

TOWN OF COTTESLOE



FULL COUNCIL MEETING MINUTES

ORDINARY MEETING OF COUNCIL
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
7.00 PM, Monday, 22 July, 2013

CARL ASKEW
Chief Executive Officer

25 July 2013

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 7:00 PM.

2 DISCLAIMER

The Presiding Member drew attention to the town's disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor commented that the Government's decision on the metropolitan local government reform process will be announced by the Premier and Minister very shortly and it is likely that the public will get what the public wants.

In addition he also advised that earlier this evening the Council received an informative presentation from the chairperson and deputy chairperson of the Westcoast Community Centre which outlined their activities and services to the local community. As part of that presentation there was discussion about their use of the Community Centre at the Grove Library and their recently signed Memorandum of Understanding (MOU) with the Shire of Peppermint Grove, as Council's appointed manager of the Library and Community Centre. Specifically there was discussion over the annual cost of the MOU.

The Mayor suggested that whilst recognising that the Shire of Peppermint Grove has levied a fair fee for the use of the facility, it would be good from a community development perspective for the member Councils to recognise that contribution through their respective budgets and contribute to their cost for the use of the facility. The Mayor foreshadowed that he would move that Council consider a motion of urgent business given the MOU has been signed, to consider such a proposal of assistance to the Westcoast Community Centre.

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

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Mr Craig Smith - Gander – 21 Brighton Street, Cottesloe – Re. 10.3.2 North Cottesloe Surf Life Saving Club - Proposed Club Liquor Licence

Mr Smith-Gander thanked the Council for the opportunity to speak on the Club's application, in order to address some misconceptions of what the Club is trying to achieve. He acknowledged that most of the councillors have seen the plan and confirmed that the Club's application is only for part of the

building. For many years they have used a similar sized area for occasional social functions and their intention is to continue that practice, such as for the opening and closing of the season. In addition they have a number of families within the club and as part of their plans to introduce compulsory training on Wednesdays, Fridays and Sundays would like families to join their members watch the training and stay on afterwards for a meal etc. The club is not trying to create a bar like the OBH and their main purpose is to provide social amenities for the members. Their proposal will not be used for large functions other than what he has already described, and there is no intention to hire out the facility to a third party. Mr Smith-Gander stated that he will be available to answer any questions and urged Council to support the officer and Committee recommendation.

6 ATTENDANCE

Present

Mayor Kevin Morgan
Cr Greg Boland
Cr Jack Walsh
Cr Katrina Downes
Cr Yvonne Hart
Cr Sally Pyvis
Cr Peter Jeanes
Cr Robert Rowell
Cr Victor Strzina

Officers Present

Mr Carl Askew	Chief Executive Officer
Mr Mat Humfrey	Manager Corporate & Community Services
Mr Andrew Jackson	Manager Development Services
Mrs Lydia Giles	Executive Officer

6.1 APOLOGIES

Nil

Officer Apologies

Mr Geoff Trigg	Manager Engineering Services
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6.2 APPROVED LEAVE OF ABSENCE

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Pyvis, seconded Cr Strzina

That Cr Pyvis request for leave of absence from the August round of meetings be granted.

Carried 9/0

7 DECLARATION OF INTERESTS

Nil

8 CONFIRMATION OF MINUTES

Moved Cr Strzina, seconded Cr Walsh

[Minutes June 24 2013 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Monday, 24 June, 2013 be confirmed.

Carried 9/0

9 PRESENTATIONS

9.1 PETITIONS

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of public present, the Presiding Member determined to consider the following: Item 10.3.2 first, then returned to the published order of the agenda. From the Development Services Committee items 10.3.1 and 10.3.3 were withdrawn for consideration.

From the Works & Corporate Services Committee item 10.4.6 was withdrawn for consideration. The remainder items were dealt with 'En Bloc'.

10 REPORTS**10.1 REPORTS OF OFFICERS**

Nil

10.2 REPORTS OF COMMITTEES**10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 15 JULY 2013****10.3.1 NO. 14 (LOT 101) WENTWORTH STREET - ALTERATIONS AND ADDITIONS, INCLUDING A FIRST-FLOOR ADDITION, DOUBLE CARPORT, FENCING AND A POOL**

File Ref: 2604
Attachments: [Aerial Photo](#) [14 Wentworth Street Photographs](#) [Front Elevation](#) [Site Plans](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ed Drewett
Senior Planning Officer

Proposed Meeting Date: 15 July 2013
Author Disclosure of Interest: Nil
Property Owner: Yolanda Brent-White
Applicant: Anthony Michael Design
Date of Application: 23 January 2013
Zoning: Residential R20
Use: P - A use that is permitted under this Scheme
Lot Area: 468.5m²
M.R.S. Reservation: Not applicable.

SUMMARY

This application is seeking the following variations to Council's Town Planning Scheme (TPS 2), Fencing Local Law and the Residential Design Codes (RDC):

- Front setback
- Side setback
- Solid (side) fencing in front setback.

Each of these aspects is discussed in this report and refers to plans received on 6 June 2013.

Given the assessment that has been undertaken, the recommendation is to conditionally approve the application.

PROPOSAL

This application is for alterations and additions to an existing dwelling, incorporating a new double carport, laundry and store on the ground floor and a bedroom, ensuite,

WC and retreat above. A new pool and fencing is also proposed within the front setback area.

STATUTORY ENVIRONMENT

- Town Planning Scheme No.2
- Residential Design Codes

POLICY IMPLICATIONS

Fencing Local Law

PROPOSED LOCAL PLANNING SCHEME NO.3

No change is proposed to the existing coding of this lot.

HERITAGE LISTING

Not applicable.

APPLICATION ASSESSMENT

AREAS OF NON-COMPLIANCE

Residential Design Codes

Design Element	Acceptable development	Proposed	Performance criteria
6.2 – Streetscape	Wall in front setback areas above 1.2m to be visually permeable.	1.8m solid walls along side boundaries in the front setback.	Clause 6.2.5 – P5
6.3 – Boundary setback	Minimum 1.8m from upper floor to western boundary.	1.53-1.7m.	Clause 6.3.1 – P1
	Walls built up to a boundary behind the front setback.	Carport proposed in front setback.	Clause 6.3.2 – P2

Council Policy/Resolution

	Permitted	Proposed
Streetscape	6m front setback (Council resolution 28/10/02).	3.229m.
Garages and Carports in Front Setback Areas	6m, but may be reduced to 4.5m or less where perpendicular to the street and if satisfies policy criteria.	3.299m.
Fencing in Front setback	Open-aspect design above 0.9m to maximum 1.8m height.	1.8m solid side walls in front setback.

ADVERTISING OF PROPOSAL

The application was advertised in accordance with TPS 2 and consisted of a letter to three adjoining property owners. Advertising closed on 24 June 2013 and there were no submissions.

BACKGROUND

An initial assessment of the application revealed a number of areas of non-compliance with Council requirements, including the location of a new double garage and roofed gateway/covered path in the front setback area, the removal of a street tree, the height of retaining walls, walls on boundaries, visual privacy and solid fencing.

The application has subsequently been substantially amended to overcome many of the planning concerns initially indentified by Council Officers.

PLANNING COMMENT

The following technical assessment is made in respect to the proposed development:

Front setback

In 2002 Council resolved to generally require a 6m front setback for residential development (for the preservation of streetscape, view corridors and amenity). The acceptable development standards of the RDC also require a minimum 6m front setback in an R20 zone, although this may be reduced to 3m providing it averages 6m across the lot, or where a reduced setback corresponds with the average of the setback of existing dwellings on each side.

The proposed double carport on the western side of the lot and bedroom 1 above have a 3.299m front setback. However, the remainder of the existing single-storey dwelling has front setbacks varying between approximately 7.3m (to the verandah) and 9.2m to achieve a 6m average front setback and therefore making it compliant with the acceptable development standards of the RDC.

Furthermore, with the exception of this dwelling and the neighbouring dwelling on its eastern side, the remainder of dwellings on this side of the street all have their frontages to Boreham Street, rather than to Wentworth Street. These other dwellings have been mostly developed with rear, secondary street setbacks of 1.5m or less to Wentworth Street (compliant with the RDC) with garages, sheds and solid rear fences being dominant features in the street. Even the dwelling on the eastern side of the lot (which appears to have frontages to both Boreham Street and Wentworth Street) has a solid front wall and a double carport in the front setback area and does not appear to contribute to the streetscape.

The dwellings on the southern side of the street comprise of both older and newer dwellings with front setbacks ranging from approximately 3m to 6m and which generally create a more traditional open streetscape than on the northern side. However, these lots are generally smaller and narrower than the lots on the northern side and are proposed to be re-zoned from R20 to R35 under LPS 3, which will allow front setbacks of minimum 2m, average 4m, under the acceptable development standards of the RDC.

Wentworth Street is a no-through road which does not attract high vehicular or pedestrian traffic volumes along it. Properties along this stretch of road would have limited exposure to the public and attempts to achieve a more traditional streetscape with greater front setbacks would be difficult in view of the orientation of the majority of the dwellings on the northern side towards Boreham Street.

Setback of carport

The proposed double carport replaces an existing carport on the same side of the lot and is proposed to have a 3.299m front setback.

The acceptable development standards of the RDC permits carports within the street setback area provided that the width of the carport does not exceed 50% of the frontage at the building line and the construction allows an unobstructed view between the dwelling and the street, which is the situation in this case.

Council Policy *Garages and Carports in Front Setback Area* (Policy TPSP 003) generally requires carports (and garages) to be positioned behind the 6m front setback line, although the policy does also allow for carports to be constructed up to the street alignment where the following criteria has been considered:

- *materials, design and appearance being in character with the dwelling and surrounding streetscape;*
- *consideration of view lines from adjoining properties;*
- *provision of adequate manoeuvring space;*
- *relevant objectives of the RDC;*
- *the effect of such variation on the amenity of any adjoining lot;*
- *the existing and potential future use and development of any adjoining lots;*
and
- *existing setbacks from the street alignment in the immediate locality, in the case of setbacks from the principle street.*

The proposed carport will comprise of a steel-framed, open-sided structure, which will be integrated with the proposed upper floor. It will be abutting the rear of the western neighbour's property and is well-setback from the eastern adjoining property so will not obstruct view lines from either property. It will also have direct access to the street, will not affect existing and potential future uses and development of adjoining lots, and will have a greater setback than most carports and garages that already exist along this side of the street and consequently is unlikely to have any significant visual impact on the streetscape.

Wall on boundaries

The proposed double carport will be supported by columns along the western boundary that are partially within the 6m front setback area and therefore the location of the carport is required to be considered under performance criteria of the RDC which state:

Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:

- *make effective use of space; or*
- *enhance privacy; or*
- *otherwise enhance the amenity of the development; and*
- *not have any significant adverse effect on the amenity of the adjoining property; and*
- *ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.*

The location of the proposed carport on the western boundary makes effective use of space, freeing up the remainder of the frontage for a new swimming pool and deck area. It will also be adjoining an existing garage located in the rear of the lot on the western side and is proposed to be only 2.7m in height and 6.3m in length so is unlikely to have any significant adverse effect on the amenity of the adjoining property above the proposed boundary fence, or effect direct sun to major openings and outdoor living areas. The adjoining owner has not objected to the proposal and has previously agreed to a two-storey wall to be built along the boundary, although that plan has been subsequently superseded by this current proposal.

Side setbacks

The proposed upper floor (bedroom 1 - corridor) has a setback of between 1.533m and 1.7m from the western boundary, in lieu of a 1.8m setback required under the acceptable development standards of the RDC. This variation can be considered under performance criteria, which state:

Buildings set back from boundaries other than street boundaries so as to:

- *provide adequate direct sun and ventilation to the building;*
- *ensure adequate direct sun and ventilation being available to adjoining properties;*
- *provide adequate direct sun to the building and appurtenant open spaces;*
- *assist with protection of access to direct sun for adjoining properties;*
- *assist in ameliorating the impacts of building bulk on adjoining properties; and*
- *assist in protecting privacy between adjoining properties.*

The proposed variation is relatively minor and is partly necessary to compensate for a slight angle along the lot boundary. The proposed setback variation will not have any significant impact on direct northern sun and ventilation to the dwelling or the adjoining property on the western side or to appurtenant open spaces. The western elevation will also be partially recessed at the rear which will assist in ameliorating the impacts of building bulk on the adjoining property and only high-level windows are proposed to assist in protecting privacy.

Fencing in front setback area

The existing solid side fences within the front setback area are proposed to be replaced with solid 1.8m high rendered brick walls which do not satisfy the acceptable development standards of the RDC or Council's Local Law, but they may be considered under performance criteria of the RDC and as a guide to variation of the local law.

The relevant performance criteria of the RDC state:

Front walls and fences to promote surveillance and enhance streetscape, taking account of:

- *the need to provide protection from noise and headlight glare where roads are designated as Primary or District Distributors or Integrator Arterials; or*
- *the need to provide screening to the front setback area;*
- *the need to provide privacy to north facing outdoor living areas.*

Council's Fencing Local Law (gazetted 2001) also provides discretion and states:

Side boundary and secondary street boundary fences that fall within the front setback areas must comply with the requirements of front setback fencing (ie: no greater than 900mm unless of an open-aspect design).

Council may consent in exceptional circumstances to new fences which do not comply with the local law with consideration as to whether the proposed fence would have an adverse effect on:

- *the safe and convenient use of land;*
- *the safety or convenience of any person and;*
- *the impact of the fence on the streetscape.*

The proposed solid fencing along the western boundary is needed to maintain privacy to the rear of the adjoining property which fronts Boreham Street and the solid fencing along the eastern boundary is required to maintain privacy to the front paved driveway area of the adjoining dwelling from the proposed pool and deck area. The fences will not affect the safe and convenient use of the land, the safety or convenience of any person or the overall streetscape due to the proximity of existing solid fences on both adjoining lots. Furthermore, the remainder of the proposed fencing along the front boundary will replace an existing solid fence and will be compliant with the RDC and Fencing Local Law requirements as it will comprise 1.3m high metal vertical bars with 50mm spacing above a 0.5m high solid wall, with complementary piers and open-aspect gates to match.

CONCLUSION

The proposed alterations and additions can be supported with the front and side setback and fencing variations sought, as the proposal satisfies the relevant performance criteria of the RDC and represents acceptable variations to Council's policy pertaining to garages and carports in front setback areas and its Fencing Local Law. Furthermore, no submissions have been received from adjoining owners during advertising and the applicant has agreed to marginally reduce the wall heights to the rear portion of the two-storey addition to ensure that the development is fully compliant with the building height requirements of TPS 2 and this has been conditioned accordingly.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee briefly discussed the proposal in relation to the front setbacks but on balance considered that they were acceptable in the context of the streetscape.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Cr Rowell

That Council GRANT its approval to Commence Development for the proposed alterations and additions, including a first-floor addition, double carport, fencing and a pool at 14 (Lot 101) Wentworth Street, Cottesloe in accordance with the plans received 6 June 2013, subject to the following conditions:

1. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 – Construction Sites.
2. The external profile of the development as shown of the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Town.
3. Stormwater runoff from the driveway or any other paved portion of the site shall not be discharged into the street reserve or adjoining properties and the gutters and downpipes used for the disposal of stormwater runoff from roofed areas shall be included within the working drawings for a Building Permit.
4. Air-conditioning plant and equipment shall be located closer to the existing dwelling than the adjoining dwellings, and housed or treated to ensure compliance with the Environmental Protection (Noise) Regulations.
5. The applicant applying to the Town for approval to modify the crossover in accordance with the Town's specifications, as approved by the Manager Engineering Services or an authorised officer.
6. The crossover shall be located to ensure retention of the existing street tree(s), with the Works Supervisor determining the distance that the crossover shall be located away from the base of the tree(s).
7. The pool pump and filter shall be suitably housed or treated to ensure that environmental nuisance due to noise or vibration from mechanical equipment is satisfactorily minimised to within permissible levels outlined in the Environmental Protection (Noise) Regulations 1997.
8. Wastewater or backwash water from swimming pool filtration systems shall be contained within the boundary of the property on which the swimming pool is located and disposed of into adequate soakwells.
9. A soakwell system shall be installed to the satisfaction of the Environmental Health Officer, having a minimum capacity of 763 litres

and located a minimum of 1.8 metres away from any building or boundary.

10. Wastewater or backwash water shall not be disposed of into the Town's street drainage system or the Water Corporation's sewer.
11. The finish and colour of the columns on the boundary facing the western neighbour shall be to the satisfaction of the Manager Development Services.
12. Wall heights shall not exceed RL: 15.79. Details are to be submitted for approval at Building Permit stage.
13. In accordance with Council's Fencing Local Law, the proposed fencing along the front boundary shall have an "open aspect" in that the palings shall be spaced to ensure the width between each paling is at least equal to the width of the paling, with a minimum space of 50mm and a minimum open aspect of 50% of the infill panel, and the piers shall not exceed 2.1m in height from Natural Ground Level.

Advice Note:

The applicant/owner is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the owner's property.

Carried 9/0

10.3.2 NORTH COTTESLOE SURF LIFE SAVING CLUB - PROPOSED CLUB LIQUOR LICENCE

File Ref: PR54385-02
Attachments: [Aerial Photo North Cottesloe Surf Life Saving Club](#)
[Application for Liquor Licence](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 15 July 2013
Author Disclosure of Interest: Nil

SUMMARY

North Cottesloe Surf Life Saving Club (NCSLSC) is applying to the Department of Racing, Gaming and Liquor (DRGL) for a Club Licence to govern the service of alcohol at the premises.

As part of the application process to the DRGL, the Club has requested support from the Town, as well as associated Sections 39 and 40 Certificates signifying health and planning compliance. A covering letter and Public Interest Assessment statement from the application are attached for more information.

This report to Council presents the Club's request, which is recommended.

BACKGROUND

Somewhat surprisingly, NCSLSC has operated for many years without a (liquor) Club Licence, instead applying to the DRGL to license occasional events, which have been granted. NCSLSC wishes to provide bar service in a social setting to members/guests which is readily available after training or patrol session, surf carnivals and for club-related events such as fund-raising, awards, etc. NCSLSC will not be making the premises available for any (non-member) private functions to occur there; ie it will not be a public function centre for commercial gain.

Cottesloe has several sports clubs, including the Cottesloe Surf Life Saving Club (CSLSC), tennis, golf and rugby clubs, all of which have held liquor licences for many years. Specifically:

- CSLSC, tennis and rugby clubs – Club Restricted Licences.
- Golf club – Special Facility Licence (ie unique to premises), which in addition to club liquor licencing allows the sale of packaged liquor for consumption on the golf course.

All of these are understood to operate successfully with few if any complaints, and the clubs have been responsible in applying to the DRGL for permission for any variations or special events from time to time.

STRATEGIC IMPLICATIONS

Consistent with Council's approach to control of liquor practices.

POLICY IMPLICATIONS

Correlates with Council's Liquor (Licenced Premises) Policy.

STATUTORY ENVIRONMENT

Liquor Control Act and Regulations 1988.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

CONSULTATION

Community consultation by the Town additional to the DRGL is not required.

TYPES OF CLUB LICENCE

A Club Licence allows liquor to be supplied to a member, or guest in the company of a member, for consumption on and off the premises. This is the more common type of Club Licence, with the sale of liquor for consumption off the premises allowing events such as wine tasting/promotions. Note that *consumption off the premises* means taking the packaged liquor home – it does not permit drinking it in a public place, which is prohibited.

Clubs may be of many types, not just sports clubs, hence pursuant to the Liquor Control Act the standard (maximum) trading hours for a Club Licence are:

Day	When		General Conditions
	Open	Close	
Monday to Friday	6.00am	midnight	
Monday to Friday	6.00am	12.30am Saturday	(ancillary to a meal only)
Saturday	6.00am	1.00am Sunday	
Sunday	10.00am	10.00pm	
New Year's Eve (Monday - Saturday)	6.00am	2.00am	
New Year's Eve (Sunday)	Until 12.30am 10.00am	New Years Eve morning; then, 2.00am New Years Day	
Good Friday	No permitted trading hours after 12.30am Good Friday morning		
Christmas Day	Until 12.30am Christmas morning; then,		(ancillary to a meal only)
	12 noon	10.00pm	(ancillary

In practice individual clubs will seek hours suitable to their purpose. The NCSLSC proposes as set out below. It anticipates the main hours of bar use being Friday to Sunday, with the option of some low-key use during the week.

Monday - Friday	noon - midnight
Saturday	11am - midnight
Sunday	11am - 10pm
Christmas Day, New Year's Eve, Good Friday & Anzac Day	Nil

A Club Restricted Licence differs from a Club Licence only in that it doesn't permit the sale of packaged liquor and the licensee only has access to the premises during certain hours of the day; eg a dance club that rents a hall once a fortnight. Trading hours are determined in each case by the Director of Liquor Licensing.

For clubs with their own permanent premises, full-time club activities and a larger membership, a Club Licence would seem appropriate. In this respect NCSLSC has identified a Club Licence as suitable given that its main wine supplier offers discounts to members to purchase to take away, but has advised that the sale of liquor for consumption off the premises could be excluded if considered necessary.

The range of hours allowed under the Act for clubs to serve liquor is extensive and excessive for a sport/community club, and service beyond midnight would be unacceptable except for festive dates. The hours proposed by the Club are considered acceptable, especially 10pm closing on Sundays.

ASSESSMENT

The liquor licensing process involves NCSLSC making a comprehensive application to the DRGL, including all details (licensee integrity checks, training and management plans, and so on) and a public interest test, as well as a 28-day public advertising period, all focused on ensuring effective liquor controls.

As mentioned this includes obtaining from the Town a S39 Certificate for health compliance (adequacy of toilets, kitchen facilities, etc) and a S40 Certificate for planning compliance (use permitted, buildings approved, etc).

Council's Liquor (Licenced Premises) Policy echoes the DRGL assessment framework, with an emphasis on amenity, safety, operational implications and where relevant parking requirements. The policy is a reference when dealing with liquor licence applications. Its relevant objectives are to:

- *Provide for facilities and services which are compatible with the aspirations of the Cottesloe residential and business community.*
- *Provide a framework to assist Council with the assessment of liquor licence applications, including when issuing Section 39 and 40 certificates under the Liquor Control Act 1988.*
- *Make liquor licence applicants aware of Council's considerations when dealing with liquor licence applications.*

- *Foster an appropriate type and number of licensed premises that will enhance the activity and atmosphere of commercial localities and contribute to an integrated and positive sense of community;*
- *Protect the character and amenity of adjacent residential localities.*
- *Support the objectives of the Community Safety and Crime Prevention Committee.*

Sports clubs liquor licences are lower-key than liquor licences for drinking and eating businesses or other establishments open to the public for various forms of leisure and entertainment. As the liquor licence is secondary to the purpose of a club, and as a club is bound by its constitution, membership rules and liquor service accords (as guided by the Liquor Control Act) this class of liquor licence is normally not contentious.

The submitted Public Interest Assessment statement attests to this, with salient aspects being:

- As a sport/community service club that is the primary activity, with the availability of liquor a secondary consideration.
- Although the Club has a large membership, many are not of drinking age and most engage predominantly in Club activities other than simply social drinking.
- The number of members or guests attending an occasion involving liquor will be limited by the floor-space capacity and conducted entirely within the Club's premises.
- The Club has very little on-site parking apart from management and loading spaces, relying on public domain parking for members or visitors. The advent of a liquor Club Licence will not alter this situation.
- Several liquor-licensed establishments exist in the immediate vicinity, including restaurants and the Ocean Beach Hotel, which have significantly more potential to impact on amenity and wellbeing than the Surf Club.

In this instance the Town's assessment is that the proposed Club Licence (unrestricted) satisfies Council's policy parameters and would be unlikely to be detrimental to the public interest or the amenity of the locality.

CONCLUSION

Cottesloe's sports clubs are significant community organisations offering recreational pursuits and social interaction. The two surf clubs also provide a vital life saving service and have attracted large memberships. Most clubs or diverse types enjoy a liquor licence, as do all the other sports clubs in the district. A Club Licence is considered acceptable for the NCSLSC and is not seen to need to be restricted.

VOTING

Simple Majority

COMMITTEE COMMENT

Cr Hart expressed concern that a sport club with many young members and a health focus was seeking a liquor licence, also noting the wide hours proposed and the proximity of two licenced restaurants and a hotel. Cr Rowell commented that from experience the Club held a few licenced events over time, which had not been a

problem, and in that respect Cr Jeanes commented that quiz nights were a good example of such activities. Cr Walsh referred to the table showing the regulated liquor licence hours for clubs and queried in relation to the Club whether for Monday to Friday service of liquor a meal would need to be provided. Cr Strzina queried the floorspace capacity involved.

The Manager Development Services explained that the licenced area was to be confined to the main rooms, balcony and courtyard at the Marine Parade upper level of the Club's premises within its lease area. He also advised that the general liquor control condition of serving liquor ancillary to a meal at certain times was not necessarily relevant to a sport club and that the kitchen facilities were not normally staffed, stocked and operating to serve meals on a constant basis as at a hotel, small bar or licenced café/restaurant. He would seek clarification from the Club regarding these aspects.

OFFICER RECOMMENDATION

Moved Cr Rowell, seconded Cr Jeanes

THAT Council:

1. Advise North Cottesloe Surf Life Saving Club that it supports the proposed liquor Club Licence, as an unrestricted version, subject to the hours applied for, being:
 - Monday to Friday – noon to midnight.
 - Saturday – 11am to midnight.
 - Sunday – 11am to 10pm.
 - Christmas Day, New Year's Eve, Good Friday and Anzac Day – nil.

Council does not support the maximum, wide hours of liquor service for clubs that may be permitted under the Liquor Control Act, for the needs of the Surf Club.

2. Authorise the Town's staff to issue the associated Liquor Control Act Sections 39 and 40 Certificates to the Club in support of the liquor licence application, subject to checks and inspections as required.

AMENDMENT

Moved Cr Walsh, seconded Cr Hart

That the item be deferred to full Council on Monday 21 July 2013 to enable the Town to clarify the floor area to be licenced and whether the service of meals was intended or would be required.

Lost 2/3

COUNCIL COMMENT

Crs Hart and Pyvis expressed concern with the recommended hours and potential numbers attending the proposed events and the possibility of affecting the amenity of residents. Cr Boland sought clarification over the sale of packages liquor by the Club. The Manager Development Services explained that the Club had advised it would delete take-away liquor from its licence application and Section 40 Certificate request.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Cr Rowell

THAT Council:

- 1. Advise North Cottesloe Surf Life Saving Club that it supports the proposed liquor Club Licence, as an unrestricted version, subject to the hours applied for, being:**
 - **Monday to Friday – noon to midnight.**
 - **Saturday – 11am to midnight.**
 - **Sunday – 11am to 10pm.**
 - **Christmas Day, New Year’s Eve, Good Friday and Anzac Day – nil.**

Council does not support the maximum, wide hours of liquor service for clubs that may be permitted under the Liquor Control Act, for the needs of the Surf Club.

- 2. Authorise the Town’s staff to issue the associated Liquor Control Act Sections 39 and 40 Certificates to the Club in support of the liquor licence application, subject to checks and inspections as required.**

Carried 7/2

**For: Mayor Morgan, Crs Downes, Boland, Jeanes, Rowell, Strzina and Walsh
Against: Crs Pyvis and Hart**

10.3.3 SUBDIVISION AND SALE OF FORMER DEPOT SITE - PROGRESS REPORT

File Ref: SUB/962
Attachments: [Depot Site Plan](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 15 July 2013
Author Disclosure of Interest: Nil

SUMMARY

This report updates Council regarding the proposed subdivision and sale of the Town's former depot site. The disposal strategy was endorsed by Council in April 2013 and entails:

- Obtaining subdivision approval prior to sale – underway.
- Preparing design guidelines to supplement the subdivision – drafted.
- Seeking expressions of interest to purchase the site – completed.
- Calling for tenders to purchase the site and subdivide it in accordance with the approval – future step.

The progress of each of these items is provided below.

STRATEGIC IMPLICATIONS

Selling the depot site to provide substantial income and foster infill development is a key strategy to generate funds for the district, supply housing lots and improve neighbourhood amenity.

POLICY IMPLICATIONS

The project reflects Council's strategic and procedural policy framework.

STATUTORY ENVIRONMENT

Planning Act for subdivision process.
Local Government Act for disposal process.

FINANCIAL IMPLICATIONS

Ongoing project costs are able to be met by the current budget.

SUSTAINABILITY IMPLICATIONS

Residential development of the old depot site supports urban consolidation and enhances the area in realising an asset value, to improve overall sustainability for the district.

CONSULTATION

The Town consulted owners/residents surrounding the site in formulating the subdivision design, which took into account their comments regarding particular details.

As the prospect of two more lots (refer below) would not alter the basic layout, components or function of the estate, there is no requirement for any follow-up consultation.

SUBDIVISION PROPOSAL

A comprehensive subdivision application based on the design endorsed by Council was submitted to the Western Australian Planning Commission (WAPC) in early June. The WAPC has 90 days to process and determine the proposal, including a 42 day referral period to utility service authorities. Responses are being received by the WAPC and indications are that the proposal is supported subject to relevant conditions. The Town is also providing recommended conditions to the WAPC reflecting the land development intent for the site and the design guidelines.

The subdivision approval will be valid for three years and transferred to the purchaser of the site, to be implemented in accordance with the Tender and legally-binding contract of sale. The subdivider is to develop the new housing estate by undertaking engineering works to fill the site, provide all utility services, construct the access road and upgrade the lanes, install the public open space (POS) treatments, survey the finished lots and create them on certificates of title to be sold.

TREES

Council requested that the subdivision design considers the identification and retention where possible of existing significant trees within or adjacent to the site. To address this, a report from an arboricultural consultant was commissioned. The study identified and assessed 28 larger trees in and around the site in terms of their species, significance, health structure and potential to survive or be transplanted. It found that:

- There are no trees considered significant in terms of heritage, stature, rarity, etc having regard to relevant criteria.
- A mixture of ten species was found, the most numerous being WA weeping peppermint (9) and Aleppo pine (5).
- Ten trees are easily replaceable with fast-growing semi-mature nursery stock of the same species.
- Five trees have good health and structure and could be transplanted.
- Thirteen trees have poorer health or structure, or are in limestone outcrops, hence are not suitable for retention.
- The subdivision survey and works will dictate whether any tree may be retained and protected.
- High quality, advanced nursery-grown trees can be planted – semi-mature eucalypts reach several metres height in two-three years.
- The option of transplanting ideally entails a lead-time for tree preparation/conditioning, requires access for machinery, is costly and may not succeed.
- Unless existing trees can be unaffected by and protected from subdivision works, they are likely to be compromised or lost.

The existing trees in and around the site are either remnant or introduced by wind-blown seeds and are randomly distributed. They have remained due to being peripheral to the depot operations and contribute to the vegetation of the landscape. However, they tend to be not well located in relation to the intended subdivision, which involves fill, an access road, making all of the perimeter lanes trafficable and smaller lots.

Pragmatically, most if not all of the trees will be removed; however, replacement vegetation is to be introduced to the central POS and on residential lots. Transplanting the five trees identified could be attempted, but is unlikely to be an attractive proposition to a tenderer/subdivider.

Design guidelines may include specific trees to be preserved, but only when they have recognised *special significance* and therefore have been deliberately incorporated into a design, which is not the case here. Nonetheless, the Town's response to the referral from the WAPC of the subdivision proposal for technical comment has included advice regarding the efficacy of tree replacement and possible transplanting as a consideration.

DESIGN GUIDELINES

The purpose of design guidelines is to augment a subdivision layout in addressing basic development parameters for the residential lots as well as the public domain (roads/lanes, POS). They assist in achieving consistency and setting the standard of development for an estate. Design guidelines are an extra layer of control further to the Local Planning Scheme and the Residential Design Codes (RDC). They tend to be broad in terms of a few key aspects to be followed, with the detailed design of individual dwellings being governed by the Scheme and Codes.

A draft of the design guidelines is attached, comprising:

- A plan of the estate showing particular development requirements.
- A POS design brief, to guide landscaping treatments.
- An urban design brief, to guide the treatments for access road, lanes and infrastructure (eg lighting, any bollards, etc).

Council has resolved that such design guidelines be prepared and form part of the contract of sale with the successful tenderer / subdivider, as well as with the ultimate purchasers of the lots, so that they are disseminated and adhered to.

Planning-wise, the design guidelines are to be given substance through being adopted by Council as a policy under the Local Planning Scheme, whereby Council will have regard to the policy in applying the design guidelines as an adjunct to the Scheme.

A local planning policy is made pursuant to the Scheme. The procedure involves:

- Adoption of draft by Council.
- Community advertising – 21 days.
- Consideration of submissions.
- Any revision and final adoption by Council.

A Local Planning Scheme policy then serves to support the Scheme's provisions for Council to take into account in considering development applications or infrastructure works, at the same time embodying discretion enabling sufficient flexibility to accommodate reasonable variations.

EXPRESSION OF INTEREST

As a first step towards sale of the site the Town has called for Expressions of Interest (Eoi) to purchase and subdivide the site. Four enquiries were initially received and three potentially interested parties attended a site inspection with the Town.

At the closing date to register interest, one formal Eoi was received. This does not necessarily suggest little interest in the site and more interest can be expected upon tendering, with the benefit of the subdivision approval and additional overall information.

FUTURE TENDERING

Subject to subdivision approval the next disposal steps involve calling for tenders and entering into a contract of sale with the successful party. Acceptance of a tender confirms the intention to sell the site, while the contract of sale and any associated deed of agreement secures the purchaser's obligation and commitment to develop the subdivision and apply the design guidelines.

VOTING

Simple Majority

COMMITTEE COMMENT

Cr Jeanes queried the annotations in the draft design guidelines indicating designated and preferred garage locations, as well as the prospect of larger garages for more than two cars. The Manager Development Services explained that the fixed positions were selected in relation to development opposite. He also advised that the guidelines would not prevent the consideration of a larger garage pursuant to a development application.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Walsh, seconded Cr Rowell

THAT Council:

- 1. Notes the status of the subdivision application.**
- 2. Endorses in-principle the draft design guidelines for the subdivision, for the purpose of advertising as an intended town planning scheme policy.**
- 3. Notes the outcome of the Expression of Interest process and informs the submitter that the Expression of Interest will not result in a restricted Tender (submission declined), but that they would be welcome to submit a Tender in any open Tender process that may eventuate for the sale of the site.**

AMENDMENT

Moved Cr Boland, seconded Mayor Morgan

That the words “with the addition of footpaths” be added after the word “guidelines” in part 2 of the recommendatifon.

Carried 9/0

COUNCIL RESOLUTION

THAT Council:

- 1. Notes the status of the subdivision application.**
- 2. Endorses in-principle the draft design guidelines with the addition of footpaths for the subdivision, for the purpose of advertising as an intended town planning scheme policy.**
- 3. Notes the outcome of the Expression of Interest process and informs the submitter that the Expression of Interest will not result in a restricted Tender (submission declined), but that they would be welcome to submit a Tender in any open Tender process that may eventuate for the sale of the site.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 9/0

10.3.4 CHANGES TO STATE PLANNING POLICY 3.1 – RESIDENTIAL DESIGN CODES (AND DEVELOPMENT CONTROL POLICY 2.2 – RESIDENTIAL SUBDIVISION)

File Ref: SUB/326
Attachments: [Officer Report October 2011](#)
[Planning Bulletin](#)
[Schedule of Amendments](#)
[Presentation](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ed Drewett
Senior Planning Officer
Proposed Meeting Date: 15 July 2013

SUMMARY

This report provides Council with an overview of changes to the Residential Design Codes (RDC) and Development Control Policy 2.2 (DC 2.2) that have been made by the Western Australian Planning Commission (WAPC) and which will take effect on **Friday 2 August 2013**.

A copy of the RDC and DC 2.2 is available on the WAPC's website: www.planning.wa.gov.au.

BACKGROUND

The RDC provide a comprehensive basis for the control of residential development in Western Australia.

They were last modified on 22 November 2010 to introduce the Multi-Unit Housing Codes for multiple dwellings in areas coded R30 or greater and for mixed use development, which was reported to Council at that time and remains generally unchanged in the current review.

The new changes that are now being introduced were initially reported to Council on 31 October 2011 during the public consultation period and the following resolution was made:

That Council notes this update report regarding the review of State Planning Policy 3.1 – Residential Design Codes.

A copy of this previous report is attached and should be read in conjunction with this report as only changes that were not previously reported are addressed.

SUMMARY OF CHANGES

A summary schedule of the amendments to the RDC has been produced by the WAPC and is attached for information.

The main changes, not previously reported to Council, are as follows:

Part 1 - General objectives

The general objectives of the Codes have been modified to read as follows:

Objectives for residential development

- (a) To provide residential development of an appropriate design for the intended residential purpose, density, context of place and scheme objectives.*
- (b) To encourage design consideration of the social, environmental and economic opportunities possible from new housing and an appropriate response to local amenity and place.*
- (c) To encourage design which considers and respects heritage and local culture.*
- (d) To facilitate residential development which offers future residents the opportunities for better living choices and affordability.*

Objectives for the planning governance and development process

- (a) To encourage design which is responsive to site, size and geometry of the development site.*
- (b) To allow variety and diversity as appropriate where it can be demonstrated this better reflects context or scheme objectives.*
- (c) To ensure clear scope for scheme objectives to influence the assessment of proposals.*
- (d) To ensure certainty in timely assessment and determination of proposals applied consistently across State and local government.*

Application of objectives

This has been modified to read as follows:

In assessing and determining proposals for residential (including residential component of mixed use development and activity centres), the decision-maker shall have regard to the above general objectives, and any objectives provided in the R-Codes and the scheme.

Application of the R-Codes

This section has been modified to reflect the new sections in the RDC and reads as follows:

The R-Codes apply throughout Western Australia.

Parts 1 to 4 and 7 of the R-Codes apply to all residential development (including residential components of mixed use development and activity centres).

Part 5 and associated tables and figures apply to:

- *all single houses;*
- *all grouped dwellings; and*
- *multiple dwellings in areas with a coding of less than R30.*

Part 6 and associated tables and figures apply to:

- *multiple dwellings in areas with a coding of R30 or greater; and*
- *mixed use development and activity centres.*

Part 7 applies to the local planning framework.

Part 2 – Codes approval process

This section has been modified and defines when planning approval is required for single dwellings. However, where a Scheme requires an application to be lodged for single dwellings, as under Town Planning Scheme No 2 (TPS 2) and proposed Local Planning Scheme No 3 (LPS 3), then the Scheme requirements shall prevail.

Part 3 – Accompanying information

New information requirements for planning applications have been incorporated in an application information matrix for simplicity. Supporting information is also required where an existing heritage place is proposed to be demolished or its external appearance is significantly altered.

Part 4 – Neighbour consultation

This clarifies when neighbour notification is required and was discussed in the previous Council report.

Part 5 – Design elements for all single house(s) and grouped dwellings, and multiple dwellings in areas coded less than R30 (formally Part 6)

This section introduces four sub-headings comprising Context, Streetscape, Site Planning, and Design. The terms *acceptable development* and *performance criteria* have also been re-named to *deemed-to-comply* and *design principles*.

Average lot sizes

The following changes are made to the average lot sizes for single and grouped dwellings in Table 1:

Coding	Existing required average lot size	New required average lot size
R20	500m ²	450m ²
R60	180m ²	150m ²
R80	180m ²	120m ²

The following changes are made to the average lot sizes for multiple dwellings with a coding of less than R30 in Table 1:

Coding	Existing required lot size	New required lot size
R20	500m ²	450m ²
R25	400m ²	350m ²

The following changes are made to the minimum lot sizes required for rear battleaxe lots in Table 1:

Coding	Existing required lot size	New required lot size
R20	540m ²	450m ²
R25	445m ²	425m ²
R30	420m ²	410m ²
R35	410m ²	395m ²
R40/R50/R60/R80	400m ²	380m ²

Streetscape

This section has been re-formatted but is similar to existing requirements.

Boundary setbacks

This section is similar to existing requirements but the height and length of walls that are *deemed-to-comply* on a lot boundary in R20 and R25 areas has changed from maximum 3m height, average 2.7m and up to 9m length, to a maximum 3.5m height, average 3m and up to one-third the length of the balance of the lot boundary behind the front setback.

Open space

The *design principles* for open space have been expanded.

Access and parking

Changes have been made to the *deemed-to-comply* provisions to reduce the minimum required number of on-site car bays. For example, a two-or-more bedroom dwelling within 800m of a train station or 250m of a high frequency bus route now only requires one car bay instead of two. The *design solutions* have also been expanded to give more options.

Site work requirements

This section has been slightly re-worded but no significant changes have been made.

Building height

This section remain unchanged and does not override Council's Scheme provisions.

Privacy

This section has been modified to incorporate reduced visual privacy controls in areas coded higher than R50 and requires that screening devices should be at least 1.65m in height.

Solar access

The *deemed-to-comply* section has been modified to include additional restrictions where more than one lot abuts a single lot along its northern boundary and to take account of existing roof-mounted solar collectors and north-facing major openings on adjoining properties. The *design principles* have also been expanded to include consideration of north-facing openings, north and west-facing roof areas and existing solar collectors.

Incidental development (outbuildings, external fixtures)

This section has been re-worded slightly although its content remains largely unchanged.

Special purpose dwellings: Ancillary dwellings (formally granny flats), aged or dependent persons accommodation and single bedroom dwellings.

The changes to this section are generally as discussed in the previous Council report. However, the *deemed-to-comply* maximum plot ratio requirements for aged and dependent persons dwellings have been retained rather than being replaced by maximum floor areas; the parking requirements for single bedroom dwellings are now reduced from 1 bay to 0 bays where located in close proximity of a train station or high frequency bus route; and the outdoor living area requirements are reduced by one-third, which is proportionate to the reduced site area that applies to these type of developments.

Part 6 – Design elements for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres.

This section remains largely unchanged although some wording and terminology has been updated for consistency with the new Part 5.

Part 7 – Local planning framework

This section remains largely unchanged although has been expanded in parts. It advises the circumstances where local planning policies, local development plans, local structure plans and activity centre plans may amend or replace various parts of the *deemed-to-comply* provisions and advises that the RDC prevail over previously adopted local planning policies (unless adopted under a Town Planning Scheme).

Definitions

Appendix 1 in the RDC is retained and contains definitions of terminology used throughout the RDC. The following changes have been made to this section:

Definitions that have been amended include: active habitable space; garage; open space; pergola; height, building; outdoor living area; plot ratio; activity centre; local

planning policy; parent lot; plot ratio area; ancillary dwelling; policy; patio; visually permeable; battleaxe lot; lot; cone of vision.

Definitions that have been deleted include: acceptable development; effective lot area; performance criteria; storey; formed driveway; street alignment; council; ground floor area; serviced apartment; tandem parking; detailed area plan; model scheme text; special control area; dwelling size.

New definitions that have been added include: activity centre plan; external fixtures; local planning framework; residential development; decision-maker; heritage place; deemed-to-comply; high frequency bus; lot boundary; solar collectors; design principles; high frequency rail route; porch; special purpose dwelling; enclosed; internal walls; local planning strategy; street boundary; local development plan; local structure plan; unenclosed.

Figures

More figures have been included in the RDC and these have been updated for clarity and accuracy.

CONCLUSION

The changes to the RDC are important to the assessment of planning applications for all residential developments within the Town. The updated version aims to provide a more comprehensive set of development standards that are user-friendly and provide clearer direction for decision-makers and the development industry than the soon-to-be superseded version.

It is anticipated that some refinements may still be necessary once the RDC are put into use and it is noted that some additional changes have been introduced which were not proposed during advertising, as highlighted in this report.

The complimentary changes to DC 2.2 are necessary as a result of the modifications to the RDC where such amendments relate to subdivision standards, such as changes to minimum and average lot areas and for residential development on small lots.

TPS 2 and local planning policies adopted under the Scheme still remain relevant considerations when assessing planning applications for residential development within the Town. However, proposed LPS 3 is more closely affiliated to the modified RDC and to avoid contradictions with the current Scheme it may sometimes be appropriate to use LPS 3 as a reference source for practical purposes (ie: allowing a relaxation of occupancy requirements for ancillary dwellings as permitted under the RDC but currently restricted under TPS 2). Furthermore, once LPS 3 has been gazetted then existing local planning policies will become redundant and will need to be adopted under the new Scheme or deleted altogether. In any event, it is becoming increasingly important that the existing local planning policies are further reviewed to ensure that they accord with Part 7 of the RDC, are updated to reference new specific clause numbers, and that they remain appropriate in providing parameters for the exercise of discretion under the relevant design principles of the RDC.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee noted the report and briefly queried the implications of the revised codes including in relation to lot size reductions, performance criteria and design solutions. The Senior Planning Officer provided clarification in these respects, explaining that the changes to the codes were now finalised.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Cr Rowell

That Council notes the changes to State Planning Policy 3.1 – Residential Design Codes and to Development Control Policy 2.2 – Residential Subdivision that will be gazetted on 2 August 2013.

Carried 9/0

10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 16 JULY 2013**10.4.1 FUTURE OF THE COTTESLOE CIVIC CENTRE**

File Ref: SUB/793-02
Attachments: [CONFIDENTIAL Letter From Jackson McDonald](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

With recent ministerial announcements regarding the future of local governments in the western suburbs, it is timely for Council, in line with its previous resolutions, to consider securing the long term future of community assets, ensuring that the benefit from these assets remains with Cottesloe residents. This report considers such an asset being the Cottesloe Civic Centre.

BACKGROUND

The Cottesloe Civic Centre is arguably one of the single most valuable local government assets, owned by any local government. Other local governments have larger or more modern facilities, however these facilities are usually located on reserves vested with the local government for that purpose – whereas the Town owns the Civic Centre freehold.

The Civic Centre was purchased in 1950 with the support of the Returned Servicemen's League (RSL), who continue to occupy and use a part of the building today. The land was purchased from the de-Bernales family, who had used the grounds and buildings as their family residence. The buildings were converted for use as a Civic Centre and the grounds opened up for public use.

The Cottesloe Civic Centre is still a very popular function venue, used by many each year for their wedding or other significant functions. It is also frequently used by local residents as a place to walk, or to simply sit quietly in one of the many idyllic locations.

In recent years, the Civic Centre has undergone significant works, both internally and externally, to ensure it remains viable for its current use for the foreseeable future. These works have been costly, but have preserved the building and grounds.

The Civic Centre is on the State Heritage Register, commonly referred to as being "heritage listed". The listing that applies to the Civic Centre covers the entire grounds and all structures. While any development would have to be sympathetic to the heritage value of the site, heritage listing by itself does not preclude development, or protect the community use of the site.

The land which the Civic Centre occupies is one lot, owned freehold by the Town. Even with the heritage restrictions, the value of the land and buildings on the open market is difficult to estimate, but it is fair to say the value would be sizeable. If the

Civic Centre were to suddenly be surplus to needs in a much larger local government, then it could be tempting for the facility to be sold to fund other infrastructure projects or initiatives.

STRATEGIC IMPLICATIONS

The Cottesloe Civic Centre represents Council's most significant asset – its use by the community is of key strategic importance.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995
Land Administration Act 1997

FINANCIAL IMPLICATIONS

The Cottesloe Civic Centre is a key asset of the Town is worth a considerable amount of money. Any disposal of the property should ensure some return for residents, be that financial or otherwise.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Jackson McDonald (confidential attachment provided)

STAFF COMMENT

In considering the advice provided by the Town's solicitors, there are essentially three options open to the Town to preserve the Civic Centre for community use for future generations. These are;

1. Dispose of the property by way of lease or transfer to a community group who would then hold the property in trust for community use.
2. Have caveats placed on the site which would allow a third party to "veto" any development or change of use on the site.
3. Transfer the land to the Crown in exchange for another piece of Crown land and seek to have it listed as an A class reserve.

All three options do have some risk associated with them. Disposing of the property relies on the continued operation of the community group that gains the Civic Centre, in their current capacity and with the aim of providing access to it for the community. There are also conceivably problems with funding the required maintenance as the income derived from functions and the like at the Civic Centre do not cover the all of the current maintenance costs.

Placing caveats with third parties could have unintended consequences on future uses of the Civic Centre as well. For example, if caveats were placed on the property

in favour of adjoining land owners, adjoining landowners may not exercise such rights if they are unaware of them, or if a development were to be of advantage to them. Having caveats in favour of the Heritage Council could see developments that are otherwise wanted by the community prevented from occurring due to concerns about the heritage value of the area.

Transferring the land to the Crown (with the land vested with the Town) could still see a future Council leasing the land to a private operator or other changes in use imposed by a future local government. However, if the purpose of the reserve was recreation, then it would be much more difficult for this to occur.

After considering these options, option three is the recommended primary option. The reason for this is it is the only option where the Town may be able to recover some the value of the asset. Option 1 and 2 see the Town giving away some of the value or control, with no return as a result of the transaction. If the Town were able to secure another piece of land freehold as a result of the transaction, then it could be developed and provide a better return to the local community.

One such option is the land on which the Napier Street (Number 2) carpark and John Black Dune Reserve currently sit. There are two large lots there (one partially occupied by Cottesloe Tennis Club) that are currently Crown land. It could be that the boundaries of the lots are adjusted such the Town is able to acquire the part that is not currently used by the tennis club, which is a site with far more development potential.

While a land swap may be the recommended option, it doesn't rule out undertaking the other options. It is still possible to enter into a long term lease with a community group for the site, while seeking to have it transferred to the Crown, so long as the Town has the land vested with it, and the leases allows the land to be transferred to the Crown. However, it would take some time to form such a community group, and to ensure the articles of incorporation included how and when the Civic Centre can be used and other protections as required.

A land-swap doesn't rule out a caveat being placed on the land, as caveats survive land transfers, although it is unclear whether or not caveats would be binding upon the Crown (unlikely). While it could be appropriate to work with the Heritage Council to see if a caveat could be set in place, there are issues with having private citizens holding caveats over what is intended to be public land. The main issue is that caveats are in favour of registered owners, so not only do the current owners receive the benefit of the caveat, so do any future owners until the caveat is set aside. Private citizens are also free to act in their own interests – not necessarily in the interests of the wider public. It could be the rights associated with the caveat are only used when it is to the benefit of the affected land owner. However, the Heritage Council has a clear objective and are required to act accordingly – so it may be appropriate to lodge a caveat in favour of the Heritage Council.

All of these options are going to take some time to implement, and none provide an absolute guarantee. The recommended path of seeking a landswap for another parcel of Crown land, represents the strongest path, with the best result for the community – however it will also quite likely be the option that will take the longest to set in place. As such it is recommended to pursue all three options, with the landswap being the ultimate aim.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell queried the cost of obtaining legal advice and sought clarification on any restriction on the title of the Civic Centre, concerning the ongoing use of the building by the RSL Cottesloe Sub-Branch. Manager Corporate and Community Services (MCCS) advised that there is no caveat concerning the RSL's use of the building.

Mayor Morgan stated the he believed the advice received from Jackson McDonald was comprehensive and stressed the importance of solidifying the Civic Centre's listing with the Heritage Council. Mayor Morgan suggested that a further memorial be added to the land to ensure the Civic Centre is permanently entered onto the Heritage List. Mayor Morgan also suggested that a heritage agreement be entered into to ensure that the Civic Centre gardens remain open to the public. The Mayor also stated the he believed that the RSL should have an ongoing entitlement to use the RSL room.

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Strzina

THAT Council authorise the Chief Executive Officer to;

1. Commence negotiations with the Minister for Lands to investigate a landswap involving the Cottesloe Civic Centre and the land under the Napier Street Carpark and John Black Dune;
2. Initiate discussions with the Heritage Council of Western Australia about the placement of a caveat on the title of the Cottesloe Civic Centre; and
3. Investigate the possibility of forming an incorporated community association to which the Civic Centre could be leased.

AMENDMENT

Moved Mayor Morgan, seconded Cr Hart

That points 1 and 3 of the Officer Recommendation be deleted and point 2 be amended as follows;

"THAT Council authorise the Chief Executive Officer to initiate discussions with the Heritage Council of Western Australia to;

1. Install a further memorial on the land, to show that the Civic Centre is permanently entered onto the Heritage List.
2. Enter into a Heritage Agreement to best ensure the site continues to be used for public purposes, its gardens remain open to the public and the local RSL have ongoing access/entitlement to the RSL room".

Carried 5/0

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council authorise the Chief Executive Officer to initiate discussions with the Heritage Council of Western Australia to;

- 1. Install a further memorial on the land, to show that the Civic Centre is permanently entered onto the Heritage List.**
- 2. Enter into a Heritage Agreement to best ensure the site continues to be used for public purposes, its gardens remain open to the public and the local RSL have ongoing access/entitlement to the RSL room.**

Carried 9/0

10.4.2 THE COTTESLOE TRIATHLON

File Ref: SUB/1464
Attachments: [Triathlon Event Application](#)
[Triathlon Course Map](#)
[Notice of Road Closure Letter to Residents](#)
Responsible Officer: **Mat Humfrey**
Manager Corporate & Community Services
Author: **Sherilee Macready**
Community Development Officer
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

W.A. Sports Events is seeking approval to host The Cottesloe Triathlon event (Cottesloe Ocean Adventure) on Cottesloe Beach from 5.30am to 9.45am, on Saturday, 8 February 2014.

BACKGROUND

The event has been previously held on 13th February 2010 (called 'Cottesloe SLSC 100th Anniversary Adventure Challenge), and repeated as the Cottesloe Ocean Adventure and Cottesloe Beach Triathlon, in February 2011, 2012 and 2013.

The event consists of up to four sections – a swim, cycle and run with an additional ski paddle. Each section is completed after the other.

Organisers have designed the event to take into account the total community. In doing so they believe:

- Surf Life Saving Western Australia and Cottesloe SLSC will benefit financially and potentially through growth in numbers.
- Local businesses in the vicinity of the event will benefit financially through significantly added patronage on the day.
- Local Community and the Town of Cottesloe will benefit as the event will be recognised as belonging to Western Australia's most popular and well known beach. It will enhance the Town of Cottesloe as a leader in supporting events.

The Town of Cottesloe will be included in all materials associated with the event, businesses will be advertised to competitors and the local community will be invited to participate as competitors or as spectators.

The closure of Marine Parade from John Street to Curtin Avenue (all streets in between) is required for this event. In 2012 a dedicated access lane for Overton Gardens and Warnham Road was implemented, and enhanced in 2013 with additional marshals at access points. As per the 2013 event, a specific letter to those affected residents in the two streets will be sent out.

In addition to approval from the Town of Cottesloe, approval for this event will be sought from the West Australian Police, the Department of Planning and Infrastructure and Main Roads Western Australia.

The event will be conducted with all safety regulations adhered to through the involvement of Sports Medicine Australia, Surf Life Saving Western Australia and qualified Traffic Management personnel.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Adequate arrangements are made for rubbish collection and removal, including options for recycling.

CONSULTATION

A specific letter to the affected residents advising of the closure of Marine Parade from John Street to Curtin Avenue (all streets in between), advising of the Unimpeded Access plan will be distributed.

STAFF COMMENT

Surf Life Saving WA will provide water safety for the event through the Cottesloe SLSC.

A Traffic Management Plan will be in place for the event, similar to the 2012 event. The plan will be designed and implemented by West Australian Road Projects (WARP) following Main Roads Event Code of Practice Regulations.

A Risk Management Plan will be in place for the event similar to the 2013 event, and a Public Liability Insurance will be provided.

Advisory signage will include signage placed to advise drivers of the road closure. The aim is for drivers to not have to turn back due to lack of prior information.

Due to the success of the organiser's previous events, the officer recommendation is to approve the application.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell queried whether the Public Liability Insurance cover of \$10 million was sufficient. MCCS advised that it is the standard amount of cover for such as event.

Cr Hart questioned whether due to the numbers attending/participating an increased fee of \$1,100 be charged. Mayor Morgan stated that the Town's should promote healthy activities and the Committee should take into consideration the fact that the event organisers are coordinating and funding event costs such as the road closures for the event.

OFFICER RECOMMENDATION

Moved Cr Strzina, seconded Mayor Morgan

THAT Council approve the application to hold The Cottesloe Beach Triathlon event at Cottesloe Beach on Saturday, 8 February 2014 from 5.30am to 9.45am, subject to the following conditions:

1. Adequate arrangements for rubbish removal and collection, including the provision for recycling.
2. Compliance with *Environmental Protection (Noise) Regulations 1997*.
3. The event complies with the requirements for sanitation facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
4. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, provided prior to the event.
5. The event complies with the Town's *Beaches and Beach Reserves Local Law 2012*.
6. The event is classed as a "Community Event" and the fee of \$550 be paid prior to the event commencing.
7. Provision of transport or parking plan and appropriate access/signage to and from the event, prior to the event.

AMENDMENT

Moved Cr Hart, seconded Cr Pyvis

That part 6 of the recommendation be amended so the event is classed as a event with more than 1,000 people and a fee of \$1,100 be charged.

Lost 2/3

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council approve the application to hold The Cottesloe Beach Triathlon event at Cottesloe Beach on Saturday, 8 February 2014 from 5.30am to 9.45am, subject to the following conditions:

- 1. Adequate arrangements for rubbish removal and collection, including the provision for recycling.**
- 2. Compliance with *Environmental Protection (Noise) Regulations 1997*.**
- 3. The event complies with the requirements for sanitation facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**
- 4. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, provided prior to the event.**
- 5. The event complies with the Town's *Beaches and Beach Reserves Local Law 2012*.**
- 6. The event is classed as a "Community Event" and the fee of \$550 be paid prior to the event commencing.**
- 7. Provision of transport or parking plan and appropriate access/signage to and from the event, prior to the event.**

Carried 9/0

10.4.3 OCEAN RIDE FOR MS - 2013

File Ref: SUB/1464
Attachments: [Application for Permission to Conduct the Event](#)
[Ocean Ride for MS Course Map](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Sherilee Macready
Community Development Officer
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

Sports Performance & Management is seeking approval for the Ocean Ride for MS, to “ride through” Cottesloe along Marine Parade on Sunday, 20 October 2013. The event, which raises funds and increases awareness for Multiple Sclerosis (MS), will be its fourth year.

BACKGROUND

The annual event involves cyclists from the general public riding from South Beach, Fremantle, with the first riders starting from 6.00am, to Hillarys Beach, Hillarys.

The event was first conducted on Sunday, October 30 2010 and repeated successfully in 2011 and 2012. Last year’s event attracted 1400 participants and passed without major incident. Many positive comments were received by the organisers from riders and thousands of dollars were raised for MS.

Organisers of the event, Sports Performance & Management, have organised many endurance sporting events, including the annual Ocean Adventure Triathlon, with much success.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

STAFF COMMENT

The ride along Curtin Avenue, Marine Parade and North Street will not be timed and all riders must follow normal traffic regulations, including traffic lights and signs. A course map has been provided. The event is supported by W.A. Police, Main Roads Western Australia, Fremantle Ports, and other Councils along the course.

A Traffic Management Plan will be in place for the event, the same as the 2012 event, and will be designed and implemented by West Australian Road Projects (WARP). Traffic Management signage and additional directional signage will be placed at required points along the course. A comprehensive Risk Management Plan has also been provided.

VOTING

Simple Majority

OOFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council approve the application from Sports Performance & Management for the Ocean Ride for MS Event to “ride through” Cottesloe along Marine Parade, on Sunday, 20 October 2013, subject to the following conditions:

1. **Provision of transport/parking plan and appropriate access/signage to and from the event.**
2. **Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
3. **The event complies with the *Environmental Protection (Noise) Regulations 1997*.**
4. **The event complies with the requirements for satisfactory facilities, access and egress, first aid and emergency response as per the *Health and (Public Buildings) Regulations 1992*.**
5. **Compliance with relevant health and safety legislation with regard to food, hygiene and provisions of toilet facilities.**
6. **Appropriate Public Liability Insurance, with cover no less than \$10 million.**
7. **Compliance with the Town’s *Beaches and Beach Reserves Local Law 2012*.**
8. **All signage to be approved by the CEO one month prior to the event.**
9. **Class this event as a “Charitable Event” and charge no fee for the event.**

Carried 9/0

10.4.4 OPEN WATER SWIMMING RACE - 2013

File Ref: SUB/1464
Attachments: [Event Application](#)
[Course Map](#)
[Letter of Support for Event Cottesloe SLSC](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Sherilee Macready
Community Development Officer
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

The West Australian Swimming Association Inc. (SWA) is seeking approval to host the 2013 Swimming WA Open Water Swim Series Event No.1 from Cottesloe Beach on Saturday, 26 October 2013.

BACKGROUND

As the first event of the season, it is expected to draw a lot of interest, with 300 competitors and surf life saving club members actively involved, as well as many supporters. Races will be held at other Perth beaches over the season which runs from October to March.

Open Water Swimming Races consist of a number of simultaneous races, with distances ranging from 1.2km – 5km with a wide range of ages catered for. Races will commence at 8.00am and be open to the public.

The event will be held at Cottesloe Beach. The event will use the same start/finish, staging area and looped course for all four races.

Last year's event, held on the 28 October 2012, was highly successful and no major issues were brought to the attention of the Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Beach Policy - This event is in compliance with the Town of Cottesloe's Beach Policy.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Adequate arrangements are made for rubbish collection and removal of recyclable materials.

CONSULTATION

Officers sought feedback from Cottesloe Surf Life Saving Club and North Cottesloe Surf Life Saving Club on previous year's Open Water Swimming Race events. It was advised, that the 2012 event was overall a positive experience for the clubs.

Both Cottesloe Surf Life Saving Club and North Cottesloe Surf Life Saving Club are supportive of this year's event, and will assist with providing volunteers for water safety.

STAFF COMMENT

Surf Life Saving WA has been contracted as primary water safety provider for the series and will engage with all affected clubs.

A current Public Liability Insurance certificate has been provided as well as a comprehensive Risk Assessment and Management Plan, Event Plan, and Course Map.

The event organisers have indicated that they are anticipating 300 paid participants.

Due to the success of the organisers in previous events, the officer recommendation is to approve this application.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council approve the application to hold the Open Water Swim Series Event at Cottesloe beach on Saturday 28 October 2013 from 8:00am to 12:00pm subject to the following conditions:

- 1. Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
- 2. Provision of transport or parking plan and appropriate access/signage to and from the event, prior to the event.**
- 3. The event complies with the *Environmental Protection (Noise) Regulations 1997*.**

4. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
5. Provision of 'certificates of currency' to certify that organisers have adequate public liability and event insurance.
6. Compliance with additional relevant sections of the *Beaches and Beach Reserves Local Law 2012*.
7. All signage to be approved by the CEO one month prior to the event.
8. The event is classed as a "Community Event" and the fee of \$550 be paid prior to the event commencing.

Carried 9/0

10.4.5 ICEA CLASSIC - 2013

File Ref: SUB/1464
Attachments: [ICEA Event Application](#)
[ICEA Event Site Map](#)
[Project Management Plan](#)
Responsible Officer: **Mat Humfrey**
Manager Corporate & Community Services
Author: **Sherilee Macready**
Community Development Officer
Proposed Meeting Date: **16 July 2013**
Author Disclosure of Interest Nil

SUMMARY

The Indigenous Communities Education & Awareness (ICEA) Foundation is seeking approval for their 4th ICEA Classic Event, to be held at the car park south of Cottesloe Surf Life Saving Club, on Saturday, 31 August 2013, between 7.30am and 5.30pm. Cottesloe has been involved in the annual event since its inception in 2010.

BACKGROUND

ICEA Classic is an annual youth run surfing event and cultural day organised by not-for profit organisation ICEA Foundation, with primary aims to:

- promote mutual respect in the community;
- raise participant's awareness of indigenous cultures;
- create positive experiences for indigenous and non-indigenous relationships; and
- to grow community awareness of environmental sustainability.

Previous events were held successfully at The Cove, 100m north of Isolators Reef, with primary support from North Cottesloe Surf Life Saving Club, and additional support from Cottesloe Surf Life Saving Club. Event applications were approved by the Town's Public Events Committee and Chief Executive Officer.

As the event has grown in popularity amongst members of the public, organisers have chosen to run this year's event south of Cottesloe Surf Life Saving Club, (refer attached Map), as a preferred location that can accommodate larger numbers of patrons.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Beach Policy – This event is in compliance with the Town of Cottesloe's Beach Policy.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Event organisers have been directed to manage access to reef areas by competitors and members of the public attending the event, by encouraging people to use designated pathways.

CONSULTATION

Officers sought feedback from North Cottesloe Surf Life Saving Club and Cottesloe Surf Life Saving Clubs to gauge their support for the event.

North Cottesloe Surf Life Saving Club stated that they endorse all programs organised by the ICEA Foundation Inc. and will provide water safety and other assistance for this year's event. Cottesloe Surf Life Saving Club has been approached to request the use of their toilet facilities for patrons during the event.

The Town's Sustainability Officer, and Coastcare Officer both recently met with organisers to discuss sustainability and environmental awareness ideas for the event. One of the initiatives that came out of the meeting was for Officers to look into options for the Cott Cat bus to operate during the event.

STAFF COMMENT

Organisers recently applied to Council for a Community Donation to cover some of the costs for the event marquee, and were awarded \$5000 in the 2013/2014 Budget.

A Project Management Plan has been provided which includes a Risk Assessment Plan. A map of the event site indicating the location of the marquee has been provided. A current Public Liability Insurance Certificate, together with a comprehensive Risk Assessment Plan will be provided prior to the event.

With 70 competitors, and up to 1000 spectators expected, extra toilets and bins will be provided by the organisers.

If the Council charges beach hire for this event, under community classification, it would total \$550. The Town has not charged in the past for the use of The Cove for this event as there is little disruption to other patrons using the area. However, this year's event will be much larger and will result in the closure of a car park for at least 24 hours.

Due to the success of the organiser's previous events, the officer recommendation is to approve this application.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council approve the application to hold the 4th ICEA Classic Event south of Cottesloe Surf Life Saving Club on Saturday, 31 August 2013 from 7.30am to 5.30pm subject to the following conditions:

- 1. Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
- 2. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**
- 3. The event complies with the *Environmental Protection (Noise) Regulations 1997*.**
- 4. Compliance with the Town's *Beaches and Beach Reserves Local Law 2012*.**
- 5. Compliance with relevant sections of the Beach Policy.**
- 6. All signage to be approved by the CEO one month prior to the event.**
- 7. Provision of a 'certificate of currency' to satisfy that organisers have adequate public liability and event insurance.**
- 8. Provision of transport or parking options and appropriate access/signage to and from the event.**
- 9. Class the event as a "Charitable Event" and charge no fee for the event.**

Carried 9/0

**10.4.6 THREE BIN SYSTEM FOR SOURCE SEPARATION OF GREEN WASTE -
COMMUNITY FEEDBACK**

File Ref: SUB/375
Attachments: [May 2013 Report Proposal for a Three Bin System for Green Waste Separation](#)
[Resident Survey for a Three Bin System](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Darrell Monteiro
Principal Environmental Health Officer
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest: Nil

SUMMARY

In May 2013, Council resolved to:

1. *Support in principal, the introduction of a third bin for residential green waste.*
2. *Seek feedback from the community on the proposed new Three Bin System.*
3. *Be presented with a report after July 2013 with the findings of the community feedback.*

This report seeks Council's approval to continue with the project and make the necessary purchases for the introduction of the third bin system.

BACKGROUND

The May 2013 Council report provided detail about the Three Bin System for green waste separation. In summary:

Each single-residential property will receive:

- 1 x 120L bin with a red lid for general rubbish emptied weekly.
- 1 x 240L bin with a yellow lid for recyclables emptied fortnightly.
- 1 x 240L bin with a green lid for green waste emptied every fortnight alternating with the recycling week.
- 2 x annual verge-side green waste collections in March and September.
- 2 x annual verge-side bulk waste collections in May and November.

The Survey

Information was placed on Council's website, included in the June edition of the Cott page and brochures were hand delivered to all residents with various options for residents to complete the survey. Based on the survey results:

- The Town received a total of 335 responses between 8 June and 3 July.
- 319 voted Yes, in support of the project.
- 15 voted No.
- 1 was invalid.

Of the residents that voted in favour of the project, the sense of appreciation for the project was overwhelming. Many congratulated the Town on the move and several residents were hoping that the green bin could be introduced immediately.

The primary reasons for some residents not favouring the third bin were lack of space to store another bin and insufficient green waste to require a bin. This will be addressed by providing residents with a choice to *opt out* of the scheme if they find it unsuitable, although participation is to be encouraged.

Others were concerned about additional costs and charges and a couple raised added transport-related carbon emissions. It is important to note that there are no additional costs to residents and the project will create savings for Council and the residents from the second year onwards.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

The initial set-up cost for the purchase of green bins and red lids is estimated at \$130,000. This is not part of the 2013-14 budget and Council will need to allow for this expenditure between September and November by using existing reserves.

While this set-up cost will need to be met, it is believed that the lower disposal costs for green waste will offset a portion of this cost in the first year. Further, these cost savings in future years will not only see this initial cost recovered, but will be an ongoing benefit for the Town.

The bins and lids will remain as assets of the Town.

From fiscal year 2014 onwards, the three bin system will ensure significant savings for the Town as a result of:

- Reduced waste disposal costs (as green waste is cheaper to recycle).
- Reduced cost of verge collections.

In time, these savings will allow Council an opportunity to replenish any reserve funds used as part of the establishment of the service.

The added costs of collection and transport of green waste will be offset by the savings mentioned above.

The State Government, through the Waste Authority, is considering establishment grants for such initiatives and when these become available the Town will apply.

STAFFING IMPLICATIONS

It is anticipated that the project can be managed in-house.

The green bins being available to residents would save the Town in staff time and resources for additional verge clean-ups throughout the year.

SUSTAINABILITY IMPLICATIONS**Waste Management and Recycling**

Commitment to reducing waste (e.g. reduced packaging, reduced material usage).

Commitment to resource efficiency (reducing, reusing, recovering, recycling).

CONSULTATION

Of the residents that responded to the survey, 95% are in favour of the project, an indication of overwhelming support.

STAFF COMMENT

To proceed with the project and introduce the third bin by December 2013, following Council's approval, the Town will:

1. Seek available grants and funding from the Waste Authority.
2. Organise a new waste collection contract with the provision for green waste collections.
3. Seek and contract a receiver for the Town's green waste, as required.
4. Prepare and implement an education package and program.
5. Purchase and replace red lids for 120L bins.
6. Purchase and supply green waste bins for all single-residential properties.

CONCLUSION

Residents of Cottesloe have sustainability in mind and have indicated overwhelmingly in support of introducing a three bin system for source separation of green waste as proposed in this report.

The three bin system is an initiative that is sustainable, financially viable and also popular with, and supported by the community.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council:

1. **Endorse the introduction of a three bin system for residential green waste.**
2. **Amend the current budget to create capital expenditure of \$130,000 for the purchase of necessary infrastructure, with corresponding transfer from the waste management and infrastructure reserves.**

Carried 9/0

10.4.7 DELEGATED POWERS

File Ref: SUB/38
Attachments: [Delegations List](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

In order to expedite decision-making within the Town of Cottesloe, a recommendation is made to delegate a number of powers and duties to the Chief Executive Officer (and specialist officers) as provided for in the Local Government Act (1995) and other related Acts, Regulations and local laws.

BACKGROUND

Delegations allow the CEO (and specialist officers) to make decisions under the authority of Council without having to constantly refer business of a routine nature to Council.

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by relevant legislation. This is consistent with the Town's commitment to a strong customer service focus. Delegations are to be reviewed in accordance with the local Government Act 1995 once every financial year.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Sections 5.42, 5.43 and 5.44 of the *Local Government Act (1995)* provide as follows:-

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties:-

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —

(a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and

(b) the exercise of that power or the discharge of that duty by the CEO's delegate,

are subject to any conditions imposed by the local government on its delegation to the CEO.

(4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.

(5) In subsections (3) and (4) —

conditions includes qualifications, limitations or exceptions.

[Section 5.44 amended by No. 1 of 1998 s. 14(1).]

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

No additional delegations are recommended from the list that was approved by Council in 2012.

Delegations are recommended on the basis of operational efficiency as it is considered more practical for these activities to be delegated, with the responsibility for administration held by the CEO or respective specialist officers who is both "registered" and qualified to administer such delegations, in this case, specifically the Principal Building Surveyor.

Some delegations are "on-delegated" from the CEO to other specialist officers such as Principal Environmental Health Officer, Manager Development Services, Manager Corporate and Community Services.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council delegate the powers and duties to the Chief Executive Officer and/or respective specialist officers, effective to 30 June, 2014 as submitted in the attachment of the 16 July 2013 Works and Corporate Services Committee.

Carried 9/0

10.4.8 POLICY REVIEW – COMMUNICATION

File Ref: POL/24
Attachments: [Updated Communication Policy July 2013](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

The Town of Cottesloe policy for Communication has been amended by Council staff. This report recommends that Council adopt the policy, noting some changes have been recommended.

BACKGROUND

A process of review and update for all Council policies has been implemented by the Administration and policies are being presented to Council as they are reviewed for endorsement.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

This item relates to the amendment of a Council Policy.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

This policy has been reviewed to ensure it is relevant to the Town of Cottesloe's current working environment.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council adopt the updated Policy on Communication as per attached in the Works and Corporate Committee agenda 16 July 2013.

Carried 9/0

10.4.9 CHANGE OF STREET TREE SPECIES, ALEXANDRA AVENUE

File Ref: SUB/419
Attachments: [Plan of Street](#)
[Letters from Residents](#)
[Report from the Works Supervisor](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

Objections have been received from residents in Alexandra Avenue, Cottesloe, to the replacement of a Coral tree on the street verge lost due to a storm, with a WA Peppermint tree.

The recommendation is that Council:

1. Retain the WA Peppermint tree replacement on the verge of number 10 Alexandra Avenue, in keeping with the existing Street Tree Policy.
2. Thank the residents who have made comments on this matter and inform them of Council's decision.

BACKGROUND

The majority of street trees in Alexandra Avenue are Coral trees, normally found in Africa, India and South East Asia.

In a recent storm five trees were lost in Alexandra Avenue and Parry Street, all being Coral trees, with no other trees falling in Cottesloe. A number also lost large branches in the storm. One car was crushed in Parry Street and another tree fell between two cars, doing minor damage. A substantial effort was made to clear up debris and undertake pruning required due to branches being ripped from these trees.

As has been the case with other Coral trees being blown down or collapsing in Cottesloe, an alternative native species was chosen as replacements (WA Peppermint trees) for both Alexandra Avenue and Parry Street.

All complaints received regarding this change of street tree species relate to the single tree fronting number 10 Alexandra Avenue.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council's Street Tree Policy applies.

Applicable points made in the policy are:

- “Objective – Promoting the use of indigenous vegetation...”
- “Issues – Many existing tree species in Cottesloe were poorly chosen in the past and these mature trees are providing a variety of problems.”
- “Issues – Normal maintenance costs are ongoing and the cost of damage caused by street trees in major storms can be very high”
- “Policy – Item 9: The Town of Cottesloe will maintain a street tree species list of the most suitable tree species for the different soil and micro climate areas of the Town, plus species determined as no longer suitable for new planting as street trees.”

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Coral trees have proved to be more expensive to maintain and more susceptible to collapse or major damage in storms.

STAFFING IMPLICATIONS

Coral trees require more maintenance efforts when mature, hence greater staff time.

SUSTAINABILITY IMPLICATIONS

Coral trees are exotic, non Australian trees. Peppermint trees are indigenous to the area and one of use by local bird and insect species.

CONSULTATION

Applicable residents were informed that replacement trees for those removed would be installed. Street tree species selection is made by staff in conformity with Council’s policy. Copies of complaint letters are included in the attachments.

STAFF COMMENT

Coral trees have not been on the approved species list for new street trees for a number of years. They are known to blow over or suffer major damage in a storm. This species in Alexandra Avenue and Parry Street were the only trees to blow over or lose major branches in this particular storm, in the Town of Cottesloe.

The Works Supervisor’s comments point out that the Coral tree is the majority species in those two streets but a number of other species exist as well and have been there for many years. One car was crushed and another car suffered minor damage in the recent storm in Parry Street from Coral trees falling.

In order to follow directions given in Council’s Street Tree Policy and not repeat the species selection mistakes of the past, WA Peppermint trees were selected as the replacements for the lost Coral trees.

In regards to the comments made by residents the following applies:

- This is not “the odd man out” tree in the street. A number of other species have existed in Alexandra Avenue and Parry Street for years.
- There is no “Heritage verge Streetscape” for Alexandra Avenue.
- Any street tree replacements funded by Council will be a seedling or “juvenile” tree. Council does not fund semi mature tree replacements on road verges.
- As much as possible staff try to stick to the directions given by Council policy. Replacement of poorly chosen species, particularly when they die or blow over, with proven long lasting species, particularly indigenous species, has been taking place for many years.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell stated that he had received numerous calls and emails from residents in Alexandra Avenue regarding this issue. Cr Rowell advised the residents appear united in their support for a Flame tree on the verge of number 10 Alexandra Avenue. Cr Rowell referred to reports residents had sent him with information from arborists suggesting that the Coral trees have been pruned incorrectly.

Cr Strzina referred to the Officer Recommendation and stated that he believed Council should follow the current Street Tree Policy, including planting native species trees. Cr Rowell stated that the Flame trees give Alexandra Avenue its character and to gradually replace them with native trees would change the whole ambience of the street. Cr Pyvis commented that Flame trees are the predominant species in the street and that should be upheld.

OFFICER RECOMMENDATION

Moved Mayor Morgan, seconded Cr Rowell

THAT Council:

1. Retain the WA Peppermint Tree replacement on the verge of number 10 Alexandra Avenue, in keeping with the existing Street Tree Policy.
2. Thank the residents who have made comments on this matter and inform them of Council’s decision.

AMENDMENT

Moved Mayor Morgan, seconded Cr Rowell

That point 1 of the recommendation read “Replace the WA Peppermint tree with a Flame tree on the verge of number 10 Alexandra Avenue.”

That the following text be added to point 2 of the Officer Recommendation “invite residents to provide Council with any expert advice they have received while investigating this issue.”

Carried 4/1

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council:

- 1. Replace the WA Peppermint tree with a Flame tree on the verge of number 10 Alexandra Avenue.**
- 2. Thank the residents who have made comments on this matter, inform them of Council's decision and invite residents to provide Council with any expert advice they have received while investigating this issue.**

Carried 9/0

10.4.10 REALIGNMENT OF CURTIN AVENUE, SOUTH OF MARINE PARADE, COTTESLOE - PRINCIPAL SHARED PATH

File Ref: SUB/440
Attachments: [Main Roads Meeting Details](#)
[Realignment of Curtin Avenue Plans](#)
[Message from MES to Mayor and Councillors](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

Main Roads WA has recently supplied plans for the realignment of Curtin Avenue from Leighton to Marine Parade, Cottesloe, over the next 3 years. No Principal Shared Path works have been included for this project.

The recommendation is that Council:

Write to the Local State Member and Premier of WA, Hon Colin Barnett MLA, the Minister for Transport and the Commissioner for Main Roads to request the missing section of the Principal Shared Path between Leighton and Marine Parade, Cottesloe, be included in the design and construction of the Curtin Avenue Realignment project for the same section.

BACKGROUND

The facts concerning this project are:

- It is a 3 year project with a \$40m budget, with \$20m to be spent in 2013/14 on data collection, survey and design. The second year budget is \$11m and in the third year the remainder of the \$40m will be spent on actual construction.
- It is 'early days' regarding the final design. The new road will be a single lane in both directions but with generous widths for lanes and unsealed shoulders.
- It has not been determined how the north end will be finished i.e. how the existing Council roundabout at the Marine Parade intersection will be treated and if the originally proposed Wellington Street subway under the rail line to the new road will be installed.
- No secondary works are included in the new road construction. There is no Principal Shared Path construction proposed for the new route in this project in the \$40m budget. In addition, no upgrades of beach parking or access are included.
- This project was promised before the recent State Election. Main Roads staff do not know why this section has been funded before other sections. It is also not known whether the new alignment will be renamed Curtin Avenue and an alternative name given to the old alignment or whether this will be a new section of the West Coast Highway.

STRATEGIC IMPLICATIONS

Council's main strategic document relating to the Principal Shared Path is the Local Bike Plan 2008 – 2014. One of the main objectives of this Plan is the extension of the Principal Shared Path south of Grant Street through Cottesloe towards Fremantle.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Staff have attended an information session with Main Roads WA staff covering the proposed 3 year program for the realignment of Curtin Avenue south of Marine Parade. The meeting was also attended by officers from the Town of Mosman Park and the City of Fremantle.

STAFF COMMENT

The presentation of Main Roads WA plans to Council staff for the realignment of Curtin Avenue south of Marine Parade underlined the fact that the first year of the 3 year \$40m project would be surveying the route, gathering of all applicable information and design of the new road section only. Main Roads WA had no directions to include design and provision of a parallel aligned section of the Principle Shared Path.

Council's Bike Plan Working Group has discussed this issue and is of the opinion that the opportunity should not be missed to emphasise to the Local State Member, the Minister for Transport and Main Roads WA that design and construction of a section of the Principal Shared Path between Marine Parade and Leighton should take place as part of the road construction process.

This would allow an early completion of this missing section of the Principal Shared Path, construction would be at a lower cost than as a 'stand alone' future project and the road design process would ensure that the best alignment and design features would be included.

It was also pointed out that the only recent accident or fatality on the existing applicable section of Curtin Avenue was the death of a cyclist and yet no solution to improve the lot of cyclists on this road is proposed.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council write to the Local State Member and Premier of WA, Hon Colin Barnett MLA, the Minister for Transport and the Commissioner for Main Roads to request the missing section of the Principal Shared Path between Leighton and Marine Parade, Cottesloe, be included in the design and construction of the Curtin Avenue Realignment project for the same section.

Carried 9/0

**10.4.11 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY
2012 TO 30 JUNE 2013**

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Statutory Financial Statements and other supporting financial information for the period 1 July 2012 to 30 June 2013 to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Statement of Financial Activity on page 1 of the attached Financial Statements shows favourable operating revenue of \$937,012 or 41%. All material variances are detailed in the Variance Analysis Report on pages 7 to 12 of the attached Financial Statements. Operating expenditure is \$6,156 more than the budgeted amount however this figure will increase once all year end accruals have been processed and the final year end position will be provided in the Annual Financial Statements for 2012-2013. Capital expenditure is reported in detail on pages 28 to 31 of the attached Financial Statements.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the Statutory Financial Statements including other supporting financial information as submitted to the 16 July 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.12 SCHEDULES OF INVESTMENTS AND LOANS AS AT 30 JUNE 2013

File Ref: SUB/150 & SUB/151
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans as at 30 June 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 22 of the attached Financial Statements shows that \$2,786,146.75 was invested as at 30 June 2013. Approximately 38% of the funds are invested with National Australia Bank, 35% with Westpac Bank, 17% with Commonwealth Bank and 10% with Bankwest.

The Schedule of Loans on page 23 of the attached Financial Statements shows a balance of \$5,870,772.29 as at 30 June 2013. Included in this balance is \$337,611.36 that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the Schedule of Investments and the Schedule of Loans as at 30 June 2013. These schedules are included in the attached Financial Statements as submitted to 16 July 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.13 LIST OF ACCOUNTS PAID FOR THE MONTH OF JUNE 2013

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the List of Accounts Paid for the month of June 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The List of Accounts Paid in June 2013 is included in the report on pages 13 to 19 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$39,508.60 to B & N Waste for a bulk and green waste collection
- \$48,206.00 to Transpacific Cleanaway for waste collection services
- \$193,256.58 to Roads 2000 for various works including the car park works at Station Street.
- \$47,258.75 to Cubic Solutions for drainage/car park works at Station Street.
- \$86,299.19 & \$86,076.28 to Town of Cottesloe staff for fortnightly payroll.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council the List of Accounts Paid for the Month of June 2013 as included in the attached Financial Statements, as submitted to the 16 July 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.14 RATES AND SUNDRY DEBTORS AS AT 30 JUNE 2013

File Ref: SUB/145
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 16 July 2013
Author Disclosure of Interest Nil

SUMMARY

The purpose of this report is to present the Rates and Sundry Debtors Outstanding as at 30 June 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial reporting is a statutory requirement under the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 24 to 27 of the attached Financial Statements shows a total balance outstanding of \$163,730.98 of which \$148,770.52 relates to the current period. The balance of aged debtors is \$14,960.46.

The Statement of Financial Position on page 4 of the attached Financial Statements shows total rates outstanding of \$263,275. Of this amount, \$198,596 is deferred and the balance of rates as a current asset is \$64,679 which compares favourably in comparison to the \$107,140 outstanding as at 30 June 2012.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Strzina

THAT Council receive the Rates Outstanding and Sundry Debtor Reports as at 30 June 2013. This information is presented in the attached Financial Statements as submitted to the 16 July 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

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

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS**

Mayor Morgan proposed a new item of Business of an Urgent Nature and moved that it be considered urgent.

Moved Mayor Morgan, seconded Cr Rowell

That a Motion related to a Council Contribution to the West Coast Community Centre be considered as urgent business.

Carried 9/0

The Mayor referred to his opening announcements and specifically the informative presentation from the chairperson and deputy chairperson of the Westcoast Community Centre (WCC) and specifically the \$4,000 annual cost of their MOU with the Shire of Peppermint Grove for the use of the Community Centre.

The Mayor suggested that, whilst recognising that the Shire of Peppermint Grove has levied a fair fee for the use of the facility, it would be good from a community development perspective for the member Councils to recognise that cost through their respective budgets and contribute to the WCC's use of the facility.

12.1.1 COUNCIL CONTRIBUTION TO THE WESTCOAST COMMUNITY CENTRE

Moved Mayor Morgan, seconded Cr Rowell

That Council authorise the CEO to write to the Town of Mosman Park and Shire of Peppermint Grove to request that each member council contribute from their Community Development budget to the \$4,000 cost of the West Coast Community Centre Memorandum of Understanding (MOU) in the same proportion as their current member funding model.

Carried 9/0

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

Nil

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 7:35 PM.

CONFIRMED MINUTES OF 25 July 2013 PAGES 1 – 74 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

.....

DATE: / /