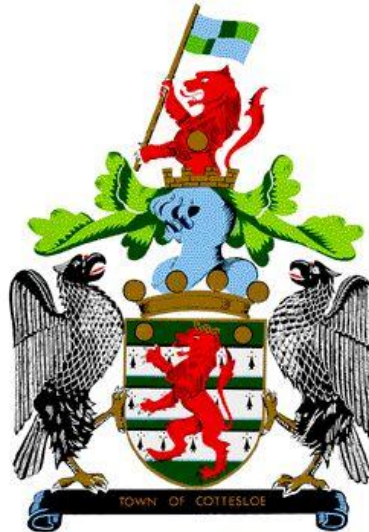


# TOWN OF COTTESLOE



## FULL COUNCIL MEETING MINUTES

ORDINARY MEETING OF COUNCIL  
HELD IN THE  
Council Chambers, Cottesloe Civic Centre  
109 Broome Street, Cottesloe  
7.00 PM, Monday, 23 September, 2013

**CARL ASKEW**  
Chief Executive Officer

4 November 2013

## DISCLAIMER

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

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

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

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

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

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

Agenda and minutes are available on the Town's website

[www.cottesloe.wa.gov.au](http://www.cottesloe.wa.gov.au)

---

## TABLE OF CONTENTS

---

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	3
2	DISCLAIMER .....	3
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	3
4	PUBLIC QUESTION TIME .....	6
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	6
4.2	PUBLIC QUESTIONS .....	6
5	PUBLIC STATEMENT TIME.....	6
6	ATTENDANCE.....	6
6.1	APOLOGIES .....	6
6.2	APPROVED LEAVE OF ABSENCE .....	6
6.3	APPLICATIONS FOR LEAVE OF ABSENCE .....	7
7	DECLARATION OF INTERESTS .....	7
8	CONFIRMATION OF MINUTES.....	7
9	PRESENTATIONS .....	7
9.1	PETITIONS.....	7
9.2	PRESENTATIONS .....	7
9.3	DEPUTATIONS.....	7
10	REPORTS .....	8
10.1	REPORTS OF OFFICERS .....	8
10.1.1	STRATEGIC COMMUNITY PLAN	8
10.1.2	2014 HAVAIANAS THONG CHALLENGE	14
10.2	REPORTS OF COMMITTEES .....	21
10.3	DEVELOPMENT SERVICES COMMITTEE MINUTES - 16 SEPTEMBER 2013 .....	21
10.3.1	FORMER DEPOT SITE – PROPOSED DESIGN GUIDELINES POLICY – REPORT FOLLOWING ADVERTISING	21
10.4	WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 17 SEPTEMBER 2013 .....	33
10.4.1	DRAFT NEW POLICY - SUSTAINABLE TRAVEL ALLOWANCE (STAFF)	33

---

10.4.2	GROUP FITNESS AND PERSONAL TRAINING POLICY	37
10.4.3	USE OF COTTESLOE OVAL BY COTTESLOE "ROOSTERS" AMATEUR FOOTBALL CLUB	40
10.4.4	HULLABALOO 2013	43
10.4.5	CELEBRATION OF THE MOTORCAR - 2013	46
10.4.6	REQUEST FOR LANEWAY TO BE NAMED - ROW 39, FORREST STREET/STATION STREET	52
10.4.7	PROPOSED CONVERSION OF FORREST STREET FOOTPATH TO DUAL USE PATH	55
10.4.8	INTERNATIONAL PUBLIC WORKS CONFERENCE, DARWIN	59
10.4.9	STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2013 TO 31 AUGUST 2013	65
10.4.10	SCHEDULE OF INVESTMENTS AND LOANS 31 AUGUST 2013	67
10.4.11	LIST OF ACCOUNTS PAID FOR THE MONTH OF AUGUST 2013	69
10.4.12	RATES AND SUNDRY DEBTORS AS AT 31 AUGUST 2013	71
<b>11</b>	<b>ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>73</b>
<b>12</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....</b>	<b>73</b>
12.1	ELECTED MEMBERS .....	73
12.2	OFFICERS .....	73
<b>13</b>	<b>MEETING CLOSED TO PUBLIC .....</b>	<b>74</b>
13.1	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED ....</b>	<b>74</b>
13.1.1	LOCAL PLANNING SCHEME NO. 3 - STATUS OF LEGAL CHALLENGE - CONFIDENTIAL	75
13.2	<b>PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC.....</b>	<b>77</b>
<b>14</b>	<b>MEETING CLOSURE.....</b>	<b>77</b>

**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 took the opportunity to thank the community for the privilege of serving the community as both a councillor and as Mayor and thanked all councillors for having Cottesloe's interest at heart. He also extended his thanks to all the staff that have work throughout those years and in particular those who are here tonight. To Mr Trigg who has rebuilt the Town with the assistance of other governments' money and throughout those years there have been several Prime Ministers who have visited Cottesloe to see how their money was being spent. To Mr Humfrey (and his predecessor) who has put the Town in its current strong financial position with very little relative debt, and despite every community and club in the town being rebuilt, or currently being rebuilt, with relative by little debt and the opportunity to reinvest surplus proceeds from the sale of our depot in a not too distant future. The Mayor suggested that any such funds realised should be reinvested in the Town Centre, rather than the beachfront as the Mayor believed that the State Government has made it clear that they would be taking over the Beachfront development and will be doing that in the next few years via the MRA and they have their own plan. The Mayor also provided special thanks to Mr Jackson for epitomising and going beyond the call of duty in his many years of trying to bring the principles of planning to this town, despite the final outcomes of LPS 3 not necessarily reflecting the rational and proper application of those principles. In relation to LPS3 he indicated that he thought tonight that Council will fold on this particular issue as the Barnett government has re-written the rules to ensure that their previously unlawful decision can now be legalised. He believed that it means that Council's challenge is now futile, however you can take some comfort from the fact that coastal planning now has at least paid some lip service to some of the factors that epitomise the Enquiry by Design process and outcome. I think the future for this council is to get those principles refined and applied on the beachfront, when development does occur. I think it was 10 years this month since Council was informed that the deal was in for our hotels that they were going to get extra height. I think one of the main points has been put against, redevelopment on the beachfront is the loss of sunlight first thing in the mornings. I find it ironic that after 10 years people are still fighting height limits supposedly for fear that, no development would occur over those 10 years. My thanks is due mostly to the CEO, Mr Askew (and his predecessor Mr Tindale) for exemplifying the professionalism and caring nature for this council and to achieving the highest community satisfaction ratings ever recorded across WA councils. I think this outcome

is in no small part due to the approach of the CEO, and reflected through the recognition by our residents, to the service we provide.

The Mayor also took this opportunity to pass on the mantle of responsibility for Cottesloe to a more compliant Council. I think it is time to recognise that further resistance is futile, and much better to send people that can work with that outcome. Debate on height has highlighted both sides of the debate. We recognise that the outcome will end up worse than some of us would otherwise have preferred. He felt the same thing with the local government reform. The state government election gave Mr Barnett the keys to WA democracy. I think in Local Government reform the fix is in and the outcome will be inevitable. I just hope that we not end up with the proposed preference of two councils in the western suburbs. I don't think there's any rationale to that and the only merger option that make sense is the G7. Regardless of when we merge we do need to cooperate across the G7 footprint. Any other halfway measure will be absolute disaster for Cottesloe financially and community engagement will suffer as a result. But I am not going to resist the situation by remaining here to oppose that outcome. I have utmost faith in Jo Dawkins as the incoming Mayor that she will not be anyone's patsy and that I have no doubt that she will have Cottesloe's best interests at heart. Council is a collective decision making body and we have seen a number of changes in the last few years. It is much better to have a well functioning council and accept the view of the majority as best for Cottesloe. I think the numbers are in on where we are going end up in local government reform. I really don't want to stick around if it has to be forced as I think this will be a disaster. I can only hope that this whole process flounders and we can go back where we were 4 years ago, with things steadily moving into a voluntary operation across the G7 footprint.

In relation to Council's recent deliberations with regard to additional toilets and change rooms on the beachfront I think we should build toilets on the eastern side of the corner of Napier and Marine Parade and I don't think we should build it on the western side of Marine Parade. But I will leave that to you to decide on that important issue. I would also like to recognise 2 councillors that are retiring at these elections, Cr Victor Strzina and Cr Yvonne Hart, noting that Cr Strzina has served ten years on Council commencing at the same time I did. I would like to take this opportunity to acknowledge your help and support and I offer them an opportunity to also say a few words.

**CR HART:**

Cr Hart spoke of the privilege to serve on council for the past 2 years. She indicated that she had learnt so much and I enjoyed the challenge of being involved in the policy development, decision making and debate of Council. She acknowledged the work of all staff and expressed her thanks to Mat for the responses to her questions and letters on financial matters. She spoke of Geoff's gentle and carefully explained advice such as with the Town's street tree policy and budgets associated with those matters. She also acknowledged Andrew who has borne the brunt of her questions

related to planning and development and she was now more aware and knowledgeable on matters related to *performance criteria, cones of vision, State Coastal Planning policy, TPS 2 and TPS 3*, as well as a host of other terms, although she acknowledged that she still had some difficulty with the determination of *natural ground level*. At all times Andrew has shown patience even though there may have been occasions when he wished that she stop asking foolish questions. There are also staff behind the scenes preparing documents and doing the work that makes our jobs that much easier and my thanks to Lydia and the admin team. Finally thank you to Carl for his management style that produces such professional and committed staff as well as positive outcomes for Council and the community.

At times I have been disappointed with other fellow councillors who appear not to understand the importance of policy and procedure, and at times have used personal attacks as a means of *point scoring*, and she was of the opinion that personal prejudices have no place in Council Chambers. To the Mayor she acknowledged his work for the past 8 years has come at a cost. He has been a champion for Cottesloe and has enabled his future vision for our Town which has gone far beyond what was thought possible. Over the years he has predicted all that has happened, including the direction of the State government, amalgamation and the potential sell off of assets to fund its budgets. He has been the champion on local government reform and has represented Cottesloe against mergers without community support, including through his alliance with other Mayors. In addition Cottesloe has received some of the highest residential satisfaction ratings in WA during the Mayor's time on Council. She indicated that she has also appreciated his ability to lead and manage meetings in an efficient manner in order to run effective council meetings which are constructive and produce positive outcomes. It has been a pleasure to serve on Council and I wish everyone all the best in the next phase of local government with its the challenges ahead.

**CR STRZINA:**

Cr Strzina reiterated what had been said from the Mayor and Cr Hart regarding the Town's staff and stated that we have been fortunate as councillors to have worked with some of the best staff that local government has to offer, and that is reflected in the satisfaction ratings the community has given us. It has been a pleasure and learning experience. Cr Strzina expressed his disappointment to leave and his decision was due to personal reasons but he certainly didn't put out the realm of possibility to stand in another election at some point in the future. However at this point in time he has other higher priorities. He congratulated councillors that are coming in and the new Mayor and with those congratulation provided some advice; a number of positions were elected unopposed and as such did not have to stand on any particular platform, therefore Councillors have one mandate, which is to represent what the local community wants. This is what has been done over the last 10 years. Despite the various differences and personal opinions within the Councils the results of the decisions that have been made has been the correct decisions and this has been

reflected, again, in our community feedback. I hope the incoming councillors are as representative of the entire community as we have been so far and that Council continues to have the best interests of the community at heart.

#### **4 PUBLIC QUESTION TIME**

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

Nil

##### **4.2 PUBLIC QUESTIONS**

Nil

#### **5 PUBLIC STATEMENT TIME**

Nil

#### **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  
Mr Mat Humfrey

Chief Executive Officer  
Manager Corporate & Community  
Services  
Manager Engineering Services  
Manager Development Services  
Executive Officer

Mr Geoff Trigg  
Mr Andrew Jackson  
Mrs Lydia Giles

##### **6.1 APOLOGIES**

Nil

##### **Officer Apologies**

Nil

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

Nil

---



**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 DECLARATION OF INTERESTS**

Mayor Morgan declared an impartiality interest in item 10.4.3 Use of Cottesloe Oval by Cottesloe "Roosters" Amateur Football Club, as his son is a member of Cottesloe Magpies.

**8 CONFIRMATION OF MINUTES**

**Moved Cr Strzina, seconded Cr Walsh**

[Minutes August 26 2013 Council.DOCX](#)

**The Minutes of the Ordinary meeting of Council held on Monday, 26 August, 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 items 10.4.3, 10.4.1, 10.4.5, 10.4.6 from the Works & Corporate Services Committee. The remainder items from the Works & Corporate Services Committee were dealt with 'En Bloc'.

The remainder items of Development Services Committee, officer reports and confidential report were dealt as per the published order of the agenda.

## 10 REPORTS

### 10.1 REPORTS OF OFFICERS

#### 10.1.1 STRATEGIC COMMUNITY PLAN

<b>File Ref:</b>	<b>SUB/108</b>
<b>Attachments:</b>	<a href="#">Strategic Community Plan</a>
<b>Responsible Officer:</b>	<b>Carl Askew</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Mat Humfrey</b> <b>Manager Corporate &amp; Community Services</b>
<b>Proposed Meeting Date:</b>	<b>23 September 2013</b>
<b>Author Disclosure of Interest</b>	<b>Nil</b>

---

### SUMMARY

The report presents the Town's draft Strategic Community Plan for endorsement to advertise to public comment.

### BACKGROUND

In October 2010, the State Government released its Integrated Planning Framework for local governments, which was included in the Local Government (Administration) Regulations in August 2011. The framework greatly enhances the requirement for forward planning for local governments, and has three main components being the Strategic Community Plan, the Corporate Business Plan and informing strategies.

The first part of the framework that needs to be adopted is the Strategic Community Plan which represents the vision for where the community, represented by a local government, sees itself in the future. Spanning 10 financial years, the Strategic Community Plan provides the aspirational statement for the remainder of the planning process.

Following the adoption of the Strategic Community Plan, Council will be required to consider a Corporate Business Plan. The Corporate Business Plan will provide the mechanism that will see the Strategic Community Plan implemented (activated). This will include detailed costings and strategies for meeting those costs. Finally, there are a number of informing strategies that can be directed towards both of the above plans. It is suggested that a Workforce Plan, an Asset Management Plan and a Long Term Financial Plan should all be in place to allow the other plans to be informed. However the Regulations are silent on the content or formulation of these informing strategies, save that the requirement to calculate financial ratios suggests that the Asset Management Plan and Long Term Financial Plan should cover at least 10 years.

Most local governments already have plans in place to meet these requirements and the Town will be one of the last to adopt these plans. However, with significant time and energy going into the reform process as well as the adoption

of Local Planning Scheme 3, both of which would have a major influence on the formulation of any future plan, Council has waited until these processes are more or less complete before the time and resources could be allocated to the development of the Community Strategic Plan.

### **STRATEGIC IMPLICATIONS**

The adoption of this recommendation is the first step in putting in place the Town's new Strategic Community Plan.

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY ENVIRONMENT**

#### **Local Government Act 1995**

##### **5.56. Planning for the future**

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

#### **Local Government (Administration) Regulations 1996**

Division 3 — Planning for the future

##### **19C. Strategic community plans, requirements for (Act s. 5.56)**

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.

- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

**19DA. Corporate business plans, requirements for (Act s. 5.56)**

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
  - (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
  - (3) A corporate business plan for a district is to —
    - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
    - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
    - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
  - (4) A local government is to review the current corporate business plan for its district every year.
  - (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan
-

if required because of modification of the local government's strategic community plan.

- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.

\*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

#### **19D. Adoption of plan, public notice of to be given**

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).

- (2) The local public notice is to contain —

- (a) notification that —

(i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and

(ii) details of where and when the plan may be inspected;

or

- (b) where a strategic community plan for the district has been modified —

(i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and

(ii) details of where and when the modified plan may be inspected.

#### **FINANCIAL IMPLICATIONS**

There will be minor costs in the adopting of the recommendation, however these can be met within current operational budgets. These costs consist of advertising and consultancies.

#### **STAFFING IMPLICATIONS**

The cost of staff time (primarily Executives) in assisting with the development of the draft plan have been incorporated within existing budget allocations.

#### **SUSTAINABILITY IMPLICATIONS**

Nil

---

**CONSULTATION**

Nil

**STAFF COMMENT**

The Town's previous Plan for the Future expired in May 2011. Since this time the Town's strategic direction has been set in the Action Plan, as updated at the quarterly Strategic Planning Committee meetings.

There has been two major impediments to the Town adopting a new Plan for the Future, the first being the adoption of, and signing off of, the Town's Local Planning Scheme No 3 and the second is the much discussed issue of local government reform. Each time the Town has considered the question of the Plan for the Future, one or both of these items looks to be close to being settled, and as the outcome of these processes would have a major impact on any future planning undertaken by the Town, the plan for the future considerations have been delayed. Recent events suggest that both of these items are now close to being resolved. As such, the Town is now in a position to begin formalising planning that has been occurring informally for several years.

The first step in writing this plan was to engage the community in a way that would allow for an assessment of the previous plan. An independent research company, Catalyse, was engaged to undertake this research, which was presented to Council in April this year. The overall response to the survey suggested that the Community was happy with the direction that Council is and has been pursuing and that the overall satisfaction with Council was extremely high.

From the results of the survey and the work undertaken on the previous Plan for the Future, the initial draft of the Strategic Community Plan was drawn together. This plan was presented to the management executive of the Town for review and consideration. Changes made at this time were purely administrative, pertaining mostly to the wording of objectives, supporting documents and updating any outdated information.

The revised draft has been presented to a Council workshop. At this workshop, the Plan was considered in greater detail and much feedback was received. The feedback was then incorporated into the draft document which is being considered for endorsement in this report.

Endorsement of the Strategic Community Plan is the first part to adopting the plan. Following endorsement, the Strategic Community Plan will be advertised and comments and feedback will be sought from residents, businesses and other stakeholders. This feedback will be considered and where possible incorporated into the plan, which will then be presented back to the Council for final adoption.

While it is anticipated that the final adoption of the Strategic Community Plan is still some months away, the endorsement of the plan for advertising will allow the administration to begin work on the other parts of the Integrated Planning Framework. For example, the Town already has adopted 5 year asset plans, however these will all need to be extended to cover a period of at least 10 years –

as will the financial plans that accompany them. There is still work to be done on the Town's workforce plan, however this can also progress while the Strategic Community Plan is out for comment.

Once the Strategic Community Plan is in place, the Town will also need to adopt a Corporate Business Plan, which is underpinned by several informing strategies. Given the volume and complexity of the work involved, the sooner the work is begun, the better off the Town will be.

Even though the Town doesn't have a formal Plan for the Future, the Town has been working strategically. The Town has adopted 5 year asset plans which are reviewed annually and the Action Plan (evolved from the previous Plan for the Future) has reviewed and updated quarterly. These elements have allowed the Town to progress a number of projects and aspirations, even without having formally adopted a Strategic Community Plan. However, as these plans are now required to be in place, it is recommended that the attached Draft Strategic Community Plan be endorsed for advertising.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

**Moved Mayor Morgan, seconded Cr Strzina**

**THAT Council endorse the Draft Strategic Community Plan as attached for advertising for a period of two months, with the Plan to be re-presented at the December 2013 meeting for final adoption.**

**AMENDMENT**

**Moved Cr Jeanes, seconded Cr Rowell**

**That the word 'endorse' be replaced with 'receive'.**

**Lost 3/6**

**OFFICER RECOMMENDATION & COUNCIL RESOLUTION**

**THAT Council endorse the Draft Strategic Community Plan as attached for advertising for a period of two months, with the Plan to be re-presented at the December 2013 meeting for final adoption.**

**THE SUBSTANTIVE MOTION WAS PUT**

**Carried 7/2**

**10.1.2 2014 HAVAIANAS THONG CHALLENGE**

**File Ref:** SUB/1669  
**Attachments:** [Event Application Form](#)  
[Event Map](#)  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Sherilee Macready  
Community Development Officer

**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

**SUMMARY**

Havaianas Thong Challenge is a National event held on Australia Day each year at Cottesloe Beach. The 2014 event will be the 9th. Cottesloe has been involved in this event for the last four years. This report presents the organiser's application for the 2014 event for Council's consideration.

**BACKGROUND**

The event invites participants to take part in the "Havaianas Thong Challenge", which is a world record attempt for the largest chain of people floating out on the water on inflatable lilos. Participants are required to register either prior to the event or on the day at the beach. As part of the registration process, each participant receives an inflatable Havaianas Thong Lilo, to float on during the record challenge.

The 2014 event registration fees are still to be determined. The 2013 registration fees were:

- Pre-event online registration - \$25
- On the day registration - \$30

(\$10 for every participant is donated to the Cottesloe Surf Life Saving Club)

To address safety of registered participants, organisers have again included colour-coded wrist bands to indicate their swimming competency:

- Red – Novice
- Orange – Intermediate
- Green - Advanced

The 2014 event wrist bands will include additional features not realized in the 2013 event wrist band. Described as a NFC wrist band, it features pair to participant social media profiles that allows participants to: check in for the event; identify themselves for collection of their lilos; and be able to share photographs from the event through their own social media network, with an aim to enhance the interactive experience for participants.

---



In 2013 the Thong Challenge included over 6000 participants nationally, with 2093 from the Cottesloe event. (Events were held at Bondi Beach (NSW), Torquay (VIC), Glenelg (SA) and Cottesloe (WA).

Beach games, including beach flags, thong throw and thong paddle will again be included as a component of the day.

Organisers claim that the event adds value to the community in the following ways:

- Providing generous contribution to the local SLSC and Nippers association;
- Creates a structured, well organized event at Cottesloe Beach;
- Promotes Cottesloe as a family friendly environment to celebrate Australia Day together;
- Advocates Cottesloe's focus on safety with continual water safety and "alcohol prohibited" messages being promoted throughout the event;
- Provides entertainment and activities for all age groups on the day; and
- Supports local businesses by attracting people to the area.

Organisers of the event, Urban Media Australia Pty Ltd, have introduced risk control measures including water safety plans and on hand first aid. The water area will also be "roped off" to avoid other members of the public who are celebrating Australia Day from clashing with the event.

With approximately 2,100 participants expected and additional spectators, extra toilet facilities will be provided by the organisers. Rubbish bins, including the provision for recycling will be provided by the organisers.

### **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**

Below are the fees associated with Public Events / Multiple Area Events for over 500 people, as per the Town's Schedule of Fees and Charges for the year ending 30 June 2014.

Commercial (<1000 people)	\$3,000 per day
Commercial (>1000 ~ <2000 people)	\$6,000 per day
Commercial (<2000 ~ <3000 people)	\$10,000 per day

***(GST applies unless there is a valid exemption)***

The event organisers have indicated that they are anticipating between 2000 – 2,200 paid participants and between 7,500 and 15,000 spectators.

In 2013 event organisers were charged a fee of \$6,000 (+ GST) given that the organisers were contributing \$10 per participant to the Cottesloe Surf Life Saving Club.

### **STAFFING IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

Organisers have confirmed that the inflatable plastic Lilos are not recyclable.

#### **Coastal Environments**

- Commitment to protect and maintain coastal biodiversity and habitats.

#### **Waste Management and Recycling**

- Commitment on reducing waste (e.g. reduced packaging, reduced material usage).
- Commitment on resource efficiency (reducing, reusing, recovering, recycling);
- Commitment on recycling materials (paper, cardboard, aluminium etc).

### **CONSULTATION**

Officers contacted the Cottesloe Surf Life Saving Club to obtain feedback on the previous year's event. It was advised, that the 2013 event was overall a positive experience for the club, and that the event was organised more efficiently than previous year's events.

The club was pleased to report that there were no major water rescues that took place during the 2013 event.

### **STAFF COMMENT**

Event organisers have again requested that Council approve the presence of the "Havaianas Australia Day Thong Challenge Merchandise Shop" that will carry Havaianas merchandise such as thongs and beach umbrellas. The sale of the merchandise would compete with local traders and potentially create more advertising, waste, and rubbish on the beach, and as such is not supported.

The request for a "Havaianas shop" at the 2013 event was declined by Council. Despite this, organisers included the shop within the Cottesloe Surf Life Saving grounds on the day of the event.

In addition, organisers have requested that Council approve the presence of a large outdoor screen to: broadcast the event; provide Instagram feeds from Havaianas news feed, including pictures of the event; provide Vox Pops; display safety information and briefings; and advise patrons of emergency information. No information to date has been provided to officers by organisers as to the proposed size of the screen, other than the organisers are open to discussion

---

with the Council. This additional medium will give organisers potentially another opportunity to advertise the Havaianas brand and as such is not supported.

Organisers have also raised the concept of securing space for an “installation” for their major brand (Havaianas) for the day. While information about the exact concept idea has not been provided, an example has been mentioned in their event proposal: a giant Havaianas replica for photo opportunities. This proposed “installation” will give organisers another potential opportunity to advertise the Havaianas brand and as such is not supported.

Organisers have requested their ‘Bump In’ time to set up for the event one day earlier than previous year’s, on Friday, 24 January 2014, to allow for additional equipment set up. They have also requested a later ‘Bump Out’ time to pack down the event, on Tuesday, 28 January 2014, to allow for the additional public holiday on the 27 January 2014 and the packing down of additional equipment. This would mean an additional two days, more than the 2013 event, that could potentially impact general beachgoers wanting to access the beach for a swim.

Organisers have also indicated in their event proposal the possibility of a stage and DJ set up as part of their on sand infrastructure, where music and entertainment will be featured. To date this has not been confirmed by the organisers. The DJ / MC set up for the 2013 event occurred on the sand. MC’s are proposed to use the stage for event Vox Pops, safety and security announcements, and to have an elevated location to present the donation cheque to the Cottesloe Surf Life Saving Club at the end of the event. Organisers have stated that noise restrictions regulations in this area will be addressed. The presence of the stage if it were to go ahead will give organisers another potential opportunity to advertise the Havaianas brand, and as such is not supported.

There are other concerns that administration have for this event, being:

- Organisers have advised that they are increasing their “giveaway” items for the 2014 event;
- Parking issues on the day of the annual event have been an ongoing problem;
- Impact on members of the public who would normally go to the beach for a swim;
- Sustainability concerns with regards to the Lilos that are not recyclable.

## **VOTING**

Simple Majority

## **OFFICER RECOMMENDATION**

Moved Mayor Morgan, seconded Cr Strzina

THAT Council decline the application from Urban Media Australia Pty Ltd to hold the 2014 Havaianas Thong Challenge at Cottesloe Beach on Sunday, 26 January 2014.

**COUNCIL DISCUSSION**

Council discussed the officer report and the associated officer memo of 18 September 2013. Mayor Morgan proposed to move the alternate motion to approve the event with conditions as outlined in the officer memo.

**ALTERNATIVE MOTION**

**Moved Mayor Morgan, seconded Cr Walsh**

**That Council approve the application from Urban Media Australia Pty Ltd to hold the 2014 Havaianas Thong Challenge at Cottesloe Beach on Sunday, 26 January 2014, with the following conditions:**

- 1. Adequate arrangements are made for rubbish collection and removal, including provision for recycling.**
- 2. Compliance with the Environmental Protection (Noise) Regulations 1997.**
- 3. Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the Health (Public Buildings) Regulations 1992.**
- 4. All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required).**
- 5. Class the event as a commercial event and charge the fee of \$6,000 (+GST) and a bond of \$2,000.**
- 6. Provision of 'certificates of currency' to certify that organisers have adequate public liability insurance.**
- 7. That signage is limited to only directional and safety signage, with the request for tear drop signage, palm tree signage and large banners to be declined.**
- 8. The request for a "Havaianas Australia Day Thong Challenge Shop" is declined.**
- 9. The request for inclusion of a large outdoor screen is declined.**
- 10. The request for additional 'Bump In', and 'Bump Out' days, on Friday, 24 January 2014 and Tuesday, 28 January 2014 respectively, is declined.**
- 11. The request for an additional space allocated for an "installation" for the organiser's major brand, Havaianas, is declined.**
- 12. That the stage be situated such that it does not interfere with access paths to the beach.**
- 13. Organisers supply 7 female and 5 male portable toilets to cater for the 2000+ participants.**
- 14. In the event that the 7 day forecast indicates that the maximum temperature for the day of the event will exceed 35 degrees, additional shade structures are permitted with a total area less than 100 square metres, subject to arrangements for these being to the satisfaction of the Chief Executive Officer.**

Carried 7/2

#### **AMENDMENT TO ALTERNATIVE MOTION**

Moved Cr Downes, seconded Cr Walsh

That in item 7 be amended to include tear drop and palm tree signatge, limited to a maximum of 12 signs in total.

Carried 7/2

#### **AMENDMENT TO ALTERNATIVE MOTION**

Moved Cr Walsh, seconded Mayor Morgan

That in item 9 the word 'declined' be replaced with 'approved'

Carried 6/3

#### **COUNCIL RESOLUTION**

That Council approve the application from Urban Media Australia Pty Ltd to hold the 2014 Havaianas Thong Challenge at Cottesloe Beach on Sunday, 26 January 2014, with the following conditions:

1. Adequate arrangements are made for rubbish collection and removal, including provision for recycling.
2. Compliance with the Environmental Protection (Noise) Regulations 1997.
3. Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the Health (Public Buildings) Regulations 1992.
4. All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required).
5. Class the event as a commercial event and charge the fee of \$6,000 (+GST) and a bond of \$2,000.
6. Provision of 'certificates of currency' to certify that organisers have adequate public liability insurance.
7. That signage is limited to only directional and safety signage, with the request for tear drop and palm tree signage be limited to a maximum of 12 signs in total, with large banners to be declined.
8. The request for a "Havaianas Australia Day Thong Challenge Shop" is declined.
9. The request for inclusion of a large outdoor screen is approved.
10. The request for additional 'Bump In', and 'Bump Out' days, on Friday, 24 January 2014 and Tuesday, 28 January 2014 respectively, is declined.
11. The request for an additional space allocated for an "installation" for the organiser's major brand, Havaianas, is declined.

- 12. That the stage be situated such that it does not interfere with access paths to the beach.**
- 13. Organisers supply 7 female and 5 male portable toilets to cater for the 2000+ participants.**
- 14. In the event that the 7 day forecast indicates that the maximum temperature for the day of the event will exceed 35 degrees, additional shade structures are permitted with a total area less than 100 square metres, subject to arrangements for these being to the satisfaction of the Chief Executive Officer.**

**THE AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 7/2**

**10.2 REPORTS OF COMMITTEES****10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 16 SEPTEMBER 2013****10.3.1 FORMER DEPOT SITE – PROPOSED DESIGN GUIDELINES POLICY – REPORT FOLLOWING ADVERTISING**

**File Ref:** SUB/962  
**Attachments:** [Aerial Former Depot Site](#)  
[Local Development Policy for Former Depot Site](#)  
[Former Depot Site Public Submissions](#)

**Responsible Officer:** Carl Askew  
Chief Executive Officer

**Author:** Andrew Jackson  
Manager Development Services

**Proposed Meeting Date:** 16 September 2013

**Author Disclosure of Interest:** Nil

---

**SUMMARY**

In July 2013 Council received a progress report on the former depot site disposal project and in relation to the subdivision proposal resolved to endorse draft design guidelines by way of a Local Development Plan (LDP) to be advertised as an intended town planning scheme policy.

Advertising has been undertaken and this report presents community comment and other information to Council towards finalisation of the scheme policy.

**BACKGROUND**

The subdivision application lodged is pending approval by the Western Australian Planning Commission (WAPC), which is imminent. The approval will have conditions in the normal manner and it is anticipated that the subdivision design will be acceptable to the WAPC.

The Town in devising the subdivision proposal with its planning consultants and surrounding residents decided that it would be beneficial to create design guidelines to address various details, in order to augment the basic subdivision layout plan. The design guidelines are another layer of control over key aspects of the residential land development.

The design guidelines take the form of an LDP and associated Public Realm Design Brief, to be ratified as a local planning policy under the town planning scheme. In this way the design guidelines will go hand-in-hand with the approved subdivision when selling the site to a preferred developer to carry out construction of the estate accordingly.

**CONSULTATION**

The draft scheme policy LDP design guidelines were advertised for three weeks ending 23 August 2013, by way of 44 letters to surrounding owners/residents, the Post Newspaper and the Town's website.

Eleven submissions were received, as examined below, with copies attached.

**SUBMISSIONS**

The submissions are summarised in the following table, grouped by surrounding streets. The key points raised are identified and commented upon further below.

<b><i>Street address</i></b>	<b><i>Owner name</i></b>	<b><i>Key points made</i></b>
9 Clarendon St	Rosanne & Timothy Moore	Comments provided by Malcolm Mackay planning consultant. Questions feasibility of northern lane in terms of access, topography, construction (fill/retaining), garage setback and dwelling design. Retaining walls would shadow outdoor areas. Queries tenure of central open space for perpetuity. Queries why two garage locations are mandated while others are "preferred", whereby front garages may occur. Queries 5m height of garages and affect on views, so low-pitch or flat roofs should be mandated. Suggests drying court guidance should be improved. States 65% site coverage inconsistent with RDC and should be explained. Number of on-street parking bays is high. Queries absence of and encourages more detailed design guidelines for the lots. [note: misunderstood] Encourages water sensitive urban design, high-standard open space infrastructure, public art, ample footpaths and consistent crossovers. Lane lighting should avoid glare impact. Clarify use of lanes by rubbish trucks, service vehicles or visitor parking.
11 Clarendon St	Graham Dowland	Appreciates consultative process for project. Queries garage height limit of 5m as excessive re impact on views, so flat or low-pitched roofs should be mandated. Encourages more design guidelines for each lot. Concern re lanes traffic flow, access (especially northern lane) and for low-impact lighting.
253 Marmion St	Hayley Benbow	Has become aware of history of depot site



		and suggests alternative of a community park. Concern about traffic in lanes, including noise, inconvenience and impact on Marmion St leg and eastern lane, which would be narrowed (ie from as currently built). Link between estate access road and eastern lane would increase risk of personal injury and property damage to 257 Marmion (especially their corner garage), which a suggested masonry fence would not prevent, also given the blind corner. Pedestrian safety/paths in the lanes should be considered, especially re school children. Supports design constraints to dwellings on new lots 7 & 8, ie 6m setback of two-storey buildings. Concern small lot development and traffic will devalue locality. Suggests: single access road from Nailsworth St, with no eastern lane link; narrow lots 7 & 8 for a wider eastern lane and to keep the trees; one-way lanes; pedestrian/cycle pathway; reduce lots 7 & 8, with design controls for privacy (windows, setback, height); keep existing landscape in eastern lane.
255 Marmion St	Jonathon Thwaites	Concern that eastern lane is too narrow, whereby properties to Marmion St may be damaged by vehicles (especially No. 253), access for existing rear carports would be hazardous and blind corners to lanes would be dangerous for vehicles and pedestrians. Dwellings on new lots 7 & 8 should not overlook properties opposite eastern lane. Suggests widening that lane by reducing lot 8 to address all this and for attractive, treed lane-scape (keeping existing trees) and to optimise lot sales.
257A Marmion St	Vivienne Dench	Satisfied with levels of proposed lots opposite. Acknowledges intended masonry wall for direct protection from traffic. Requests that any widening of eastern lane parallel to Marmion St be for the whole lane; but has separately expressed concern that wider lanes may encourage traffic/speeds, and that the narrow vehicle and pedestrian link at the eastern end of the subdivision should not be widened (so as to minimise/calm traffic).
50 Napier St	Sue Moffat	Plan looks promising overall. Suggests

		one-way flow for access road and all lanes with a pedestrian easement on one side of lanes, and that the road/lane link be pedestrian-only to manage traffic. Rear 6m of all lots should be single-storey for low impact and privacy to properties opposite. Park (POS) should be a child-friendly meeting place.
54 Napier St	Jane & Riaz Khan	Concern that height of buildings at rear of lots to lane could overlook properties opposite, so opposed to two-storey within 6m of lane. Concern about SE blind corner in lanes re pedestrian safety, so truncation should be increased. Concern that eastern lane is to be narrowed re pedestrian safety/convenience. Concerned about traffic flow in lanes, so encourages one-way. Suggests that the lane/ road link be pedestrian-only.
56A Napier St	Davina Whittall	Building height at rear of lots should be restricted to ensure privacy for properties on other side of lane. Encourages one-way traffic flow in lanes and truncations for visibility. Lanes should not be any narrower, given considerable pedestrian usage.
2A Nailsworth St	Fiona Callander	Appreciates consultation. Seeks assurance their front verge parking bay will remain. Concern about lanes and Nailsworth St being narrow re traffic in general and during construction in particular – seeks assurance of a management plan; especially re traffic and amenity impacts of major site-filling exercise. Urges dilapidation reports re fill/compaction and construction works. Encourages achieving amenity for new estate as well as surrounding properties.
3 Nailsworth St	Katrina Burton	Parking bays supported. Concern there could be front garages instead of mandated at rear. Garage roofs should be flat or low pitch – 5m proposed seems too high and could impact across lanes. Encourages design guidelines for quality, certainty and amenity.
4 Nailsworth St	Alec & Linda Pismiris	Concern access road from Nailsworth St would cause traffic impact. Suggest access via Marmion and Clarendon Sts instead. Rear garages would be impractical and retaining walls for northern ones would shadow backyards – opposed

		<p>to that. Suggests clarify tenure of POS as such rather than road reserve. Queries mandated versus flexible garage locations, including changing to front of lots. Queries 5m height for garages and encourages flat or low pitch roofs to preserve views. Urges drying court control to be improved. Seeks rationale for 65% site coverage control and for large number of access road parking bays. Urges detailed design guidelines for the lots (eg quality, character, roof pitches, mechanical equipment) for certainty and amenity. Queries amount of fill and finished site levels – would oppose increase of more than one metre. Suggests Public Realm Design Brief should include: water-sensitive measures with no sump; high quality, robust landscape structures/furniture; public art. Encourages: footpaths; crossovers being narrow and of consistent material. Also suggests: avoid glare from lane lighting; clarify use of lanes by refuse trucks/service vehicles; discourage visitor parking in lanes.</p>
--	--	--

### OFFICER COMMENTS

The submissions have been reviewed by the Manager Planning Services and Manager Engineering Services as well as the Town's planning consultants. The comments from owners/residents fall into the following categories for consideration. Overall, many of the points raised can be explained or responded to, including making some refinements to the LDP/design guidelines and possibly to the final subdivision plan. Some other aspects will be addressed during the land development phase.

#### Traffic matters:

##### Existing situation

The laneway network around the site has existed for many decades and been comparatively heavily used by depot and residential vehicles. The lanes are sealed to be trafficable, except for the un-built section of the northern lane at present. As Crown reserves for public roads they are available as thoroughfares to all.

The condition of abutting fencing and buildings on the surrounding residential properties is overall good, ranging from some high quality masonry fences and garages to a few older fibro or timber fences and shed-style garages. A number of small to medium sized trees and various creepers occur randomly within the lanes outside rear fences.

### Subdivision proposal

The subdivision design preserves the lanes as convenient access to the rear of dwellings, both existing and proposed, as well as provides a central local access road. The development concept is to locate vehicular access to the rear of the new lots (with the exception of possible Lot 13) in the same manner as several of the surrounding properties. This estate layout is similar to that often used in today's urban development projects or infill housing areas, such as at East Perth and Subi Centro.

The advantage of this site is that the laneway network comprises four connections to three surrounding streets, as well as the access road, which affords a high degree of circulation for the subdivision, influencing dispersed rather than concentrated traffic patterns. The proposed narrow vehicular and pedestrian link between the access road and the eastern lane is a further benefit to circulation, including as an emergency access.

### Traffic flow

In this regard maintaining two-way traffic flow, as has always applied, is considered to be the better approach to traffic management, for freedom of travel direction, greater traffic dispersal and due to difficulties in regulating one-way traffic. Five-metre wide lanes are common and sufficient to allow passing vehicles. The upgrading of the lanes, including sufficient lighting, will facilitate effective and safe vehicular movements. The fact of two-way flow tends to calm traffic, whereas one-way can encourage speeding; while it is very hard to enforce one-way flow behaviour. Furthermore, a proposed one-way system would require approval by Main Roads WA of the traffic management techniques.

Planning experience is that upon completion of a development, residents and visitors soon adapt to and respect the design arrangement in relation to travel routes/modes and other element such as parking and open space.

### Garage access

Garages are to be setback a minimum of 1m from the lanes to provide the standard 6m turning space. Cottesloe has a number of 5m wide lanes where vehicular movements and access to garages functions effectively, and rear garages are an established design principle.

### Lane widths

Therefore, it is not intended to widen the legal width of the lanes for traffic purposes.

Nevertheless, narrowing lot 8 on its eastern side could be considered in order to widen the lane in the interest of amenity; by dedicating a strip of the depot site to that section of the lane. The objective would not be for a lane carriageway wider than 5m, but to align the pavement westward similar to as exists, away from the

eastern properties and retaining or reinstating a landscape buffer on the eastern side (which, as it is in the lane, would be the Town's maintenance responsibility).

Excising a 3m wide strip from lot 8 would reduce it from 800sqm by approximately 110sqm to 690sqm. Note that widening the lane along lot 7, which is already smaller at 629sqm, is not recommended.

In this regard the Manager Engineering Services has advised that the existing trees, if kept, may require future removal if they become too large and affect the lane pavement or private fencing. Also, the materials and rubbish dumped there would have to be removed, and at some time the adjacent owners may wish to upgrade the fencing and garage in any case.

### Truncations

Corner truncations are included in the LDP and subdivision plan as standard practice to assist traffic movement/visibility. The corners of existing properties could be truncated with the cooperation of owners.

### Eastern link

The link between the access road and eastern lane resulted from consultation in the interest of vehicular and pedestrian connectivity. It is also appropriate for emergency vehicles and as an escape route. The link is designed as a narrow neck as one-way-at-a-time for vehicles (eg with a gentle plateau and signage) with side footpaths. In this way the access road affords pedestrians a choice of routes and terrain in multiple directions.

The Town has liaised with the owner of 257A Marmion Street, which is a rear strata dwelling directly opposite and close to this link that will be the most exposed to traffic movements using the link. Therefore, the Town has agreed in-principle that in relation to the subdivision works the existing rear fibro fence with gates to this property should be replaced with a masonry wall with gates, at the cost of the Town or developer as determined.

### Footpaths

Lanes by nature are a secondary road also available to pedestrians and cyclists but normally don't contain footpaths, even in commercial areas, due to less space, garages, services, etc. The central access road will, however, have 1.5m wide footpaths along both sides as a primary pedestrian route.

### Visitor parking

The provision of parking bays in the access road is important for visitor and service vehicles and considered ample at in excess of one bay per lot. The lanes will not have any visitor bays. The access road and lanes will be capable of carrying service vehicles – the lanes have carried depot trucks for many years.

### Existing verge bay

At 2A Nailsworth Street the parking bay in the verge is acknowledged and can remain as an existing situation. Any upgrading of the adjacent street/lane intersection would better define the edge to the bay. This arrangement may be shown on the engineering construction plans for development of the subdivision.

#### Garage locations

The garage locations are all meant to be confined to the rear of the lots, except for possible lot 13 which would be at the front as its only access (that garage is at the end of a row of lots near the entry and can be designed as integral to the dwelling on a lot with a wide frontage and an adjacent dwelling on the west)

The notation of “preferred” location implies that the precise location can be decided by design, whilst the two “designated” locations are fixed in relation to lot characteristics; nonetheless, it is recommended that the Local Development Plan be clarified in this respect.

#### **Built form matters:**

##### Fill and levels

Filling the site is necessary to create a desirable living environment and develop in relation to the lanes, without raising the entire site to the level of the lanes or above. In this way two-storey dwellings will generally sit lower in relation to surrounding properties than were the original topography replicated. The north-south profile of the estate will preserve views from higher properties on Nailsworth and Clarendon Streets. The east-west profile will match the eastern lane behind Marmion Street and gradually slope up to Nailsworth Street.

##### Northern lane

Both the planning consultants and Manager Engineering Services have confirmed that construction of the northern lane can be completed and would operate successfully in relation to the subdivision lots and traffic circulation.

##### Height of garages

The proposed 5m maximum roof height for rear garages was based on typical single-storey wall heights of 3-3.5m plus a pitched roof. The LDP indicative cross-section does show flat roofed garages, although a degree of headroom would be required. Taking into account the sense of scale and preserving views, a 4m height would still allow clearance with low pitch or skillion roofs. It is concluded that this interface with the lanes and surrounding properties would be more appropriate, and recommended the LDP be amended accordingly.

##### Site coverage

Under the RDC the R20 site coverage standard (ie dwelling footprint proportion of lot area) is 50%, although it may be increased by satisfying design principles. Higher densities allow progressively greater site coverage.

Under the LDP a 65% maximum was conceived given the topographical constraints, controlled garage locations and setbacks, as well as the floor-space trend for dwellings, including the design technique of boundary walls as guided by the RDC. In addition, all of the lots exceed the R20 average size of 450sqm and four are over 600sqm.

In this context, a site coverage increase to 55% would be marginal, whereas to 60% would be a meaningful bonus, were 65% considered excessive. On balance, it is recommended that the maximum is 60%.

### **Amenity matters:**

#### Type of design guidelines

The LDP conveys key design guidelines for development of the estate and each lot, including levels, setbacks, heights, garage locations, site coverage and front fencing. The LDP is not intended to prescribe guidance for the individual lots or design of dwellings, which will be controlled by Scheme and RDC requirements via development applications in the normal manner.

It is clarified that the LDP *does* constitute design guidelines, comprising foundation (but not detailed) development parameters for the residential estate. These parameters serve as a template to achieve a degree of uniformity in the form and function of the land development for overall cohesion and quality.

#### Lots 7 and 8 treatments

In terms of the interface between lots 7 and 8 and properties across the eastern lane, it is considered that the 5m lane width and RDC setback requirements would provide acceptable separation and privacy. The suggested large setbacks from the lane for lots 7 and 8 would penalise dwelling design.

Under the RDC any wall to a dwelling on that boundary must be blank and any openings for the ground floor or second storey would require setbacks. As ground floor boundary walls are allowed as-of-right and are quite common on lanes, requiring a side setback at that level for these lots is not supported. However, requiring that second-storey walls, with or without openings, to the eastern side of lots 7 and 8 have suitable setbacks would ameliorate the effect of bulk and scale to the lane and adjacent properties. A minimum 1.5m setback is recommended as an additional measure.

#### Screened courts

The courtyard or drying court solid screen wall requirement is sensible for streetscape appearance, as the wall is to be behind the front setback *of the dwelling*, ie not behind the 3m minimum setback but forward of the dwelling. It is recommended that this be clarified in the LDP.

#### Fill and site works

The land development will undoubtedly involve substantial fill and the engineering works programme can be expected to entail appropriate procedures, including dilapidation reports, liaison with neighbours, traffic management, and noise and dust suppression measures. The works are likely to be staged and will need to be closely supervised by contractors as well as the Town.

#### Lane lighting

Lighting to the lanes will be appropriate for visibility and security and should be of relatively low intensity. Light poles or bollards would be situated on the depot site side of the lanes to avoid interfering with existing properties and can be incorporated by small excisions from the rear of the lots on the subdivision plan at final approval. It is recommended that the Public Realm Design Brief be amended to reflect this.

#### **Public realm matters:**

##### Public open space

The central public open space (POS) is a desirable feature of the subdivision design. It will help to create a shared-space environment that will calm traffic. Pursuant to the subdivision approval the POS is to be designated and protected as such.

##### Urban design

The Public Realm Design Brief elaborates on the function and design standards of all the public realm elements, including the access road, lanes and POS, to ensure quality and consistency of infrastructure and urban landscape treatments. The theme of the brief is for durable and sustainable engineering, elements and materials.

The access road and POS design, including parking bays, footpaths and verges, together with open-aspect front fences, will be an integrated whole for movement, social interaction and visual amenity, providing a practical and attractive setting for the residential development.

The existing laneway system will be upgraded for comprehensive circulation and to an enhanced standard, including drainage, paving, fencing and lighting; overcoming the existing flooding, dust, rubbish and overgrowth impacts. As a result of this physical improvement and activation the lanes will also offer better security.

##### Vegetation

Currently the lanes contain several medium sized trees, various shrubs and overgrowth. This vegetation contributes to existing greenery yet obstructs the official laneways and is remnant, ad hoc vegetation rather than formal street landscaping. As previously reported an arboricultural assessment found that tree preservation would be in most instances difficult, whereby replacement was the practical alternative.



The subdivision development and upgrading of the lanes will affect this vegetation, as well as some overhanging vegetation from surrounding properties. Hence there will be a loss of greenery initially, which will be compensated by creation of the landscaped POS and landscaping on the lots, augmented by any supplementary planting on surrounding properties.

As discussed above, there is some potential to widen part of the eastern lane to retain or replace existing trees, subject to detailed design and careful works.

### **CONCLUSION**

Advertising of the proposed Scheme Policy embodying the Local Development Plan and Public Realm Design Brief has attracted a fair degree of feedback from surrounding owners/residents. Following assessment of the submissions as discussed in this report a number of refinements to the Plan and Brief documentation are recommended.

### **VOTING**

Simple majority.

### **COMMITTEE COMMENT**

Committee noted progress of the proposed Scheme Policy and discussed particular aspects of the intended residential estate as indicated by the Local Development Plan and Public Realm Design Brief, to which the Managers Planning Services and Engineering Services and the Planning Consultant (Mr Andrew Howe) responded.

Mr Howe explained the subdivision design in relation to the access road, fill and finished lot levels. Mr Jackson drew attention to the revised LDP reflecting the recommendation. He explained the garage location and height, site coverage provision and the interface between lots 7 and 8 with the eastern laneway. Mr Trigg confirmed that rubbish collection would use the local access road.

In conclusion, Committee supported finalisation of the Policy and its associated documents, including reflecting consideration of the comments in submissions, as recommended.

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

**Moved Cr Walsh, seconded Mayor Morgan**

**THAT Council:**

- 1. Note the submissions received and the officer report on the proposed Local Development Plan Scheme Policy containing design guidelines for the subdivision of the former depot site.**
- 2. Agree that the Local Development Plan be revised as follows:**
  - a. The design control over the location of garages at the rear of the lots is clarified.**

- b. The maximum roof height for all rear garages is reduced from 5m to 4m.
  - c. The site coverage maximum is reduced from 65% to 60%.
  - d. The setback for screen walls to courtyards or drying courts is clarified as behind the front setback of each dwelling.
  - e. The Public Realm Design Brief elaborates upon laneway lighting location and minimisation of glare.
  - f. For lots 7 and 8 abutting the eastern lane, second storey walls, with or without openings, are required to be setback a minimum of 1.5m from the eastern lot boundary.
3. Agree that the Local Development Plan and final subdivision plan provide for widening of the eastern lane for the length of lot 8, to allow for a landscape strip on the east side of a 5m wide carriageway, as a buffer to the adjacent lots and to assist traffic movement.
4. Resolve to finally adopt *Town Planning Scheme No. 2 Policy No. 14: Local Development Plan for Former Depot Site* as duly modified accordingly.

Carried 9/0

**10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 17  
SEPTEMBER 2013****10.4.1 DRAFT NEW POLICY - SUSTAINABLE TRAVEL ALLOWANCE  
(STAFF)**

**File Ref:** SUB/1628  
**Attachments:** [Draft Sustainable Travel Allowance Policy](#)  
**Responsible Officer:** Andrew Jackson  
Manager Development Services  
**Author:** Nikki Pursell  
Sustainability Officer  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

**SUMMARY**

The majority of staff currently commute to work by car. As the Town has committed to reducing its environmental footprint and minimising greenhouse gas emissions, encouraging staff to travel to work via more sustainable means is an important action. One method of encouraging behaviour change is to provide a financial incentive or reward for positive behaviour. With the success of a similar program at the City of Subiaco, the Town is proposing the trial of a Sustainable Travel Allowance for Cottesloe staff.

The purpose of this report is to provide Council with a draft of such a new policy relating to a Sustainable Travel Allowance (STA) for the staff of the Town of Cottesloe and recommends that Council advertise the policy for public comment.

**BACKGROUND**

Annual analysis of Council-related greenhouse gas emissions demonstrates that the largest source of emissions is currently from fuel, namely commuting and private use of Council-owned vehicles. As the Town has committed to becoming carbon neutral by 2015, these emissions need to be reduced. Providing a financial reward or incentive for staff to leave their car at home is a popular approach to encourage staff to consider more sustainable modes of transport. An initiative such as a STA provides staff members with a financial reimbursement, of a similar value to a commute via public transport, when they commute via a more sustainable means (public transport, bicycle, walking, car pooling or any other means that do not produce greenhouse gas emissions).

A similar initiative has been successful at the City of Subiaco. The \$9 per day (after tax) offered to staff who travel by sustainable transport has had an uptake of 61% of all staff members. This means a significant reduction on parking requirements, cost savings for staff, an increase in active transport (walking, riding) and resulting health benefits, not to mention the environmental improvements.

Given the Town of Cottesloe's dedication to minimising its environmental footprint and the need to tackle fleet-related emissions, this report recommends the

---

advertising of the draft STA policy prior to introduction of a STA on a trial basis for Cottesloe staff.

**POLICY IMPLICATIONS**

To ensure there is consistency and transparency in the way the allowance is managed and distributed it is recommended that a policy be adopted to guide implementation. The purpose of this agenda item is to recommend the advertising of the draft policy prior to adoption.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation. An amount of \$20,000 was set aside in the 2013/2014 Budget to fund such initiatives. While this is an extra cost to Council, the Town currently pays for all fuel purchased for Council-owned vehicles. As the price of fuel is increasing this is a cost-effective method of containing Council's financial burden. Running the initiative as a trial for the remainder of 2013/2014 will allow an accurate estimate of potential usage, uptake and costs for future years.

**STAFFING IMPLICATIONS**

The proposed allowance may assist in the attraction and retention of non-management staff.

**SUSTAINABILITY IMPLICATIONS**

Council committed to becoming carbon neutral in 2010, and has been actively taking steps to reduce its greenhouse gas emissions. Fuel use is a large contributor to Council's footprint and therefore needs to be reduced. This is a cost effective approach to reducing fuel related emissions and rewards staff members for positive behaviour.

**CONSULTATION**

Consultation with management occurred as part of the 2013/2014 budget process. Feedback and advice was sought from the City of Subiaco and to some extent this program is based on their experience. In order to gauge staff interest in the program, a travel survey was distributed to all staff members during July 2013. The results of the survey demonstrate an encouraging interest in the initiative.

**STAFF COMMENT**

Encouraging staff to commute via more sustainable means involves identifying and removing barriers. One barrier is the cost of public transport. By introducing a financial incentive, the option of leaving the car at home is more appealing to staff. There are numerous benefits to staff including saving fuel-related costs, improved health through active transport and reducing stress. Benefits to Council include greater productivity of staff, more parking available to ratepayers and visitors, staff retention and positive publicity.

In order to determine the interest in a STA at Cottesloe and to determine the likely costs of the initiative, in July 2013 staff were surveyed on their current travel habits. The survey demonstrated that 95% of staff currently drive to work,

motivated by convenience, distance travelled and cost of alternatives. Further, 52% of staff said they would consider leaving their car at home if offered a financial incentive, ranging from every day to once a month. This consultation demonstrates that there is an initial interest and a trial of the allowance is worthwhile.

In order to attract staff to the program, a financial re-imbusement must be sufficiently generous to change behaviour, without drawing too heavily on the Town's finances. The proposed value of the STA is based on the current allowance at the City of Subiaco, as well as the current cost of public transport with Transperth (4 zones). The proposed rates for the 2013/2014 financial year are:

- \$5 per one way trip greater than 2km; or
- \$2.50 per one way trip less than 2km.

If the program is successful, the rates will be reviewed annually in line with CPI and/or Transperth rates on 1st July each year.

A number of factors will influence the final costs, including the uptake (generously estimated at approximately 50% of staff); seasonal variations (the summer months are likely to be much more popular); and the frequency of use. Therefore the expected cost is more likely to be within the range of \$6,000-\$10,000 per year. The number of weeks per year excludes annual leave, sick leave, and public holiday entitlements. An example calculation is as follows:

Anticipated take up	Number of staff	Trips per week	Weeks per year	Total trips	Cost per trip	Total cost per year
Minimum	4	6	38	912	\$5	\$4,560
Expected	8	6	38	1,824	\$5	\$9,120
Maximum	14	6	38	3,192	\$5	\$15,960

The introduction of a STA for staff at the Town has a number of benefits. Such an initiative should bring positive publicity to the Town, reward staff for positive behaviour, foster health and ensure the Town continues its journey towards being carbon neutral.

## VOTING

Simple Majority

## COMMITTEE DISCUSSION

Cr Rowell asked if the Town had been in contact with the City of Subiaco to seek feedback on how its sustainable travel allowance program had been received by its employees. Sustainability Officer (SO) advised that there has reportedly been a 60% uptake of the travel allowance by City of Subiaco employees, reducing the number of employees who travel by car and the City's greenhouse gas emissions.

Cr Boland enquired as to whether verifying which staff members travelled to work via sustainable means would be a time consuming for senior staff. Chief Executive Officer (CEO) advised that monitoring travel is not expected to take up a significant amount to time.

SO also added that if the policy was approved, she would initiate an education campaign for staff, to inform them of the sustainable transport options available to them.

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

**Moved Cr Rowell, seconded Mayor Morgan**

**THAT Council advertise the new policy “Sustainable Travel Allowance” for local public comment and receive a further report on the outcomes of the advertising.**

**Carried 7/2**

**10.4.2 GROUP FITNESS AND PERSONAL TRAINING POLICY**

**File Ref:** POL/85  
**Attachments:** [Group Fitness and Personal Training Policy](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate & Community Services  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

**SUMMARY**

At the June 2013 Ordinary Council meeting, it was resolved that the Group Fitness and Personal Training Policy be advertised for public comment. The policy is now being presented for final adoption.

**BACKGROUND**

Personal Training and Group Fitness Classes have become increasingly popular in recent times and their use of public facilities is beginning to have an impact both on the facilities themselves, as well as nearby residents. In order to manage the Town's assets so that they are used as efficiently as possible the Group Fitness and Personal Training Policy is being presented as a way of managing the use of the Town's reserves.

**STRATEGIC IMPLICATIONS**

Supporting a Healthy Community.

**POLICY IMPLICATIONS**

If adopted, the policy would be included in the Town's Policy Manual.

**STATUTORY ENVIRONMENT**

Town of Cottesloe Local Government Property Local Law 1998.

**FINANCIAL IMPLICATIONS**

While there is a fee associated with this policy, it is not anticipated that the income generated will be in anyway material. As these groups are already operating within the Town, there are no anticipated costs arising from this policy.

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

There are no perceived sustainability implications arising from this report

**CONSULTATION**

The policy has been advertised for public comment. A total of 5 submissions were received that can be broadly summarised as follows;

---

- One submission raised concerns about group fitness classes operating in the early hours and close to residents' houses;
- One submission raised concerns about group fitness classes using dunes and causing damage to them;
- One submission raised concerns about group fitness classes using playground equipment; and
- Two submissions were against the charging of any fee for the use of public space for exercising.

The concerns raised in the first three submissions will be addressed with the implementation of this policy – and indeed represent what could be considered as the purpose of the policy.

While there will be a fee to apply for a permit, this fee is imposed on those who seek to run a business making use of the Town's reserves. Further, the fees will offset the costs of managing the permits so that the reserves are available for all.

### **STAFF COMMENT**

The minimal level of feedback received for this policy is most likely indicative of two things, being;

1. That local governments across the Perth metropolitan area are implementing very similar regimes to that proposed in the policy; and
2. The level of fees set in the policy are very reasonable.

In the main, professional fitness instructors accept that in order to use public assets to run their business from, there will be some level of contribution to the agency that manages those assets. They also accept that there needs to be consideration paid to other users of these reserves, as well as the residents who live nearby. Fitness Australia have a code of conduct which reinforces nearly all of the requirements of the policy as presented.

During discussions and workshops on this issue, there has been some debate about whether or not local governments should require that trainers be accredited in some way before granting a permit. On one side of this argument is that local governments have a duty to ensure that people operating from its facilities are qualified to do so – however there is a very strong counter argument that says that the local government is simply providing the authority to use the space for a set purpose – and as such is in no way responsible for the actions of a private citizen running their own business.

At present, there is more than one industry body and several different types of qualification that could be pursued by a person wishing to be a trainer. As the industry itself matures, it is likely that one peak body will emerge and that they will have a set criteria that a person will have to meet to be able to state that they are a member, much in the same way as there is for other professions. Until such a time, any judgement about the suitability of trainers would be subjective and would need to be made each time a permit was applied for (qualifications such as first aid have a renewal requirement).

This being the case, it is recommended that the Town's policy not include any requirement for qualifications or memberships, but that the administration work



with industry representatives and other local governments to progress towards a peak industry body, membership of which would endorse a person as being suitable to being a fitness instructor.

With the feedback received being able to be addressed, it is recommended that the advertised policy be adopted and implemented.

### **VOTING**

Simple Majority

### **COMMITTEE DISCUSSION**

Cr Rowell commented that the Town should request permit holders sign a form giving indemnity to the Town, should an accident occur. MCCS remarked that the Town's insurers, LGIS, have advised that unless the Town is negligent in its duty in maintaining parks and reserves, the Town will not be considered liable for any accidents or injuries that occur whilst individuals are taking part in a fitness session.

Cr Rowell expressed concerns that the fitness equipment along the foreshore will be used by fitness groups, excluding others. MCCS commented that the intent of the Policy is not to attract fitness groups but regulate existing users. Fitness groups cannot exclude others and the equipment should be used on a first come, first serve basis.

### **OFFICER RECOMMENDATION**

Moved Cr Boland, seconded Cr Strzina

THAT Council adopt the Group Fitness and Personal Training Policy as attached.

#### **AMENDMENT 1**

Moved Cr Boland, seconded Cr Strzina

That a new point 2 be added to the recommendation to read "Add the \$20 permit application fee to the schedule of fees and charges for 2013/2014 financial year."

Carried 5/0

#### **AMENDMENT 2**

Moved Cr Rowell, seconded Cr Strzina

That the policy be reviewed in 12 months time.

Carried 4/1

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

Moved Cr Rowell, seconded Cr Strzina

THAT Council;

- 1. Adopt the Group Fitness and Personal Training Policy as attached;**
- 2. Add the \$20 permit application fee to the schedule of fees and charges for 2013/2014 financial year; and**
- 3. Review the policy in 12 months time.**

Carried 9/0

*Mayor Morgan declared an impartiality interest in item 10.4.3 Use of Cottesloe Oval By Cottesloe "Roosters" Amateur Football Club, as his son is a member of "Cottesloe Magpies", and stated that as a consequence there may be a perception that his impartiality may be affected and declared that he would consider the matter on its merits and vote accordingly.*

#### **10.4.3 USE OF COTTESLOE OVAL BY COTTESLOE "ROOSTERS" AMATEUR FOOTBALL CLUB**

**File Ref:** SUB/231  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate & Community Services  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

#### **SUMMARY**

The Town has received a request from the newly formed Cottesloe Roosters Amateur Football Club (Roosters) to play their home games at Cottesloe Oval. This report has been presented for Council to consider that request.

#### **BACKGROUND**

There two groups that have the use of Cottesloe Oval, being the Cottesloe 'Magpies' Junior Football Club and Cottesloe Rugby Club. The Magpies use the facilities at the Anderson Pavilion as their clubrooms, while the rugby club have the use of the club rooms at the southern end of the reserve.

The ground itself meets the requirements of a 'local' football oval and is of the size required to play senior games. There is currently no alcohol served from the change rooms/canteen as used by the Junior Football Club and there is very limited lighting at the ground.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY ENVIRONMENT**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STAFFING IMPLICATIONS**

Nil

---

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

The Football Club themselves have approached both the Junior Football Club and the Rugby Club at the Town's suggestion. Letters of support have been received, but the letter of support from the Junior Football Club was qualified on the grounds that they were concerned about the impact any liquor license in the area may have on the Junior Football Club and were concerned about fixturing clashes.

A letter of support has also been received from the Honourable Colin Barnett MLA, Member for Cottesloe.

**STAFF COMMENT**

The Cottesloe 'Roosters' first approached officers in early August requesting they be allowed to play home games and train at Cottesloe Oval. As there are no policy implications on the use of that oval at present, the main consideration was any impact on existing users and nearby residents. As such the Club were advised to seek letters of support from the two existing users and to provide them to support their application.

Amateur Football Clubs normally have a bar and social aspect to them. One of the constraints on the "Roosters" use of Cottesloe Oval is that there isn't anywhere at present that they will be able to establish bar facilities. Further, as the site is almost fully developed, there is little prospect of being able to add facilities to cater for this aspect.

The main concern raised by the Junior Football Club and Rugby Club was that of fixture clashes. The "Roosters" have since provided a letter from the West Australian Football Commission stating that they are able to fixture, in conjunction with Junior Football and Rugby WA, to ensure there are no fixturing clashes at collocated facilities.

The impact on residents is difficult to assess as there hasn't been senior football training at this facility for some time. Lighting is limited and the ground is a significant distance from the nearest residence. However it would be reasonably anticipated that senior training at this ground would likely involve more traffic of an evening, increased use of the lights and possibly some noise of an early evening.

While there would no doubt be some issues with a third club establishing itself in this area, given there is already an oval there and that the rugby club is already training of an evening in this location, there is no reason, that can't be dealt with by way of a condition, to stop this club playing its home games and training in this location. Examples of such conditions could be the granting of priority to existing users and the refusal to consider an additional liquor license in the area, but if these conditions are made clear to the Roosters, then they should be able to make their own arrangements.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Rowell, seconded Cr Walsh

**THAT Council grant approval to the Cottesloe Roosters Amateur Football Club to play their home games and train at Cottesloe Oval, subject to the following conditions;**

- 1. No additional liquor license will be considered for the reserve area;**
- 2. In the event of a dispute, priority will be given to the two existing users, being the Cottesloe Junior Football Club and Cottesloe Rugby Club; and**
- 3. The approval will be reviewed at the completion of the 2014 football season.**

**Carried 9/0**

**10.4.4 HULLABALOO 2013**

**File Ref:** SUB/1645  
**Attachments:** [Hullabaloo 2013 Event Application](#)  
[Hullabaloo Risk Management Plan 2013 Draft](#)  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Sherilee Macready  
Community Development Officer  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

**SUMMARY**

Cottesloe Hullabaloo Street Festival is a festival organised by Procott and held in the Cottesloe Village. This year's event is scheduled for Saturday, 9 November 2013.

Council is being asked to provide its approval for this event, subject to conditions outlined in the officer recommendation.

**BACKGROUND**

The Festival is a celebration of the best of Cottesloe has to offer, promoting the lifestyle and opportunities available to the Cottesloe community. This year the Festival is one day in duration as was the 2012 event.

The theme this year is "Our Community" with a focus on fine food, wine and local produce, and local community stalls and entertainment.

The event is being organised by Procott, the local business association, and CIC Events Management. CIC Events Management organise many large events at an elite and administrative level, including the Avon Descent, Indian Ocean Classic, and Kellogg's Nutri-Grain Classic. The motivation behind their events is part entrepreneurial, but also a desire to provide community support and opportunities for locals and for the general public.

Napoleon Street will be closed to traffic on Stirling Highway. The road will close at 3.00pm on Friday, 8 November 2013 and reopen at 7.00pm on Saturday, 9 November 2013. A private car park at the Western end of Station Street will also be closed to traffic at 3.00pm on Friday, 8 November 2013, to house a wine tasting stall. Organisers have gained approval from the car park owners to close the car park. CIC Events Management has engaged the services of a Certified Traffic Management Planner, Chris Letts from Race Director, to write and implement a traffic management plan. Procott have also been advised of the requirement to have authority from Main Roads WA to close a road.

This year's event is building on the 2012 event which had more of an "arts feel", with engagement of high quality "busking entertainers", local schools groups and local musical acts, in addition to the various stalls on Napoleon Street.

A wine tasting stall will be set up at the Western private car park on Station Street and will be open to the public between 11.00am and 3.00pm, indicated on the attached Map as Marquee 3. The required Alcohol Permit will be in place for the

---

event. A sectioned licenced alcohol service area will be cordoned off with bunting and will have crowd control security in attendance.

Suitable Certificates of Currency for Public Liability Insurance are required to be presented to the satisfaction of the Chief Executive Officer prior to the event.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Outdoor Concerts and Large Public Events Policy

**STATUTORY ENVIRONMENT**

Main Roads WA is the statutory authority that can authorise road closures.

**FINANCIAL IMPLICATIONS**

The main cost to the Town in approving this event will be in the officer's time, particularly the Community Development Officer who will assist with preparation tasks leading up to the event, and Rangers, who will be required to assist at the event. The costs can be met within existing budgets.

Council also contributes over \$80,000 annually to PROCOTT to assist with activities to promote the Town Centre. This money is raised through the application of a differential rate.

**STAFFING IMPLICATIONS**

Rangers will be required to assist at the event.

**SUSTAINABILITY IMPLICATIONS**

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

**CONSULTATION**

Procott as the organisers of the event have indicated that they have consulted with all the businesses that will be directly or indirectly affected by the running of this event.

**STAFF COMMENT**

The Procott Board have promoted that a Festival would optimise opportunities to bring both the retailers, service providers and local community groups in the Cottesloe business district together in a Village style atmosphere that would highlight the best that Cottesloe has to offer.

The event showcases Cottesloe to wider community as having a relaxed atmosphere, and an alternative to Subiaco and Claremont.

Last year's Hullabaloo event was a success, with approximately 5,000 people attending the one day Festival on Napoleon Street. Feedback received highlighted the friendly atmosphere of the event, together with the addition of the quality "Upmarket" stalls, and engaging "busker style" entertainment.

Noise levels generated by the entertainment, which were a concern of previous years were well addressed in the 2012 event, with a higher proportion of positive feedback received from retailers and patrons to the low key “busking style” entertainment. Organisers of this year’s event are planning to use similar style entertainers, together with engaging local community groups and entertainers.

To counteract lack of parking at the event, only Napoleon Street will be closed to traffic and parking, together with the Western car park on Station Street. In addition, patrons attending the event will be encouraged to walk, cycle or catch the train to the event, and for those that have to drive to the event, places to park will be promoted by the organisers. Vendor parking will again be housed on the Western side of the train tracks as per the 2012 Event.

Due to the positive feedback received regarding the 2012 event, the thorough risk assessment and event management plan, officers recommend that the event be allowed to proceed with conditions. The conditions are intended to ensure that Procott are aware of their obligations and to protect the interests of the Town.

### **VOTING**

Simple Majority

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

**Moved Cr Rowell, seconded Cr Strzina**

**THAT Council approve the application from CIC Events Management and Procott to hold the Cottesloe Hullabaloo Street Festival on Napoleon Street, on Saturday, 9 November 2013 from 9:00am to 5.00pm, with the following conditions:**

- 1. Adequate arrangements are made for rubbish collection and removal, including the provision for recycling.**
- 2. Compliance with the *Environmental Protection (Noise) Regulations 1997*.**
- 3. Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**
- 4. Class the event as “Charitable/Community” and charge no fee for the event.**
- 5. Provision of a certificate of currency to certify that organisers have adequate Public Liability Insurance for all components of the event.**
- 6. Appropriate road closure permits are granted by Main Roads WA.**
- 7. Appropriate Alcohol Permits are granted by the Department of Racing, Gaming and Liquor.**
- 8. The Traffic Management Plan and provider are approved by Main Roads WA, and the plan provided to Cottesloe Police.**

**Carried 9/0**

**10.4.5 CELEBRATION OF THE MOTORCAR - 2013**

<b>File Ref:</b>	<b>SUB/1670</b>
<b>Attachments:</b>	<a href="#">Celebration of the Motorcar Event Application</a> <a href="#">Celebration of the Motorcar Event Management Plan</a> <a href="#">Celebration of the Motorcar Event Map</a>
<b>Responsible Officer:</b>	<b>Mat Humfrey</b> <b>Manager Corporate &amp; Community Services</b>
<b>Author:</b>	<b>Sherilee Macready</b> <b>Community Development Officer</b>
<b>Proposed Meeting Date:</b>	<b>17 September 2013</b>
<b>Author Disclosure of Interest</b>	<b>Nil</b>

---

**SUMMARY**

Celebration of the Motorcar is an elite motoring exhibition event held in the grounds of the Cottesloe Civic Centre. Paul Blank from Automotive Events Management, and Robyn Coleman from Bridging Communities Inc. are seeking approval for their second Celebration of the Motorcar event, in its modern format. The original event was held annually from 1993 until 2003.

This report recommends that Council approve the application for this event to be held at the Cottesloe Civic Centre, on Saturday, 16 November 2013, between 6.00pm to 8.00pm, and Sunday, 17 November 2013, between 10.30am and 3.30pm.

**BACKGROUND**

The event invites members of the public to view an exhibition of Perth's classic, vintage and prestige cars in the grounds of the Cottesloe Civic Centre. The specific location of the public exhibition will be on the Main Lawn and Lower Lawn as shown on the attached map.

The primary aim of the event is to raise funds and profile for the organiser's chosen charity, Bridging Communities Inc. Bridging Communities Inc. is a Charity that supports the most vulnerable individuals and families in WA. This year, funds raised by the Celebration of the Motorcar event will enable Bridging Communities to provide up to 100 weighted blankets for children with special needs. These blankets are essential for these children to be able to enjoy undisturbed sleep, thereby helping the whole family in their journey with disability.

General public event admittance fees for the Sunday motoring exhibition are as follows:

- Adults admission - \$20
- Children admission - \$10

100% of admission fees, after costs, are donated to the organisation's chosen charity organisation, Bridging Communities Inc.

The original event was created and organised by Paul Blank of Automotive Events

---



Management. The inaugural event, held in 1993, won the West Australian Motoring Event of the Year award. After five successful years of the event held at Cottesloe Civic Centre, demand was such that the event moved to a larger venue at the Claremont Teachers College. The event was held at the teacher's college until 2003.

Organisers have built on the 2012 event to include a Fundraising Cocktail Party on the Main Lawn on the evening of Saturday, 16 November 2013. The cocktail party will be by invitation only event extended to car exhibition owners and other invited guests. Entry fees will be \$60 for the evening event, and include automatic admission to the public event on Sunday, 17 November 2013. Alcohol will be served at the fundraising cocktail party and the required permit will be in place for the event.

Rubbish bins are required, which were supplied by the Council at last year's event in support of this charitable event.

### **STRATEGIC IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Events Classification Policy

### **STATUTORY ENVIRONMENT**

Environmental Protection (Noise) Regulations 1997.

### **FINANCIAL IMPLICATIONS**

Below we have outlined the fees associated with Public Events / Multiple Area

Events for over 500 people, as per the Town's Schedule of Fees and Charges for the year ending 30 June 2014.

Charity	Nil
Community (<1000 people)	\$550 per day
Community (>1000 ~ <3000 people)	\$1,100 per day
Commercial (<1000 people)	\$3,000 per day
Commercial (>1000 ~ <2000 people)	\$6,000 per day
Commercial (<2000 ~ <3000 people)	\$10,000 per day

The event organisers have indicated that they are anticipating approximately 2000

paid participants to the Sunday public event – which would attract a fee of \$6,000.

However, the organisers are contributing 100% of the admission fees collected, after costs, to their chosen charity, namely Bridging Communities Inc., which supports the most vulnerable individuals and families in WA. As such it is recommended that Council classify this event at a charitable event – which has no fees.

### **STAFFING IMPLICATIONS**

Nil

---

**SUSTAINABILITY IMPLICATIONS**

Adequate arrangements are made for rubbish collection, including the provision for recycling.

**CONSULTATION**

The Principal Environmental Health Officer has raised concerns with regards to noise levels, in particular any noise before 9.00am on a Sunday morning, close to residential areas. In order to limit the impact on neighbours, no activity will take place in the Secret Garden, and noise limits will be put into place for activities on the Lower Lawn, with no vehicle activity at the Civic Centre before 9.00am or after 6.00pm on Sunday, 17 November 2013.

However it is still recommended that neighbouring properties be advised of the event taking place (if approved) and provide a mechanism for them to provide feedback if required.

**STAFF COMMENT**

The 2012 event was well organised and drew interest from local residents, who appreciated the type and value of the cars on display. Officers verified with organisers that 100% of Net admission fees from the event went to the organiser's 2012 Charity, Kalparrin. The Town did not receive any formal noise complaints from surrounding residents to the Cottesloe Civic Centre following the 2012 event and as such is supportive of the event.

The addition of the invitation only Fundraising Cocktail Party on the Saturday night will add value to the event and further raises funds for the organiser's chosen charity, Bridging Communities Inc, and as such is supported.

Event organisers have advised officers that event signage will be at a minimum and will consist primarily of directional signage. Event signage consists of one

'Celebration of the Motorcar' banner as per the 2012 event, and specific car trade display signage, which will be restricted to individual car sites. With the focus of the event being the cars themselves, advertising will be kept to an absolute minimum.

Event organizers have also advised officers that materials used to "rope off" areas used to house display cars, will leave as little impact as possible on the lawn areas of the Main and Lower Lawn. The Town's ground staff will be available to assist with marking out the grounds prior to the event, to minimize damage to lawn areas and reticulation systems.

At the Saturday invitation only event, the cocktail party display cars (approximately 12 cars) will enter the Main Lawn between 2.00pm and 3.00pm for their display that evening. Event organisers will be required to keep the noise associated with this to a minimum and cars will not be running before 9.00am which will assist in keeping noise levels to a minimum.

On the morning of the public event, display cars will enter the Main Lawn and Lower Lawn from 9.00am. Event organisers will be required to keep the noise associated with this to a minimum. Cars will not be running during the day which will assist in keeping noise levels to an acceptable level. Cars will come in the northern entry and leave from the gate close to the War Memorial Hall, keeping

all traffic moving in one direction. Support vehicles will need to be parked offsite – with the most appropriate venue being Harvey Field.

The Cars will leave the Civic Centre between 3.45pm and 5.00pm on Sunday, 17 November with all activity ceased for the evening by 5.30pm. This again should minimise noise impacts on nearby residents.

During the event there will be no movement of display cars.

The Sunday public event is open to the public between 10.30am and 3.30pm.

## **VOTING**

Simple Majority

## **COMMITTEE DISCUSSION**

Cr Hart commented that she felt the Town was being overly generous by not requesting that the organisers pay the public event fee. Cr Hart added that although profits from the event go to charity, it is a major event that takes place over two days, occupying the Civic Centre grounds and creates an increased workload for the Town's staff.

Cr Boland expressed sympathy with Cr Hart's views but remarked that a precedent was set last year, when the public event fee was not charged.

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Strzina**

**THAT Council approve the application to hold the Celebration of the Motorcar event at Cottesloe Civic Centre on Saturday, 16 November from 6.00pm to 8.00pm, and Sunday, 17 November 2013 from 10.30am to 3.30pm with the following conditions:**

- 1. Adequate arrangements are made for rubbish collection and removal, including the provision for recycling.**
- 2. Compliance with the Environmental Protection (Noise) Regulations 1997.**
- 3. Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**
- 4. All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required).**
- 5. Class this event as a charitable event and charge no fees.**
- 6. Provision of 'certificates of currency' to certify that organisers have adequate public liability and event insurance, to the satisfaction of the Chief Executive Officer, prior to the event.**
- 7. Provision of an 'event management plan' and 'risk assessment document', to the satisfaction of the Chief Executive Officer, prior to the event.**
- 8. Organisers supply 4 female and 2 male portable toilets to cater for the expected number of participants.**

9. That support vehicles are parked at Harvey Field and not in public parking areas.
10. No vehicle activity at the Civic Centre before 9.00am and after 6.00pm on Sunday, 17 November 2013.

**AMENDMENT**

Moved Cr Hart, seconded Cr Pyvis

That in item 5, the word 'charitable' be replaced with 'commercial', and the words 'no fees' be replaced with '\$6,000'.

Lost 2/7

**AMENDMENT**

Moved Cr Jeanes, seconded Cr Pyvis

That in item 5, the word 'charitable' be replaced with 'community' and the words 'no fees' be replaced with '\$2,200'.

Lost 3/6

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

THAT Council approve the application to hold the Celebration of the Motorcar event at Cottesloe Civic Centre on Saturday, 16 November from 6.00pm to 8.00pm, and Sunday, 17 November 2013 from 10.30am to 3.30pm with the following conditions:

1. Adequate arrangements are made for rubbish collection and removal, including the provision for recycling.
2. Compliance with the Environmental Protection (Noise) Regulations 1997.
3. Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
4. All fees are paid prior to the event, including fees to cover additional costs of cleaning the public toilets and ranger services (if required).
5. Class this event as a charitable event and charge no fees.
6. Provision of 'certificates of currency' to certify that organisers have adequate public liability and event insurance, to the satisfaction of the Chief Executive Officer, prior to the event.
7. Provision of an 'event management plan' and 'risk assessment document', to the satisfaction of the Chief Executive Officer, prior to the event.
8. Organisers supply 4 female and 2 male portable toilets to cater for the expected number of participants.
9. That support vehicles are parked at Harvey Field and not in public parking areas.
10. No vehicle activity at the Civic Centre before 9.00am and after 6.00pm on Sunday, 17 November 2013.

THE SUBSTANTIVE MOTION WAS PUT

Carried 8/1

**10.4.6 REQUEST FOR LANEWAY TO BE NAMED - ROW 39, FORREST STREET/STATION STREET**

<b>File Ref:</b>	<b>SUB/279</b>
<b>Attachments:</b>	<a href="#">Copies of Received Comments</a> <a href="#">Copy of Geographic Names Committee Letter</a> <a href="#">Email from Local Historian</a>
<b>Responsible Officer:</b>	<b>Carl Askew</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Geoff Trigg</b> <b>Manager Engineering Services</b>
<b>Proposed Meeting Date:</b>	<b>17 September 2013</b>
<b>Author Disclosure of Interest</b>	<b>Nil</b>

---

**SUMMARY**

At its June 2013 meeting Council resolved to;

- 1. Write to all property owners on both sides of ROW 39 and ProCott, requesting comments on the idea of naming the laneway, as well as suggestions of a suitable name.*
- 2. Thank the resident who made the suggestion with an explanation of the process now being followed.*
- 3. Reconsider this matter, along with received comments at the August 2013 meeting.*

Council considered all received comments and suggestions for the naming of this laneway at its August 2013 meeting and resolved to:

- 1. Apply to the Landgate Geographic Names Committee for ROW 39 to be named Black Cockatoo Lane and;*
- 2. Inform Procott and the four other people suggesting names for Council's decision, with thanks for their submissions.*

This naming proposal was sent to the Geographic Names Committee for approval. The Committee has rejected the name Black Cockatoo Lane because double barrel names are no longer deemed suitable.

This report presents alternatives to the rejected name.

**BACKGROUND**

The original request stated that the laneway is busy, with many properties backing onto it. Google Maps wrongly shows the laneway as De Nardi Lane. The last laneway named was "Doscas Lane", in 2009. This required advertising to owners connected to the lane and then a final approval by Landgate Geographic Names Committee of the new name proposed.

Owners of properties affected by this laneway were contacted and requested to suggest a name. The received suggestions were put to the August meeting.

**STRATEGIC IMPLICATIONS**

Nil

---

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

New name must be approved by the Geographic Names Committee.

**FINANCIAL IMPLICATIONS**

Minimal – cost of 2 new signs

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Consultation period with property owners on ROW 39 took place and the results were presented to Council in August 2013.

**STAFF COMMENT**

The Geographic Names Committee has rejected all alternatives regarding “Black Cockatoo”, “Cockatoo” and “Carnaby” in relation to this laneway name (see attachments).

Names suggested in the August agenda were:

- Minty Lane
- Peppermint Lane
- Briggs Lane – Albion Hotel licensee in 1870
- Wegg Lane – Albion Hotel owner in approximately 1900
- Butler Lane – Albion Hotel licensee in 1882
- Metcalf Lane – from Metcalf Motors (originally the BP Service Station site)
- Figtree/Fig/Little Fig/Black Fig Lane – probability of rejection due to the existing Fig Tree Lane

Subsequent staff research has also provided the following name suggestions:

- Halfway Lane – The original name for the Albion Hotel was Halfway House.
- Vivian Lane – WR Vivian and Sons, locally based plumbing company, has been active in Cottesloe developments for many years, with Craig Vivian passing away recently.
- Sewell Lane – Molly Sewell, a fisherman’s daughter, sold fish around Cottesloe in the early days.

It is recommended that Council determine a first and second preference for names to be provided to the Geographic Names Committee for approval.

**VOTING**

Simple Majority

**COMMITTEE DISCUSSION**

Committee discussed the suggested names for the ROW with Cr Boland proposing Bullen Lane and Metcalf Lane and Cr Pyvis proposing Halfway Lane. A majority of the Committee confirmed a preference for the names Bullen Lane, followed by Halfway Lane.

Cr Pyvis commented the Cities of Cockburn and Fremantle have an approved list of culturally appropriate Australian Aboriginal names, which they draw upon when allocating names. Cr Pyvis suggested that the Town create its own list of Australian Aboriginal names for future naming opportunities.

**OFFICER RECOMMENDATION**

Moved Cr Boland, seconded Cr Strzina

THAT Council apply to the Landgate Geographic Names Committee for ROW 39 to be named \_\_\_\_\_ as its first preference and \_\_\_\_\_ as second preference.

**AMENDMENT**

Moved Cr Pyvis, seconded Cr Strzina

That Council establish a list of Australian Aboriginal names for future naming opportunities.

Carried 5/0

**COMMITTEE RECOMMENDATION**

Moved Cr Rowell, seconded Cr Strzina

THAT Council;

1. Apply to the Landgate Geographic Names Committee for ROW 39 to be named Bullen Lane as its first preference and Halfway Lane as second preference; and
2. Establish a list of Australian Aboriginal names for future naming opportunities.

**AMENDMENT**

Moved Cr Pyvis, seconded Cr Strzina

That the proposed names be reversed, 'Halfway Lane' first and 'Bullen Lane' second.

Lost 2/7

**COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

THAT Council;

1. Apply to the Landgate Geographic Names Committee for ROW 39 to be named Bullen Lane as its first preference and Halfway Lane as second preference; and
2. Establish a list of Australian Aboriginal names for future naming opportunities.

Carried 7/2



**10.4.7 PROPOSED CONVERSION OF FORREST STREET FOOTPATH TO DUAL USE PATH**

<b>File Ref:</b>	<b>SUB/725 &amp; SUB/411</b>
<b>Attachments:</b>	<a href="#">Copy of Emails Received</a> <a href="#">Copy of Cottesloe Local Bike Plan Table 6 2</a> <a href="#">Proposed Major Improvements</a> <a href="#">Copy of Council Information Letter</a>
<b>Responsible Officer:</b>	<b>Carl Askew</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Geoff Trigg</b> <b>Manager Engineering Services</b>
<b>Proposed Meeting Date:</b>	<b>17 September 2013</b>
<b>Author Disclosure of Interest</b>	<b>Nil</b>

---

**SUMMARY**

Council applied for a \$64,000 grant in 2012/2013 from Bikewest, under the Perth Bicycle Network Grants for 2013/2014, to convert the existing concrete footpath on the south side of Forrest Street, from Curtin Avenue to Marine Parade, to a 3.0m wide dual use path.

Council was successful in that grant application. The 2013/2014 adopted budget therefore included a total project cost of \$130,000, less the grant receipt of \$64,000. Letters were sent out in August 2013, to effected residents of Forrest Street, on the south side, from Curtin Avenue to Broome Street, with the comment period ending on 20 September 2013.

Two letters of concern have been received up to 12 September. This report addresses these objections and recommends that Council;

1. Proceed with its proposal to build a 3.0m wide red asphalt dual use path on the south side of Forrest Street, from Curtin Avenue to Marine Parade as a replacement of the existing concrete footpath on the same alignment; and
2. Inform residents who have submitted concerns about the project of Council's decision, including an explanation of the points discussed.

**BACKGROUND**

In January 2009, a Council submission was made under the 2009-2010 Perth Bicycle Network Local Government Grants scheme for the conversion of the Forrest Street footpath to a dual use path from Curtin Avenue to Marine Parade. At that time, the estimated cost was \$99,000, and a grant of \$49,000 was requested. That application was successful but Council could not allocate the matching \$50,000 due to budget restrictions, so the grant was returned.

Council has accepted the new grant offer of \$64,000 for 2013/2014 and designs are underway. The grant submission was made after the Bike Plan Review Working Group identified this project as the priority submission for the 2013/2014 financial year. A second submission for the widening of one kilometre of the Raia Roberts dual use path was unsuccessful.

---

**STRATEGIC IMPLICATIONS**

The Town of Cottesloe Future Plan 2006-2010 provides for bicycle use.

Objective 1 – Protect and enhance the lifestyle of residents and visitors.

Strategy 1.1 states “Develop an integrated transport strategy that includes park and ride, Cott Cat, Travelsmart, limited parking and the needs of pedestrians, cyclists and other non-vehicle traffic”; and in

Objective 3 – Enhance beach access and the foreshore.

Strategy 3.5 states “Improve bicycle and disabled access to beach facilities”.

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**FINANCIAL IMPLICATIONS**

The 2013/2014 budget includes the expenditure of \$130,000 on the project and the receipt of a \$64,000 grant. A saving of \$66,000 would therefore be made if the project was abandoned.

**STAFFING IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Increased dual use path use in the Town of Cottesloe is an acceptable sustainability aim of Council, to increase exercise and health of users and to promote forms of transport other than vehicles.

**CONSULTATION**

This report covers concerns up to 12 September regarding the conversion of this footpath to a dual use path. Letters were delivered on 20 August, with a date of closure for comments on 20 September. Any further comments will be provided at the meeting.

**STAFF COMMENT**

The concerns regarding this project received from Forrest Street residents cover the following points:

1. Years ago, Council removed footpaths from Forrest Street between Curtin Avenue and Broome Street from their original location close to property boundaries on both sides of this street. The proposal was to relocate both paths behind the kerb line. Only the south side was rebuilt on the new location so that all path use is now concentrated on the south side.
2. Every summer, the only path, on the south side, is extremely busy, with some pedestrians using the road.

3. Combining cyclists with pedestrians, babies in prams etc. is not wise when all are forced to use the one path on a steep slope down Forrest Street. Cyclists may free wheel down the slope and build up speeds over 40kph.
4. Use of driveways, when reversing onto Forrest Street, will be made more dangerous if the path is widened and cyclists included with pedestrians. Fatal accidents will become more possible. Install a footpath on one side and a cycle path on the other, if a path must be provided.
5. A safety audit is needed, to establish risk factors.
6. There are a number of construction problems if the footpath is to be widened – one light pole, side slope problems, drainage issues.

In answer to these issues:

1. On the north side, any new path would have to be built between the kerb line and the existing high limestone wall. A number of vehicles regularly park there overnight. The rest of the verge is not available for parking.

Also, with the crossing point over Curtin Avenue being aligned to the south side path, and the path from Broome Street to Marine Parade being on the south side, pedestrian traffic would continue to concentrate on the south side.

2. Even if the project is abandoned, pedestrian traffic can only increase, between the train station and the main beach. Extra width is required now, just for pedestrians.

Cyclists can ride on the road in both directions right now. Serious cyclists will probably continue to use the road. Children up to twelve years old can legally ride on the footpath now. There have been no known accidents at Curtin Avenue due to fast moving cyclists hitting Curtin Avenue vehicles.

Without the 3m width, the build up of pedestrian numbers and the light use of the road edge in the busy summer time, pedestrian safety becomes a greater risk therefore pedestrian safety should be considered if the narrow width is retained.

3. Addressed in point 2 above.
4. Even if the project was abandoned, pedestrian numbers will continue to increase. Cycle use of the new dual use path is not expected to dramatically grow. With a 13m wide verge, there is ample room to turn a vehicle to enter Forrest Street front first, rather than reversing.

Council had not discussed any new path on the north side. Given the restrictions and the tendency by pedestrians to continue to use the south side, the possibility of such a north path being constructed is discounted.

5. No new risk factor is being introduced with a 3.0m dual use path rather than the existing 1.8m. Pedestrian use will continue to build up. Children can ride on the existing path now and adults can ride on Forrest Street.

It is not expected that the wider dual use path will be a magnet to a fast build up of cycle use or for massive pedestrian use increase.

6. The construction issues on site are no different to other construction projects. One light pole will be moved back. The path will be on a slope
-

so damage onto the very wide verge is not an issue. Council will pay for any reticulation system relocations and verge lawn level changes.

The issues are the need for an expanded bicycle path network, the consideration for a greater width of the Forrest Street path just for pedestrian needs alone, the probability of reduced Bikewest interest in the Town of Cottesloe submissions if a grant for the same project is returned a second time, and its previous commitment to this project as one of the five main projects on its Bike Plan.

If built, the dual use path will connect the railway station to the main beach. No other path will do that. The beach is the main attraction in Cottesloe and Council promotes the use of public transport – buses and trains – over the use of private cars. The path emphasises that priority.

### **VOTING**

Simple Majority

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

**Moved Cr Rowell, seconded Cr Strzina**

**THAT Council;**

- 1. Proceed with its proposal to build a 3.0m wide red asphalt dual use path on the south side of Forrest Street, from Curtin Avenue to Marine Parade as a replacement of the existing concrete footpath on the same alignment; and**
- 2. Inform residents who have submitted concerns about the project of Council's decision, including an explanation of the points discussed.**

**Carried 9/0**

**10.4.8 INTERNATIONAL PUBLIC WORKS CONFERENCE, DARWIN**

**File Ref:** SUB/1478  
**Attachments:** [Conference Program](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Geoff Trigg  
Manager Engineering Services  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Subject relates to conference attendance by author

---

**SUMMARY**

As approved by Council in April 2013, the Manager Engineering Services (MES) attended the 2013 International Public Works Conference in Darwin, Northern Territory, from August 11<sup>th</sup> to 15<sup>th</sup> 2013.

This report provides Council with relevant details on the technical papers attended and the application to local government engineering and the Town of Cottesloe.

**BACKGROUND**

The Institute of Public Works Engineering Australia (IPWEA) is a national association of local government and public works professional and technical staff from around Australia. It is in partnership with the Institution of Engineers Australia, for professional training, including conferences. The Darwin conference was the major national local government engineers event for 2013, occurring every two year in different cities and attracting a large variety of overseas representatives.

The program is attached. The main topics of presentation were:

- Skills shortage
- Environmental sustainability
- Asset management – various
- Water management / Water Sensitive Urban Design (WSUD)
- Water use and reuse
- Storm water management
- Managing safer roads
- Community engagement
- Water infrastructure
- The link between Engineers & Accountants
- Road pavement management
- Contract management
- Benchmarking
- Climate change
- Coastal strategies
- Parks and gardens
- Alternative transport

- Flood management
- Urban delivery

A number of keynote speakers also contributed to the program.

There were up to six 'streams' of papers presented and the most applicable subjects were chosen. The majority of the topics attended applied to current aspects of engineering services in Cottesloe.

### **STRATEGIC IMPLICATIONS**

A strong aspect of this conference was the development of a strategic understanding of the industry and aspects that may affect local government works projects at the local level.

### **POLICY IMPLICATIONS**

Council's Conferences Policy Applies.

### **STATUTORY ENVIRONMENT**

The conference included aspects of legislation and governmental department notes involving local government engineering.

### **FINANCIAL IMPLICATIONS**

This conference attendance was funded from budgeted allocations covering staff training and conference attendance.

### **STAFFING IMPLICATIONS**

No issues occurred while the MES attended the conference.

### **SUSTAINABILITY IMPLICATIONS**

Some papers presented at the conference covered sustainability issues relating to local government engineering works.

### **CONSULTATION**

Nil

### **STAFF COMMENT**

Approximately 480 local government engineering staff attending this conference from all states and territories of Australia, plus at least eight overseas countries. Other attendees brought the number to over 600 involved in the sessions presented.

There were three days of conference sessions (Monday 12 to Wednesday 14 August) plus Thursday 15 August for technical inspections on site around Darwin.

Each day, the sessions started with a keynote address by high profile presenters on specific topics. This was followed by six streams of papers based on particular topic themes e.g. Waste Management, Asset Management, Safer Road Management, Pavement Management, Stormwater, Environmental Management, Buildings, Lighting, Materials, Flood Recovery and Urban Renewal.

The papers attended were:

- Legal and Governance Models for Shared Services in Local Government
- Capacity Building Case Study: Collaboration of Regional Councils to meet their future workforce needs
- Lessons Learned from Building Capacity for Workforce Planning in WA
- What's the New Black – Great Outcomes for Public Works?
- Warm Mix is the Asphalt of the Future
- Determination of the Preferred Intervention Point for Rehabilitation of Dense Graded Asphalt Wearing Courses on the Sand Sub-Grades of the Swan Coastal Plain in Consideration of the Triple Bottom Line.
- Canterbury Earthquakes and Pavement Resilience
- Achievable Carbon Reduction Strategies – The City of Salisbury Experience
- 100 Trends Affecting Public Works Engineering in Australia
- OHS at Orange – A New Approach for Local Government
- Then and Now: Foundation for the Future of Engineering (From the 3Rs to the 3Cs – Community Consultation and Committees)
- South African Local Government – What can we learn
- Please, in My Front Yard – Designing Streets for People, not Cars
- Toowoomba 2011 Flood Recovery
- The Delivery and Benefits of Sustainable Lighting
- Street Lighting Energy Efficiency - The Lights they are a Changin'
- Effective Road Maintenance on Limited Budgets
- Continuing the Debate – Innovative Infrastructure Spending
- A Major Capital Investment Management Framework for Local Government
- Prevention and a Better Cure – The English Government's Pothole Review
- Guide for Pavement Stabilising
- Innovative Surface Technology – Performance of the Road

A number of papers delivered were to bring up to date the current thinking on applicable topics and how Local Government had responded to major issues, including the Christchurch earthquakes, the Queensland floods, the dramatic failure of England's roads due to several extreme years of cold weather and the South African battle to provide functioning infrastructure with high expectations and very limited available funding.

The most applicable presentations for the Town of Cottesloe were:

1. The combination of recycled old asphalt surface material with 'warm' asphalt. Provision of a new asphalt surface can include the cold planing for the first 25mm of an old road surface, the inclusion of up to 20% of this available material into the new asphalt surface to be laid, and the use of a new type of asphalt which does not require the high temperature normally required for road resurfacing.

The result is that less bitumen is used, less crushed stone, less energy used to “cook” and keep hot the new asphalt material and less polluting gases from the final installed product.

This use of changed technology in the asphalt industry is already occurring in several overseas countries and parts of the eastern states. As yet, it is not available in Perth, due to the need for changes to asphalt production plants and take up of the new material by customers.

However, it does provide the expectation of a more environment friendly road surfacing asphalt in the near future.

2. The paper, presented by an ex engineer from Mosman Park, on the intervention point for rehabilitation of asphalt roads dealt with the timing for old asphalt streets to be resurfaced, in the Perth area.

Previous studies around Australia on the decay or destruction rate of asphalt road surfaces have generally settled on an average 20 year interval between resurfacings. This means a 5% resurfacing per year of the total area of Council’s stock of roads. That has been the basis for Council’s five year forward plan for road and street resurfacing.

This paper covered a study of Swan Coastal Plain Councils, including Cottesloe, when compared with previous understanding of asphalt in regards to the ‘life’ of asphalt before rehabilitation. The result points towards an expectation of a longer ‘life’ before resurfacing is needed, approximately 25 years for Perth roads. This in turn, means possibly 4% of streets could be resurfaced, with an annual saving to Council on Local Road Resurfacing.

This study is not completed but the indication is for a reduction in the annual cost of that 5 year program, without damage to the quality of the Town’s street resurfacing.

3. The two papers on sustainable lighting and lighting energy efficiency were ‘enlightening’.

The City of Sydney is replacing its street lights with new LED lights. This will reduce the City’s greenhouse gas output by 7% or 10% of the total. Sydney is also working towards reducing the barriers of LED technology for street lights currently included in the Australian Lighting Standards.

In Victoria, a private company is working with 45 local government authorities to deliver street light energy projects, which should produce energy and greenhouse savings of 50-70%. Street lighting is the largest single contribution to energy consumption and greenhouse emissions for Australian Local Governments.

Perth metropolitan Councils will need to work with Western Power/Synergy to push this exploration of new lighting technologies, particularly LED



lamps, to enable local government to fully realise the energy and greenhouse gas reduction targets expected in the eastern states.

4. The "100 Trends Affecting Public Works Engineering in Australia" paper covered many issues that will increase in priority in the future because of the changing political and social landscape.

An ageing Australian population will mean an older work force. The growth of 'red' and 'green' tape is slowing down production and decreasing efficiency of construction and production. Climate change issues are starting to impact on local government construction and maintenance of assets.

Customer feedback and interaction is speeding up, as is the use of new social media outlets to achieve change or stop it. Australian productivity is low compared with many countries, particularly Asia and South East Asia.

The Australian output of professional technical staff is inadequate to replace those leaving the industry, dying or retiring so how do Councils attract and retain such staff? The trend in some areas is a reduction in skill level or a drop to the sub professional level for senior technical employees.

The boom and bust cycle in Australia, particularly in the mining sector has a big impact on local government staff levels, with the loss of trained, qualified staff to the mining sector at very high salaries, then the return of such employees to general industry as the boom fades. How can this be planned for?

The total conference papers were provided electronically and will be a useful reference in future as different trends and projects have an impact.

A number of engineering contacts were made and new materials and techniques/applications noted from the extensive trade display.

Discussions between Perth metropolitan region engineers took place on common issues, particularly Council amalgamations.

The conference was very professionally run covering a large range of topics over six streams.

I would like to thank Council for the chance to attend the largest local government engineering conference in Australia for 2013 and the many useful insights gained.

## **VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

**Moved Cr Rowell, seconded Cr Strzina**

**THAT Council receive this report on the Darwin International Public Works Conference and note the potential applications to the Town of Cottesloe Works Program.**

**Carried 9/0**

**10.4.9 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2013  
TO 31 AUGUST 2013**

**File Ref:** SUB/137  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 September 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 2013 to 31 August 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 \$71,826 or 15% as compared to year to date budget. All material variances are detailed in the Variance Analysis Report on pages 7 to 10 of the attached Financial Statements. Operating expenditure is \$472,226 or 24% less than year to date budget. The main factor causing this is the fact that depreciation cannot be processed until the Financial Statements for 2012-2013 have been signed off by the auditors. Capital

expenditure is reported in detail on pages 26 to 29 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 17 September 2013 meeting of the Works and Corporate Services Committee.**

**Carried 9/0**

**10.4.10 SCHEDULE OF INVESTMENTS AND LOANS 31 AUGUST 2013**

**File Ref:** SUB/150 & SUB/151  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 September 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 31 August 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 21 of the attached Financial Statements shows that \$3,685,872.43 was invested as at 31 August 2013. Approximately 42% of the funds were invested with the National Australia Bank, 25% with Westpac, 20% with Bankwest and 13% with the Commonwealth Bank of Australia.

The Schedule of Loans on page 22 of the attached Financial Statements shows a balance of \$5,870,772.29 as at 31 August 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 31 August 2013. These schedules are included in the attached Financial Statements as submitted to 17 September 2013 meeting of the Works and Corporate Services Committee.**

**Carried 9/0**

**10.4.11 LIST OF ACCOUNTS PAID FOR THE MONTH OF AUGUST 2013**

**File Ref:** SUB/137  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

**SUMMARY**

The purpose of this report is to present the list of accounts paid for the month of August 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 August 2013 is included in the report on pages 11 to 18 of the attached Financial Statements. The following significant payments are brought to Council's attention:

- \$130,456.55 & \$32,345.83 to LGIS Insurance Broking for insurance services.
  - \$53,210.87 to Subaru Wangara for a new passenger vehicle
  - \$29,069.70 to TAPSS Community Care being Council's quarterly contribution towards the service.
  - \$158,120.86 to the Shire of Peppermint Grove being Councils quarterly contribution towards the library service.
-

- \$36,994.81 to Transpacific Cleanaway for waste collection services.
- \$27,438.40 to The Planning Group WA Pty Ltd for design advice services.
- \$450,000.00 to Bankwest for a new term deposit.
- \$450,000.00 & \$490,000.00 to Westpac bank for a new term deposit.
- \$250,000.00 & \$480,000.00 to the Town's investment account with National Australia Bank.
- \$475,000.00 to National Australia Bank for a new term deposit.
- \$78,460.01 & \$77,883.88 to Town of Cottesloe staff for fortnightly payroll.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

**Moved Cr Rowell, seconded Cr Strzina**

**THAT Council receive the list of accounts paid for the month of August 2013 as included in the attached financial Statements, as submitted to the 17 September 2013 meeting of the Works and Corporate Services Committee.**

**Carried 9/0**



**10.4.12 RATES AND SUNDRY DEBTORS AS AT 31 AUGUST 2013**

**File Ref:** SUB/145  
**Responsible Officer:** Mat Humfrey  
Manager Corporate & Community Services  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 17 September 2013  
**Author Disclosure of Interest** Nil

---

**SUMMARY**

The purpose of this report is to present the Rates and Sundry Debtors reports as at 31 August 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 23 and 24 of the attached Financial Statements shows a total balance outstanding of \$112,032.56 of which \$91,581.03 relates to the current period. The balance of aged debtors is \$20,451.53.

The Rates and Charges Analysis on page 25 of the attached Financial Statements shows total rates outstanding of \$5,418,690.26. Of this amount, \$177,114.03 and \$714,826.68 relates to deferred rates and outstanding emergency services levies respectively.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

**Moved Cr Rowell, seconded Cr Strzina**

**THAT Council receive the Rates and Sundry Debtors Reports as at 31 August 2013. This information is presented in the attached Financial Statements as submitted to the 17 September 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**

Nil

**12.2 OFFICERS**

Nil

**STATEMENT BY DEPUTY MAYOR JACK WALSH**

I would like to thank Mayor Morgan for all his work as Mayor of the Town of Cottesloe over the last 8 years.

Kevin was instrumental in many Council achievements over this time. Amongst them:

- Infrastructure catch-up for Cottesloe with minimal resource to debt, following previous years of under-achievement.
- New facilities for a number of our community groups, such as the North Cottesloe Surf Club, the Scouts, Playgroup and the Library.
- The Enquiry by Design (EbD) resulting in outcomes acceptable to the community, such as building envelopes for development on the beachfront, plans to fix Curtin Avenue problems, plans for development of the railway land, plus a comprehensive plan to renew the foreshore precinct, drawn up by an assembled group of government and independent experts.
- Following exhaustive public consultation, the Council completed LPS 3 in 2009.

Unfortunately, most of these initiatives also depend on State Government financial contributions to bring them to fruition and we have seen no signs of that – a disadvantage of being in a safe Liberal seat. Perhaps Kevin's greatest achievement as a Mayor in a local government has been how well he has worked for and with our local community – exemplified by his fight for the beachfront, acting as advocate for our residents. Recently our community satisfaction survey of Cottesloe residents produced some of the highest satisfaction rates ever recorded in WA. Trust once lost is hard to regain so this is an astonishing turnaround from pre-Kevin days when at a public meeting in a packed Memorial Hall, the Mayor and Council were described as "toxic".

Congratulations Kevin – on behalf of the Cottesloe community – I thank you. Cottesloe will miss your representation. I would also like to

acknowledge and thank Cr Victor Strzina and Cr Yvonne Hart for their dedicated service to the Cottesloe community.

### **CR SALLY PYVIS**

Cr Pyvis reiterated the comments from the Deputy Mayor stating that as Mayor Kevin has provided exemplary leadership to Councillors, administrative staff and the Cottesloe community and demonstrated outstanding management during tumultuous times, with issues such as beachfront building heights and forced council amalgamations. I thank you for your honesty, your articulate intelligence and above all, despite external pressures, you have consistently represented residents and ratepayers. It is a real tribute to the person that you are. You have been by far the best Mayor during the 23 years I have lived in Cottesloe your foremost priority being the well being, amenity and future of our community.

## **13 MEETING CLOSED TO PUBLIC**

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

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

**Moved Mayor Morgan, seconded Cr Strzina**

**In accordance with Standing Orders 15.10 “That the Council meets behind closed doors – Effect of Motion” (LG Act s5.23(2)) that Council discuss the confidential report behind closed doors.**

**Carried 9/0**

*Members of the public and media were requested to leave the meeting at 8:15 PM*

**13.1.1 LOCAL PLANNING SCHEME NO. 3 - STATUS OF LEGAL CHALLENGE  
- CONFIDENTIAL**

**File Ref:** SUB/334-02  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Andrew Jackson  
Manager Development Services

**Proposed Meeting Date:** 23 September 2013  
**Author Disclosure of Interest:** Nil

---

**SUMMARY**

This report recommends that Council note the information contained in the confidential officer report in relation to Local Planning Scheme No. 3 and endorses the officer recommendation.

**BACKGROUND**

Refer to the confidential report attached.

**STRATEGIC IMPLICATIONS**

Refer to the confidential report attached.

**POLICY IMPLICATIONS**

Refer to the confidential report attached.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 – S 5.23 (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

**FINANCIAL IMPLICATIONS**

Refer to the confidential report attached.

**SUSTAINABILITY IMPLICATIONS**

Refer to the confidential report attached.

**CONSULTATION**

Refer to the confidential report attached.

**VOTING**

Simple Majority

---

**COUNCIL RESOLUTION**

**Moved Mayor Morgan, seconded Cr Downes**

**That Council:**

- 1. Notes this report, the associated legal advice and recent Court proceedings and, on the below basis, resolves to withdraw its Supreme Court writ against the decision of the Minister for Planning to modify the beachfront building height limits in proposed Local Planning Scheme No. 3, by reason of the Minister's subsequent changes to the State Coastal Planning Policy.**
- 2. Instructs its solicitors and staff to act accordingly to advise the Court, WAPC and Minister, with the intent that each side bear their own costs.**

**Carried 7/2**

**MOTION FOR BEHIND CLOSED DOORS**

**Moved Mayor Morgan, seconded Cr Strzina**

**“That the meeting be re-opened to the staff, members of the public and media”**

**Carried 9/0**

*Members of the public and media returned to the meeting at 8:53 pm.*

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

**The Mayor read aloud the Council resolution for item 13.1.1 to the public:**

**That Council:**

- 1. Notes this report, the associated legal advice and recent Court proceedings and, on the below basis, resolves to withdraw its Supreme Court writ against the decision of the Minister for Planning to modify the beachfront building height limits in proposed Local Planning Scheme No. 3, by reason of the Minister’s subsequent changes to the State Coastal Planning Policy.**
- 2. Instructs its solicitors and staff to act accordingly to advise the Court, WAPC and Minister, with the intent that each side bear their own costs.**

**Carried 7/2**

**14 MEETING CLOSURE**

The Mayor announced the closure of the meeting at 8:55 PM.

CONFIRMED MINUTES OF 23 SEPTEMBER 2013 PAGES 1 – 77 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

.....

DATE: ..... / ..... / .....