

# **TOWN OF COTTESLOE**



## **FULL COUNCIL MEETING**

# **MINUTES**

**The Ordinary Meeting of Council  
Held in the Council Chambers, Cottesloe Civic Centre  
7.00pm, 22 July, 2002.**



# ORDINARY MEETING OF FULL COUNCIL

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# **ORDINARY MEETING OF COUNCIL**

22 July, 2002

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

The Presiding Officer announced the meeting opened at 7.00pm.

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

The Mayor:	Mr J.C. Hammond
Councillors:	Cr. J.S. Birnbrauer
	Cr. M.E. Ewing
	Cr. A.D. Furlong
	Cr. B.R. Miller
	Cr. K.J. Morgan
	Cr. A. Sheppard
	Cr. J. Utting
	Cr. J.F. Walsh
	Cr. R. Whitby
Chief Executive Officer:	Mr S.D. Tindale
Manager, Engineering Services/Deputy CEO:	Mr M.R. Doig
Manager, Development Services	Mr S. Sullivan
Manager, Corporate Services:	Mr A. Lamb

## **APOLOGIES**

Cr. Rattigan.

## **3 PUBLIC STATEMENT TIME**

### **3.1 Mrs M. Prout, 58 Eric Street – Item W6**

Mrs Prout spoke in support of her request pointing out that the current situation with non-mountable kerbs and no access of Eric Street to the verge presented a danger. Ms. Prout noted that a subsidy had been offered in relation to crossovers as part of the Eric Street upgrade, but that as they were overseas at the time they missed out on the opportunity at that time.

### **3.2 Mr T. Brice, 11 Perth Street – Item B1**

Mr Brice spoke in support of his pool building licence application being dealt with under the pre 4 November requirements. He advised the meeting that the pool was included on the original plan put to Council.

## **4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

## **5 PUBLIC QUESTION TIME**

Nil.

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Moved Cr. Birnbrauer, seconded Cr. Miller, that the minutes of:

- (1) the Special Full Council Meeting, held on 9 July, 2002; and
- (2) the Ordinary Meeting of Full Council held on the 24 June, 2002

be confirmed.

Carried 10/0

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****8.1 SOS COTTESLOE INC. – PARKING ISSUES**

The Mayor reported that he had received a letter from SOS Cottesloe regarding parking issues and that the letter been copied to all Councillors. The Mayor passed the letter to the CEO for referral to the Works & Corporate Services Committee.

**9 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**10 REPORTS OF COMMITTEES AND OFFICERS****DEVELOPMENT SERVICES COMMITTEE**

15 July, 2002

**HEALTH****H3 VOLUNTEER EARTH CARER COORDINATOR PROGRESS REPORT**

<b>File No.:</b>	<b>D15.3</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Nicole Pettit/Ruth Levett</b>
<b>Report Date:</b>	<b>8 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Steve Sullivan</b>

**Summary**

The purpose of this report is to provide an update on the activities and progress of the Volunteer Earth Carer Program.

**Statutory Environment**

There are no specific statutory implications associated with this report.

**Policy Implications**

There are no specific policy implications associated with this report.

**Strategic Implications**

The development of an Earth Carer Programme through the Western Suburbs is consistent with the aim of minimising waste to landfill through community education and behavioural change, which is a common theme of the environmental improvement objectives of each of the participating councils.

**Financial Implications**

The Regional Volunteer Earth Carer Coordinator position is funded by a grant from the Waste Management and Recycling Fund through the Western Metropolitan Regional Council (WMRC). This is a 50/50 grant with the WMRC contribution consisting of the provision of office space and equipment, motor vehicle and phone etc.

The net cost of the program is influenced by the participation of the member Councils through officers' time, meeting spaces and community member participation time. The estimated net (cash) cost per annum is around \$27,000.

**Consultation**

No consultation is proposed with this item.

**Staff Comment**

A summary of the activities undertaken up to the end of May 2002 was circulated along with a sample Activity Report.

The program is developing well within the participating communities with only Peppermint Grove and Mosman Park not using the program.

There are numerous social and environmental benefits with this Programme by assisting the community to change its behaviour from within rather than the historical approach of forcing change through the nature of the collection service. The training and support for community members to work with their peers assists the respective communities to adapt the message being delivered to local requirements. The minimisation of waste disposed of through the weekly collection service is not simply a matter of reducing bin capacity or collection frequency. It comes from a paradigm shift in purchasing choices etc and the understanding that 'waste' is in fact a resource not be wasted.

The joint program with Department of Environmental Protection (DEP) is due to conclude in July 2003. At the time that the WMRC expressed an interest in the program none of the other metropolitan regional councils was interested. That is changing and interest is being expressed in the project most likely independent of DEP funding. The City of Stirling has now commenced the introduction of the program.

The WMRC will need to consider the merits of the program continuing beyond July 2003, and as such the Coordinator will need to work with the Administration of WMRC to develop a set of assessment criteria to be used by the council in making a decision. At the most recent meeting of WMRC, it was resolved to submit a report to the October 2002 meeting setting out the proposed assessment criteria to be used in evaluating the ongoing support for the Earth Carer Program.

**Voting**

Simple Majority.

**COMMITTEE COMMENT**

Ms. Pettit addressed the Development Services Committee.

**H3 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

**That Council, through its membership of Western Metropolitan Regional Council, continue to support the Volunteer Earth Carer Program.**

Carried 10/0

**BUILDING****B1 PERTH STREET, COTTESLOE – SWIMMING POOL BARRIER**

<b>File No.:</b>	<b>No. 11 Perth Street, Cottesloe</b>
<b>Applicant:</b>	<b>Mr T &amp; Mrs L Brice</b>
<b>Author:</b>	<b>Mr Lindsay Stone</b>
<b>Report Date:</b>	<b>11 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Mr Stephen Sullivan</b>

**Summary**

The owners, Mr & Mrs Brice, of No.11 Perth Street have requested that Council apply the pre November 2002 Swimming Pool Regulations to the above property.

**Statutory Environment**

Local Government (Miscellaneous Provisions) Act 1960 Part VIII Section 245A. Private Swimming Pools.

Building Regulations 1989 Part 10 – Private Swimming Pools.

Australian Standard 1926.1 – 1993 Fencing For Swimming Pools

**Policy Implications**

Nil.

**Strategic Implications**

Nil.

**Financial Implications**

To implement the current regulations would impose additional costs to Mr & Mrs Brice.



**Background**

Webb & Brown-Neaves Pty Ltd acting on behalf of Mr & Mrs Brice lodged an Application For Planning Approval on the 15 November, 2000 for the construction of a two-storey dwelling. The plans and specifications did not include details of the proposed swimming pool.

On the 16 January 2001 the Builder, Webb & Brown-Neaves Pty Ltd lodged an application for Building Licence for a two storey dwelling on the above lot. The Building Licence was processed and held pending the demolition of the existing dwelling. The plans and specifications did not include details of the proposed swimming pool.

The Manager, Development Services on 21 February, 2001, granted planning consent under delegated authority, subject to Council conditions.

JEHD Demolition and Salvage lodged an application for Demolition Licence on 31 October 2001 and this was issued on 27 November, 2001.

A Building Licence was issued to Webb & Brown-Neaves Pty Ltd on 31 January, 2002.

On 17 May, 2002 a site meeting was conducted between Council's Principal Building Surveyor and Mr & Mrs Brice to discuss the current pool barrier requirements.

Mr & Mrs Brice submitted correspondence on 6 June, 2002, requesting that Council apply the Regulations relating to pools constructed after 1 July, 1992 and prior to 5 November, 2001.

Council received a Building Licence Application from J & S Creative Pools to construct a swimming pool at the above lot, on 11 June, 2002. Council's Development Services Section is currently processing the application.

**Staff Comment**

In late 2001 the Government made several changes to the Building Regulations pertaining to private swimming pools. These changes were implemented as a result of the number of deaths of infants, under 5 years of age, in private swimming pools.

In general, the changes to Building Regulations require that a barrier be provided between doors leading from the dwelling and the pool area. These changes were effective for Building Licence Applications received after 5 November, 2001.

The Planning and Building applications received for the above address, prior to 5 November, 2001 failed to provide details of a proposed pool.

Mr & Mrs Brice were under the apprehension that the swimming pool details were on the working drawings and made several enquiries to Council, regarding safety requirements for swimming pools, prior to the issue of the Building Licence. The information provided was relevant to the Building Regulations at the time.

Based on the information provided Mr & Mrs Brice made provisions for the doors and windows, leading into the pool area, to comply with the pre November 2001 requirements during the construction phase.

Mr and Mrs Bryce made further enquiries in May 2002, to find that an application for the swimming pool had not been included on the working drawings for the dwelling.

At a site meeting held on 17 May, 2002, Mr & Mrs Brice were advised that the Building Licence Application for a proposed swimming pool would need to be assessed under the current regulation and that a barrier was required between all doors leading from the dwelling.

Mr & Mrs Brice are seeking that Council apply the concessions applicable for pre-November 2001 pools or alternatively that Council approve a door leading into the pool area under Section 38C. (1) (a) (ii).

It is considered that as the application was received after the cut-off date, then the current requirements should apply. There is a right of appeal against Council's decision.

**B1 OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr. Ewing, seconded Cr. Miller

That Council approve the Building Licence with Conditions applying to the current Regulations.

**AMENDMENT**

Moved Cr. Birnbrauer, seconded Cr. Utting

That the motion be amended by deleting all the words after "*applying*" and substituting with the following: "*to the November 2001 regulations.*"

Lost

**B1 COUNCIL RESOLUTION**

Moved Cr. Walsh, seconded Cr. Furlong

**That the matter be referred back to the next Development Services Committee Meeting.**

Carried 10/0

Note: The matter was referred back to the Committee to enable a check to be made on the timing of the lodgement of the building licence application and Council's powers of discretion in relation to current regulations.

## PLANNING

TP76 **NO. 30 JARRAD STREET (NORTH EAST CNR) RAILWAY STREET -  
PROPOSED PART TWO STOREY, PART THREE STOREY MIXED USE  
DEVELOPMENT (SHOPS AND RESIDENTIAL)**

File No: 30 Jarrad Street  
Author: Stephen Sullivan  
Report Date: 8 July, 2002  
Author Disclosure of Interest: Nil  
Senior Officer: Stephen Tindale

Property Owner: Acemount Pty Ltd (Subject to Offer and  
Acceptance)  
Applicant: Hillam Architects  
Date of Application: 19 June, 2002  
M.R.S. Reservation: Urban  
Zoning (TPS No. 2): Town Centre  
Density: R100  
Lot Area: 1277m<sup>2</sup>

### SUMMARY

An application for Planning Consent has been received for a mixed use development consisting of two retail areas, one retail/café (approximately 80 seats) and 12 residential units.

It is considered that the application should be referred to the Design Advisory Panel for comment before a decision is made by Council.

### STRATEGIC IMPLICATIONS

N/A

### STATUTORY ENVIRONMENT

Town Planning Scheme No. 2

### POLICY IMPLICATIONS

TPS Policy Implications: N/A

### 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	Required	Provided
Still being assessed		
Discretionary Provisions	Required	Provided
Still being assessed		

## CONSULTATION

Three neighbours were notified by registered mail - 3 submissions were received.

## BACKGROUND

The site is located on the north-eastern corner of Jarrad Street and Railway Street. The site has been used as Vivian's Plumbing Service for a considerable period of time.

It is proposed to demolish the existing building and replace it with a part two storey, part three storey building. The lower level will have three commercial premises and parking for forty two vehicles. Thirty two of those vehicles will be provided in tandem formation.

The mid level will consist of 10 units and the upper level will have two unit.

## STAFF COMMENT

The uses proposed for the site individually are described as an "AA" use in the Town Planning Scheme text land use table. This is a mixed development, which does not have a specified land use nor land use classification. Council has previously resolved that a mixed use development was in-keeping with the objectives of the Town Centre Zone. The impact of the development was seen to be focussed on the street corner and abutting properties. Therefore, the applicant was only required to notify the adjoining property owners.

The development is three storeys in height and therefore, does not meet the height controls contained within the existing Town Planning Scheme text. Clause 5.1.1 Building Heights of the existing Town Planning Scheme text states the following:

*"Council's general policy for development within the district favours low rise development of no more than 2 storeys to maintain privacy, views and general amenity notwithstanding that Council may consider the circumstances and merits of each case in terms of the amenity and development control provisions of this Scheme. In exercising..."*

Having regard to the need for Council to exercise this discretion and the prominence of the site, it is recommended that the application be referred to the Design Advisory Panel for comment.

Other issues that would need to be addressed by the Design Advisory Panel include:

- the relationship of the building to other buildings in the locality;
- site planning of the development in relation to the different uses proposed for the site;
- vehicular access to the site from Clapham Lane (under width public street) and the restricted entry and exit points at either end of Clapham Lane.

Comments on the proposal from other departments within the organisation have been requested but had not been received at the time of the preparation of this report.

Three written submissions have been received and these should also be referred to the Design Advisory Panel for consideration.

It is considered that consideration of the application should be deferred to the August meeting of Council and the matter be referred to the August meeting of the Design Advisory Panel meeting.

**Voting**

Simple Majority.

TP76 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

**That Council:**

- (1) defer consideration of this application to the August meeting of Council; and
- (2) refer the application to the Design Advisory Panel for comment.

Carried 9/1

TP77 **NO. 37 (LOT 49) JOHN STREET – PROPOSED REMOVAL OF EXISTING ROOF COVER OVER EXISTING OUTDOOR EATING AREA AND REPLACEMENT WITH A NEW ROOF COVER AND SIDE WALL - JOHN STREET CAFE**

<b>File No:</b>	<b>No. 37 John Street</b>
<b>Author:</b>	<b>Stephen Sullivan</b>
<b>Report Date:</b>	<b>10 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Stephen Tindale</b>

<b>Property Owner:</b>	<b>M I Winter</b>
<b>Applicant:</b>	<b>Mrs P Hall</b>
<b>Date of Application:</b>	<b>17 June, 2002</b>

<b>M.R.S. Reservation:</b>	<b>Urban</b>
<b>Zoning (TPS No. 2):</b>	<b>Residential</b>
<b>Density:</b>	<b>R20</b>
<b>Lot Area:</b>	<b>637m<sup>2</sup></b>

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**SUMMARY**

This is one of three development proposals being considered by Council that about each other. They are No. 37 and 39 John Street and 99 Broome Street. For ease of reference, the three applications are discussed in this report, although there are three separate report items.

The development sites are located in the John Street Heritage area and involve work ranging from modifications to an existing delicatessen, construction of a new two storey dwelling and reconstruction of a new garage.

Due to the three development proposals being located adjacent to each other in the John Street Heritage area and one of those proposals involving a commercial premises, it is recommended that the application be referred to the Design Advisory Panel for comment.

**STRATEGIC IMPLICATIONS**

N/A

**STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2  
Residential Planning Codes

**POLICY IMPLICATIONS**

TPS Policy Implications:	N/A
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**HERITAGE LISTING:**

State Register of Heritage Places -	N/A
TPS No. 2 – Schedule 1	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report - John Street Heritage Area - Essential	
Municipal Inventory -	Category 3
National Trust -	N/A

**AREA OF NON-COMPLIANCE**

<b>Statutory Non-compliance</b>	<b>Required</b>	<b>Provided</b>
Still being assessed		
<b>Discretionary Provisions</b>	<b>Required</b>	<b>Provided</b>
Still being assessed		

**CONSULTATION**

One neighbour notified by registered mail - no submissions.

**BACKGROUND**

This development is one of three applications for Planning Consent that Council is required to consider at its July 2002 meeting. The three proposals are outlined below:

TP No.	Address	Proposal
77	No. 37 John Street	New roof cover to the existing external dining area and 2.4m high wall – John Street Café
78	No. 39 John Street	To obtain Planning Consent for the new dwelling and demolition of the existing building, with a contract for the incoming purchaser to build the approved plans and keep the existing Jacaranda tree at the front of the property.
79	No. 99 Broome Street	Demolition of existing garage and replacement with a new garage.

Due to the inter-connected nature of the three proposals, a combined streetscape elevation has been presented for easier assessment of the three development proposals.

The supporting report submitted by the applicant is important in terms of providing an overview of the various issues associated with the three development proposals and the intentions of the owners.

The combined applications have been referred to the heritage consultants for comment.

#### **STAFF COMMENT**

The three proposals will impact on the streetscape and therefore, will be dealt with as one proposal, although a decision has to be made on each application for Planning Consent.

#### **No. 37 John Street – John Street Café**

This proposal involves the removal of the existing roof cover over the existing external eating area on the property with a:

- new pitched roof cover; and
- 2.4m high boundary wall.

The report in support of the application outlines internal changes that are proposed. The report also indicates that there will be a formal request for alterations to the existing trading hours. However, this application for change will be the subject of a separate application for consideration at the August meeting of Council.

#### **No. 39 John Street**

The report in support of the proposal indicates that it is the intention of the owners:

- to obtain development approval for a new single house (part single, part two storeys);
- then seek demolition approval;
- contract to sell the property subject to building of the approved plans;
- require the new owners to keep the mature Jacaranda at the front of the property.

This proposal involves the demolition of an existing building which is described as a "Contributory" building in the John Street Heritage area report. The proposal involves a two storey building at the front of the property and single storey to the rear. A wall 17.3m long and approximately 3.0m in height is proposed to be located along the western side boundary. Two sections of the building abut this wall with a small court between the two sections of wall. The wall to the garage is also located on the southern boundary, which abuts the un-named and under-width public street.

A submission has been received from the owner of No. 97 Broome Street in relation to this development proposal.

### **No. 99 Broome Street**

This is a minor proposal that seeks to demolish the existing garage that fronts onto John Street. A new garage is to be constructed, however, access will be from the right of way located between this site and No. 39 John Street.

### **Voting**

Simple Majority.

## TP77 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

### **That Council:**

- (1) defer consideration of this application to the August meeting of Council; and
- (2) refer the application to the Design Advisory Panel for comment.

Carried 9/1

## TP78 **NO. 39 (LOT 48) JOHN STREET – PROPOSED DEMOLITION OF AN EXISTING SINGLE STOREY RESIDENCE AND CONSTRUCTION OF A PART SINGLE, PART TWO STOREY SINGLE HOUSE**

**File No:** No. 39 John Street  
**Author:** Stephen Sullivan  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

**Property Owner:** M I Winter  
**Applicant:** Mrs P Hall  
**Date of Application:** 17 June, 2002

**M.R.S. Reservation:** Urban  
**Zoning (TPS No. 2):** Residential  
**Density:** R20  
**Lot Area:** 642m<sup>2</sup>

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**SUMMARY**

The application involves the construction of a new two storey dwelling and the demolition of a contributory building.  
Consideration of the application should be deferred to the August meeting of the Development Services Committee and referred to the Design Advisory Panel for comment.

**STRATEGIC IMPLICATIONS**

N/A

**STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2  
Residential Planning Codes

**POLICY IMPLICATIONS**

TPS Policy Implications:	N/A
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**HERITAGE LISTING:**

State Register of Heritage Places -	N/A
TPS No. 2 – Schedule 1	N/A
Town Planning Scheme Policy No. 12	N/A
Draft Heritage Strategy Report:	John Street Heritage Area - Contributory
Municipal Inventory -	N/A
National Trust -	N/A

**AREA OF NON-COMPLIANCE**

<b>Statutory Non-compliance</b>	<b>N/A</b>
Still being assessed	
<b>Discretionary Provisions</b>	<b>N/A</b>
Still being assessed	

**CONSULTATION**

Neighbours notified by registered mail – 1 submission received from the owner of No. 97 Broome Street.

**STAFF COMMENT**

Refer to comments made in TP77.

**Voting**

Simple Majority.

TP78 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

**That Council:**

- (1) defer consideration of this application to the August meeting of Council; and

(2) refer the application to the Design Advisory Panel for comment.

Carried 9/1

**TP79 NO. 99 (LOT 45) BROOME STREET – PROPOSED DEMOLITION OF AN EXISTING GARAGE APPURTENANT TO AN EXISTING SINGLE STOREY RESIDENCE AND CONSTRUCTION OF A NEW GARAGE**

**File No:** No. 99 Broome Street  
**Author:** Stephen Sullivan  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

**Property Owner:** M I Winter  
**Applicant:** Mrs P Hall  
**Date of Application:** 17 June, 2002

**M.R.S. Reservation:** Urban  
**Zoning (TPS No. 2):** Residential  
**Density:** R20  
**Lot Area:** 602m<sup>2</sup>

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**SUMMARY**

The applicants are proposing to demolish an existing garage and replace it with a new structure, which has access from the right of way located to the rear of the site.

Whilst this is a minor proposal, it is one of three adjoining development proposals that abut each other. The three properties are owned by the one person.

The recommendation is that the three applications be referred to the Design Advisory Panel for comment.

**STRATEGIC IMPLICATIONS**

N/A

**STATUTORY ENVIRONMENT**

N/A

**POLICY IMPLICATIONS**

TPS Policy Implications: N/A

**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 - John Street Heritage Area - Essential  
 Municipal Inventory - Category 2  
 National Trust - N/A

**AREA OF NON-COMPLIANCE**

<b>Statutory Non-compliance</b>	<b>N/A</b>
Still to be assessed	
<b>Discretionary Provisions</b>	<b>N/A</b>
Still to be assessed	

**CONSULTATION**

One neighbour notified by registered mail - No submissions.

**STAFF COMMENT**

Refer to comments made in TP77.

**Voting**

Simple Majority.

TP79 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

**That Council:**

- (1) defer consideration of this application to the August meeting of Council; and
- (2) refer the application to the Design Advisory Panel for comment.

Carried 9/1

TP80 **5/136 RAILWAY STREET – REQUEST FOR INCREASE IN SEATING CAPACITY – ROSENDORF BRIDGE CLUB**

**File No:** 5/136 Railway Street  
**Author:** Stephen Sullivan  
**Report Date:** 10 June, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

**Property Owner:** N and J Rosendorf  
**Applicant:** K Adams and Associates  
**Date of Application:** 24 May, 2002

**M.R.S. Reservation:** Urban  
**Zoning (TPS No. 2):** Business Zone  
**Density:** R50  
**Lot Area:** 1463m<sup>2</sup>

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**SUMMARY**

To consider a new application for Planning Consent for an increase in the seating capacity of the Rosendorf Bridge Club.

This application was considered at the June meeting of Council. Advertising of the proposal was carried out by Council staff prior to the matter being considered by Council. The submission period closes on the 10 July, 2002.

Further comments will be made to the Development Services Committee following close of the submission period and assessment of any additional submissions that may be received.

### **STRATEGIC IMPLICATIONS**

N/A

### **STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2

### **POLICY IMPLICATIONS**

TPS Policy Implications: N/A

### **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**

<b>Statutory Non-compliance</b>	<b>N/A</b>	
<b>Discretionary Provisions</b>	<b>Max\Permitted</b>	<b>Actual</b>
Car parking	Parking to be provided off-site	See below

### **CONSULTATION**

Twenty two letters sent by registered mail - three submissions received and 1 letter returned to Council at the time of the preparation of the report item. (Note: Submission period closes on the 10 July 2002).

The submissions were from No. 36 Congdon Street and 10/136 Railway Street.

### **BACKGROUND**

Consideration of this application for Planning Consent was deferred from the June Meeting of Council and the surrounding property owners were notified of the proposal by registered mail. The notification process was for three weeks and closes on the 10 July, 2002.

Three submissions have been received from property owners within the complex. One letter has been returned.

### **STAFF COMMENT**

The three submissions were received from the owners of Suites 5, 6 and /136 Railway Street. The issues raised in include:

- parking congestion around the Cottesloe chambers;

- parking ratios for calculation of parking numbers;
- excess in capacity already of numbers permitted to use ; and
- adequacy of existing toilet facilities for number of staff and visitors in the centre.

Other issues that would be beyond the Council's control include:

- illegal parking in basement car parking area;
- cost to the Strata Company for consumables, water, etc;
- noise of people;
- smoking within the building;
- liability risk due to increased number of people (mostly elderly) to the building using the steep stairs.

Any decision of Council to support the increase in capacity should ensure that the Club has a current lease agreement with Westrail for the use of that land that has been developed for parking. Otherwise, the original condition of Planning Consent should prevail.

The following issues have been raised:

### **Parking Congestion Around Site**

Unless a comprehensive parking assessment was carried out, it would be difficult to determine the actual cause for the demand in parking for this locality.

An inspection was carried out at the Bridge Club on the morning of Monday, 8 July, 2002. At that time there were 32 people playing Bridge. The car parking area on the Railway Reserve has 33 car parking spaces, of which 25 were used. It is not know how many of these cars belonged to bridge club patrons.

The Bridge Club also has 3 spaces under the building and has also paid \$35,000 previously in a cash in lieu payment in the early 1990s. Some of this money was used to provide parallel parking spaces in Railway Street (immediately to the east of the Bridge Club car parking area located on railway land). this resulted in five additional kerbside parking spaces.

The kerbside parking areas in Railway Street and Congdon Street were fairly well used, even though the adjoining Coffee shop "Miros" and the Deli in Railway Street were closed.

### **Parking Ratios**

The original car parking ratio was based on one space for every 4 persons. It is considered that this rate is to low and a more appropriate rate of 1 for 2 people would be more appropriate. Even based on this figure, 60 patrons would still only require 30 car parking spaces and the Club effectively has 36 car parking spaces with a cash in lieu contribution that resulted in 5 spaces being provided in Railway Street for general use.

### **Excess in Numbers of Patrons using Centre**

As stated above, at the time of the inspection, the Club had the maximum permitted number of patrons.

If the centre operates in excess of the permitted numbers, Council can take legal action to seek compliance with the conditions of Planning Consent.

**Adequacy of Existing Toilets Facilities for Number of People within the Building**

This is being investigated by the Environmental Health Officer and further comments will be made to the Committee.

**CONCLUSION**

Based on the investigations carried out so far, it is considered that the Bridge Club would have sufficient number of car parking spaces based on the increased parking standard.

In discussions with the owner of this suite, he raised an issue that some of the existing occupants of the building do not have sufficient on-site car parking spaces and the demand for this additional parking is satisfied by the existing street parking.

It is anticipated that a recommendation of approval would be a development based on the current investigations, however, there is still some additional investigation required. In particular, the adequacy of the existing toilet facilities to meet the demand for the entire building.

**Voting**

Simple Majority.

**OFFICER RECOMMENDATION**

That further comments will be made to the Development Services Committee following:

- (1) the close of the submission period; and
- (2) further investigations in relation to the Health and Building requirements.

**COMMITTEE COMMENT**

The Manager, Development Services advised the Development Services Committee that the Environmental Health Officer had checked the number of toilets within the building to the regulations and was satisfied that the number provided met the requirements of the regulations. He also advised that his recommendation was that approval should be granted subject to specific conditions governing the need to ensure that the lease between the owner and Westrail was current.

The Committee discussed the proposal and whether a review period should be introduced. Based on the 33 car parking spaces available for use on Westrail land, three on-site parking spaces and a cash in lieu payment for a further five parking spaces, the number of parking spaces was seen to be adequate for the use. Should the lease lapse, then the capacity of the suite should be reduced to the currently approved numbers.

TP80 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Miller

**That Council:**

- (1) GRANTS its Approval to Commence Development for the increase in the seating capacity of the Rosendorf Bridge Club at Unit 5, No. 136 (Lot 500) Railway Street Cottesloe, as set out in the letter received on the 24 May, 2002 from K. Adam, subject to the following conditions:**
  - (a) subject to (b), the maximum number of patrons and staff permitted during the hours of 9.00am to 5.00pm Monday to Friday inclusive, shall be 60.**
  - (b) the increased number of patrons and staff during the hours of 9:00am to 5:00pm Monday to Friday, as set out in (a) above, shall only be possible whilst a current lease agreement exists between the owner of Suite 5 and Westrail, to use the paved parking area located on Westrail land and to the north of the intersection of Congdon Street and Railway Street. Should the lease agreement lapse, or is terminated by either party, then this approval shall be of no further effect.**
  - (c) the parking area located on Westrail land and referred to in condition (b) only being used by Bridge Club Patrons and Bridge Club staff.**
  - (d) if the lease agreement referred to in (b) above is not renewed or is terminated, then the maximum number of patrons and staff being reduced to comply with the limits set in Councils' March 1993 decision.**
  - (e) the operator of the Bridge Club shall:**
    - (i) provide proof of the renewal of the lease by Westrail; and**
    - (ii) apart from any change to the rental value, advise Council of any changes to the conditions of use of the lease agreement, or**
    - (iii) notify Council if the lease is terminated.**
  - (f) this approval does not relate to the other restrictions on the number and use of this premises**
  - (g) the building being modified to comply with the Public Building Regulations.**
- (2) Advise the submitters of this decision.**
- (3) Refer the submission from the owner of No. 36 Congdon Street to the Manager, Corporate Services for consideration.**

Carried 10/0

**TP81 NO. 29 (LOT 1) HAWKSTONE STREET - PROPOSED SINGLE STOREY SINGLE HOUSE**

File No: 29 Hawkstone Street  
 Author: Stephen Sullivan  
 Report Date: 11 July, 2002  
 Author Disclosure of Interest: Nil  
 Senior Officer: Stephen Tindale

Property Owner: N and Y Colwell  
 Applicant: Karlene Marzec  
 Date of Application: 22 May, 2002  
 M.R.S. Reservation: Urban  
 Zoning (TPS No. 2): Residential  
 Density: R20  
 Lot Area: 749m<sup>2</sup>

**SUMMARY**

To consider an application for Planning Consent for a single storey house.

Approval is recommended subject to the imposition of specific conditions addressing certain matters.

**STRATEGIC IMPLICATIONS**

N/A

**STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2  
 Residential Planning Codes

**POLICY IMPLICATIONS**

TPS Policy Implications: N/A

**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

**AREA OF NON-COMPLIANCE**

Statutory Non-compliance	N/A	
<b>Discretionary Provisions</b>	<b>Required</b>	<b>Provided</b>
Western setback to master bedroom	1.0m	Nil
Eastern setback to store/garage	1.0m	Nil
Eastern Setback store/garage/bdroom 2	1.3m	1.2m
Southern rear setback garage	1.0m	Nil



### **CONSULTATION**

The application for Planning Consent was lodged on the 22 May, 2002. The neighbour notification process was not carried out in accordance with Scheme requirements and the owner was required to carry out the notification process in accordance with Scheme requirements. This was done and the submission period closed on 9 July, 2002. Submissions were received from the owners of No. 14 Chamberlain Street and No. 27 Hawkstone Street.

### **BACKGROUND**

The owners are proposing to demolish the existing residence and construction a new single storey dwelling. The applicants were required to notify the adjoining property owners due to the boundary walls proposed on three sides of the development site.

The proposal consists of a single storey house. There is a cross-fall in the site of 2.14m from the north-western corner down to the south-eastern corner. Vehicular access to the rear of the site is from Chamberlain Street via a right of way.

A submission by the applicant on behalf of the owner has been made. In particular, the reasons why there is a need to elevate the site so that it is one level. This has resulted in filling of 1.6m to the rear of the site. This filling, combined with the walls of the garage on the boundary have resulted in wall heights of up to 4.5m. The combined height of the filling and boundary fences reduces as the site rises towards the street boundary.

### **SUBMISSIONS FROM ADJOINING PROPERTY OWNERS**

Submissions were received from the following:

#### **No. 27 Hawkstone Street**

This submissions raises issues in relation to the front setback and the proposed western boundary wall.

The front setback complies with the Residential Planning Codes, although the building will be well forward of the abutting properties.

The submitters have a single and two storey high boundary wall. The owners of No. 29 Hawkstone Street are proposing to locate their proposed boundary wall 4.8m forward of the boundary wall at No. 27 Hawkstone Street. The submitters have also raised the issue about the potential impact of the development on their footings.

#### **No. 14 Chamberlain Street**

The submitters have requested that the following:

- (a) garage roof pitch not exceed 22 degrees although the proposed roof pitch is 25 degrees (no reasons have been provided for the reduction on the roof pitch);
- (b) the roof material being non-reflective; and
- (c) the garage wall and fence to be rendered at the Colwell's expense and the colour to be to the satisfaction of the owners of No. 14 Chamberlain street.

## STAFF COMMENT

Although the application is for a single storey residence, there are various issues associated with the application that requires consideration by Council. these are outlined below:

### Filling of Site

The applicants are trying to create a flat site that has a fall of approximately 2.1m. This has resulted in the need for retaining along the eastern, southern and western boundaries of the site. The retaining would be at least 1.6m at the lowest point. This height is exaggerated further by the location of the building on the boundary or the construction of a standard 1.8m high fencing.

The neighbours to the east have not objected to the proposal, however staff have concerns in relation to the impact that the elevated ground levels will have on those surrounding properties.

### Western Boundary Wall - Master Bedroom

It is proposed to locate this portion of the bedroom onto the western side boundary, which will be well forward of the existing building. It is considered that this structure should be set back from the side boundary in accordance with the Residential Planning Codes.

A boundary wall could be considered where it would adjoining the existing boundary wall at No. 27 Hawkstone Street. However, this could only be considered if further detailed work was carried out to determine the location of the:

- existing footings to the building; and
- boundary between the two properties.

Other building issues would be the matter of dampness occurring between the two buildings.

### Garage

The double garage and store room are an extension of the proposed dwelling. This structure would not comply with Town Planning Scheme Policy No. 4 which relates to the height of outbuildings. The proposed garage structure is approximately 4.0 to the wall height and 6.2m to the roof ridge, when measured from natural ground level. The policy would restrict this type of structure to 3.0m for the wall height and 4.0m to the roof ridge (from natural ground level) unless special approval was granted by Council.

## CONCLUSION

It is felt that Planning Consent could be granted subject to the imposition of the following conditions:

- (a) setting back of the master bedroom from the western side boundary;
- (b) the lowering of the ground levels on the eastern boundary (south of the pool) and southern boundaries by 0.5m; and
- (c) reduction of the garage height by 0.5m.

The proposal does not make use of any ramps to access parts of the site. Through the use of these ramps, there could be some lowering of the levels to

reduce the impact of the excessive filling that is proposed as part of this application, while still maintaining reasonable access to the site.

**Voting**

Simple Majority.

**OFFICER & COMMITTEE RECOMMENDATION**

That Council:

- (1) GRANTS its Approval to Commence Development for the proposed single storey single house at No. 29 (Lot 1) Hawkstone Street Cottesloe, as shown on the plans received on 21 May, 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) Any front boundary fencing to Hawkstone Street being of an "Open Aspect" design and the subject of a separate application to Council.
  - (g) Revised plans being submitted for approval by the Manager, Development Services, showing:
    - (i) details of the proposed retaining walls, boundary fences and finished ground levels along the eastern, southern and western boundaries of the site;
    - (ii) the master bedroom/WIR wall located on the western side boundary being set back 1.0m from the side boundary in accordance with the provisions of the Residential Planning Codes;
    - (iii) the ground levels south of the swimming pool being lowered by 0.5m; and
    - (iv) the garage and store being lowered by 0.5m;
  - (h) The garage wall located along the southern boundary being rendered to the satisfaction of the Manager, Development Services.
  - (i) The colour finish of the wall shall be to the satisfaction of the Manager, Development Services.
- (2) Advise the submitters of this decision.

**FURTHER REPORT FROM MANAGER DEVELOPMENT SERVICES –  
22 JULY, 2002**

The following was circulated to elected members on 19 July, 2002:

The Development Services Committee has recommended approval subject to three special conditions - conditions (1)(g)(ii) – (iv). These conditions are set out below:

- (ii) the master bedroom/WIR wall located on the western side boundary being set back 1.0m from the side boundary in accordance with the provisions of the Residential Planning Codes;
- (iii) the ground levels south of the swimming pool being lowered by 0.5m; and
- (iv) the garage and store being lowered by 0.5m;

A letter and revised plans were received by Council on the 17 July, 2002 in response to the recommended conditions of approval by the Development Services Committee. The recommended conditions of Planning Consent will be dealt with in order of the conditions raised in the letter.

**Revision 1 – Condition (g)(iv)**

The revised plans satisfy the intent of this condition.

**Revision 2 – Condition (g)(iii)**

The revised plan appears to satisfy the condition of Planning Consent as it only shows part of the area referred to in the condition. The revised plans only show details of certain areas and is not a full set of revised plans.

**Revision 3 - Condition (g)(ii)**

This condition was imposed due to the perceived impact that the location of the boundary wall would have on the property located to the west of the development site. An objection had been received from the property owners at No. 27 Hawkstone Street.

The revised plan partly satisfies condition (g)(ii). The condition required the master bedroom and walk-in-robe to be setback from the side boundary in accordance with the Residential Planning Codes. Only the master bedroom has been set back from the boundary.

**CONCLUSION**

It is considered that condition (g)(iv) has been satisfied and can be deleted. Condition (g)(iii) should be kept as it is not completely clear that it has been complied with.

Condition (g)(ii) has been partly satisfied. Council needs to determine whether to support the revised plans or seek full compliance with the condition.

The concern from the neighbours related to the location of the boundary wall and the effect of having boundary wall abutting boundary wall (such as footings and drainage).

The proposed floor level is about 600mm lower than the existing floor level on No. 27 Hawkstone Street. It is not known whether the footings of the house on No. 27 Hawkstone Street project across the boundary. If they do, then the footings may need to be cut to allow the proposed boundary wall. Cutting of the footings can only be considered following assessment by a structural engineer.

If that issue is resolved, the owner of No. 29 Hawkstone Street then has to underpin the footings of No. 27 Hawkstone Street. However, it may be possible for the owners of No. 27 Hawkstone to make a claim under adverse possession.

In this situation, the location of a boundary wall against another boundary wall appears reasonable, provided the other matters are addressed. These would normally be addressed during the building licence stage when working drawings are prepared.

If there is a problem, then the applicant would need to submit revised plans to address the change.

Therefore it is recommended that the revised plans be accepted and condition (ii) be deleted. A revised recommendation based on the Committees recommendation is presented.

TP81 **COUNCIL RESOLUTION**

Moved Cr. Birnbrauer, seconded Cr. Furlong

- (1) **GRANTS its Approval to Commence Development for the proposed single storey single house at No. 29 (Lot 1) Hawkstone Street Cottlesloe, as shown on the plans received on 21 May, 2002 and the revised plans and letter received on the 17 July, 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) Any front boundary fencing to Hawkstone Street being of an "Open Aspect" design and the subject of a separate application to Council.
  - (g) Revised plans being submitted for approval by the Manager, Development Services, showing:
    - (i) details of the proposed retaining walls, boundary fences and finished ground levels along the eastern, southern and western boundaries of the site;
    - (ii) the ground levels south of the swimming pool being lowered by 0.5m; and
  - (h) The garage wall located along the southern boundary being rendered to the satisfaction of the Manager, Development Services.
  - (i) The colour finish of the wall shall be to the satisfaction of the Manager, Development Services.
- (2) Advise the submitters of this decision.

Carried 9/1

Note: The Committee recommendation was amended following a later report from the Manager, Development Services, on revised plans submitted by the applicant.

TP82

**NO. 9 (LOT 10) WENTWORTH STREET, COTTESLOE – PROPOSED TWO STOREY SINGLE HOUSE**

<b>File No:</b>	<b>No. 9 (Lot 10) Wentworth Street, Cottesloe</b>
<b>Author:</b>	<b>Maria Bonini</b>
<b>Report Date:</b>	<b>3 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Stephen Sullivan</b>
<b>Property Owner:</b>	<b>Mrs N Murphy</b>
<b>Applicant:</b>	<b>Gerard McCann Architect</b>
<b>Date of Application:</b>	<b>3 April, 2002</b>
<b>M.R.S. Reservation:</b>	<b>Urban</b>
<b>Zoning (TPS No. 2):</b>	<b>Residential</b>
<b>Density:</b>	<b>R 20</b>
<b>Lot Area:</b>	<b>278m<sup>2</sup></b>

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**SUMMARY**

The purpose of this report is for Council to consider revised plans for a two storey house single house on the subject land. The plans are dated 1 July

2002 and have been submitted in response to Councils decision on 24 June to defer the application to the July meeting.

### STRATEGIC IMPLICATIONS

N/A

### STATUTORY ENVIRONMENT

Town Planning Scheme No.2  
Residential Planning Codes

### POLICY IMPLICATIONS

TPS Policy Implications: N/A

### 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

<b>Statutory Non-compliance</b>	<b>N/A</b>	
<b>Discretionary Provisions</b>	<b>Min/Required</b>	<b>Proposed</b>
Rear Setback	6m Av measured from boundary.	6m Av measured from the centreline of right of way.
Side setback to West – garage, store, laundry and dining.	Nil – not to exceed 8.5m in length or 2.5m in average height.	Nil – length at 17m and height at 2.9m in average height.

### CONSULTATION

Neighbours were notified by registered mail in the initial advertising period.

One submission was received and circulated with the original report prepared for this development application.

### BACKGROUND

The application was presented to Council meetings on the 27 May, 2002 and 24 June, 2002. At both meetings the Item was deferred due to various non-compliances with the Residential Planning Codes.

The applicants have submitted revised plans dated 1 July, 2002 to be presented at the 22 July, 2002 Council meeting for further consideration.

The applicant has endeavoured to address non-compliances relating to open space, western upper floor setbacks and parapet wall height. An assessment of the plans result in the open space and western upper floor setbacks now complying. Despite the changes made to the parapet walls, they do not comply with the requirements of the Residential Planning Codes.

## STAFF COMMENT

### Rear Setback

As per Table 1 of the Residential Planning Codes, the rear setback of the proposed house does not meet the 6m average setback requirement when measured from the lot boundary. However, the Residential Planning Codes also state:

*“ Where a lot adjoins a right of way, pedestrian accessway or similar the required setback may be reduced by half the width of the right of way or accessway. The effect of this is that the setback is measured from the centreline of the right of way...”*

When applying the above, the 6m rear setback average is achieved and therefore results in compliance. This method of measurement represents a discretionary provision and requires approval by Council in order to take effect. Administration is of the opinion that measurement be taken from the centreline of the right of way. However, the Garage is required to be setback a further 900mm to allow for a 6m vehicle access turning circle. This will be represented as a condition of approval.

### West Side Setback

The applicant is seeking a nil setback for the garage, store, laundry and dining areas on the western side. The Residential Planning Codes require a 1m setback from the boundary for the dining room wall and a 1.5m setback for the garage, store and laundry wall as it is over 9m in length.

Clause 1.5.8 (f) of the Residential Planning Codes allows Council to permit walls to be located on the boundary based on the height and length of the wall. Based on Clause 1.5.8 (f), the height of the parapet walls allow only 25% of the total length of the boundary to be occupied. The requirements of this Clause have not been met as 55% of the total boundary length is occupied by parapet wall. The options available to the applicant are to:

- (i) Setback the walls to the required distance from the boundary.
- (ii) Reduce the overall height of the parapet walls so they do not exceed an average height of 2.5m.
- (iii) Reduce the total length of parapet wall so that only 25% of the total boundary is occupied.

This will be represented as a condition of approval.

### Roof Cover

The applicant feels that further consideration should also be given to a flat roof option for the proposed development. The subject property does not lie in a heritage area and therefore is not controlled by design guidelines. Administration believes that a flat roof option does not compromise the overall design of the proposed development or the amenity of the locale as there is already an established precedence in the area of flat roofed houses. The owner is greatly in favour of a flat roof design and therefore the applicant requests that Council reconsider their stance on this issue.

### **Voting**

Simple majority.



## OFFICER RECOMMENDATION

That Council:

- (1) GRANT Planning Consent for a two storey single house at No. 9 (Lot 10) Wentworth Street, Cottesloe in accordance with the plans received on 1 July, 2002, subject to the following conditions:
  - (a) All construction work must be 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 is not permitted to be discharged onto the street reserve or adjoining properties. Details on the method to be used for the disposal of the stormwater runoff within the boundaries of the site shall be included within the working drawings.
  - (c) The external profile of the development as shown on the approved plans, shall not, except with the written consent of Council, be added to, amended or changed whether by the addition of any service plant, fitting, fixture or otherwise.
  - (d) Revised plans shall be submitted by the applicant for approval by the Manager of Development Services, such plans showing:
    - (i) the west facing parapet walls being modified to comply by either achieving the setback requirement of 1m for the dining room wall and 1.5m for the garage, store and laundry wall  
OR  
reducing the overall height of the parapet walls so they do not exceed an average height of 2.5m.  
OR  
reducing the total length of parapet wall so that only 25% of the total boundary is occupied.
    - (ii) the garage to be setback a total of 1.9m from the boundary to allow for a 6m vehicle access turning circle.
  - (e) The Right of Way located to the rear of the site shall be paved and drained to the satisfaction of the Manager of Works and Special Projects. Details of the proposed shall be submitted for approval by the Manager of Works and Special Projects.

## COMMITTEE COMMENT

The Committee expressed concern at the extent of the walls on the boundary and recommended that the building should be set off from the boundary apart from the garage located at the rear of the site. Condition (1)(d) was modified accordingly.

The Committee also required the fencing at the front of the property to be modified to comply with the Local Law relating to "Open Aspect" fencing - condition (1)(d)(iii).

## COMMITTEE RECOMMENDATION

- (1) GRANT Planning Consent for a two storey single house at No. 9 (Lot 10) Wentworth Street, Cottesloe, in accordance with the plans received on 1 July, 2002, subject to the following conditions:

- (a) All construction work must be 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 permitted to be discharged onto the street reserve or adjoining properties and details on the method to be used for the disposal of the stormwater runoff within the boundaries of the site being included within the working drawings.
  - (c) The external profile of the development as shown on the approved plans not, except with the written consent of Council, being added to, amended or changed, whether by the addition of any service plant, fitting, fixture, or otherwise.
  - (d) Revised plans being submitted by the applicant for approval by the Manager of Development Services, such plans showing:
    - (i) the west facing boundary walls, apart from the garage wall, being setback 1m from the side boundary;
    - (ii) the garage being setback a total of 1.9m from the boundary to allow for a 6m vehicle access turning circle; and
    - (iii) all walls within the 6m setback complying with Councils Open Aspect Fencing Policy.
  - (e) The right of way located to the rear of the site being paved and drained to the satisfaction of the Manager of Works and Special Projects and details of the proposed being submitted for approval by the Manager of Works and Special Projects.
- (2) The submitter be advised of Council's decision.

#### **A FURTHER REPORT FROM MANAGER, DEVELOPMENT SERVICES – 22 JULY, 2002**

The Development Services Committee have recommended approval subject to three special conditions - conditions (1)(d)(i) – (iii). These conditions are set out below:

- (d) *Revised plans shall be submitted by the applicant for approval by the Manager of Development Services, such plans showing:*
  - (i) *the west facing boundary walls, apart from the garage wall, being setback 1m from the side boundary;*
  - (ii) *the garage to be setback a total of 1.9m from the boundary to allow for a 6m vehicle access turning circle; and*
  - (iii) *all walls within the 6m setback are to comply with Councils Open Aspect Fencing Policy.*

A letter has been received from the Architect late today requesting Council to:

- (1) vary the requirements of condition (d) (ii) to allow for a reduced setback to the garage based on a substantially wider door opening to the garage; and
- (2) to vary condition (d)(i) by providing a slightly greater setback of 1.1 (condition required 1.0m) and a reduced upper level setback from 1.2 to 1.1m. The reasons are explained in the Architects letter.

The architect has been away overseas last week and has only just been able to respond to the recommendation of the Development Services Committee. If council is prepared to support the concept, then it is requested that the Manager, Development Services be granted delegated authority to make a

determination on this application having regard to the additional information received late today.

It has not been possible to carry out a full assessment of the requested changes, however, the request seems reasonable based on the information contained within the facsimile.

If Council supports this position, then the Manager, Development Services can consider this request in further detail and therefore, an alternative recommendation is reproduced below:

TP82 **COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Ewing

**That Council, having regard to the facsimile received from Gerard McCann, Architect, on the 22 July 2002, delegates to the Manager, Development Services authority under Section 7.10 of the No. 2 Town Planning Scheme text to make a determination on the application for planning consent for the proposed single house on No. 9 Wentworth Street.**

Carried 10/0

Note: The foregoing motion was put by the Chairman of the Development Services Committee as a substitute motion following a late report from the Manager of Development Services.

TP83 **NO. 8 (LOT 5) ROSENDO STREET, COTTESLOE – TWO STOREY HOUSE**

<b>File No:</b>	<b>No 8 Rosendo Street</b>
<b>Author:</b>	<b>Maria Bonini</b>
<b>Report Date:</b>	<b>5 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Stephen Sullivan</b>
<b>Property Owner:</b>	<b>D. Jack and A. Cochrane</b>
<b>Applicant:</b>	<b>Sally Pearse – Kensington Design</b>
<b>Date of Application:</b>	<b>31 January, 2002</b>
<b>M.R.S. Reservation:</b>	<b>Urban</b>
<b>Zoning (TPS No. 2):</b>	<b>Residential</b>
<b>Density:</b>	<b>R30</b>
<b>Lot Area:</b>	<b>345m2</b>

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**SUMMARY**

The purpose of this report is for Council to make a determination for the above-mentioned development proposal at 8 Rosendo Street. This application was deferred from the 25 February, 2002, Council Meeting pending revised plans to address areas of non-compliance.

**STRATEGIC IMPLICATIONS**

N/A

**STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2 Residential Planning Codes
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**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**

<b>Statutory Non-compliance</b>	<b>N/A</b>	
<b>Discretionary Provisions</b>	<b>Max/Required</b>	<b>Proposed</b>
Side Setback to West – Bedroom 2 and Bedroom 3 and Balcony with major openings.	3.2m	Bed 2 and 3 = 1.5m Balcony = 2.6m
Side Setback to West – Bedroom 1, Dressing Room, Ensuite and Balcony with major openings.	4.4m	Bed 1, Dress and Ens = 1.6m Balcony = 3.3m

**CONSULTATION**

Neighbours were notified by registered post when the development application was initially submitted to Council on 23 January 2002. Three objections were received.

**BACKGROUND**

The subject property at Rosendo Street is located on the northern side of the street, and has a right of way located at the rear. There is an existing single storey house on the site, which is eight years old and proposed to be demolished. A lengthways subdivision of the site was granted conditional approval by the Western Australian Planning Commission in December 2001. The development takes advantage of clause 2.5.2 of the Residential Planning Codes, which allows a nil side setback to the adjoining boundary at the applicants discretion.

An application for two storey houses at 8 and 10 Rosendo Street was initially submitted to the Planning Department on 23 January, 2002.

The application was assessed and referred to the Council Meeting of 25 February, 2002. At its meeting, Council resolved to approve 10 Rosendo Street subject to conditions and defer the application for 8 Rosendo Street pending revised plans to address areas of non-compliance.

## STAFF COMMENT

### Side Setback – West

A variation is being sought for the upper Bedroom 2, Bedroom 3 and Rear Balcony wall setback. As per Figure 3 of the Residential planning Codes, the required setback is 3.2m. 1.5m is proposed for Bedroom 2 and Bedroom 3 and 2.6m for the Rear Balcony. However, the applicants are requested to screen the balcony to a height of 1.65m and provide fixed obscure glazing to a height of 1.65m for the window to Bedroom 3. This will change the setback requirement to 1.2m resulting in compliance.

Administration recommends approval based on the above-mentioned changes being met. This will represent a condition of approval.

A variation exists to the setback requirement for Bedroom 1, Dressing Room, Ensuite wall and Front Balcony on the upper floor. As per the Residential Planning Codes, the required setback is 4.4m. 1.6m is proposed for Bedroom 1, Dressing Room and Ensuite and 3.3m proposed for the Front Balcony. Requesting that the applicants screen the front facing balcony and provide fixed obscure glazing to the window of Bedroom 1 to Council requirements, the required setback becomes 1.8m. Based on the above changes, there will still be a 20cm variation. Administration recommends approval to the 20cm variation.

### Conclusion

The proposed house at 8 Rosendo Street is recommended for approval, subject to conditions.

### **Voting**

Simple Majority.

## OFFICER RECOMMENDATION

That Council:

- (1) GRANT Planning Consent for the new two storey house at No. 8 (Lot 5) Rosendo Street, Cottesloe in accordance with the plans received on 19 June, 2002, subject to the following conditions:
  - (a) The lots being subdivided, and a new Certificate of Title created prior to the issue of a Building Licence.
  - (b) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. – Construction sites.
  - (c) 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
  - (d) 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.
  - (e) 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.

- (f) The right of way located at the rear, adjacent to the property, being paved and drained to the satisfaction of the Manager of Works and Special Projects and details of the proposed works being submitted in accordance with Council guidelines and approved prior to the commencement of works.
  - (g) Any front boundary fencing to Rosendo Street being of an "Open Aspect" design and the subject of a separate application to Council.
  - (h) Revised plans being submitted for approval by the Manager of Development Services, showing:
    - (i) Screening at a height of 1.65m on the western side of the north balcony and the south balcony.
    - (ii) Fixed obscure glazing at a height of 1.65m to the window at Bedroom 1 and Bedroom 3 both facing west.
    - (iii) The swimming pool pump being adequately screened to prevent the emission of noise into adjoining properties.
- (2) Advise the submitters of this decision.

### COMMITTEE COMMENT

The Committee considered the request from the applicant to vary conditions (1)(h)(i) and (ii). The Committee believed that varying only condition (1)(h)(i) was appropriate, due to the location of the adjoining buildings.

TP83

### COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Miller

- (1) **GRANT Planning Consent for the new two storey house at No. 8 (Lot 5) Rosendo Street, Cottesloe in accordance with the plans received on 19 June, 2002, subject to the following conditions:**
- (a) **The lots being subdivided, and a new Certificate of Title created prior to the issue of a Building Licence;**
  - (b) **All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. – Construction sites;**
  - (c) **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;**
  - (d) **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.**
  - (e) **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.**

- (f) The right of way located at the rear, adjacent to the property, being paved and drained to the satisfaction of the Manager of Works and Special Projects and details of the proposed works being submitted in accordance with Council guidelines and approved prior to the commencement of works;
  - (g) Any front boundary fencing to Rosendo Street being of an "Open Aspect" design and the subject of a separate application to Council.
  - (h) Revised plans being submitted for approval by the Manager of Development Services, showing:
    - (i) Fixed obscure glazing at a height of 1.65m to the window at Bedroom 1 and Bedroom 3 both facing west.
    - (ii) The swimming pool pump being adequately screened to prevent the emission of noise into adjoining properties.
- (2) Advise the submitters of this decision.

Carried 10/0

**TP84**      **NO. 25 (LOT 3) BROOME STREET, COTTESLOE – PROPOSED TWO LOT SUBDIVISION**

<b>File No:</b>	25 Broome Street
<b>Author:</b>	Maria Bonini
<b>Report Date:</b>	9 July, 2002
<b>Author Disclosure of Interest:</b>	Nil
<b>Senior Officer:</b>	Stephen Sullivan
<b>Property Owner:</b>	D J & S P Hewitt
<b>Applicant:</b>	As Above
<b>Date of Application:</b>	24 June, 2002
<b>M.R.S. Reservation:</b>	Urban
<b>Zoning (TPS No. 2):</b>	Residential
<b>Density:</b>	R 30
<b>Lot Area:</b>	682.9m <sup>2</sup>

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**SUMMARY**

The purpose of this report is for Council to make a recommendation to the Western Australian planning Commission in relation to the above subdivision application.

**STRATEGIC IMPLICATIONS**

N/A.

**STATUTORY ENVIRONMENT**

Cottesloe Town Planning Scheme No.2  
Residential Planning Codes

**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 -	Yes
National Trust -	N/A

**CONSULTATION**

No neighbour notification is required for subdivision referrals from the Western Australian Planning Commission.

**BACKGROUND**

The subject land is presently developed with a single storey single house. The house is listed only in the Municipal Inventory with a category 3 listing which means:

*“Significant as an individual building.*

*Retain and conserve if possible: endeavour to conserve the significance of the place through the provisions of the Town Planning Scheme; photographically record the place prior to any major redevelopment or demolition.”*

As of the Council Meeting of 27 May 2002, all heritage-listed buildings in all categories must be referred to Council for determination, where previously a decision could be made through delegation for categories 3,4,5 and 6.

**STAFF COMMENT**Proposal

It is proposed to subdivide the land into two Green Title lots, each with an area of 341.45m<sup>2</sup>. The proposal is consistent with the minimum and average area requirements per lot as per the Residential Planning Codes for the R 30 zoning. The existing house is proposed to be demolished and the existing shed removed.

The proposal results in a redevelopment outcome, which is consistent with the general trend in the area for the allocated zoning.

Heritage Implications

Council must give consideration to and decide upon the outcome of the existing building on the site as it is listed in the Municipal Inventory. As previously mentioned, the category allocated to this building is Category 3. This category represents a mere recommendation under the Municipal Inventory database system as required under the Heritage Act. The category placed on this building is low which allows for flexibility to be exercised and demolition to be permitted where appropriate.



In this particular case, demolition is recommended as the proposal meets all the requirements of the R 30 density as per the Residential Planning Codes. The R 30 density represents a high density, which has been applied to accommodate redevelopment in the area to take place.

#### Conclusion

In the opinion of Administration, the application complies with the provisions of the Residential Planning Codes. Approval is recommended subject to conditions.

#### **Voting**

Simple majority.

#### **OFFICER RECOMMENDATION**

That Council:

Advise the Western Australian Planning Commission that it holds no objection to the proposed subdivision at No. 25 (Lot 3) Broome Street, Cottesloe (WAPC Ref No. 119384) subject to the following conditions:

- (1) The existing building being demolished prior to the issue of clearances. Any demolition shall be approved by the Town of Cottesloe prior to any demolition works commencing.
- (2) The site being stabilised to the satisfaction of Council's Building Surveyor.

#### **COMMITTEE COMMENT**

The committee were of the opinion that the resultant width of the new lots are too narrow and the development of those sites would have a detrimental effect on the streetscape. The alternative form of development in terms of a battleaxe lot would be inappropriate due to minimum requirements required for that type of subdivision. The building is also a category three building on the Municipal Inventory and is considered worthy of preservation.

TP84

#### **COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

**Advise the Western Australian Planning Commission that it holds objection to the proposed subdivision at No. 25 (Lot 3) Broome Street, Cottesloe (WAPC Ref No. 119384) owing to the following reasons:**

- (1) The resulting width of the new lots would be considered too narrow and the resultant development would have a detrimental impact on the streetscape;**
- (2) Due to the undersized area of the existing lot, the alternative form of subdivision (battle-axe subdivision) is not possible;**
- (3) The building is listed as a category 3 on Council's Municipal Inventory.**

Carried 8/2

**TP85 NO. 101 (LOT 1) BROOME STREET, COTTESLOE – PROPOSED SECOND STOREY ADDITION AND RENOVATION TO EXISTING HOUSE**

**File No:** 101 Broome Street  
**Author:** Maria Bonini  
**Report Date:** 4 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Sullivan  
  
**Property Owner:** Mr and Mrs Ashton  
**Applicant:** Odette Smith Design  
**Date of Application:** 13 June, 2002  
  
**M.R.S. Reservation:** Urban  
**Zoning (TPS No. 2):** Residential  
**Density:** R 20  
**Lot Area:** 334m<sup>2</sup>

### SUMMARY

The purpose of this report is for Council to make a determination on an application for planning consent for a second storey addition and renovations to an existing single storey single house.

### STRATEGIC IMPLICATIONS

N/A

### STATUTORY ENVIRONMENT

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 -	YES
Municipal Inventory -	N/A
National Trust -	N/A

### Area of Non-Compliance

<b>Statutory Non-compliance</b>	<b>N/A</b>	
<b>Discretionary Provisions</b>	<b>Max/Required</b>	<b>Proposed</b>
Front Setback to East – New Upper Floor Balcony	6m	3.6m
Wall Height	6m	0.1m – 0.4m
Ridge Height	8.5m	0 – 0.2m

Side Setback to North – Upper Floor – Bedroom 3 and Bathroom 2 wall	1.2m	1m
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## CONSULTATION

Neighbours notified by registered mail - 1 submission was received.

## BACKGROUND

The property at 101 Broome Street currently supports a single storey single house. The existing house is heritage listed in the proposed John Street heritage area of the Draft Town of Cottesloe Heritage Strategy 2001.

Our records indicate that an application was submitted to Council for an ensuite addition in 1999.

The topography of the lot is such that a natural cross fall of 55cm exists from the rear of the property to the front.

## STAFF COMMENT

### Front Setback

The Residential Planning Codes require that any development under the R20 zoning be setback a minimum of 6m from the front boundary. In this particular case a 6m front setback cannot be achieved for the ground floor as it is an existing structure. However, the east facing upper floor balcony is a proposed new structure and therefore requires a 6m setback. The balcony is proposed to be located on top of the existing ground floor verandah with a 3.6m setback from the boundary

Administration is concerned that the overall scale and bulk of the addition at a close proximity to the front boundary will visually disrupt the amenity of the area. It is therefore recommended that the upper floor East facing balcony be removed from the application.

### Wall Height

The Town of Cottesloe Town Planning Scheme Text controls building height. The wall height is limited to 6m, and is ordinarily measured using the following formula as per clause 5.1.1 (c):

*“...The maximum building height shall be measured from the natural ground level at the centre of the site as determined by Council to the crown of the roof and shall be –*

*Single Storey -Roof Height: 6.0 metres*  
*Two Storey -Wall Height: 6.0 metres*  
*-Roof Height: 8.5 metres”*

The natural ground level has been determined at 29.6AHD. The wall height calculated varies from 6.1m to 6.4m from the rear of the house to the front due to the natural cross fall of the land. This results in a non-compliance with the 6m wall height restriction.

However, the Town Planning Scheme states that variations to the height restriction may be appropriate if an extension to an existing building is

proposed, or where the topography warrants it. The Applicant is seeking a variation on this basis.

Furthermore, the applicant has used minimum floor to ceiling heights for the upper floor at a height of 2.4m.

A variation to the wall height is being sought and is supported by Administration.

#### Roof Ridge Height

As per the Town Planning Scheme, the roof ridge height is restricted to 8.5m measured from the average natural ground level. The roof ridge is over-height by 20cm. This variation exists at the front portion of the house due to the natural fall of the land.

Administration is of the opinion that the variation is minor and restricted to a small portion of the house. Furthermore, the removal of the upper floor balcony will aid in reducing the non-compliance to only 10cm. Administration therefore recommends that Council support the height variation for the roof ridge on the basis that the East-facing balcony is removed.

#### Side Setbacks - North

As required in Figure 3 of the Residential Planning Codes, the setback for the upper wall to Bedroom 3 and Bathroom 2 is to be 1.2m from the boundary. The proposed setback is 1m and therefore does not comply with this requirement. However, Administration is of the opinion that the variation will not cause any detriment to the northern neighbours. The upper floor windows have been set high and also fixed and obscure to the required height of 1.65m where necessary.

The northern lot is 1214m<sup>2</sup> in area and is a strata lot with 3 units. The subject lot is comparatively smaller. Therefore, Administration believes that the proposed 1m setback from the boundary provides a form of screening from the obtrusiveness of the northern side strata lot. The northern house immediately adjacent is also two storey and setback at 1m from the boundary. Therefore, there is no potential for the amenity of the northern neighbours to be diminished in any way as a result of the upper floor addition to 101 Broome Street. Administration therefore supports the proposed variation.

#### Heritage Listing

As previously mentioned, the subject property is recommended as a contributory building in the Draft Town of Cottesloe Heritage Strategy 2001.

Contributory means:

*"...properties that contribute to the current character of the Heritage Areas. Retention of these properties is encouraged. If redevelopment of the site occurs any new development should reinforce the character of the area..."*

The proposed addition and renovation is seen to enhance and harmonise with the existing house and does not deviate from the intentions of the "contributory" recommendation as per the Heritage Strategy.

Comments on Submissions

A submission has been received from the owner of 38 John Street in relation to overshadowing into the courtyard area of his property. A Shadow Plan was provided by the applicant. Whilst the plan indicates that little shadow is cast onto the main building, a main concern to the neighbour is the amount of shadow that will be cast onto the main outdoor living area of his property, which may eliminate a considerable amount of northern winter sun.

It is important to note however, that the subject property is extremely small with 334m<sup>2</sup> in area. Considering this, not many options are available to the owners to address such concerns. The owners have endeavoured to setback the building more so from the southern boundary than the northern boundary to accommodate the southern neighbours as best they can.

Administration recommends that these factors are acknowledged in the decision making process regarding the overshadowing issue.

Conclusion

It is recommended that the application be approved subject to conditions.

**Voting** Simple majority.

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr. Ewing, seconded Cr. Miller

That Council:

- (1) GRANT Planning Consent for a second storey addition and renovation at No. 101 (Lot 1) Broome Street, Cottesloe in accordance with the plans received on 13 June, 2002 and 5 July, 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 permitted to be discharged onto the street reserve or adjoining properties and details on the method to be used for the disposal of the stormwater runoff within the boundaries of the site being included within the working drawings;
  - (c) The external profile of the development as shown on the approved plans, not being added to, amended or changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council;
  - (d) Revised plans being submitted by the applicant for approval by the Manager of Development Services, such plans showing the East facing upper floor balcony deleted from the plans.
- (2) The submitter being notified of this decision.

**AMENDMENT NO. 1**

Moved Cr. Morgan

That the motion be amended by deleting (1)(d).

Lost for Want of a Secunder

**AMENDMENT NO. 2**

Moved Cr. Miller, seconded Cr. Furlong

That the motion be deleted and substituted with the following:

*“That Council refer this item to the Design Advisory Panel and defer consideration of this item until the August meeting of the Development Services Committee.”*

Carried 6/4

The amended motion was put.

TP85 **COUNCIL RESOLUTION**

**That Council refer this item to the Design Advisory Panel and defer consideration of this item until the August meeting of the Development Services Committee.**

Carried 6/4

Note: The applicant requested referral to the Design Advisory Panel.

TP86 **NO. 121 (LOT 6) GRANT STREET, COTTESLOE – ADDITIONS AND ALTERATIONS TO EXISTING HOUSE.**

**File No:** 121 Grant Street  
**Author:** Maria Bonini  
**Report Date:** 11 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Sullivan

**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:** 1442m<sup>2</sup>

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**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 Claremont Hill Heritage Area.

**STRATEGIC IMPLICATIONS**

Draft Town of Cottesloe Heritage Strategy.

**STATUTORY ENVIRONMENT**

Cottesloe Town Planning Scheme No. 2  
 Residential Planning Codes

**POLICY IMPLICATIONS**

TPS Policy Implications: Building Heights Policy No. 5

**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 -	Yes
Municipal Inventory -	N/A
National Trust -	N/A

**AREA OF NON-COMPLIANCE**

<b>Statutory Non-compliance</b>	<b>N/A</b>	
<b>Discretionary Provisions</b>	<b>Max/Required</b>	<b>Proposed</b>
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

**CONSULTATION**

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

**BACKGROUND**

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

The topography of the lot lends itself to a cross fall of 3.49m sloping down from the front of the property to the rear.

**STAFF COMMENT**

Heritage Listing

The subject property is listed in the Draft Town of Cottesloe Heritage Strategy 2001 and has a recommendation of *Contributory* which means:

*“properties that contribute to the current character of the Heritage Areas. Retention of these properties is encouraged. If redevelopment of the site occurs any new development should reinforce the character of the area...”*

The proposed addition and alteration endeavours to improve upon the existing house. However, Administration recommends that the proposal be presented before the Design Advisory Panel for further assessment.

Wall Height

The Town of Cottesloe Town Planning Scheme Text controls building height. The wall height is limited to 6m, and is ordinarily measured using the following formula as per clause 5.1.1 (c):

*“...The maximum building height shall be measured from the natural ground level at the centre of the site as determined by Council to the crown of the roof and shall be –*  
*Single Storey -Roof Height: 6.0 metres*  
*Two Storey -Wall Height: 6.0 metres*  
*-Roof Height: 8.5 metres”*

The natural ground level has been determined at 40.91AHD. The wall height calculated varies from 7.3m to 7.8m due to the natural cross fall of the land. This results in a non-compliance with the 6m wall height restriction.

However, the Town Planning Scheme states that variations to the height restriction may be appropriate if an extension to an existing building is proposed, or where the topography warrants it. The Applicant is seeking a variation on this basis.

The floor to ceiling heights in the existing building are 3.7m. The applicant proposes 2.7m for the upper storey extension. Despite a substantially lower floor to ceiling height used for the upper floor, the variation proposed is significant.

Administration is not prepared to support the proposed wall height of the proposed development.

#### Roof Ridge Height

As per the Town Planning Scheme, the roof ridge height is restricted to 8.5m measured from the average natural ground level. The roof ridge exceeds this requirement and varies from 10cm to 2m. Administration does not support the height variation as it is considered to be excessive and therefore out of character with the heights that are maintained in the general area.

#### Basement Games Room

The proposed Basement Games Room creates a three storey development on the subject lot. The Town of Cottesloe Town Planning Scheme No. 2 clearly states:

*“...development within the district favours low rise development of no more than 2 storeys to maintain privacy, views and general amenity...Council will not regard as a storey undercroft space used for lift shafts, stairways, or meter rooms, bathrooms, shower rooms, laundries, water closets or other sanitary compartments or the parking of vehicles...”*

The Basement Games Room does not fall into any of the above classifications as mentioned in the Scheme Text and therefore does not comply. The applicants will be required to delete the Basement Games Room from the proposal.

#### Side Setback

A variation exists for the wall that accommodates Bedroom 1, Ensuite and Wardrobe on the western side of the lot. The Residential Planning Codes require a 3.4m setback from the boundary. The applicants have proposed 1.6m resulting in non-compliance.

In order to achieve compliance, the applicants must provide fixed obscure glazing to the Bedroom 1 window to a height of 1.65m from the upper floor level. Undertaking the above-mentioned will result in a setback requirement of 1.4m needed for that wall which is provided and therefore complies.



Conclusion

In the opinion of Administration, the development proposal demonstrates variations that are not supported. It is therefore, recommended that the application be deferred to the August 2002 Council Meeting.

**Voting**

Simple majority.

TP86 **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Ewing, seconded Cr. Miller

**That:**

- (1) **Consideration of the application for 121 (Lot 6) Grant Street be deferred to the August 2002 meeting of Council; and**
- (2) **the application be referred to the Design Advisory Panel for comment.**

Carried 10/0

TP87 **NO. 24 PRINCES STREET – REQUEST FOR PROPOSED DEMOLITION OF EXISTING THREE STOREY BLOCK OF 17 ONE BEDROOM UNITS AND CONSTRUCTION OF 8 THREE BEDROOM UNITS**

**File No:** 24 Princes Street  
**Author:** Stephen Sullivan  
**Report Date:** 15 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

**Property Owner:** J. Nelson & A. King  
**Applicant:** Overmann & Zuideveld

**M.R.S. Reservation:** Urban  
**Zoning (TPS No. 2):** Residential  
**Density:** R30  
**Lot Area:** 1702m<sup>2</sup>

The Manager, Development Services referred to the memo circulated to Councillors relating to two reports that had not been prepared. In the memo, the Manager, Development Services recommended that this request should be referred to the Design Advisory Panel and the adjoining property owners for comment, prior to a decision by Council. The Manager, Development Services also advised that he had received a four page letter from solicitors representing the owners on this matter. The issue relates to whether Council is required to undertake an amendment to the existing Town Planning Scheme or whether it could be treated as a development application. Legal advice would need to be sought on this issue.

The Committee agreed with the comments of the Manager, Development Services. The Committee did not support the request from the Architect to address the Design Advisory Panel.

## TP87 OFFICER RECOMMENDATION &amp; COUNCIL RESOLUTION

Moved Cr. Ewing, seconded Cr. Miller

**That Council:**

- (1) defer consideration of this application to the August 2002 meeting of Council;
- (2) refer the development proposal to the next meeting of the Design Advisory Committee for comment;
- (3) require the adjoining property owners to be informed of the proposal and seek their comments; and
- (4) seek legal advice regarding the need for a Scheme Amendment.

Carried 10/0

## 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION – PART 2.

### 8.2 TOWN PLANNING SCHEME, HERITAGE POLICY AND MUNICIPAL INVENTORY

The Mayor expressed concern that these matters were behind schedule and foreshadowed a motion to be dealt with under Item 12.

## WORKS & CORPORATE SERVICES COMMITTEE

16 July, 2002

### C57 STATUTORY FINANCIAL STATEMENTS

<b>File No.:</b>	<b>C7.14</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Mr Alan Lamb</b>
<b>Report Date:</b>	<b>10 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Mr Stephen Tindale</b>

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#### **Summary**

The Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 30 June, 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**

Not applicable.

**Staff Comment**

It will be noted from the Income Statement on (Page 3), that the net change in assets from operations continues to be more favourable than expected. On the expenditure side, administration is down primarily to reduced expenditure in the area of Service Delivery \$39,932 (Page 9). Law Order and Public Safety expenditure is down due to reduced allocation of employee costs (\$11,216) and reduced contributions and donations – re neighbourhood watch (\$9,468) (Page 10). Community Amenities expenditure (Page 10) is up on budget due to higher costs in the area of Sanitation - Service Delivery & Goods \$130,455 (this is made up of higher than expected contractor costs relating to the disposal of rubbish - \$47,241, and higher than expected allocation of works crew costs - \$81,274). This is partially offset by reduced expenditure in the area of Town Planning (Legal expenses up \$18,368, Scheme Review down \$32,618 and Heritage Initiatives down \$30,000). Recreation and Culture is down by \$107,177 (Page 15) mainly due to reduced allocation of works crew related costs (\$75,810). The reduced expenditure in the area of Transport (Page 18) primarily relates to reduced allocation of crew related costs, and the reduced expenditure in Economic Services relates to lower than expected costs in the area of Building Control – employee costs (Page 20).

Looking at income, General Purpose Income is higher than budgeted due to increased income from Rating \$53,309, Grants \$8,647 and Interest on Investments \$14,720 (Page 8). Administration income is higher due to grants \$16,375 (Page 9), and Community Amenities income is up primarily due to increases in Grants (\$8,013) and Service Charges (\$6,820) (Page 13). Income in the area of Recreation and Culture is down due to the Lotteries Grant, re the Civic Centre project, not being claimed as yet (\$45,000 Page 16). Income in the area of Transport is up due to higher than expected income from Parking Fines and Penalties \$110,421 (Page 19). Economic Services income is up due to increased income from Building Licences \$38,811 (Page 20).

**Voting:** Simple Majority.

C57

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the month ending 30 June, 2002, as submitted to the July meeting of the Works & Corporate Services Committee.**

Carried 10/0

**C58**      **SCHEDULE OF INVESTMENTS & SCHEDULE OF LOANS**

**File No.:** C7.12 & C7.13  
**Applicant:** N/A  
**Author:** Mr Alan Lamb  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Mr Stephen Tindale

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**Summary**

The Schedule of Investments and Schedule of Loans for the period ending 30 June, 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**

Not applicable.

**Staff Comment**

As will be noted from the Schedule of Investments on page 34, \$576,277.78 was invested as at 30 June 2002. Of this, \$568,724.30 was reserved and so its use restricted. 3.48% of the funds were invested with the National Bank, 62.20% with Home Building Society and 34.32% with Bankwest.

**Voting:** Simple Majority.

**C58**      **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That Council receive the Schedule of Investments and Schedule of Loans for the month ending 30 June, 2002, as submitted to the July meeting of the Works & Corporate Services Committee.**

Carried 10/0

C59

**ACCOUNTS**

File No.:	C7.8
Applicant:	N/A
Author:	Mr Alan Lamb
Report Date:	10 July, 2002
Author Disclosure of Interest:	Nil
Senior Officer:	Mr Stephen Tindale

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**Summary**

The List of Accounts for the period ending 30 June, 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 payment brought to Council's attention include \$26,458.83 to the WA Local Government Superannuation Plan for staff superannuation payroll deductions, \$27,840.51 to WA Treasury Corporation for loan payments, and \$78,427.34 being payroll for the month.

**Voting:** Simple Majority.

C59

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That Council receive the List of Accounts for the month ending 30 June 2002, as submitted to the July meeting of the Works & Corporate Services Committee.**

Carried 10/0

**C60**      **PROPERTY & SUNDRY DEBTORS REPORTS**

**File No.:** C7.9  
**Applicant:** N/A  
**Author:** Mr Alan Lamb  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Mr Stephen Tindale

**Summary**

The Property & Sundry Debtors Reports for the period ending 30 June, 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**

Not applicable.

**Staff Comment**

The Sundry Debtors report on Page 33 shows a balance of \$146,472.70 of which \$101,318.88 is current. The other significant amount is an account due from the City of Nedlands for \$26,693.13 which was being followed up by the Manager of Engineering Services and is now being pursued by the CEO.

The Property Debtors shows a reduction from \$345,168.08 at the end of May to \$289,669.70 at the end of June. The balance is made up of pensioner deferred rates and debts on payment plans - \$250,892.94, and debts where no arrangements to pay have been made as yet - \$38,776.76. It will be noted that this balance has been reduced from \$50,562 at the end of May.

**C60**      **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That Council:**

- (1) Receive and endorse the Property Debtors Report for the month ending 30 June, 2002; and
- (2) Receive the Sundry Debtors Report for the month ending 30 June, 2002.

Carried 10/0

**C61**      **CIVIC CENTRE BUILDINGS & SURROUNDS - RESTORATION**

**File No.:** C4.4  
**Applicant:** N/A  
**Author:** Alan Lamb  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

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**Summary**

This report is prepared in response to the following resolution of Council made in May 2002:

That Administration prepare a report for Council consideration on the following matters:

- (1) an estimate of cost for the repairs on the building and surrounds with a programme for the carrying out of the works;
- (2) An outline of the scope for financing the project from the sale of the whole, or a section, of the Council Depot; and
- (3) An outline of some of the additional or alternative means for financing the project.

This report concentrates on Parts 1 and 3 of the resolution, and the Manager of Engineering Services is reporting on Part 2.

**Statutory Environment**

The Cottesloe Civic Centre is on the Register of Heritage Places and is listed in Schedule One of Council's Town Planning Scheme No. 2. Both listings require an application to be made to Council before any significant works are undertaken.

**Policy Implications**

Nil.

**Strategic Implications**

Council's Strategic Plan provides, under the heading District Development subheading Town Planning that the objective in relation to heritage is "Preservation of nominated properties on the Municipal Inventory, verges, trees and foreshore and dune systems".

**Financial Implications**

The Schedule of Conservation/Maintenance includes a schedule of cost estimates for works that totals to \$3,000,000. This is split into works described as:

- Immediate Action Works (\$800,000);
- Medium Term Action Works (\$850,000);
- Long Term Action Works (\$1,000,000); and
- Optional Works (\$350,000).

Whilst the cost estimates are thought to be high, in the absence of alternative costings it should be assumed that the total cost of all works could be in the order of \$3 million. Options to complete the works and meet their cost is covered under the heading Staff Comment.

**Background**

In 1996 using a Lotteries Commission Grant of \$9,500, Council engaged the services of Considine and Griffiths Architects Pty Ltd to prepare a Conservation Plan for the Civic Centre.

The Plan detailed the conservation values of the Civic Centre, and made the following recommendations:

- That registration documentation be prepared by the Heritage Council based on this assessment, to take into account all significant elements of the Cottesloe Civic Centre and that the place be considered for inclusion on the Register of Heritage Places.
- That this conservation plan be adopted by the Town of Cottesloe and that the regimes recommended are implemented and re-evaluated from time-to-time and updated.
- That works identified in the course of inspections and noted in the text of this report, are acted upon within the recommended time frames.
- That this conservation plan be formally revised five years after its adoption and periodically thereafter.
- That a landscape and development master plan be commissioned with this document as a basis to establish a planned vision for the site with due cognisance taken of the heritage values of the place. It should examine, amongst other things, development of the site and its environs to reveal and enhance the existing structures and improve its presentation, together with the planning of spaces between buildings, plantings, site perimeter treatments and the like. A heritage professional with landscape expertise must be part of the team for the master plan.
- That a comprehensive report be commissioned to establish the condition of garden walls, balustrades, urns, stairs and gates and that recommendations for action are made in a prioritised schedule with costings for each element and that Cottesloe Council commit funding to ensure effective implementation. A heritage professional with architectural skills must be part of the team, together with a structural engineer and stone materials expert.
- That a report be commissioned to establish the health and condition of all major significant trees and other plantings to enable a replacement programme to be established.
- That a use be found for the caretaker's cottage as a matter of urgency and the place be fully occupied as soon as possible. Uses must be compatible with the place and not require major interventions.
- That the commitment to achieving the matters identified as short, medium and long-term actions be made and time-frames adopted.
- That opportunities to reinstate missing components be pursued actively during the project programmes.
- That interpretation be further developed.
- That future development be evaluated against the Statements of Significance and all development is referred to the Heritage Council of WA for its advice, at an early stage. Further, that development is guided by the need to:
  - Conserve the original fabric that is part of the 1935 concepts and later concepts up to 1950, when the association with de Bernales ceased.
  - Ensure change will not jeopardise this fabric.
  - Use previous interventions as the first choice for change, where change is essential.
  - Inform users of the cultural significance of the place and that this is accepted as a condition precedent.
- That conservation works are costed by a professional quantity surveyor on the advice of an architect with heritage experience, and that 20% be added to net estimates to cover contingency and professional fees, unless



otherwise advised, in particular, cases by the professionals referred to above.

- That all works likely to affect heritage are referred to an appropriate heritage conservation professional for advice.

On 25 March 1996, Council resolved as follows (resolution C172):

That Council

- (1) Advise the Heritage Council of Western Australia that it wishes the Civic Centre building and grounds to be considered for the State Heritage Register;
- (2) Adopt the Conservation Plan prepared by Considine and Griffiths in March, 1996 as the major document to guide Council in its care and management of the Cottesloe Civic Centre;
- (3) Forward the report to the Lotteries Commission for consideration;
- (4) Prepare a full set of documents pertinent to the structures as they presently exist, properly indexed and kept in a suitable place to ensure they are adequately maintained and are used in the implementation of conservation and other works;
- (5) Make the Conservation Plan available for public inspection at the Council office and Library;
- (6) Provide for items immediately listed for implementation in the 1996-97 draft budget.

The Heritage Council of Western Australia wrote to Council in May 1997, to advise that the place known as the Cottesloe Civic Centre had been entered in the Register of Heritage Places. It is noted that the Civic Centre was listed in Council's Municipal Inventory 25/9/1995 and is listed in Schedule 1 ("Places of Natural Beauty and Historic Buildings and Objects of Historical or Scientific Interest") of Council's Town Planning Scheme Number 2. It was an Interim Entry on the Register of Historical Places 13/12/1996, and gained National Trust Classification 6/3/1979.

In September 2000, Considine and Griffiths were commissioned to provide a prioritised schedule of conservation/maintenance works and associated works. This report cost Council \$7,300. The report highlighted the garden and retaining walls as requiring immediate work and a survey was required as a matter of urgency.

In November 2000, Council applied for a Lotteries Commission Grant of \$90,000 to cover the cost of professional fees for a structural investigation of the balustrading, steps, paving and walls of the Civic Centre. The grant application was for \$90,000 to meet the quoted cost of professional fees. Council's contribution included physical works associated with the investigation and any immediate remedial works required at the time. The quote included fees for the structural engineer, heritage architect, quantity surveyor, materials assessment and testing, arboreal advice and a site survey. It also included an allowance of \$23,000 for documentation (i.e. the detailing of works to be done).

The grant application was modified following advice from the Lotteries Commission that it could not fund to the level requested. The scope of the investigatory works was therefore reduced and the documentation requirement deleted.

The Lotteries Commission advised in May 2001, that Council was successful in its application and would receive a grant of \$45,000 to cover the full cost of fees.

Investigatory works have commenced and a report is due by the end of July. The report will catalogue the location and provide a detailed assessment of every pier in the walls, the condition of each tree and other significant vegetation in the grounds.

An application for \$250,000 grant funding under the Commonwealth Government's Cultural Heritage Projects Program was lodged in April 2002. The estimated cost of \$735,000 for the project was based on estimates contained in the September 2000 Considine and Griffiths report. This estimate included the investigatory works currently being undertaken that are to be funded from the Lotteries Commission Grant.

Initially the Cultural Heritage Projects Program grant application was rejected as it contained paving works. As the paving component was a relatively small part of the project it was dropped from the grant funded works and the grant application modified to relate to the walls only. The grant funding is to cover the documentation not covered by the Lotteries Commission Grant (\$25,500), fees for project management by the consultant (\$30,000), preparation of a final report (\$4,000) and conservation works (\$190,500).

### **Consultation**

Funding and service providers.

### **Staff Comment**

It has been suggested that a lot of money has been spent on consultants and little on physical works. However, of the \$61,800 paid to, or committed to consultants, \$54,500 was, or will be met by Lotteries Commission Grants.

Heritage grants demand the involvement of suitably qualified and experienced persons, so that funding agencies gain some comfort from the knowledge that funding is not being misspent on inappropriate works.

The September 2000 report by Considine and Griffiths prioritised the required categorised works and a copy of the relevant part of the report was circulated which incorporates a draft implementation plan. The immediate action works consists primarily of works relating to external retaining and screen walls, and external concrete paving (\$690,000). The variance between the estimate for these works put forward in the Cultural Heritage Projects Program grant application (\$735,000) and the Considine and Griffiths report (\$690,000), is the additional work done in relation to trees and significant plantings as part of the investigatory works and works (such as root trimming) that is expected to be required.

The preparation of a work schedule for the conservation of external walls and paving is not possible until the investigatory works are completed. The proposed works are also the subject of a major grant application. Any works undertaken before a decision is made in relation to the grant, cannot be funded from the grant. It is felt that the conservation works component of the grant application (\$190,500) will go a long way towards meeting the cost of work on sections of walls that have a significant degree of lean (Item 23 on the

attachment circularised with the Agenda estimates the cost of wall stabilisation works at \$300,000).

Much of this work will be undertaken by external service providers, subject to Council's grant application being successful. Hazardous walls are to propped in the meantime.

External wall and paving works account for an estimated works cost of \$1,390,000, made up of immediate works \$690,000, medium term \$600,000 and long term \$100,000. It is felt that much of these works could be done by day labour over a number of years, while some of the work needs to be done as soon as possible. The latter relates to walls that need to be demolished and rebuilt and walls that need to be otherwise straightened. It is proposed that these works be done by external service providers with grant funding.

It is proposed that a suitably skilled person be employed on a permanent basis to carry out and supervise others as appropriate, with appropriate input from the heritage architect and structural engineer works such as concrete casting, brickwork and decorative rendering. Other work requirements would also be within the capability of the sort of person envisaged.

It is noted that much of the required works can be done by Council staff, some as part of general maintenance overtime. The plan hinges on the employment of a suitably skilled person in the new position of Civic Centre Maintenance Person.

It should be noted that the plan requires input from the consultant engineer and relevant Council staff before it can be finalised, and that it depends on grant funding. Future grant applications can be lodged to cover works that are relevant to the historical nature of the Centre.

While some of the required works need to be done as soon as practicable due to structural problems and safety concerns, others that are non-structural can be tackled over a period of time and at a lower cost. Doing most the work over a period of time and utilising Council employees reduces the immediate cost impact and increases quality control. Expenditure will be incurred from time to time on professional advice.

No provision was made in the 2002/03 budget for the position of Civic Centre Maintenance Person, however it is suggested that it could be funded in the first year on a trial basis, by a transfer from reserves. The budget for 2002/03 provides for a transfer of \$112,930 from the Area Improvement Reserve Fund to the Civic Centre Reserve Fund to cover part of proposed Civic Centre Restoration Works totalling \$362,930. The planned expenditure is partially offset by grant funds of \$250,000. If Council is successful with its application for these grant funds then relevant fees and most of the immediately required wall stabilisation works will be met by the grant. There would then be sufficient funds to cover the cost of employing the suggested new maintenance person, plus material cost for relevant works, for the year from the transfer from reserve.

It is difficult to do a financial plan for this project at this time due to uncertainties relating to grant funding and ongoing refinements to the estimated cost of

works. Once the investigatory works are completed and the report received, it will be possible to provide a draft financial plan.

More importantly, if the required works are structured over a number of years and Council employees are used where appropriate, then there should be no need for a large injection of cash from the sale of the depot site. Maximum use could also be made of annual grant opportunities. More pragmatically, if Council did sell the depot site, then the Civic Centre restoration project should stand alongside all other projects for funding priority. Nevertheless there will be a requirement for a specific allocation of funds to the Civic Centre Restoration project each year. This would be in addition to current allocations for maintenance.

Where Council's works crew is used for aspects of the project, the cost would be offset by a reduction in works done and charges made against other areas of operation.

In summary, it is not practicable to provide a firm plan on the required restoration works at this point in time. A plan will be produced once detailed information is available, particularly in relation to the external walls and paving.

It is proposed that the restoration works be staged over a number of years and parcelled in such a manner as to take full advantage of annual grant opportunities. It is also proposed that a suitably skilled and experienced person be employed as part of the ongoing restoration project and that other Council staff be used as and where practical, to reduce overall costs.

The most pressing works requirement relates to unstable sections of external walls. Propping work to be done this month, is only a temporary solution to address safety issues. Significant works are required, but it is proposed that these be left until early in 2003 to save jeopardising Council's grant application for that project.

The fall-back plan in relation to the unstable sections of external walls if grant funding is not available, is to recommend that Council apply funds from the Civic Centre Improvements and Area Improvement Reserve Funds to complete the required works.

#### **OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

That Council:

- (1) Receive this report as an interim report on planning in relation to restoration works required at the Cottesloe Civic Centre;
- (2) Require administration to prepare a staged plan to address restoration works requirements;
- (3) Authorise the application of a portion of the provision for transfer of funds from the Civic Centre Improvements Reserve Fund, as set out in the 2002/03 Budget, to fund the employment of a suitably skilled and experienced person to be dedicated to Civic Centre conservation and maintenance works, for the 2002/03 year, with future funding of the position being included in the normal budget each year there-after.

**AMENDMENT**

Moved Cr. Sheppard, seconded Cr. Furlong

That the motion be amended by inserting the following: “, *at the wage cost of up to \$40,000 p.a.*,” after the words “*experienced person*” in Paragraph (3).

Carried 9/1

The amended motion was put.

W61 **COUNCIL RESOLUTION**

**That Council:**

- (1) **Receive this report as an interim report on planning in relation to restoration works required at the Cottesloe Civic Centre;**
- (2) **Require administration to prepare a staged plan to address restoration works requirements;**
- (3) **Authorise the application of a portion of the provision for transfer of funds from the Civic Centre Improvements Reserve Fund, as set out in the 2002/03 Budget, to fund the employment of a suitably skilled and experienced person, at the wage cost of up to \$40,000 p.a., to be dedicated to Civic Centre conservation and maintenance works, for the 2002/03 year, with future funding of the position being included in the normal budget each year there-after.**

Carried 9/1

C62 **MINISTER FOR PLANNING AND INFRASTRUCTURE – SUBMISSION ON STRUCTURAL ARRANGEMENTS FOR COASTAL PLANNING AND MANAGEMENT**

**File No.:** X8.16  
**Applicant:** Minister for Planning and Infrastructure  
**Author:** Stephen Tindale  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil

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**Summary**

In August 2001, the Minister for Planning and Infrastructure appointed a Coastal Planning and Management Taskforce.

The taskforce was asked to examine the State’s structural arrangements for the planning and management of coastal land and what should be done in the future.

The taskforce’s report is now available for public comment. Written submissions on the report close on Friday, 9 August, 2002.

A recommendation is made to note the contents of the report.

**Statutory Environment**

Nil.

**Policy Implications**

Nil.

**Strategic Implications**

Nil.

**Financial Implications**

Nil.

**Background**

The taskforce identified five areas of concern:

- Structural arrangements
- Roles and responsibilities of government agencies
- Framework for strategic planning and management
- Decision-making processes
- Stakeholder awareness and participation and resourcing.

The full text of the report of the taskforce can be downloaded from the department's website: [www.dpi.wa.gov.au/planning/coast/coast.html](http://www.dpi.wa.gov.au/planning/coast/coast.html)

**Consultation**

Nil.

**Staff Comment**

The report of the taskforce is drawn to Council's attention because it provides a clear indication of the over-arching framework that Council will need to work within with respect to development west of Marine Parade.

The recommendations do not appear to contain anything that might be construed as a threat to the Town of Cottesloe in the way it manages its marine environment.

**Voting:** Simple Majority.

**C62 OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That Council note the conclusions and recommendations of the Ministerial Taskforce Investigating Structural Arrangements for Coastal Planning and Management in Western Australia.**

Carried 10/0

**C63 DEPARTMENT OF LAND ADMINISTRATION – VALUATION OF STATION STREET DRAINAGE SUMP – RESERVE 40348**

<b>File No.:</b>	<b>E15.9</b>
<b>Applicant:</b>	<b>Department of Land Administration</b>
<b>Author:</b>	<b>Stephen Tindale</b>
<b>Report Date:</b>	<b>10 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

### Summary

The Department of Land Administration wants to know if Council is still interested in purchasing Reserve 40348 (part of the Station Street sump site).

Historically there has been little interest in developing the land in question because of the expense of covering it with a concrete slab.

Given a number of assumptions (which are outlined in the body of this agenda item) two recommendations are made.

- (1) That Council advise the Department of Land Administration that the Town of Cottesloe is prepared to purchase the land subject to it being able to on-sell the land for a small profit.
- (2) That Council invite BP to present a formal planning application for the development of the existing BP site and adjacent land in Station Street on the understanding that a financial return to Council will be required as a result of Council foregoing its own development of the sump site.

### Statutory Environment

The following section of the Local Government Act 1995 applies (emphasis added).

#### 3.58. Disposing of property

- (1) In this section —  
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
“property” includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) **A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —**
  - (a) **it gives Statewide public notice of the proposed disposition —**
    - (i) describing the property concerned;
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; **and**
  - (b) **it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.**
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned;
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

- (5) This section does not apply to —
- (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

**Policy Implications**

Nil.

**Strategic Implications**

Nil.

**Financial Implications**

Nil.

**Background**

In 1998, Council received a joint request from BP Australia Ltd and McDonalds Australia Ltd, to redevelop BP land on the corner of the Stirling Highway and Station Street and adjoining land Council-owned land. Council sought advice on the commercial viability of the Council-owned land and then resolved to seek expressions of interest for its potential development.

Two expressions of interest were received – one from the BP/McDonalds group and one from Uzbek Pty Ltd. The former related to the construction of a retail outlet with associated parking, toilet and community facilities while the latter offered three options based on the construction of a major carpark with or without an office development of one or two stories.

The advice received from Chesterton International regarding the potential for development of the subject land demonstrated that it would not be commercially viable for Council to improve the land. The advice was based on the high cost of constructing a platform over the existing sump which had to be retained as part of the drainage system.

In April 1999, Council invited BP/McDonalds to present a detailed proposal for the development of the existing BP site and adjacent land in Station Street.

To cut a long story short and after much debate it was resolved in May of 2001:

That BP Australia Ltd and McDonalds be advised that having regard to the concerns of the community in relation to the development of Reserve No. 40348 and Lots 2, 3, 4 & 5 Station Street, which are currently reserved as a Primary Roads Reservation and for Public Purposes, Council hereby withdraws its support for the proposed development.

In August 2001, the Department of Land Administration advised Council that the Valuer General had set a price of \$440,000 (plus GST of \$44,000) for the purchase of Reserve No. 40348. Further, that if Council wished to proceed with the purchase of the land, then it should indicate so in writing at which time a



formal offer and contract would then be prepared and forwarded to the Town of Cottesloe for signing.

The value placed on the land raised some concerns and at a meeting of stakeholders in October 2001, BP decided that it would engage an independent valuer to determine a value for the site. It was felt that with the independent valuation, the Valuer General's valuation and the Town of Cottesloe's original valuation (prepared by Chesterton International in 1998) an agreed value might be found that was acceptable to all.

The matter was raised again in January of 2002, when BP requested a copy of Chesterton International's valuation. That request was met and BP (through BSD Consultants) was also advised that "...given the uncertainty surrounding land valuations, our [the Town of Cottesloe's] dealings with the potential acquisition of Reserve No. 40348 are currently on hold".

In May 2002, the Department of Land Administration wrote to Council as follows:

A meeting was held with John Dunn and Derek Kerr representing BP Australia to discuss the possibility of BP capping and purchasing the drainage reserve. BP was advised that taking into account the cost of capping the drain, a valuation of \$350,000 has been set for a sale to BP and involving the inclusion of the reserve into their title.

The Valuer General established a price of \$285,000 for a sale direct to Council.

BP Australia is still considering the price and will be contacting DOLA with a possible counter offer. It was explained to the BP representatives that as this was a reserve under Council's management, your Council will need to establish whether this proposed sale proceeds. The view of the State Planning Commission will need to be obtained depending on which option Council selects.

As the initial approach for a sale of this reserve was from Council, your views on whether Council still wishes to purchase in its own right prior to dealing with BP Australia.

As the new valuation was considerably less than that previously provided to Council (\$285,000 for a "Council only" development and \$350,000 for a BP development as opposed to \$488,000) a request was made to DOLA for a copy of the report supporting the new valuation figure.

### **Consultation**

At the time of writing this agenda item, contact had yet to be made with BSD Consultants (acting on behalf of BP) to ascertain whether they are still interested in acquiring Reserve No. 40348 for development purposes.

### **Staff Comment**

It is understood that the original BP/McDonalds development proposal was rejected on the basis of a potential conflict between the McDonalds aspect of the original development proposal and the amenity of adjoining residents.

It is also understood that the ongoing discussion with BP and BSD Consultants was, and continues to be in good faith and is premised on a simple enlargement of the existing service station use.

Further, that the simple enlargement of the existing service station use is not likely to attract strong objection during any rezoning process.

If these assumptions are correct, then there may be some merit in purchasing the land and on-selling it to BP at a small profit.

Before that can happen however, BP's intentions for the use of the land must be clearly understood and that brings us full circle to a modified version of Council's April 1999 resolution.

**Voting:** Simple Majority.

### **OFFICER RECOMMENDATION**

That Council:

- (1) Invite BP to present a formal planning application, for the development of the existing BP site and adjacent land in Station Street, on the understanding that a financial return to Council will be required as a result of Council foregoing its own development of the sump site.
- (2) Advise the Department of Land Administration that the Town of Cottesloe is prepared to purchase the land subject to it being able to on-sell the land for a small profit.

C63

### **COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That:**

- (1) **BP be advised that Council does not support its proposed purchase and development of the site; and**
- (2) **An investigation be made of alternative uses of the Station Street sump site, that fits the long term strategic development of Cottesloe and its town centre.**

Carried 8/2

W20

### **DEPOT AND CIVIC CENTRE**

<b>File No.:</b>	<b>C4 &amp; E7.1</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Malcolm Doig</b>
<b>Report Date:</b>	<b>1 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Stephen Tindale</b>

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### **Summary**

The purpose of this report is to further consider the possibility of the sale of the whole, or a section, of the Council Depot.

Sale of the whole site is dependent upon finding and developing a suitable alternative site at a cost that will not negate any expected profit. Similarly, the sale of part of the site should be part of an overall plan to avoid compromising any future options that Council may have to develop and sell the remainder. The redevelopment of the depot for residential purposes would need to be carefully designed to maximise the return on investment and not detract from the surrounding residential lots.

### **Strategic Implications**

The future use of the Depot and Civic Centre are of importance to the district and need to be considered in conjunction with all other assets as the Town of Cottesloe implements its strategic plan.

Restoration of the Civic Centre is only one of many competing demands that will need to be addressed. As mentioned in the previous reports Cottesloe residents are living in a relatively static suburb, with a reputation for a quality of life reflected in its unique streetscape and heritage buildings, but with little prospect of improving the infrastructure to meet their expectations. There is a clear desire within Council, and among residents, to see improvements in most of the following areas:

- Marine Parade street and recreational environment;
- Streetscapes in general;
- Town centre;
- Sump sites;
- Parks and reserves;
- Civic Centre;
- Roads;
- Footpaths;
- District drainage;
- Paving and draining of Rights of Way;
- Street trees; and
- Functional office.

### **Financial Implications**

A short-term return from the sale of part of the depot site may be possible but could negate the real potential for a substantial financial return. The sale of the full site is a longer-term prospect and dependent upon the availability of a suitable and economically viable alternative site.

### **Background**

In May 1999, Council resolved:

That Council endorses the concept of redevelopment of the works depot site to raise funds for capital works within the district and authorises the Chief Executive Officer to prepare a detailed strategy for further consideration of options available to achieve this objective.

The concept detailed in the CEO's report of May 1999 was suggested as a means of raising sufficient funds to address a large proportion of Council's Capital Works requirements for the next 5 to 10 years and drew attention to the fact that:

- (1) With its present financial capacity, Council will struggle to meet its capital works obligations to repair existing assets and create new infrastructure;
- (2) Council owns a number of valuable assets, which could be converted to cash for capital works projects; and
- (3) If amalgamation ever occurs, these assets will be lost to Cottesloe and any future benefit (from asset realisation) would be spread over a much wider area.

The core issue of the proposal was the redevelopment and/or sale of the Council's works depot site that was, at that time, estimated to realise a clear profit in excess of \$3 million, and give Council the capacity to undertake significant improvements in the district.

In June 2000, Council considered a further report that drew attention to the difficulty in finding an alternative site for the depot. A number of possible sites had been considered, but all were on reserves or land owned by other agencies, with associated problems arising from the proposed usage and uncertain ownership. Also some sites would have required significant capital acquisition expense.

The prospect of purchasing land in Cottesloe was seen as both remote and impractical, as such a strategy would greatly reduce the benefit of the exercise. The report therefore recommended further investigation into options available to facilitate the relocation of the depot facilities to the Civic Centre.

This avenue of investigation was closed when Council resolved:

That no part of the Civic Centre be used as a Council depot.

The option to utilise some part of the Civic Centre has not therefore been explored and alternative sites that are suitable, available and economically viable have not been found.

In May 2002, Council further resolved:

That Administration prepare a report for Council consideration on the following matters:

- (1) an estimate of cost for the repairs on the building and surrounds with a programme for the carrying out of the works;
- (2) An outline of the scope for financing the project from the sale of the whole, or a section, of the Council Depot; and
- (3) An outline of some of the additional or alternative means for financing the project.

#### **STAFF COMMENT**

The current task is to determine if part or the whole of the depot may be sold. Previous reports detailing subdivision options and the costing can be made available if needed.

The depot is located on 9156m<sup>2</sup> of freehold land. The site is a former limestone quarry that has been excavated to depth of 6-10 metres below the level of surrounding properties. The land is an irregular shape with the only street frontage a 20-metre at Nailsworth Street. It is surrounded by 300 metres of right of way (2700m<sup>2</sup>), which Council owns, and it also shares a 40 metre boundary with one residential lot in Nailsworth Street.

The advantages of the current site are:

- it is fairly well screened from view;
- use has been established;
- it is centrally located; and
- the improvements have value to Council.

Much of the area is unusable because of the previous excavation with steep embankments and irregular surface. Approximately 5000m<sup>2</sup> are currently used for depot purposes, although a lesser area would be sufficient if a new depot was designed and built to meet current needs. Council's depot requirements have been significantly reduced in recent years due to a reduction in staff numbers as a result of contracting of rubbish services, road and footpath construction and some mowing activities. The remaining activities are maintenance of the district including roads, footpaths, gardens and public buildings, and providing emergency response for the district. As the nature of the depot and size required has changed, the depot could be accommodated in a level area of about 2000m<sup>2</sup>. Most of Council's depot requirement is for the out of hours garage space for mowers, trucks and vans and storage space for a small amount of material and plant.

In giving consideration to the sale of part of the site it may at first appear that there is a 600m<sup>2</sup> lot facing Nailsworth Street that could be quickly disposed of. However, the Nailsworth Street frontage is the key to any future subdivision or major change of use of the site and is likely to be required to enable an access road to be constructed to serve any lots created. This frontage would also be required in order to deliver the estimated 40,000m<sup>3</sup> of fill needed in order to develop the site. This may in itself be a profitable exercise as tipping fees, even for clean fill, are now exorbitant and local sites are now rare.

In the south-east corner of the depot there is another comparatively level and stable limestone area of approximately 600m<sup>2</sup> that is currently used as a compound for impounded vehicles. In the northeast corner there is a level area of approximately 1500m<sup>2</sup> of land that is used to store an accumulation of surplus materials of little value. However, stability of this area is unknown because it has been levelled with surplus soil accumulated over many years and is not retained. These two other areas do not have road access.

The need to provide a road access is the major obstacle to selling any portion of the site. It is possible that Council could apply to have the paved sections of the rights-of-way dedicated as public streets in order to overcome this particular impediment. Council took similar action in 1991 when rights-of-way numbers 46, 47A, 47B and 47C were dedicated as public streets and named McNamara Way, Joinery Way and Pennefather Lane. As a result a private developer was able to create four new lots on government land that was otherwise "landlocked". If similar action was approved in this case, it is possible that five or six lots could be created on the east side of the depot. The main obstacles would be that Council would still have to build a major retaining wall, redistribute

and stabilise the existing fill and progressively compact the area as more fill was added. Council would also have to build a new entry to the depot from Nailsworth Street, and provide sewer and all other services to each lot.

The potential financial return obtained for the sale of 5 lots would have to be carefully assessed. One concern would be the low financial return as any new residential lots would face east/west, back onto a depot, be served only by a 5 metre wide right of way, and have only a remote possibility of forming part of a staged development. The partial sale of the depot would therefore seem to be premature. No action should be taken in isolation, as there are strategic implications to be resolved.

In the previous report relating to the subdivision and sale of the whole site, mention was made of Council's other significant asset base, which is comprised of several property holdings in the district. A small income is derived from some areas – such as the Civic Centre contract with Mustard Catering – but the financial return on the assets is minimal compared to their value. The major assets are:

- Civic Centre (Heritage, recreational and functional office use);
- Depot site (functional use);
- Land and building at Harvey Field (1 acre recreational);
- Station Street Car Park (public amenity);
- Old Post Office (community service);
- Station Street sump area (vacant land and drainage); and
- Rights of way and smaller sumps (may be important in the future).

The total value of these assets is many millions of dollars in present day terms, yet most are liabilities in that they cost Council significant funds each year in basic maintenance and upkeep.

The Civic Centre for example is situated on 20,993m<sup>2</sup> of freehold land much of which is under-utilised. Most of the usage is centred on the office and function areas within the buildings in the northeast corner, which is contained in an area of about 7,000m<sup>2</sup>.

At the present time there is no point in pursuing the redevelopment and sale of the whole of the depot site, as the prospect of purchasing suitable land in Cottesloe is both remote and impractical. As previously mentioned such a strategy would greatly reduce the benefit of the exercise, and the option to relocate the depot facilities to some part of the Civic Centre as been ruled out.

The partial sale of the depot is unlikely to be viable because of the proportionally high development cost with limited net return.

**Voting:** Simple Majority.

W20

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr. Miller, seconded Cr. Furlong

**That Council:**

- (1) take no action to dispose of any portion of the Council depot, until a suitable alternative depot site is found; and
- (2) authorise the Chief Executive Officer to undertake further discussions with neighbouring local governments, estate agents and/or other authorities on potential depot sites.

Carried 10/0

**W21**

**SEAVIEW COMMUNITY KINDERGARTEN**

**File No.:** C3.8  
**Applicant:** Seaview Community Kindergarten Inc.  
**Author:** Malcolm Doig  
**Report Date:** 4 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

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**Summary**

Correspondence has been received from the Seaview Kindergarten in response to Council's request for information on the viability of the community based group now restricted to the enrolment of four year olds.

**Policy Implications**

There is no current policy.

**Strategic Implications**

Possible alternative use of the site for other community purpose.

**Financial Implications**

Potential public liability is an issue that needs to be resolved. If a lease is agreed to, cost sharing for maintenance and capital replacement needs to be equitable.

**Background**

Council considered correspondence and a report in September 2001, and resolved:

- (1) Council is willing to assess and make safe any playground equipment that has been identified as being in need of repair;
- (2) Council is prepared to enter into negotiations to formalise the occupation of the land by creation of a lease subject to:
  - (a) confirmation that the community based kindergarten currently limited to the provision of education for four year olds is considered viable in Cottesloe;
  - (b) confirmation that the Kindergarten Committee would be willing to negotiate a reasonable rental based on Council providing the funding for the removal of equipment considered by Council to be unsatisfactory and replacement with suitable equipment;
  - (c) the kindergarten Committee indemnifying Council against claim for damages resulting from any activity conducted at the kindergarten.

**Consultation**

In May 2002, the Manager of Engineering Services and the Works Supervisor met on site with Mrs Emma Short, the teacher and some of the parents committee and agreement was reached on the immediate removal of some unsuitable playground structures. The Chief Executive Officer and the Manager of Engineering Services also met with the President, Mrs Lorraine Young on 4 July.

**Staff Comment**

In June 2002, Council staff removed a concrete pipe and sand structure, realigned a section of concrete path and are still to remove a large tree root that has been adapted as playground equipment and a sand pit bordered by sleepers. Council staff will be able to attend to other minor maintenance tasks subject to confirmation by the management committee, and this may include the removal of some trees that are of concern.

In the reply from the Seaview Kindergarten, the President has advised:

- In 2001, where enrolment was limited to four year olds for the first time the, numbers were unusually low.
- In 2002, there were 78 applications for 38 places.
- There are already 23 applications for places for 2003.
- They believe the demand will remain high.
- There are minor problems in the continuity of services that are being addresses with more detailed documentation.
- The parents are committed and yearly changes to committee are not likely to be a difficulty.
- The kindergarten runs on a fairly restricted budget but they believe the viability of the community kindergarten is sound.
- Basic running cost is \$21,000 per annum which is to be funded with a government grant of \$11,100, fees \$3300, and they expect to raise between \$3500 and \$6,500 to meet the balance.
- There is also a need for funds for capital equipment.
- The kindergarten's insurance arrangements were being reviewed.

It has been suggested to Mrs Young that the existing sand pit be enlarged and the climbing frame be moved. This would be subject to the equipment being modified as recommended by the Education Department in November 2000.

**Voting:** Simple Majority.

Cr. Birnbrauer left the Chamber at 8.23pm and returned at 8.25pm.

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr. Miller, seconded Cr. Furlong

That the correspondence from the Seaview Kindergarten Inc. be received, and that a lease document be drafted to clarify the areas of responsibility outlined below.



Responsibility of Cottesloe Council	Responsibility of Seaview Kindergarten Inc.
Building construction and renewals	Administration, operation and enrolments
Building repairs and painting	Payment of rent
Fencing	Provision of loose equipment and toys
Fixed playground equipment	Lawn and garden maintenance including weed control
Lawn Mowing and tree Maintenance	Insurance of items provided by the kindergarten committee
Water charges	Telephone charges
Insurance of items on Council inventory	Electricity charges
Public liability Insurance	Maintenance of sand pits and play equipment
Pest Control (subject to liaison with kindergarten)	
Parking area	
Quarterly inspection of fixed play equipment	

**AMENDMENT**

Moved Cr. Walsh, seconded Cr. Morgan

That the motion be amended by adding in Responsibility of Seaview Kindergarten Inc. column after the words "*payment of rent*" the following words: "*(waived if preference given to residents of the Town)*".

Lost 3/7

The original motion was put.

W21

**COUNCIL RESOLUTION**

**That the correspondence from the Seaview Kindergarten Inc. be received, and that a lease document be drafted to clarify the areas of responsibility outlined below.**

Responsibility of Cottesloe Council	Responsibility of Seaview Kindergarten Inc.
Building construction and renewals	Administration, operation and enrolments
Building repairs and painting	Payment of rent
Fencing	Provision of loose equipment and toys
Fixed playground equipment	Lawn and garden maintenance including weed control
Lawn Mowing and tree Maintenance	Insurance of items provided by the kindergarten committee
Water charges	Telephone charges
Insurance of items on Council inventory	Electricity charges

Public liability Insurance	Maintenance of sand pits and play equipment
Pest Control (subject to liaison with kindergarten)	
Parking area	
Quarterly inspection of fixed play equipment	

Carried 8/2

Cr. Furlong left the Chamber at 8.34pm and returned at 8.35pm.

**W22 STREET TREE SPECIES LIST**

**File No.:** E17.5  
**Author:** Malcolm Doig  
**Report Date:** 8 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

**Summary**

To consider a draft street tree species list for adoption as an appendix to the existing Street Tree Policy.

**Statutory Environment**

Nil.

**Policy Implications**

The Street Tree Species list will form part of the adopted Street Tree Policy.

**Strategic Implications**

Tree species selected will have a significant effect on future streetscapes.

**Financial Implications**

Careful selection of street tree species is also important in terms of ongoing maintenance costs and risk management.

**Background**

In February 2002, Council considered an arboricultural report that reviewed street tree species commissioned by Council in 1999 and a redraft of the species list, incorporating the changes recommended by the arboricultural consultant, was recommended by staff for public consultation. Council resolved:

That Council:

- (1) Receive the arboricultural report relating to recommended street tree species prepared by Charles Aldous-Ball;
- (2) Request the Care for Cott (LA21) Committee to take the species list and incorporate local biodiversity into the criteria for the selection of street tree species by referring to experts and bring their findings back to the Works Committee for its April meeting;
- (3) Request the Manager, Engineering Services, to investigate employing a consultant through WESROC or the Town of Cottesloe to investigate what is causing the general street decline.

Since then the members of Care for Cottesloe have sought further expert opinion and have prepared a further draft of the document. Members of the Care for Cottesloe Committee have also met with Council staff to discuss some of the suggestions relating to additional species being considered.

### Consultation

Consultation has been limited to the Care for Cottesloe Committee. Further consultation may not be needed at this stage.

### Staff Comment

The original report was written by a retired Director of Parks and Gardens, and emphasises the practical issues based on industry experience. The desirable features listed in the original draft appear to be based on the type of problems that have been encountered over many years in the Perth metropolitan area. The list does highlight some of the potential benefits of street trees and difficulties that may result from inappropriate planting. Most of this information is in the adopted policy and does not need to be spelled out in the species list.

The Care for Cottesloe draft suggests that the Council adopt the principles expressed in the document "A Strategic Plan for Perth's Greenways, Final Report" by A. Tingay and Associates, 1998. Although mention is made of the fact that it is a preliminary document that may change as a result of the Western Suburbs Greening Plan that is currently in the process of being developed for WESROC. It would therefore be premature to endorse the principles, as Council has not seen the Tingay report and recommendations.

At this time there is still much to be learnt in the area of local biodiversity, and the results of the WESROC study are as yet unknown. There is real difficulty in trying to incorporate such issues into an acceptable policy document at this time. For that reason it is suggested that Council simply decide upon the species list, and revise the adopted Street Tree Policy when the whole issue of local biodiversity has been decided upon. In this way all the policy objectives and criteria can be reconciled, and then included in a single policy document with a supporting species list.

In discussion with the Care for Cottesloe Committee, broad agreement was reached on a number of species that may be added to the list drafted in February 2002. The resulting list of agreed Tree Species follows:

Selected Species	Common Name
<b>ZONE 1</b>	
Agonis flexuosa	W.A. Peppermint Tree
Allocasuarina equisetifolia	Fine Leaved Sheoak
Melaleuca lanceolata	Rottnest Island Tea Tree
Callitris preisii	Rottnest Cypress
*Araucaria heterophylla	Norfolk Island Pine ( <i>Replacement only</i> )
<b>ZONE 2</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Eucalyptus decipiens	Limestone Marlock

Selected Species	Common Name
Eucalyptus platypus var. heterophylla	Coastal Moort
Callistemon 'Kings Park Special'	Red Bottlebrush
*Araucaria heterophylla	Norfolk Island Pine ( <i>Replacement only</i> )
<b>ZONE 3</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Melaleuca raphiopylla	Swamp Paperbark
Callistemon 'Kings Park Special'	Red Bottlebrush
Eucalyptus torquata	Coral Gum (Kalgoorlie)
Angophora lanceolata	Apple Myrtle
*Araucaria heterophylla	Norfolk Island Pine ( <i>Replacement only</i> )
<b>ZONE 4</b>	
Fraxinus raywoodii	Claret ash
Melaleuca quinquinervia	Broad-leafed Paperbark

Further consideration will be given to the following species and a number will be planted on a trial basis so their growth in various local conditions can be assessed:

- Acacia aneura
- Eucalyptus stowardii
- Eucalyptus megacornata
- Eucalyptus lane-poolei - Salmon Whitegum
- Eucalyptus looperana
- Eucalyptus mallee
- Hakea bucculenta - Red poker flowers
- Eucalyptus gomphocephala – Tuart
- Eucalyptus marginata – Jarrah
- Corymbia calophylla - Marri
- Hakea prostata - Harsh Hakea (barrier planting)
- Pittosporum phylliraeoides – Cheesewood (coastal form)
- Casuarina obesa - Salt Sheoak
- Melaleuca cuticularis - Salt water paperbark
- Eucalyptus todtiana - Prickly bark
- Melaleuca preissiana mcdong.

**Voting:** Simple majority.

#### OFFICER RECOMMENDATION

That Council adopt the following tree species as the selection list forming part of the Street Tree Policy.

Selected Species	Common Name
<b>ZONE 1</b>	
Agonis flexuosa	W.A. Peppermint Tree
Allocasuarina equisetifolia	Fine Leaved Sheoak
Melaleuca lanceolata	Rottnest Island Tea Tree

Selected Species	Common Name
Callitris preisii	Rottnest Cypress
Araucaria heterophylla	Norfolk Island Pine ( <i>Replacement only</i> )
<b>ZONE 2</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Eucalyptus decipiens	Limestone Marlock
Eucalyptus platypus var. heterophylla	Coastal Moort
Callistemon 'Kings Park Special	Red Bottlebrush
Araucaria heterophylla	Norfolk Island Pine ( <i>Replacement only</i> )
<b>ZONE 3</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Melaleuca raphiopylla	Swamp Paperbark
Callistemon 'Kings Park Special	Red Bottlebrush
Eucalyptus torquata	Coral Gum (Kalgoorlie)
Angophora lanceolata	Apple Myrtle
*Araucaria heterophylla	Norfolk Island Pine ( <i>Replacement only</i> )
<b>ZONE 4</b>	
Fraxinus raywoodii	Claret Ash
Melaleuca quinquinervia	Broad-leafed Paperbark

### COMMITTEE RECOMMENDATION

Moved Cr. Miller, seconded Cr. Furlong

That Council adopt the following tree species as the selection list forming part of the Street Tree Policy:

Selected Species	Common Name
<b>ZONE 1</b>	
Agonis flexuosa	W.A. Peppermint Tree
Allocasuarina equisetifolia	Fine Leaved Sheoak
Melaleuca lanceolata	Rottnest Island Tea Tree
Callitris preisii	Rottnest Cypress
Araucaria heterophylla	Norfolk Island Pine
<b>ZONE 2</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Eucalyptus decipiens	Limestone Marlock
Eucalyptus platypus var. heterophylla	Coastal Moort
Callistemon 'Kings Park Special	Red Bottlebrush
Araucaria heterophylla	Norfolk Island Pine

<b>ZONE 3</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Melaleuca raphiopylla	Swamp Paperbark
Callistemon 'Kings Park Special'	Red Bottlebrush
Eucalyptus torquata	Coral Gum (Kalgoorlie)
Angophora lanceolata	Apple Myrtle
Araucaria heterophylla	Norfolk Island Pine
<b>ZONE 4</b>	
Fraxinus raywoodii	Claret Ash
Melaleuca quinquinervia	Broad-leafed Paperbark
Araucaria heterophylla	Norfolk Island Pine

### AMENDMENT

Moved Cr. Utting, seconded Cr. Furlong

That the motion be amended by adding in the words "*(Replacement only)*" as for Officer Recommendation in Zones 1,2 & 3 and deleting "*Araucaria heterophylla – Norfolk Island Pine*" in Zone 4.

Lost 4/6

The original motion was put.

W22

### COUNCIL RESOLUTION

Selected Species	Common Name
<b>ZONE 1</b>	
Agonis flexuosa	W.A. Peppermint Tree
Allocasuarina equisetifolia	Fine Leaved Sheoak
Melaleuca lanceolata	Rottnest Island Tea Tree
Callitris preisii	Rottnest Cypress
Araucaria heterophylla	Norfolk Island Pine
<b>ZONE 2</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Eucalyptus decipiens	Limestone Marlock
Eucalyptus platypus var. heterophylla	Coastal Moort
Callistemon 'Kings Park Special'	Red Bottlebrush
Araucaria heterophylla	Norfolk Island Pine
<b>ZONE 3</b>	
Agonis flexuosa	W.A. Peppermint Tree
Melaleuca quinquinervia	Broad-leafed Paperbark
Melaleuca raphiopylla	Swamp Paperbark
Callistemon 'Kings Park Special'	Red Bottlebrush
Eucalyptus torquata	Coral Gum (Kalgoorlie)
Angophora lanceolata	Apple Myrtle
Araucaria heterophylla	Norfolk Island Pine

<b>ZONE 4</b>	
Fraxinus raywoodii	Claret Ash
Melaleuca quinquinervia	Broad-leafed Paperbark
Araucaria heterophylla	Norfolk Island Pine

Carried 9/1

Cr. Utting left the Chamber at 8.40pm and returned at 8.43pm.

**W23 VERGE PARKING – NO. 58 ERIC STREET**

**Applicant:** G & M Prout  
**Author:** Malcolm Doig  
**Report Date:** 10 July, 2002  
**Author Disclosure of Interest:** Nil  
**Senior Officer:** Stephen Tindale

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**Summary**

To consider a request for a special subsidy towards the cost of constructing a verge parking area at No. 58 Eric Street.

**Statutory Environment**

Local Government Act.

**Policy Implications**

Parking- Residential (See Policy Manual Pages 44-46).

**Strategic Implications**

Nil.

**Financial Implications**

Nil.

**Background**

In January 2002, Mr and Mrs Prout enquired about the possibility of constructing a crossing because of the difficulty in mounting the barrier kerb and complaints from neighbours about use of crossing serving another property. They also pointed out that a new crossing point had been constructed at No. 66 Eric Street. After researching the background staff advised that the crossing at No. 66 was built as a temporary measure to resolve a dispute between neighbours resulting from use of an adjoining crossover by health carers attending an elderly resident. They were advised that they were able to construct a verge parking area, and that the offer of a subsidy had elapsed in December 1997.

Vehicle access to the verge is difficult in cases where vehicle crossings have not been constructed. Some properties on the north side of Eric Street, between Marmion Street and Curtin Avenue, have not previously found it necessary to construct a vehicle crossover as vehicle access is via the right of way at the rear. A number of these properties also have minimum front setbacks or may have solid walls and variations in levels that preclude the construction of garages. Where vehicle access onto the property cannot be achieved a standard vehicle-crossing place cannot be constructed. In these

cases owners have the option of building a verge parking area at their expense as detailed in the Residential Parking Policy.

Kerbside parking in Eric Street for visitors and trades is not illegal but certainly not recommended. This issue was recognised in the design concept when Eric Street was realigned to the centre of the road reserve in 1994-6, and provision was made in the design for off road parking embayment in this section. During the consultation process residents petitioned Council not to build the parking bays and the design was changed.

However when construction was completed there was a very strong demand for verge parking from residents who felt aggrieved by Council's decision not to build the embayments. In August 1997, Council responded by offering to allow residential parking areas to be built in accordance with the policy and offering a special subsidy of \$800, which was at that time equal the cost of a standard crossover subsidy. This subsidy was offered for a three-month period, expiring in December 1997.

### **Consultation**

There was extensive consultation prior to the works commencing and following construction when parking issues were raised.

### **Staff Comment**

In this case Council needs to decide if Council should subsidise the cost of construction.

While the objectives of the parking policy are valid the design and method of construction of the parking areas has not proved popular because of the cost involved and the need for residents to arrange the installation of "BG Blocks". There is also an ongoing need maintain grass on the surface and surrounds.

**Voting:** Simple Majority.

W23

### **OFFICER & COMMITTEE RECOMMENDATION**

Cr. Sheppard foreshadowed a replacement motion if the Officer and Committee recommendation was lost.

Moved Cr. Miller, seconded Cr. Furlong

That the correspondence from Mr and Mrs Prout of No. 58 Eric Street be received, and Council advise that it is not in a position to offer a subsidy towards the cost of constructing a verge parking area.

5/5 Lost on Mayor's Casting Vote

### **REPLACEMENT MOTION AS FORESHADOWED**

Moved Cr. Sheppard, seconded Cr. Furlong

That the correspondence from Mr and Mrs Prout of No. 58 Eric Street be received, and Council advise:



- (1) as to what can be achieved in the light of the verge parking policy and the cost of such access;
- (2) and that a subsidy be offered towards construction costs which is CPI comparable to that offered in 1997.

The Mayor directed, with agreement of the meeting, that each part be dealt with separately.

**W23 COUNCIL RESOLUTION**

**That the correspondence from Mr and Mrs Prout of No. 58 Eric Street be received, and Council advise:**

- (1) **as to what can be achieved in the light of the verge parking policy and the cost of such access;**
- (2) **and that a subsidy be offered towards construction costs which is CPI comparable to that offered in 1997.**

Carried 9/1

5/5 Carried on Casting Vote of Mayor

**W24 COTTESLOE WADING POOL**

<b>File No.:</b>	<b>E2.13</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Malcolm Doig</b>
<b>Report Date:</b>	<b>16 July, 2002</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Senior Officer:</b>	<b>Stephen Tindale</b>

The issues to be resolved with the pool are:

- Statutory requirements;
- Water Quality and Supply;
- Structural;
- Public Safety;
- Funding;
- Design detail; and
- Construction.

The statutory requirements and water quality issues have been addressed in a reply from the Executive Director of Public Health in response to Council's correspondence of February 5. Copy attached.

The reply is really no different from the reply of 14 December, 2001 as the only point that has been clarified is that the water depth is now recognised as 60 cm rather than 30 cm. The structure is not considered to be a "public swimming pool" under the provisions of the current Health Act (Swimming Pool) Regulations of 1964. There is no indication that the position will change when the new regulations are drafted although they are expected to contain water quality provisions that will also be applicable to a "wading pool". The Director's

letter again highlights the need for safety signage, operations restricted to daylight and provision of first aid facilities.

It is obvious that there is divided opinion within the Health Department on this issue as the latest advice is different to the opinions expressed by officers in recent conversations with the Environmental Health Officer. It is to be hoped that the new regulations are consistent with the Departments stated opinion.

Council last considered this matter in November 2001, but the matter was not resolved as the Committee recommendation was lost. The Officer recommendation to the Committee was:

That Council:

- (1) Amend the 20001/02 Budget to include provision of \$170,000 for capital works on the Cottesloe Beach Wading Pool.
- (2) Call tenders and or quotations to bring the water supply and maintenance system of the Cottesloe Beach Wading Pool up to an acceptable standard.
- (3) Delegate power to the CEO to accept tenders up to a maximum amount that together do not exceed \$170,000 for the project to bring the water supply and maintenance system of the Cottesloe Beach Wading Pool up to an acceptable standard.

The Committee recommendation to Council was:

That Council:

- (1) Note the Cottesloe Beach Wading Pool is beyond economical repair to bring it to an acceptable standard; and
- (2) Arrange for the current structure to be demolished.

The recommendation was also lost.

In October 2001, Council has resolved:

That Council direct administration to:

- (1) Expedite the study of future options for the Cottesloe beach wading pool or water feature playground as agreed by Council on 30 April, 2001; and
- (2) Examine immediate options to have the wading pool re-opened as soon as possible on an interim basis for the coming summer beach season.

In the meantime the structural issues have been addressed in a report prepared by GHD Consulting Engineers.

The public safety issues will need to be further considered together with the need to ensure the availability of first aid. Council will also need to control hours of operation and put in place a procedure for filling and emptying the pool daily.

At this time budget provision has not been made for detailed planning that will be required or for the works that will be required to meet the requirement for water quality. Additional funding would be required for the detailed design works and, subject to satisfactory cost estimates, for the construction of the water supply and modifications to the pool.

If Council does wish to proceed, the first step should be to amend the current budget to provide sufficient funds to engage Geoff Ninnes of Ninnes Fong and Partners to prepare a more detailed design concept and costing for an improved water supply. A further budget amendment will be required when construction costs are known.

**Voting:** Absolute Majority

#### **OFFICER RECOMMENDATION**

- (1) That the 2002/2003 budget be amended to provide \$ 20,000 for the investigation and design of modifications to the wading pool and provision of a salt water supply.
- (2) That Ninnes Fong and Partners be engaged to provide a report to:
  - (a) Review the technical information now available;
  - (b) Investigate the options for an acceptable water supply to the pool;
  - (c) Investigate the need for repair and modification the wading pool;
  - (d) Prepare a design concept;
  - (e) Prepare cost estimates; and
  - (f) Report on relevant safety issues.

#### **COMMITTEE RECOMMENDATION**

That the matter be referred through to Full Council for further consideration.

Note: It was felt that Council needed to resolve the fundamental question of whether there was a future for the wading pool or not.

Cr. Whitby tabled a recommendation which reads as follows.

*“That Council:*

- (1) Resolve to retain the Cottesloe Beach Children’s Wading Pool as a public facility providing safe recreational enjoyment to adult-supervised children;*
- (2) Amend the 2002/2003 Budget to provide \$5,000 for the design of urgent modifications to provide the Wading Pool with a continual flow of clean seawater as suggested by the Health Department of WA.*
- (3) Advise its intention to proceed with necessary works within cost limits, so that the Wading Pool can be re-opened for public use as soon as possible.”*

The Mayor directed, with agreement of the meeting, that each part be dealt with separately.

Moved Cr. Whitby, seconded Mayor Hammond

- (1) Resolve to retain the Cottesloe Beach Children’s Wading Pool as a public facility providing safe recreational enjoyment to adult-supervised children;

Moved Cr. Birnbrauer, seconded Mayor Hammond that the motion be now put.

Carried 6/4

The motion was put.

- (1) **Resolve to retain the Cottesloe Beach Children’s Wading Pool as a public facility providing safe recreational enjoyment to adult-supervised children;**

Carried 6/4

Moved Cr. Whitby, seconded Mayor Hammond

- (2) Amend the 2002/2003 Budget to provide \$5,000 for the design of urgent modifications to provide the Wading Pool with a continual flow of clean seawater as suggested by the Health Department of WA;

**AMENDMENT**

Moved Cr. Ewing, seconded Cr. Sheppard

That the motion be amended by deleting “\$5,000” and substituting with “\$20,000”.

6/4 Carried by Absolute Majority

The amended motion was put.

- (2) **Amend the 2002/2003 Budget to provide \$20,000 for the design of urgent modifications to provide the Wading Pool with a continual flow of clean seawater as suggested by the Health Department of WA;**

Carried 6/4

Part (3) was withdrawn by the mover with agreement by the seconder.

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

Nil.

**12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING – (A) ELECTED MEMBERS – (B) OFFICERS**

**12.1 HERITAGE POLICY**

Moved Cr. Miller, seconded Cr. Furlong that the Mayor’s late motion be accepted.

Carried 8/2

Moved Mayor Hammond, seconded Cr. Furlong

**That the consultant’s report relating to Council’s Heritage Policy be completed in time to be put to the September Development Services Committee meeting.**

Carried 8/2

**13 MEETING CLOSURE**

*The Mayor announced the closure of the meeting at 9.15pm.*

CONFIRMED: MAYOR \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_