receive the Schedule of Investments and Schedule of Loans for the month ending 31 August, 2002, as submitted to the September meeting of the Works & Corporate Services Committee.

Carried 10/0

C74

ACCOUNTS

File No.:	C7.8
Applicant:	N/A
Author:	Mr Alan Lamb
Report Date:	11 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

The List of Accounts for the period ending 31 August, 2002, are presented for perusal and it is recommended that they be received.

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

BACKGROUND

The List of Accounts are presented monthly.

CONSULTATION

N/A.

STAFF COMMENT

Significant payments brought to Council's attention include \$12,900 to Ian Maitland, Consulting Engineer for the Civic Centre structural investigation project; \$18,258.54 to WA Local Government Super Plan for staff superannuation; \$18,306.84 to Australian Taxation Office for July BAS; \$66,821.79 to Shire of Peppermint Grove for first quarter library contribution payment; \$31,058.23 to Municipal Workcare for workers' compensation insurance (first instalment, 50% of total, balance to be paid in October); \$39,314, \$27,894.54 and \$39,314.00 being payroll for August (includes a termination pay for a long serving employee) .

VOTING

Simple majority.

C74

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That Council receive the List of Accounts for the month ending 31 August, 2002, as distributed to all elected members prior to this meeting.

Carried 10/0

C75 **PROPERTY & SUNDRY DEBTORS REPORTS**

File No.: C7.9
Applicant: N/A
Author: Mr Alan Lamb
Report Date: 11 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

SUMMARY

The Property & Sundry Debtors Reports for the period ending 31 August, 2002, are presented for perusal and it is recommended that they be received.

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement.

POLICY IMPLICATIONS

Nil.

Strategic Implications

Nil.

FINANCIAL IMPLICATIONS

Nil.

BACKGROUND

The Property & Sundry Debtors Reports are presented monthly.

CONSULTATION

N/A.

STAFF COMMENT

It will be noted from the Sundry Debtors Report on page 31, that the debtors balance was \$85,592.67. \$66,650.33 of this was for the current month. \$10,397.45 from the previous month related to Pension rebates that have not been paid by State Revenue as yet, due to possible errors in details supplied or ineligibility of claimants. Other outstanding amounts are being further investigated or pursued. The Debtors' Report on page 30 shows a balance of \$1,787,641.24, a significant reduction to the balance reported last month of \$4,259,830.67 resulting from rate payments received during the month.

VOTING

Simple majority.

C75 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Ewing

That Council:

- (1) Receive and endorse the Property Debtors Report for the month ending 31 August, 2002; and

- (2) Receive the Sundry Debtors Report for the month ending 31 August, 2002.

Carried 10/0

C76 **COTTESLOE-PEPPERMINT GROVE-MOSMAN PARK LIBRARY – COST SHARING ARRANGEMENTS –2002/03 BUDGET**

File No.: C11.1
Applicant: N/A
Author: Mr Alan Lamb
Report Date: 10 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

SUMMARY

The purpose of this report is to seek Council's agreement to the Cottesloe-Peppermint Grove-Mosman Park Library Management Committee's recommendation that cost sharing arrangements be varied, based on membership rather than population. Also to seek Council's ratification of the Joint Library Budget for 2002/03 as adopted by the Committee.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Provision was made in the 2002/03 Budget for a contribution of \$257,037 toward the running of the joint library. This provision was based on the population distribution method as set out in the Joint Library Agreement using the 2001 census figures and as set out in the draft budget as endorsed by the Committee. The proposed cost sharing based on membership represents an increase in Cottesloe's contribution for 2002/03, of \$4,277 to \$261,314.

BACKGROUND

The Joint Library agreement was due to expire 1 July, 2001, and the Library Committee has been debating the equity of the existing cost sharing arrangement as set out in the Joint Library Agreement (in the proportions of the populations of each Council's districts as determined by the 1991 census). The Library Committee held further debate on the issue pending release of the 2001 census figures. At its meeting held 30 August, 2002, the Library Committee resolved as follows:

The report and recommendation from the Management Committee to levy member Local Governments on the basis of the number of their residential members as at June 30 each year be submitted to respective Councils for acceptance.

Note: The Report is item 3.1 of the attached Library Committee minutes from its 30 August, 2002 meeting.

The Library Committee sought Council's thoughts along the process to reach its final decision and in response to a question from the Committee Council, on the cost sharing arrangements, passed the following resolution at its April 2001 meeting:

That Council advise the Cottesloe Peppermint Grove Mosman Park Library Committee that it favours costs of the Library service being split by the number of library members in each Council area and this being reviewed annually.

In response to a proposal from the Shire of Peppermint Grove for the new cost sharing arrangement to be based on half of the cost being calculated on the population ratio and the other half on the membership ratio and for this to be phased in over two financial years, Council, at its August 2001 meeting, resolved:

That Council:

- (1) Advise the Library Committee that the Town of Cottesloe supports:
 - (a) cost sharing arrangements for the new joint library agreement being based 50% on population and 50% on membership; and*
 - (b) the new cost sharing arrangement be phased in over the 2002/3 and 2003/4 financial years with results of the 2001 Census being used for the portion of the population based cost share calculation when it becomes available.**
- (2) Endorse the Cottesloe Peppermint Grove Mosman Park Combined Library Budget for the 2001/02 financial year, as presented.*

Note: the item also included the Library Budget for 2001/02.

The Library Budget for 2002/03 was adopted by the Library Committee at its May 2002 meeting and it is now put to Council for ratification as required by the Joint Library Agreement.

CONSULTATION

The cost sharing matter has been discussed at length at a number of Library Committee meetings and with staff at constituent Councils over a number of months.

The Library Budget for 2002/03 was discussed at Library Committee meetings and with staff from the Shire of Peppermint Grove (the managing Council).

STAFF COMMENT

As will be noted from the attachment, the cost sharing change from being based on population to memberships increases costs for Cottesloe and Peppermint Grove Councils and reduces costs for Mosman Park.

Whilst this will have a negative affect on this Council this year it will provide for the cost sharing split to change annually with changes in memberships. The population based cost share method is tied to snapshots of numbers in census years and does not take account of changes during the term of the agreement. The membership basis is perhaps more equitable in that it more closely follows the user pays principle.

It is recommended that Council accept the Library Committee's recommendation.

As will be noted from the Contribution Statement on the third page of the Joint Library Budget for 2002/03, the net expenditure increase over 2001/01 is just under \$30,000 or 5.3%.

It is recommended that the Budget be endorsed.

VOTING

Simple majority.

C76 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That Council:

- (1) Accept the Library Committee's recommendation to levy member Local Governments on the basis of the number of their residential members as at June 30 each year;**
- (2) Endorse the Cottesloe-Peppermint Grove-Mosman Park Library Budget for 2002/03, as presented.**

Carried 10/0

C77 CARETAKER'S COTTAGE

File No.:	C4.2
Applicant:	Centre for Attitudinal Healing
Author:	Mr Alan Lamb
Report Date:	10 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

The purpose of this report is to review the current tenancy arrangement which ends this year and consider an alternative option for use of the Caretaker's Cottage.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The current tenancy arrangement provides for a weekly rental of \$30 plus GST (\$1,716 per year including GST). If the current arrangement were to be terminated this income would be lost.

BACKGROUND

The Caretaker's Cottage is a part of the historically significant Cottesloe Civic Centre complex and is located in the south-western corner of the grounds. It abuts Warnham Road. It has been used for a number of purposes including staff accommodation and more recently as an "artist in residence" facility. In December 1998 the Centre for Attitudinal Healing (CFAH) was advised that Council had resolved to accept its offer to utilise the building, subject to there being no significant objections from residents. Files indicate that thirty one near by residents were sent a letter (21/12/88) setting out Council's decision to consult with them prior to entering into a rental agreement, some information on CFAH and how it would operate at the Cottage, and setting out the procedure for lodging objections. Few responses appear to have been received, one resident expressed some concern over possible parking problems. Another expressed concern over hours of operation, parking and a need to know more about the proposed tenant.

A Memorandum of Understanding (MOU) setting out terms and conditions for the use of the Cottage was signed by CFAH representatives January 1, 1999. This document served as the tenancy agreement and provided for the CFAH to bear the cost of redecorating the premises, no rental charge for the first six months of occupancy with a nominal rental to be negotiated with the CEO after this time and an expectation that this rental would be in the order of \$100 per month. The agreement was for a term of twelve months and the MOU included the following "Both parties acknowledge that the Town of Cottesloe may have a requirement to use the cottage for its own purposes after the initial 12 month period. If this occurs, CFAH will be given a minimum of 2 months notice to vacate the cottage." In August 1999 CFAH was advised that the rent would be \$25 per week commencing from 1 August, 1999.

Council dealt with items on the renewal of the tenancy agreement at its meetings in May and June 2000 and resolved at its July 2000 meeting to extend the agreement for a further 12 months at a rental of \$25 per week plus GST. In April 2001 the tenancy was again review by Council and it resolved to invite proposals from local environmental and/or community groups to submit proposals for the use of the Cottage as an environmental centre. The file contains no proposals from local groups and in August 2001 Council resolved to extend the current arrangement with CFAH for a further 12 months with a weekly rental of \$30 plus GST. CFAH was advised in September 2001 that its tenancy had been approved for further 12 months.

Council's Ranger staff were relocated to the Beach Ranger's office in the north west corner of the Indiana Tea House building some years ago as part of an re jig of Council's office accommodation. The move was a temporary measure until more suitable arrangements could be made. The Beach Ranger occupied the lower level of the accommodation and another office was created in the tower above this.

The Cottage was set up as residential accommodation, but appears to have been modified internally to suit more commercial purposes. No measurements have been taken however the current layout consists of two rooms approximately 3m by 7m, a smaller room approximately 2.5m by 2.5m, a kitchen, and toilet and bathroom facilities. It also has secure storage at the rear and four parking bays at the front.

CONSULTATION

Mr Michael Dillon, President of CFAH, and Council staff were consulted.

STAFF COMMENT

CFAH has, from an administrative prospective, been model tenants with accounts being paid on time, no noted problems with parking and the like or complaints in relation to aspects of its operation. They carried out significant redecoration works in 1999 at their cost (\$8,000). They currently run five groups at the Cottage, consisting of a men's group on Monday nights, a women's group Tuesday afternoons, young adults group Wednesday evenings, a parenting support group Thursday afternoons and a community group on Saturday mornings. CFAH is a registered not for profit organisation that provides services at no cost to participants. CFAH points out that it has taken some time to establish themselves at the Cottage and they are about to embark on a promotional program to let the Cottesloe Community know more about the centre and services they provide. They also advise that their services go some way to meeting the short fall between what the community needs and what government agencies provide. They say that their centre is providing valuable frontline support to people who are struggling with their lot in life.

The current rental provides income of \$1,716 per year (including GST). Operating cost for the Cottage exceed \$2,000 per year (including GST) and includes \$686 for security monitoring, \$430 for water rates and consumption charges, \$690 for electricity and \$265 for insurance. Whilst it is recognised that CFAH paid to have the Cottage decorated and that its financial resources are limited, it is suggested that if the tenancy is renewed the rent be set at an amount that covers Councils ordinary operating costs for the Cottage.

Problems with the current location of the Ranger's office include constant interruptions from beach-goers looking for or handing in lost property, seeking first aid and seeking general information. The size and layout of the office space is not adequate in summer when staff numbers are increased with temporary officers. The upper level has an air-conditioner however the expanse of westward facing glass and no air-conditioning on the lower level makes the area hot in summer. There is not sufficient space to store gear such as the Ranger's cycle. There is no water connection to the area and so no wash up facilities. There are also no toilet facilities other than the public conveniences located on the upper level, this can become a security problem at weekends. Vehicle parking is an occasional problem and the practice of parking on the paved area in front of the boat shed is not desirable given the high numbers of people in the area in summer. There is a history of irritating computer problems that appear to primarily relate to links to the main office server.

Benefits of moving Rangers to the Cottage include reduced cost for computer connection. Current costs for an ISDN connection to the beach office of \$4,200 could be replaced with a \$2,000 PABX voice link for phone lines with a once off cost of \$6,000 cabling and other connections. The Cottage is closer and well within walking distance of the office reducing the need for vehicular travel. The increased presence of Rangers in the grounds should have a beneficial impact on the level of vandalism and other crime at the Civic Centre. The secure storage area could be used to store temporary signs and other such bulky items that Rangers need to access quickly from time to time and are currently stored at the depot. The current Ranger's Office could be used by contract lifeguards

for lockable gear storage, and observations from the northern tower. This tower could also be accessed by Cottesloe Surf Life Saving Club patrols on summer weekends where necessary. Additionally it would provide a facility that Rangers (and perhaps Police) could use as a command post for beach functions and the like. It is not suggested that this facility be given over to another body on a permanent basis, rather that it be used as required by Council or for Council related purposes.

It is envisaged that the Rangers would require one of the larger rooms, all or part of the small room for storage and part of the secure storage area, and access to the facilities. The other larger room and part of the smaller room could be utilised for another, yet to be determined, purpose. The four bay parking area at the front of the Cottage would be more than adequate for Ranger vehicles and provide visitor parking opportunities.

It is not clear when the current term of the tenancy was to have ended however as the agreement was signed at the end of January 1999 and two extensions of twelve months each have been given, but it is assumed that the current term ended January 2001. However the last letter confirming an extension and Council's resolution in relation to this are not clear on when the extension commences or terminates. In fairness to CFAH it is suggested that, in the event that Council agrees with the officer recommendation, two months notice be given (as set out in the MOU) as from the end of September and that the date for vacating the premises be Monday, 2 December, 2002. Whilst the CFAH's expenditure of \$8,000 on the building is significant this was done with the clear indication that the agreement was for twelve months only and with acknowledgement that Council may need the Cottage after that term (as specifically set out in the MOU).

It is recommended that as there is now a Council need for the use of the Cottage, CFAH be given notice of the termination of the tenancy agreement.

VOTING

Simple Majority.

OFFICER RECOMMENDATION

That Council:

- (1) Advise the Centre for Attitudinal Healing that it will not renew the tenancy agreement on the Caretaker's Cottage and that the last date to vacate the premises be 2 December, 2002;
- (2) Thank the Centre for Attitudinal Healing for their relationship with Council over the time of their occupancy of the Caretaker's Cottage and the work they have done within the district; and
- (3) Request Administration to make arrangements to relocate the Ranger's office to the Caretaker's Cottage in the current calendar year.

COMMITTEE COMMENT

The Committee noted the work of the Centre for Attitudinal Healing in the community and preferred to see Ranger accommodation included with the review of administration accommodation.

C77 COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That Council renew the lease of the Caretaker's Cottage for the Centre of Attitudinal Healing for a period of 12 months, to 30 September 2003, at a rental calculated to cover operating costs for the cottage which are in the order of \$2,000 per year.

Carried 8/2

C78 CLAREMONT AQUATIC CENTRE - FINANCIAL CONTRIBUTION FOR PROPOSED UPGRADE

File No.:	C7.7
Applicant:	Town of Claremont
Author:	Mr Alan Lamb
Report Date:	11 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

The purpose of this report is to address the Town of Claremont's request for a contribution.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

No provision was made in the current Budget for the requested contribution.

BACKGROUND

The Town of Claremont wrote to advise of its proposal to heat the main pool at the Claremont Aquatic Centre so that it becomes a year round facility, instead of only being open from October to mid April.

The proposal involves the use of geothermal technology, pumping water to the surface to heat pool water. It also includes some upgrading to existing buildings, an extension to the car park and minor works to the main pool.

The project is estimated to cost \$1,250,000 and Claremont seeks a contribution toward these costs on the basis that the Centre is a regional facility servicing all of the Western Suburbs. A user survey indicated that 11% of users come from Cottesloe and that 37% come from Claremont with the remainder coming from other locations.

The Town of Claremont is making an application to the Department of Sport and Recreation for a one third grant for the project with the remaining cost of

\$888,000 to be funded by Claremont. The plan is that the works would take place in the winter of 2003 ready for opening in October 2003. Any funding from Cottesloe would therefore not be needed in 2002/03 and so could be budgeted for in 2003/04.

Claremont acknowledges that a decision on this matter may not be made quickly but seeks an indication of this Council's receptiveness to the idea.

CONSULTATION

Council staff.

STAFF COMMENT

It is noted that the WESROC commissioned Regional Recreation Needs Study is in its final stages of completion and that its findings should be available in the near future. It is perhaps premature to be considering any contribution to a regional facility until this report is in Council's hands. It is therefore recommended that consideration of the matter be deferred pending receipt of the Study results.

VOTING

Simple majority.

C78

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr. Miller, seconded Cr. Ewing

That Council advise the Town of Claremont that it is not in a position to make a decision in relation to its request for funding assistance with works at the Claremont Aquatic Centre until it has received the results of the WESROC commissioned Regional Recreation Needs Study.

AMENDMENT

Moved Cr. Ewing, seconded Cr. Utting

That the motion be deleted and substituted with the following:

"That Council invite members and officers of the Town of Claremont to a meeting with Cottesloe to fully discuss the future of the Claremont Aquatic Centre before making a decision on financing the pool."

Carried 9/1

The amended motion was put.

COUNCIL RESOLUTION

That Council invite members and officers of the Town of Claremont to a meeting with Cottesloe to fully discuss the future of the Claremont Aquatic Centre before making a decision on financing the pool.

Carried 10/0

C79 **PARKING MANAGEMENT - SURVEY**

File No.: C15.9
Applicant: N/A
Author: Mr Alan Lamb
Report Date: 11 September, 2002
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

SUMMARY

The purpose of this report is to seek Council's approval for amendments to parking restrictions in specific locations.

STATUTORY ENVIRONMENT

The Local Government Act and Council's Parking Local Law apply. The Local law is made under the Act and the Local law provides, in clause 1.8, as follows:

Powers of Local Government

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

New restrictions will require the erection of signage and markings however the associated costs of this will be met from current budget provisions.

BACKGROUND

Council introduced a new Parking Local Law at the end of 2001. The new Local Law provided for a division of the parking region into Sectors A and B. Sector B is the area near the beach most affected by summertime parking problems. This local law contained increased modified penalties designed to reduce the incidence of illegal parking.

Administration recently commenced a review of parking facilities with a view to preparing a management plan that included rationalising signage and a staged approach to other improvements that may be required. This review has centred on Sector B and community input was sought prior to making recommendations.

At Its May meeting Council resolved as follows:

That Council:

- (1) approve the survey of the occupiers of residential and commercial properties as part of a review of parking in Sector B; and*
- (2) include Eileen and Gadsdon Streets in the areas to be surveyed.*

Surveys were conducted and recommendations to follow are based on the results of these.

CONSULTATION

Business proprietors and residents in streets affected by proposed changes and Council staff.

STAFF COMMENT

The initial prime purpose of conducting the review of parking facilities was prompted by the need to change current signage in a number of locations due to the signs' legibility and whether they are applicable, or caused confusion. It was thought that there was room for some changes to current restrictions and that this should be done before incurring the expense of new signage. The plan was to concentrate on Sector B, as this is where the major parking problems occur in summer, and then look at the balance of the district. It soon became obvious that the process would take longer than first thought and so the area of initial focus was further reduced to areas where most of the problems occur and where changes to current restrictions appeared to be needed for the coming summer.

To this end surveys were conducted regarding No. 1 Carpark Marine Parade, Marine Parade from Napier to Forrest, Forrest from Marine to Broome, John Street from Marine to Broome, Overton Gardens, Napier Street from Marine to Broome, Gadsdon Street and Eileen Street.

Whilst there is more to be done on the review, staff are keen to get appropriate signage installed before the start of the busy, in terms of parking matters, season and so this item is put now for approval to amend restrictions as follows.

No. 1 Carpark and Marine Parade

The nine businesses abutting Marine Parade between Napier and Forrest were asked to consider the following:

- (1) Leave the parking as it is.
- (2) Introduce a thirty minute time limit to all parking bays, between Forrest Street and Napier Street.
- (3) Reduce the limit in No. 1 Carpark to two hours.
- (4) Provide more bays by rationalising bus and loading bays as some are longer than the required standards and poorly located.
- (5) Any other options.

Seven of the nine indicated a preference for 30 minute restrictions in Marine Parade between Napier and Forrest, five also favoured a reduced time limit in No. 1 Carpark to two hours, and five favoured the rationalisation of bus and loading bays.

The recommendation follows the survey results except that the application of restrictions is recommended to be twenty four hours per day instead of the current 8.00am to 6.00pm arrangement that currently exists in No. 1 Carpark. This is to promote more vehicle turn-over each day. The current restriction results in vehicles being left in the car park from prior to 6.00pm until just before 11.00am before they can be infringed. Chalking of vehicles in the carpark cannot commence until the restrictions commence and so in a three hour limit

zone where restrictions commence at 8.00am, a vehicle parked all night would not be booked unless it remained in the carpark after 11.00am. The reduced time limit in No. 1 Carpark should provide for more parking opportunities for beachgoers and customers of nearby businesses. The thirty minute restrictions in Marine Parade should similarly provide for more short term parking opportunities. There are approximately 24 parking bays in the section of Marine Parade and 134 bays in the carpark.

Forrest Street, Marine to Broome

Here the residents were asked to consider the following:

- (1) Leave the parking as it is
- (2) Extend the car park on the south side to Broome Street.
- (3) Construct a service road for residents on the North side in conjunction with creating embayed parking areas on the North verge with access from Forrest Street.
- (4) Any other options may be suggested.

Nine respondents favoured option one. Five also liked option two however this will be looked at in a future report to Council. Based on the survey there is no recommended changes to restrictions.

John Street, Marine to Broome

Here the residents were asked to consider the following:

- (1) Leave the parking as it is.
- (2) Introduce a one hour time limit between Marine Parade and Broome Street.
- (3) Any other options.

Six responses indicated that option one was preferred and five indicated that they preferred option two. No changes to restrictions are recommended except for the introduction of two authorised parking bays on the south side of John Street near the Marine Parade intersection for business proprietors who have no on site parking.

Overton Gardens

Here the residents were asked to consider the following:

- (1) Leave the parking as it is.
- (2) As above, but provide more bays by constructing formal parking bays on the median with proper drainage and streetscaping.
- (3) Introduce one hour parking at all times (permit holders are exempt)
- (4) Any other options.

Seventeen respondents advised that they preferred option one and desired that the parking stay as it is.

Three advised they preferred option two and two preferred option three. No changes to restrictions are recommended except for the introduction of two authorised parking bays on the south side of the north carriageway near the Marine Parade intersection for business proprietors who have no on site parking.

Napier Street, Marine to Broome

Residents were asked to consider the following:

- (1) Leave the parking as it is.

- (2) Allow parking on the south side of Napier Street.
- (3) Construct a formal carpark on the north verge with line marked bays.
- (4) Install a physical barrier on the north verge to prevent parking
- (5) Any other options.

Most residents answered with multiple options or further suggestions. Three advised that they preferred option one, in that they preferred no change before the permit parking was adopted.

Five advised that they preferred option two and they opted for allowing unrestricted parking on the south side.

Three also advised that option three could also be a consideration in conjunction with other options and that was to construct a formal car park on the north verge.

Three advised that in conjunction with other options, they considered option four should be implemented in that a physical barrier be placed to permanently prevent parking on the north verge.

The recommendation is in line with the majority response that is to allow parking on the south side of the road and on the north side verge, and to impose no parking on the north side of the road. These measures should address the concerns of residents at No. 7, however this will have to be monitored during the summer and may require adjustments.

Gadsdon Street

Residents were asked to consider the following:

- (1) Leave the parking as it is.
- (2) Introduce one hour parking on the east side (permit holders exempt).
- (3) Allow parking on the verge on the west side.
- (4) Any other options.

Three respondents advised that they preferred option one and one preferred option three. Verge parking on the east side is only allowed with the residents consent. On the west side there are signs in place to prohibit the parking on both road and verge. Apart from the flats on the corner of Eric Street and Gadsdon Street all residents have the capacity to provide off road parking on their premises. Here it is recommended that no parking on the verge restrictions be applied to the east side verge.

Eileen Street

Residents were asked to consider the following:

- (1) Leave the parking as it is.
- (2) Introduce one hour parking on the south side.
- (3) Any other options.

Three respondents preferred option one and one made a suggestion to introduce a permit zone for residents.

On the north side there are signs in place prohibiting road and verge parking and this is frequently ignored by motorists and many infringements are issued by Council Rangers.

On the south side there are line marked bays with out time restrictions and verge parking is allowed with the residents consent. Here it is recommended that no verge parking be introduced for the south side verge.

VOTING

Simple majority.

OFFICER RECOMMENDATION

That Council impose the following parking restrictions to apply as from 11 October, 2002:

- (1) No. 1. Carpark – two hours;
- (2) Marine Parade from Napier to Forrest - all parking bays, 30 minutes;
- (3) John Street - introduction of two authorised parking bays on the south side near the Marine Parade intersection for business proprietors who have no on site parking;
- (4) Overton Gardens - introduction of two authorised parking bays on the south side of the north carriageway, near the Marine Parade intersection, for business proprietors who have no on site parking;
- (5) Napier Street from Marine to Broome – replace all current restrictions with no parking on the north side;
- (6) Gadsdon Street – impose no verge parking on the east side verge;
- (7) Eileen Street – impose no verge parking on the south side verge.

COMMITTEE COMMENT

The Committee noted that the proposed restrictions for No. 1 Carpark would not adequately meet the needs of beachgoers. Also it was felt that other amendments to the Officer Recommendation may better serve the community.

C79

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That Council impose the following parking restrictions to apply as from 11 October, 2002:

- (1) No. 1. Carpark – three hours, from 8.00am to 6.00pm (no change to current restrictions);**
- (2) Marine Parade from Napier to Forrest - all parking bays, 30 minutes;**
- (3) Napier Street from Marine to Broome – replace all current restrictions with no parking on the north side of the street and south side verge;**
- (4) Gadsdon Street – impose no verge parking on the east side verge;**
- (5) Eileen Street – impose no verge parking on the south side verge.**

Carried 9/1

C80 **SHENTON RECREATION PARK SYNTHETIC HOCKEY TURF – REQUEST FOR FINANCIAL CONTRIBUTION FROM WESTERN SUBURBS COUNCILS**

File No.: X11.20
Applicant: Shenton Recreation Park Management Committee
Author: Mr Stephen Tindale
Report Date: 11 September, 2002
Author Disclosure of Interest: Nil

SUMMARY

A recommendation is made to Council that it decline to make a financial contribution to the proposed Shenton Recreation Park Synthetic Hockey Turf. The recommendation is made on the basis that:

- (1) The Western Suburbs is already well endowed with recreation facilities.
- (2) Community demand for the facility has not been fully demonstrated.
- (3) Contributing to the construction of new sporting facilities on an ad-hoc basis, may set an unhealthy precedent for future and as yet unidentified capital requests for Shenton Recreation Park.
- (4) The proposed facility appears to be club based rather than association or community based.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

If the recommendation is adopted, Council will realise a saving of \$15,000 in its 2002/03 budget.

BACKGROUND

Western Suburbs Councils have been requested to provide funding totalling \$200,000 towards the construction of a synthetic turf pitch facility adjacent to Shenton College. A summary of the amounts requested and the current status of these requests follows.

Local Government	Amount Sought	Position
City of Nedlands	\$75,000	Council has approved funding of \$75,000. This amount has been included in the 2002/03 budget. This contribution is the first and final contribution of this project.
Town of Mosman Park	\$15,000	Council agreed to consider subject to WESROC advice based on Recreation Audit. No provision has been made in 2002/03 budget.

Local Government	Amount Sought	Position
Town of Claremont	\$45,000	Council agreed to consider subject to WESROC advice based on Recreation Audit. No provision has been made in 2002/03 budget.
Shire of Peppermint Grove	\$15,000	Council has approved funding of \$6,000. This amount has been included in the 2002/03 budget and was based on the population ratio for the Western Suburbs.
Town of Cottesloe	\$15,000	Council agreed to consider subject to WESROC advice based on Recreation Audit. Have provided \$15,000 in 2002/03 budget.
City of Subiaco	\$20,000	Will consider once Recreation Audit has been completed by WESROC. No budget provision made.
Town of Cambridge	\$15,000	Council have approved funding of \$15,000. This amount has been included in the 2002/03 budget.

WESROC resolved that it would determine its position once the regional recreation audit was completed. The recreation audit is now in a working draft form and includes a range of information relevant to this matter.

The WA Hockey Association has developed a Synthetic Turf Policy whereby support will be given where the Association guidelines and potential bookings are followed. Hockey WA feel an additional 3 synthetic hockey turfs are required in the metropolitan area. Potential locations for these turfs include Alexander Drive/Stirling/Yokine/Breckler Park area, south/Willetton Sports Club and Morris Buzacott (Melville Clubrooms).

At the time the recreation audit research was being undertaken, the WA Hockey Association had not yet agreed to the Shenton Recreation Park site due to the current synthetic turfs being located at Hale and Curtin University. However, as at 27 August, 2002 and since the release of the Western Suburbs Recreation Audit Working Draft Report, the WA Hockey Association has now supported the development of the synthetic turf at Shenton Recreation Park in accordance with the Association's Synthetic Turf Policy.

The Shenton Recreation Park Management Committee has subsequently applied for and received funding in the 2003/2004 CSRFF funding round to develop a synthetic hockey turf at the Shenton Recreation Park site.

The construction of an artificial hockey turf is part of a larger Shenton Recreation Park vision, encompassing the development of Shenton College land surrounding the proposed artificial turf.

This area will be known as the Shenton Recreation Park and is intended on a progressive basis to provide other community services such as:

- Community sporting facilities (eg. swimming, water polo, tennis, basketball, cricket and soccer);
- Theatrical, artistic and cultural facilities;

- Community administration facilities; and
- Support services such as creche facilities.

CONSULTATION

WESROC Executive.

STAFF COMMENT

Given the working draft audit's finding that the western suburbs are already well provided with facilities including numerous regional, state and national standard facilities, further investment needs to be carefully considered. It is also important to note that the synthetic turf proposal will be just the first of many proposed major facilities development programs which are likely to result in further requests for funding. Committing to the first stage of funding without detail of the magnitude and timing of the balance of the proposed development and associated costs is undesirable.

The 4 hockey clubs involved in the project are the Suburban Nedlands City Hockey Club, Westside Wolves, Riverside Lions and YMCA Coastal City Hockey Club. Three of these clubs are based in Nedlands and the fourth in Claremont. While their membership is drawn from a wider area, the majority are understood to come from these two local government areas.

It was suggested by the consultants at the presentation of the draft regional recreation audit with CEO's that consideration by the Western Suburbs for such requests may need to include:

- Amount of community access;
- Diversification of access i.e. sport specific vs. broad range of services etc;
- Equity of financial support for any applications; and
- Funding commitments in the absence of regional and local recreation plans and policies to guide future provision.

The synthetic turf facility has been promoted as a multi-use facility available to Shenton College, the four sponsoring hockey clubs, UWA and the general community.

UWA Sports will manage the use and administration of the artificial surface, including such roles as:

- Allocation of turf timeslots and usage of the turf;
- Fee revenue and collection;
- Ensuring general maintenance of the facility;
- Staffing and security issues; and
- Financial planning and management of the turf.

Most of the annual operating costs of \$170,000 are proposed to be met from playing fees. Given this management regime it is unclear whether the general community will have significant access to the facility.

While the amounts requested from individual local governments may be regarded as modest (except for Nedlands and Claremont), the broader and longer term implications of agreeing to provide funding need to be carefully considered.

The WESROC Executive subsequently resolved as follows:

Whilst recognising that each Member Council will determine its participation and contribution level, if any, the WESROC position is that the proposal is not a regional funding priority.

VOTING

Simple majority.

The Chief Executive Officer withdrew this item based on further information received and indicated a revised report would be put to the October meeting.

C81

TOWN OF COTTESLOE EBA NO. 3 - ASU STAFF

File No.: X9.6
Author: Mr Stephen Tindale
Report Date: 9 September, 2002
Author Disclosure of Interest: The author has a financial interest in the matter as it relates to the terms of his employment.

SUMMARY

A recommendation is made to grant a 2% wage increase to all employees covered by the Town of Cottesloe Enterprise Bargaining Agreement No.3, 2001.

The increase is to take effect as of 12 October, 2002 subject to each department within the organisation successfully completing a process mapping exercise.

STATUTORY ENVIRONMENT

The Workplace Relations Act of 1996 applies.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Implementation of Council's strategic plan is facilitated by the recommendation.

FINANCIAL IMPLICATIONS

A 1% increase in office staff salaries equates to a cost to Council of just under \$12,000 pa. Approval of the 2% wage increase for the remainder of this financial year would result in a direct cost of approximately \$18,000.

The amount has been allowed for in the 2002/03 budget.

BACKGROUND

Enterprise bargaining was introduced by the Federal Government in 1991 to facilitate flexibility in the negotiation of industrial awards at the workplace level.

It has been used by many local governments (mostly metropolitan) to change working conditions and remuneration levels for all staff in exchange for productivity improvements.

Enterprise Bargaining Agreements (EBAs) have been in place at the Town of Cottesloe since 1995. EBA No. 2 was adopted in 1996 and EBA No. 3 in 2001.

The current agreement links salary increases and other improvements in workplace conditions for office staff to the attainment of specific organisational goals.

A timetable of "milestones" has been built into the agreement which envisages the finalisation of all strategic plan documentation and implementation of the strategic plan within a three year period.

Subject to the attainment of the milestones, four increments of 2% are to be paid as follows:

- (1) On registration of the agreement (12 April, 2001) - in recognition of work accomplished under EBA No. 2 which had not been remunerated as stipulated under the terms of that agreement.
- (2) Six months after registration (12 October, 2001) - provided that all strategies and policies required by the Strategic Plan have been identified and documented.
- (3) Eighteen months after registration (12 October, 2002) - provided that specific goals, strategies and measures have been identified and an implementation timetable agreed.
- (4) Thirty months after registration (12 April, 2003) - provided that the Strategic Plan has been substantially implemented with documented specific achievements which meet the agreed timetable.

At each milestone (other than at the initial registration of the agreement) the Chief Executive Officer is to report progress to Council together with a recommendation for payment of the increment subject to the accomplishment of the required work.

Milestone 3 is to be passed shortly.

CONSULTATION

The monitoring and implementation of the agreement is undertaken by a committee comprising the CEO (ex-officio), a workplace representative and 4 elected staff members.

The committee has been consulted on this agenda item.

STAFF COMMENT

The Value of EBAs

Anecdotal evidence suggests that workplace agreements have been used with some success in those workplaces where there has been a high degree of unionisation and/or resistance to change. In these environments, continuous improvement can be difficult to implement - particularly if every workplace issue or change in conditions/remuneration is treated as a precedent for state-wide union involvement.

For some WA local governments, workplace agreements were, and still remain, a legitimate mechanism for breaking down historical and institutionalised barriers to communication and introducing meaningful change at the workplace level. By breaking down these barriers and encouraging employees to take some ownership of matters relating to productivity, a sense of normality was, and is, able to prevail in the workplace.

In other local government workplaces, enterprise agreements have been an unmitigated waste of time and in other places, highly disruptive to cordial working relationships.

In some non-unionised workplaces, the introduction of workplace agreements saw union representatives driving the agenda for change in terms of significant wage increases and improved conditions in return for incremental changes in unproductive workplace customs and habits.

Many of these incremental changes simply reflected changes that had been implemented in other workplaces - rather than genuine in-house changes to inefficient workplace practices.

For the employer's part, refusing to participate in the productivity improvement process was seen as a symptom of backward management and likely to bring on more industrial disputation.

As a result, some local governments became reluctant partners in poorly constructed EBAs. Employer and employee alike were stuck with EBAs that contained clauses that were extremely difficult to remove (or amend) as their full consequences became known.

It was not unknown for EBAs to simply lock employees into an inferior set of conditions as the industry awards overtook them. This in turn created a great deal of animosity and suspicion between managers and employees where none had previously existed.

Without human resource managers who were skilled in the design and implementation of industrial agreements, many local governments and employees were simply short-changed. Even with the presence of human resource managers, there was no guarantee of a good result - given that the negotiation of EBAs was simply grist for the human resources manager's mill.

Cottesloe's EBA

While EBAs are a means unto an end, they should not become an end in themselves. The negotiation of an EBA should not form part of Council's core business.

It is understood that the Town of Cottesloe has had a very mixed experience with EBAs over the years. My view is that the Town of Cottesloe should look to abandoning the EBAs once they have expired. The resources they consume for an organisation of the type and nature of the Town of Cottesloe is disproportionate to the effort involved in finalising them. There is also a real difficulty in measuring productivity gains in dollar terms in the absence of sophisticated measurement and control systems.

Having said the above, EBA No. 3 is a comparatively sound document that has evolved to meet the particular requirements of Cottesloe. The objectives and principles of EBA No. 3 (see Part 7 of the EBA) formalise what should be standard working practice for any local government.

In February I advised as follows:

“...the Town of Cottesloe has linked the attainment of its strategic plan objectives with its enterprise bargaining agreement. This reflects an excellent understanding of the need to align the efforts of the Town of Cottesloe’s human resources with the strategic view of Council. On the down side however, the direct linkage may have unduly and unfairly shifted the emphasis from one of individual responsibility to one of a collective workforce responsibility for the attainment of Council’s strategic objectives.

The draft schedule of events for the attainment of strategic objectives (as identified by staff) lists up to 200 events that need to be attended to by October 2002 if a 2% pay rise is to be achieved.

Many of these events are of an operational or administrative nature and do not add to the strategic plan, other than to improve levels of efficiency and effectiveness – which is what enterprise bargaining agreements are meant to do.

Excellent progress is being made in tackling these events/issues through in-house ‘process mapping’ which will streamline the way things are handled.

Buried within the draft schedule of events are a number of strategic issues that need to be highlighted as strategic rather than operational issues. They include:

- An asset management plan.
- The beach precinct
- Parks and reserves
- Streetscape
- Waste Management
- Heritage
- Precinct planning
- Sustainability
- Town Planning Scheme.

The realisation of strategic objectives within these areas must be grounded in solid community consultation in the first instance. Council and staff ownership of the issues follows and then the implementation of the strategic plan – subject to the availability of financial and human resources.

To sum up, staff have a real financial interest in seeing these strategic issues fully documented and prioritised – particularly since the implementation of the strategic plan is an integral part of the enterprise bargaining agreement.

However the attainment of at least 3 to 6 strategic objectives, (once they have been agreed upon and finalised), should be written into the performance appraisal and contract renewal process for each senior staff member - rather

than being part of a collective enterprise bargaining agreement. The enterprise bargaining should focus on that which it was intended for – improving overall levels of efficiency and effectiveness.”

In terms of grounding Council’s strategic plan in solid community consultation, the results of the Community Needs Survey are currently being tabulated and will be presented to the October meeting of Council.

Turning to the enclosed draft schedule of events for the attainment of strategic objectives, it can be seen that the schedule can be broken down into two areas. The first focuses on the attainment of specific strategic objectives and the second focuses on process mapping (examining and improving the way we do things).

Insofar as the first area is concerned, specific strategic objectives will need to be validated, added to and prioritised within the context of the results of the community needs survey. Until that happens, there is little point in agreeing an implementation timetable. Resource constraints (funding availability) will undoubtedly have an impact on the implementation timetable and further complicates the matter.

Process mapping (which has and is improving overall levels of efficiency and effectiveness) is continuing. A status report on process mapping with respect to each of Council’s departments is enclosed with this agenda together with samples of completed processes.

The recommendation envisages the full flow-on of the proposed 2% wage rise despite the fact that an implementation timetable has yet to be set for specific strategic objectives.

It is felt that the documentation and implementation of improved work processes represents a major improvement in productivity and warrants a full flow-on of the proposed 2% wage rise – subject to the identified work processes being finished off by the respective departments.

However Council may decide that a lesser percentage pay increase should apply until such time as an implementation timetable for specific strategic objectives is agreed. The implementation timetable could be drafted and agreed to in short time, but it would be highly doubtful that it would be a realistic document.

To be a realistic document, the Community Needs Study results need to be incorporated into Council’s strategic plan. Priorities and funding sources will then need to be identified by Council and finally, an implementation timetable agreed to.

VOTING

Simple majority.

DECLARATION OF INTEREST

The CEO, Manager Engineering Services, Manager Development Services and Manager Corporate Services declared financial interests in this item, left the Chamber at 9.34pm, did not participate in the debate or vote.

C81 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That subject to the completion of documentation relating to work processes within each department, staff covered by EBA No. 3 be granted a 2% pay rise from the time that the documentation is finalised, but no sooner than 12 October, 2002.

Carried 10/0

Staff returned to the Chamber at 9.35pm.

W31 USE OF COTTESLOE OVAL

File No.:	E10:4
Applicant:	Nil
Author:	Mr Malcolm Doig
Report Date:	28 August, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

Further consideration of the use of Cottesloe Oval during winter.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil. The cost of ground maintenance is basically the same although Council could try and recover additional ground hire from either the Rugby Club or the Cricket Club.

BACKGROUND

In March 2002 Council considered correspondence from the Cottesloe Rugby Union Football Club and the Cottesloe Junior Football Club in which concern was expressed about the dangerous state of the cricket wicket during the winter months. Other concerns have related to substandard playing conditions for winter sports as a result of the spread of black clay over a wide surface area and the retention of surface water. Aside from player comfort, the safety issues are a combination of factors including the slippery and uneven surface which can occasionally dry out and become extremely hard.

This is not a new issue as the argument about playing conditions and the counter argument that the winter sports cause the damage have been raised on many previous occasions.

In March, 2000 Council had resolved:

That Council advise the Nedlands-Claremont Cricket Club that:

- (1) Council is not able to sustain the provision of a turf wicket at Cottesloe Oval for the exclusive use of the Cricket Club to the detriment of winter sporting clubs and other users of Cottesloe Oval;
- (2) Council is willing to give consideration the installation of a synthetic wicket if there is a demonstrated need for a facility in Cottesloe.
- (3) The Cottesloe Rugby Club, Cottesloe Junior Football Club and Claremont-Nedlands Cricket Club be requested to meet representatives of Council on usage and cost before the next round of Council Meetings.

As a result of further complaints in March 2002, Council resolved to:

Invite representatives of the Cottesloe Rugby Union Club, Claremont Nedlands Cricket Club and Cottesloe Junior Football Club and interested community members to attend a joint meeting with Council delegates to consider the condition and use of Cottesloe Oval.

CONSULTATION

Councillors and staff met representatives of the three clubs in April 2000 and again in August 2002.

The most recent meeting with the user groups was a useful exchange of information, but provided no means by which the conflict may be resolved.

STAFF COMMENT

Council maintains Cottesloe Oval and the change rooms at an annual cost of approximately \$35,000.

This cost can probably be justified on the basis of usage as a regional sporting venue for both summer and winter team sports, together with open space for a variety of individual recreational pursuits such as jogging and exercising the dog. Cottesloe and North Cottesloe Primary schools also use the site occasionally for a variety of team games. Unfortunately the condition of the wicket is detrimental to winter sport and the need to protect the wicket from damage further restricts usage. The undersize oval also has limitations, and perhaps implications, particularly for senior cricket players who have the ability to loft a ball well beyond the boundary.

The turf wicket at Cottesloe Oval has always been very difficult to maintain. The problem is basically the close proximity to the sea with salt laden winds and poor quality groundwater that results in a gradual build up of salt in the clay and poor coverage by the couch grass, which is supposed to hold the surface together. The encroachment of Kikuyu grass into the couch grass wicket can result in substantial damage and make the wicket unplayable.

While every effort has been made by Council to improve the playing surface in the past, the results have never been considered satisfactory by the WACA. For this reason, in 1983 Council decided to offer an annual subsidy of \$5,500 to Cottesloe Cricket Club, prior to its amalgamation, on the condition that the club took full responsibility for the preparation of the wicket. In 1993 Council advised the Club that the subsidy would be discontinued when the agreement

expired in 1997. While the Club did replace the wicket in 1996, the level of maintenance since 1997 has been minimal. Almost no effort has been made to protect or maintain the wicket during winter.

As the Nedlands-Claremont Cricket Club is responsible for maintenance, Council has required the Rugby Club to seek the prior approval of the Cricket Club before authorising usage. After a few experiments that allowed play to occur on three or four dates during June and July, 31 May has been set as the last date on which rugby may be played.

The surface drainage problem that makes the wicket more vulnerable to damage, has been brought about by a combination of factors, including:

- the new wicket being constructed in 1996 at a level that is lower than the surrounds;
- the remnants of the original wicket that was not fully excavated prior to reconstruction; and
- the accumulation of clay spread from the wicket over many years of use and abuse.

In more recent discussions with the Secretary of the Claremont-Nedlands Cricket Club confirmation was received that the Club has not actually used Cottesloe oval for a number of years. It seems that by arrangement with the Claremont-Nedlands Cricket Club the "North Fremantle/Mosman Park Senior Cricket Club", which is part of the Suburban Turf Association, was allowed to use the ground in 98/99 and 99/00. Due to the poor condition of the wicket this Club also ceased play in December 2000, as the pitch was deemed unplayable.

Earlier advice given to Council was that the ground was to be used by juniors and/or women cricketers. It therefore seems possible that Cottesloe Oval is seen as a fall back position for the Claremont-Nedlands Cricket Club in case they ever loose the use of Melvista Park which is currently its second venue but is under the control of the WACA. In the meantime the local football codes have continued to grow and desperately need additional grounds and improved playing conditions.

For many years the Cricket Club has enjoyed a privileged position as it has not been charged ground hire and for many years received a cash subsidy from Council to offset the cost of the wicket preparation. The exclusion of other sports during the winter season and the loss of potential ground hire, is another cost that needs to be factored into any consideration.

One option would be to test the commitment of the Claremont-Nedlands Cricket Club by recommending to Council

That Council advise the Nedlands-Claremont Cricket Club that:

- (1) *the Ground Hire Charge for the 2002/2003 summer season has been assessed at \$1,000;*
- (2) *usage of the wicket will be reviewed at the end of the 2002/2003 cricket season;*
- (3) *the current restrictions on winter usage will be reviewed in April 2003.*

The second option is to confirm that Cottesloe Council can no longer sustain the retention of a turf wicket at Cottesloe Oval for use by absentee clubs to the detriment of local sporting clubs and residents.

VOTING

Simple majority.

W31 **OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr. Miller, seconded Cr. Ewing

That Council advise the Claremont-Nedlands Cricket Club that:

- (1) Council is not able to sustain the provision of a turf wicket at Cottesloe Oval for the exclusive use of the Cricket Club to the detriment of winter sporting clubs and other users of Cottesloe Oval;
- (2) the turf wicket and affected surrounds will be removed and the grass surface reinstated in October, 2002.

AMENDMENT

Moved Cr. Ewing, seconded Cr. Utting

That the motion be deleted and substituted with the following:

“That Council advise the Nedlands-Claremont Cricket Club that:

- (1) the Ground Hire Charge for the 2002/2003 summer season has been assessed at \$1,000;*
- (2) usage of the wicket will be reviewed at the end of the 2002/2003 cricket season;*
- (3) the current restrictions on winter usage will be reviewed in April 2003.”*

Lost 4/6

The motion was put.

COUNCIL RESOLUTION

That Council advise the Claremont-Nedlands Cricket Club that:

- (1) Council is not able to sustain the provision of a turf wicket at Cottesloe Oval for the exclusive use of the Cricket Club to the detriment of winter sporting clubs and other users of Cottesloe Oval;**
- (2) the turf wicket and affected surrounds will be removed and the grass surface reinstated in October, 2002.**

Carried 7/3

W32 **METROPOLITAN REGION ROAD GRANTS**

File No.:	E17.10.15, E17.10.34, E 17.10.89
Applicant:	N/A
Author:	Mr Malcolm Doig
Report Date:	9 September, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

SUMMARY

To authorise the Town of Mosman Park to proceed with the pavement and drainage design detail and to undertake the works on a fee for service basis.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil .

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Matching funds are provided in the current budget and long-term programs are listed in the Principal Activity Plan.

BACKGROUND

Council has received confirmation of funding approval from Main Roads WA for pavement rehabilitation in Broome Street (Grant to North), Forrest Street (Highway to Railway) and Station Street (Highway to Railway) totalling \$226,667 with funds to be expended in the 2002/2003 year. The Town of Cottesloe is to contribute \$113,333.

The Town of Mosman Park, in conjunction with an independent pavement specialist, has undertaken the necessary pavement testing and preliminary design detail to support the original funding application.

CONSULTATION

Nil.

STAFF COMMENT

The Local Government (Functional and General Regulations) requires that works in excess of \$50,000 be tendered unless it is carried out by another Local Government authority. In addition the Western Suburbs Councils have already participated in combined tenders for the supply of asphalt and drainage components.

The proposal is for the Town of Mosman Park to again carry out the works for Council at cost, plus a fee for services. There are substantial savings to Cottesloe in documentation, supervision and contractor costs. The arrangement worked exceedingly well last year when works were carried out in Broome Street and Marine Parade. This is again an opportunity to advance regional co-operation. The works would commence in early February and be completed within six weeks.

Design concepts will be finalised and costed for consideration in December and be incorporated into a programme scheduled to commence in February or March 2002.

VOTING

Simple majority.

W32 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That Council engage the Town of Mosman Park to undertake the rehabilitation of the road pavement and drainage in Broome Street (Grant Street to North Street), Forrest Street (Stirling Highway to Railway Street) and Station Street (Stirling Highway to Railway Street) on a cost plus fee for service basis as provided for in the Local Government (Functional and General Regulations).

Carried 10/0

W33 **REGIONAL MATERIAL TENDER**

File No.: E.1.1
Applicant: Nil
Author: Mr Malcolm Doig
Author Disclosure of Interest: Nil
Senior Officer: Mr Stephen Tindale

SUMMARY

To consider tenders submitted for the supply and delivery of road construction and drainage materials.

STATUTORY ENVIRONMENT

Local Government Act.

POLICY IMPLICATIONS

Nil .

STRATEGIC IMPLICATIONS

Ongoing promotion of resource sharing on a regional basis.

FINANCIAL IMPLICATIONS

Minimal, as most construction projects in Cottesloe are constructed by contractors.

BACKGROUND

Tenders have been called on behalf of the Town of Mosman Park, the Town of Cottesloe, the Shire of Peppermint Grove, the Town of Claremont, the City of Subiaco and the City of Nedlands for annual supply of materials including crushed limestone, roadbase, kerbing and drainage materials.

CONSULTATION

Nil.

Voting

Simple Majority.

W33 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Miller, seconded Cr. Ewing

That Council accept the tendered prices exclusive of GST submitted by:

- (1) **CSR Readymix No 1-2002/03 for Supply and Delivery of Crushed Limestone for a 3 year period commencing 1 July, 2002;**
- (2) **CSR Readymix for Tender No 2-2002/03 for Supply and Delivery of Crushed Roadbase for a 1 year period commencing 1 July, 2002;**
- (3) **Com Kerb for Tender No 3-2002/03 for Supply and Placement of extruded Concrete Kerbing for a 3-year period commencing 1 July, 2002; and**
- (4) **CSR Rocla Pipeline Products for Tender No 4-2002/03 for Supply and Delivery of Drainage Pipes and Ancillaries (Pipes Supply and Delivery only) for a 3-year period commencing 1 July, 2002.**

Carried 10/0

W34 STATION STREET SUMP

File No.: E15.9
Report Date: 17 September, 2002

BACKGROUND

Cr. Utting put forward the suggestion that the sump site be upgraded to a park facility.

Moved Cr. Utting, seconded Cr. Morgan

That administration prepare preliminary estimates for establishing a park facility at the Station Street sump site.

Lost 2/6

11 ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING**

- (a) **ELECTED MEMBERS**
- (b) **OFFICERS**

13 MEETING CLOSURE

The Mayor announced the closure of the meeting at 9.47pm.

CONFIRMED: MAYOR _____ **DATE:** ____/____/____