

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, Tuesday 24 May 2016

MAT HUMFREY
Chief Executive Officer

31 May 2016

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 7:02 PM.

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor announced that the meeting is being recorded, solely for the purpose of confirming the correctness of the Minutes.

The Mayor acknowledged the success of Volunteers' Sundowner and thanked the Town for organising the event, in particular the Town's Community Development Officer, Sherilee Macready. The Mayor congratulated Pat Elder and Laurel Bant, recipients of Volunteer Recognition awards.

4 PUBLIC QUESTION TIME**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****QUESTIONS TAKEN ON NOTICE FROM 26 APRIL 2015 COUNCIL MEETING**

Shayne Carter, 349 Marmion Street, Cottesloe - Re. 10.1.3 No.5B (Lot 42) Overton Gardens - Three-Storey Dwelling

Q1: Can the failure to comply with the West Australian Planning Commission's conditions of subdivision approval be added to the Town of Cottesloe reasons for refusal?

A1: It is clarified that previously Council, not the Western Australian Planning Commission, had imposed a six metre front setback requirement on the development of each lot, and Council has added a corresponding reason for refusal in this instance.

Q2: Can Town of Cottesloe please hire an independent expert planner to accompany staff to any mediation?

A2: Yes, this has been arranged.

Q3: Can Town of Cottesloe please obtain from the State Administrative Tribunal a full transcript of the directions hearing?

A3: A Directions Hearing is when the State Administrative Tribunal decides how to administer a matter; i.e., the actual matter is not being debated or determined at that stage. The Town will nonetheless enquire whether it is possible to obtain a transcript.

**QUESTIONS TAKEN ON NOTICE FROM CR BOULTER – EMAILED
16 MAY 2016**

Are you able to advise me in respect of invoices to Town of Cottesloe relating to stump grinding at the following addresses:

- 33 Albion Street
- 109 Broome Street
- 83 Napier Street
- 1 Windsor Street
- 2A Clarendon Street
- 46 Napier Street
- 11 Geraldine Street
- 1D Charles Street
- 26 Beach Street
- 7 Torrens Street
- 114 Grant Street

Q1: Why the tree stumps were removed by Council at Council cost?

A1: The tree stumps are for Town Trees on the Town's land.

Q2: Were they from private property or Council reserve?

A2: Land under the Town's management.

Q3: At whose instigation were the trees removed?

A3: Trees are normally identified as having an issue by a resident. The Tree is inspected by the Town and the decision is made by the Town.

Q4: The type and size of tree removed?

A4: Various trees have been removed of various sizes. Tree removal is in accordance with Council's existing policy. Trees will be replaced at the optimum time for planting.

Q5: The reason for the tree removal?

A5: Various reasons. Usually because of tree health. In some cases tree replacement is because it is a poor performing tree (or two trees located too close to each other and both are poor performing, so one is removed), or a tree that has known nuisance characteristics. In the case of the latter, these trees are normally removed at the cost of the resident.

Q6: Whether or not the tree will be replaced?

A6: A tree is always planted to replace a tree that is removed, except where a tree is removed as a result of trees planted so close to

each other that each is under-performing. Additional trees are also planted during the year.

**QUESTIONS TAKEN ON NOTICE FROM CR BOULTER – EMAILED
6 MAY 2016**

- Q1: Why is the list of approved events to take place in Town of Cottesloe as circulated monthly by the Chief Executive Officer to Elected Members, confidential? What will it take to change this?
- Q2: Why is the list of Development Applications received by the Town of Cottesloe as circulated monthly by the Chief Executive Officer to Elected Members, confidential? What will it take to change this?
- Q3: Why is the list of Development Applications approved under delegation as circulated monthly by the Chief Executive Officer to Elected Members, confidential? What will it take to change this?
- Q4: Why is the Council Resolution Status Report as circulated monthly by the Chief Executive Officer to Elected Members, confidential? What will it take to change this?
- Q5: Why is the report on the Current (Town of Cottesloe) Projects in Sustainability as circulated monthly by the Chief Executive Officer to Elected Members, confidential? What will it take to change this?
- A1-5: The Town has a long standing position of not routinely publishing the information contained in questions 1 to 5. It would take a resolution of Council to change this position.
- Q6: What change will it take for Elected Members to be given a list of all development applications received by Town of Cottesloe, on a weekly non-confidential basis?
- A6: The Town has not in recent history published the details as stated in the question. It would take a resolution of Council to change this position.
- Q7: What change will it take for Elected Members to be given a list of all meetings held with any staff members about potential development applications and on-going discussions, on a weekly non-confidential basis?
- A7: The Town has a position of not publishing conversations had with any and all applicants in the manner described. Elected Members are already provided with a list of meetings that senior staff have. A resolution of Council altering this standing would be required.

- Q8: What change will it take for Elected Members to be given the dates of upcoming State Administrative Tribunal dates for matters in which the Town of Cottesloe is a party, at least weekly on a non-confidential basis?
- A8: A resolution of Council – however, Elected Members are already being provided with this information.
- Q9: What change will it take to ensure that all Town of Cottesloe scheme amendment proposals are advertised to the Town of Cottesloe community for comment before the scheme amendment is initiated, as a matter of required procedure?
- A9: A policy that states this position and Council resolutions authorising the advertising for each proposal.
- Q10: The Town of Cottesloe Street Tree Policy provides at clause 9 that, *The Town of Cottesloe will maintain a street tree species list of the most suitable tree species for the different soil and micro climate areas of the town, plus species determined as being no longer suitable for new planting as street trees.* Has this list been prepared and can a copy be circulated to Elected Members?
- A10: This was prepared at the time the original policy was adopted and used for a number of years. It is being reviewed and will be presented for consideration at the time the Street Tree Policy is considered by Council.
- Q11: Is there a Town of Cottesloe lease and project contracts register to which Elected Members and/or the community can have access? If not, why not? If so, is that access online?
- A11: The Town has a register of leases and contracts that can be inspected. It is not routinely published nor available online.
- Q12: Is there a register of all businesses, sporting clubs and any other entity operating on Town of Cottesloe reserves to which Elected Members and/or the community can have access? If not, why not? If so, is that access on line?
- A12: We have a register of all businesses that have been issued permits for such activities. It is available for inspection but it is not routinely published nor available online.

4.2 PUBLIC QUESTIONS

Rosemary Walsh, 35 Grant Street, Cottesloe – Re. 10.1.2 Request for Residential Density Increase – Curtin Avenue – Third report

- Q1: Recent surveys showed Cottesloe has more multiple dwellings on a percentage basis than any western suburb. Is this the current situation?
- Q2: Do planning officers have a duty to apply the Local Planning Scheme to all development applications?
- Q3: Have officers overstepped their bounds by liaising with the Swanbourne Trust developer for a year, progressing, then recommending his proposal, which intentionally disregards Local Planning Scheme No.3?
- Q4: Was the officer correct in describing 13 dwellings on 1475m² as R60?
- Q5: Why did the officer support three storeys which are not allowed under Local Planning Scheme No.3?
- Q6: Were Elected Members advised that amending Local Planning Scheme No.3 would hand the Bavestock project to the Western Australian Planning Commission, which could then make changes including increasing areas, heights and densities?
- Q7: Can Council justify the decision made, without any community consultation, to amend Local Planning Scheme No.3 to allow this inappropriate infill?
- Q8: Mr Bavestock is a proficient developer. He's achieved zoning changes in several localities, including Swanbourne and has shared developments with a former Western Australian Planning Commission Board member. Will Council support him if he proposes more non-conforming, spot zoning developments?
- Q9: Do officers' job descriptions include ignoring Local Planning Scheme No.3 and recommending aberrant infill for a few beneficiaries?
- Q10: Is the report misleading by calling it a "modest recoding"?
- Q11: In considering this amendment, do Councillors understand the implications of the Western Australian Planning Commission assuming control, if it is passed?
- Q12: How will Council address ad-hoc requests from others who see Cottesloe as a real estate opportunity?
- Q13: Will Council fulfil its Mission Statement and demonstrate openness and transparency, by conducting a proper survey to gauge the community's position on relinquishing their Town Planning Scheme?

A: The Mayor took the questions on notice but provided the following comments at the meeting.

All scheme amendments are advertised for public comment before they are adopted by Council.

At the April Meeting a scheme amendment was initiated, it must still be advertised in accordance with planning law and submissions received before Council considers the matter finally.

Phil Barron, 5/31 Claremont Crescent, Claremont – Re. Cottesloe Tennis Club Courts Redevelopment

Q1: Can Council and/or Council Officers advise whether there is any matter of which they are aware, or which is under consideration by Council or its Officers, that could materially delay the commencement of the works?

Q2: If such matters are on the table, can Council consider the material damages likely to accrue to the Club if the project be further deferred?

A1-2: There are no matters of which Council or Council Officers are aware of, that could delay the commencement of works.

5 PUBLIC STATEMENT TIME

Iain Ellis, 64 Hawkstone Street, Cottesloe – Re. 10.1.1 No.62 Hawkstone Street – Alterations, Two-Storey Addition and Rear Garage to Dwelling

- Requested that the proposed, zero lot, boundary wall be reduced by 1.9m to comply with regulations.

Peter Rattigan, 9 Grant Street, Cottesloe – Re. 11.1 Councillor Motion – Principal Shared Path Grant Street to Victoria Station

- Expressed support for the motion.
- The Principal Shared Path has progressed slowly since its inception.
- The finalisation of the Path would be good economically for Napoleon and Station Streets.

Ruth O'Boyle, 105 Curtin Avenue, Cottesloe – Re. 11.1 Councillor Motion – Principal Shared Path Grant Street to Victoria Station

- Expressed support for the motion.
- Spoke in support of pedestrian crossings on Curtin Avenue to improve pedestrian and cyclist safety.

6 ATTENDANCE

Present

Mayor Jo Dawkins
Cr Philip Angers
Cr Sandra Boulter
Cr Rob Thomas
Cr Mark Rodda
Cr Jay Birnbrauer
Cr Katrina Downes

Officers Present

Mr Mat Humfrey	Chief Executive Officer
Mr Garry Bird	Manager Corporate & Community Services
Mr Doug Elkins	Manager Engineering Services
Mr Andrew Jackson	Manager Development Services
Mrs Siobhan French	Administration & Governance Officer

6.1 APOLOGIES

Cr Helen Burke
Cr Sally Pyvis

Officer Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 DECLARATION OF INTERESTS

Nil

8 CONFIRMATION OF MINUTES

Moved Cr Rodda, seconded Cr Downes

[Minutes 26 April 2016 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Tuesday 26 April 2016 be confirmed.

Carried 7/0

9 PRESENTATIONS

9.1 PETITIONS

Petition received from Frank Wright regarding request for tree planting program in Princes Street.

**Moved Mayor Dawkins, seconded Cr Downes
THAT Council accept the petition.**

Carried 7/0

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of the public present the Mayor advised that items 10.1.1, 10.1.2, 10.1.3, 10.1.5, 11.1 and 11.2 have been withdrawn for discussion. Items 10.1.4, 10.1.6 and then items 10.2.1 and 10.2.2 were dealt with en bloc.

10 REPORTS

10.1 REPORTS OF OFFICERS

PLANNING

10.1.1 NO. 62 (LOT 60) HAWKSTONE STREET - ALTERATIONS, TWO-STOREY ADDITION AND REAR GARAGE TO DWELLING

File Ref:	3296
Attachments:	Aerial Application Justification Letters Neighbour submission Photos Plans
Responsible Officer:	Mat Humfrey Chief Executive Officer
Author:	Andrew Jackson Manager Development Services Ronald Boswell Planning Officer
Proposed Meeting Date:	24 May 2016
Author Disclosure of Interest:	Nil
Property Owner:	Mr RJ & Dr KA Aitken
Applicant:	Mr L Spiccia
Date of Application:	4 November 2015
Zoning:	Residential
Use:	P - A use that is permitted under this Scheme
Lot Area:	556m²
M.R.S. Reservation:	Not applicable

SUMMARY

This development application for alterations, a two-storey addition and a rear garage to a dwelling is seeking discretion under the Design Principles of the Residential Design Codes. These aspects are discussed in this report which refers to revised plans received on 24 March 2016.

BACKGROUND

This application was received on 4 November 2015 with a two-storey addition which was over-height under Local Planning Scheme No.3. The applicant has amended their plans to comply with the height requirements of the Scheme. An assessment has now been undertaken on the revised plans, with the outcome being a recommendation to conditionally approve the development.

PROPOSAL

This application is for alterations, a two-storey addition and a garage at the rear of an existing dwelling which comprise the following:

Alterations	<ul style="list-style-type: none"> • Removal of existing walls at front of dwelling. • Office window at front of dwelling to be replaced, wall surrounding window to be filled in. • Existing verandah extended at front of dwelling.
Ground floor	<ul style="list-style-type: none"> • Living area, kitchen/scullery with parapet wall, rear verandah and ensuite, powder room and laundry. • Separate garage at rear with parapet wall.
First floor	<ul style="list-style-type: none"> • Two bedrooms, sitting room, dressing room, ensuite and bathroom.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

- Local Planning Scheme No.3
- Residential Design Codes
- Planning and Development (Local Planning Schemes) Regulations 2015
- Planning and Development Act 2005

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Assessment of energy efficiency to be conducted prior to issuing a building permit for the development.

CONSULTATION

The application was advertised for 14 days to four adjoining owners and two occupiers. One letter of objection was received (see summary below).

Officers have liaised with the applicant / designer and the objecting neighbours (including a town planner assisting them) to examine the proposal and the concerns raised. The applicant has provided two justification letters and advised that the owners of the subject property do not wish to alter the design.

STAFF COMMENT

The table below is a summary of the planning assessment of the proposal against the provisions of Local Planning Scheme No.3, the Planning and Development Regulations and the Residential Design Codes.

Where the proposal requires further consideration or the exercise of judgement by Council, the relevant planning element is discussed in the section of the report following the table.

Planning assessment	Complies	Requires exercise of judgment (where applicable)
Use – single dwelling	✓	
Building height	✓	
Number of storeys	✓	
Street setback	✓	
Lot boundary setbacks		✓
Open space		✓
Parking	✓	
Outdoor living areas	✓	
Street surveillance	✓	
Sightlines	✓	
Street wall and fences	✓	
Vehicle access	✓	
Visual privacy	✓	
Solar access	✓	
Site works	✓	
Retaining walls	✓	
External fixtures	✓	
Matters to be considered by local government		✓

Summary of submission

Margaret Ellis and Brian Taylor

Object to proposed development:

- Boundary walls on eastern boundary.
- Bulk and scale of boundary walls.
- Reduced setbacks to first storey on eastern boundary.
- Maximising the site through rear and upper storey extensions.

Officers' comment

There are some clarifications required when considering the neighbours' submission, to allow Council to exercise its judgement in a sound manner.

Boundary walls

The submission raises concerns on the basis that the maximum allowed boundary wall length is 11.41m. This is incorrect, as the total length can be up to 13.1m (being one third the length of the boundary behind the front setback). As it is 15m proposed, the applicant is seeking a boundary wall length extension of 1.9m.

Upper floor setback (eastern elevation)

The submission comments that the setback reduction being sought is 0.72m. This is incorrect as the Town's assessment shows that the setback reduction is only 0.1m, which is considered negligible.

RDC – Lot boundary setback	Deemed-to-comply provision	Design principles
Requirement	<p><u>Eastern setbacks</u></p> <ul style="list-style-type: none"> • 1.8m (ground floor total length); • 1.6m (first floor total length). <p><u>Western setbacks</u></p> <ul style="list-style-type: none"> • 1.1m (ground floor living room); • 1.8m (ground floor total length); • 1.6m (first floor total length). <p><u>Building on boundary (eastern boundary)</u></p> <ul style="list-style-type: none"> • 13.1m length, 3.5m maximum height and 3m average. 	<p>Buildings set back from lot boundaries so as to:</p> <ul style="list-style-type: none"> • reduce impacts of building bulk on adjoining properties; • provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and • minimise the extent of overlooking and resultant loss of privacy on adjoining properties. <p>Buildings built up to boundaries (other than the street boundary) where this:</p> <ul style="list-style-type: none"> • makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas; • does not compromise the design principle contained in clause 5.1.3 P3.1; • does not have any adverse impact on the amenity of the adjoining property; • ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and • positively contributes to the prevailing development context and streetscape.
Applicant’s proposal	<p><u>Eastern setbacks</u></p> <ul style="list-style-type: none"> • 1.53m (ground floor total length); • 1.53m (first floor total length). <p><u>Western setbacks</u></p> <ul style="list-style-type: none"> • 1m (ground floor living room); • 1.5m (ground floor total length); • 1.5m (first floor total length). <p><u>Building on boundary (eastern boundary)</u></p> <ul style="list-style-type: none"> • 15m length, 3.5m maximum height and 3.2m average. 	

Comment

- The setbacks variations sought from the western and eastern boundaries are assessed as minor and to not adversely affect the neighbours. The additional length and average height of the eastern boundary walls is minor and to not affect the eastern neighbour.
- These setbacks will not create overshadowing, overlooking or undue impact on amenity.

Conclusion

The applicant has satisfactorily addressed the relevant design principles of the Residential Design Codes, which allows Council to exercise its judgment with respect to the marginally reduced boundary setbacks and increased boundary walls.

RDC – Open space	Deemed-to-comply provision	Design principles
Requirement	Open space provided in accordance with Table 1 (50%). The site of the grouped dwelling, for the purpose of calculating the open space requirement, shall include the area allocated for the exclusive use of that dwelling and the proportionate share of any associated common property.	Development incorporates suitable open space for its context to: <ul style="list-style-type: none"> • reflect the existing and/or desired streetscape character or as outlined under the local planning framework; • provide access to natural sunlight for the dwelling; • reduce building bulk on the site, consistent with the expectations of the applicable density code and/or as outlined in the local planning framework; • provide an attractive setting for the buildings, landscape, vegetation and streetscape; • provide opportunities for residents to use space external to the dwelling for outdoor pursuits and access within/around the site; and • provide space for external fixtures and essential facilities.
Applicant’s proposal	49% open space.	

Comment

- Council can exercise discretion to provide up to a 5% variation in open space on a given property. This 1% variation is negligible and will not affect the amenity of the dwelling or surrounds.

Conclusion

The applicant has addressed the relevant design principles of the Residential Design Codes, which allows Council to exercise its judgment with respect to the slightly reduced open space.

Planning and Development (Local Planning Schemes) Regulations 2015**Matters to be considered by local government**

In considering an application for development approval the local government is to have due regard to the following relevant matters:

- the aims and provisions of the Scheme;
- the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- the amenity of the locality including the following:
 - (i) the character of the locality;
- whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- any submissions received on the application; and
- any other planning consideration the local government considers appropriate.

Comment

- The proposed alterations, two-storey addition and garage at the rear satisfy the aims of Local Planning Scheme No.3 as the proposal would essentially sustain the amenity, character and streetscape quality of the locality.
- The proposal complies with the Local Planning Scheme No. 3 permitted building heights and storeys.
- The applicant has satisfactorily addressed the design principles of the Residential Design Codes, which allows Council to exercise its judgment.
- A neighbour submission has been received as outlined.

Conclusion

The proposed development has been amended to better integrate with the existing cottage on the lot, whilst also having regard to its setting and the amenity of the surrounds. The applicant has provided sufficient justification for Council to determine this application.

CONCLUSION

Boundary walls are a common design feature, often utilised for extensions to dwellings and for new dwellings, especially on smaller lots with narrower frontages. In the subject case this technique allows a modest older dwelling to provide better accommodation consistent with modern living requirements.

In this respect the proposed alterations, two-storey addition and garage at the rear can be understood in relation to the owners' objectives for additional living space and upgrading the dwelling. The design can also be appreciated in terms of keeping the existing weatherboard cottage presenting to the street and maintaining that style for the improvements, to be in sympathy with the character of older dwellings in the locality.

The flat-roofed addition would sit discreetly behind the existing dwelling and does not create direct overlooking or overshadowing onto neighbouring properties. The reduced setbacks to the eastern and western boundaries and the additional boundary wall length and height are assessed as minor. The boundary wall is separated into two sections, which reduces bulk to the adjoining property and is the preferable outcome rather than one continuous wall.

Each boundary wall can be compared to the Residential Design Code deemed-to-comply standard. The kitchen boundary wall on its own complies at 8m long. Its height at 3.4m is less than the maximum of 3.5m but above the average of 3m, yet not by a great amount. It would be possible to shorten the kitchen boundary wall, although that would mean the loss of internal space. Lowering the height of the kitchen boundary wall would be less feasible in relation to ceiling height and construction. The garage boundary wall on its own complies at 7m long and 3m high, so has acceptable bulk and scale.

It can be seen that the kitchen is the more important design element and that its boundary wall should be allowed. Whilst the garage boundary wall complies, and new rear garages tend to seek boundary walls, it would be possible to setback that wall by half to one metre, albeit at the loss of yard space designed to include a pool etc within a fairly small area. That wall would then be behind the dividing fence and appear of low scale, whilst the single boundary wall of the kitchen would not be an undue impost on the adjacent property.

On balance, therefore, it is concluded that the proposal is reasonable and can be supported for approval with standard conditions. Should Council consider that the boundary walls ought to be addressed, then the following condition could be added:

- 8. The eastern wall of the garage shall be setback a minimum of 0.5m from the eastern boundary.*

ADDITIONAL INFORMATION FOLLOWING COUNCIL BRIEFING SESSION

Advertising – The proposal was advertised to five adjacent properties, one each side and three to the rear across the lane, and one submission was received.

Trees – As shown on the plans, the verge tree and front yard trees are all to remain; while to the rear, the Jacaranda is to remain and the other tree which is in poorer condition is to be removed.

Open space – Were the front verandah not higher than 0.5m above natural ground level then it would count as open space and the deemed-to-comply standard of 50% would be exceeded. Nonetheless, 49% open space is achieved and the front verandah will provide practical open space.

Scale of boundary walls – Each boundary wall is characteristic of the scale of boundary walls generally proposed. The kitchen wall is a fairly typical length for a section of a dwelling, such as a bedroom-ensuite wall or a wall to a living area. The garage wall is a standard size and may be built-against by the boundary wall of a neighbouring garage in the future. The separation of the total boundary walling into two portions ameliorates bulk, with each wall being significantly shorter than a single wall of one-third the length of the side boundary, which at 13.1m would be more dominant. The additional overall wall length of 1.9m is absorbed into the design as two portions and is considered acceptable.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Dawkins, seconded Cr Rodda

THAT Council GRANT planning approval for alterations, a two-storey addition and a rear garage at No. 62 (Lot 60) Hawkstone Street, Cottesloe, as shown in the revised plans received on 24 March 2016, subject to the following conditions and advice notes:

1. All construction work being carried out in accordance with the *Environmental Protection (Noise) Regulations 1997*, Regulation 13. – Construction sites.
2. The external profile of the development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Town.
3. All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.
4. The roof surface being treated to reduce glare if the Town considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.
5. Air-conditioning plant and equipment shall be located closer to the dwelling than adjoining dwellings, and suitably housed or treated as may be necessary to ensure that sound levels do not exceed those specified in the *Environment Protection (Noise) Regulations 1997*.

6. The finish and colour of the boundary walls facing the eastern neighbour shall be to the satisfaction of the Town.
7. The materials, finishes and colours of the development shall be in harmony with the style and treatments of the existing development, to the Town's satisfaction. The details are required to be provided to the Town as part of the application for a Building Permit.

Advice notes:

1. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the property.
2. The owner/applicant is responsible for applying to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.
3. Under the *Planning and Development (Local Planning Schemes) Regulations 2015* the swimming pool contained in this application does not require development approval, so is not included in the decision letter.
4. The owner/applicant is responsible for notifying their neighbour of any alterations and/or additions to a boundary fence and must have neighbour consent before the removal/replacement of a boundary fence. Boundary fencing is a civil matter and further information can be found in the *Dividing Fences Act 1961*.

AMENDMENT

Moved Cr Birnbrauer

That a condition be added that reads "The kitchen wall be reduced by 1.9m."

Lapsed

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

THAT Council GRANT planning approval for alterations, a two-storey addition and a rear garage at No. 62 (Lot 60) Hawkstone Street, Cottesloe, as shown in the revised plans received on 24 March 2016, subject to the following conditions and advice notes:

1. All construction work being carried out in accordance with the *Environmental Protection (Noise) Regulations 1997*, Regulation 13. – Construction sites.
 2. The external profile of the development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Town.
 3. All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.
-

4. The roof surface being treated to reduce glare if the Town considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.
5. Air-conditioning plant and equipment shall be located closer to the dwelling than adjoining dwellings, and suitably housed or treated as may be necessary to ensure that sound levels do not exceed those specified in the *Environment Protection (Noise) Regulations 1997*.
6. The finish and colour of the boundary walls facing the eastern neighbour shall be to the satisfaction of the Town.
7. The materials, finishes and colours of the development shall be in harmony with the style and treatments of the existing development, to the Town's satisfaction. The details are required to be provided to the Town as part of the application for a Building Permit.

Advice notes:

1. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the property.
2. The owner/applicant is responsible for applying to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.
3. Under the *Planning and Development (Local Planning Schemes) Regulations 2015* the swimming pool contained in this application does not require development approval, so is not included in the decision letter.
4. The owner/applicant is responsible for notifying their neighbour of any alterations and/or additions to a boundary fence and must have neighbour consent before the removal/replacement of a boundary fence. Boundary fencing is a civil matter and further information can be found in the *Dividing Fences Act 1961*.

THE MOTION WAS PUT

Carried 5/2

**For: Mayor Dawkins, Crs Angers, Thomas, Rodda and Downes
Against: Crs Boulter and Birnbrauer**

**10.1.2 REQUEST FOR RESIDENTIAL DENSITY INCREASE - CURTIN AVENUE -
THIRD REPORT**

File Ref: SUB/339
Attachments: [Aerial and Properties Photos](#)
[Minutes 24 August 2015](#)
[Submissions](#)
[Draft Scheme Map](#)
Responsible Officer: **Mat Humfrey**
Chief Executive Officer
Author: **Andrew Jackson**
Manager Development Services
Proposed Meeting Date: **24 May 2016**
Author Disclosure of Interest: **Nil**

SUMMARY

On 24 August 2015 Council considered a second report on this request and resolved to:

- 1. Note this second report on the request from landowners “that lots along Curtin Avenue generally between Florence Street and Grant Street, Cottesloe, undergo a residential density increase from R20 to R30”, including the preferred approach to managing subdivision and redevelopment.*
- 2. Request staff to prepare and brief Council on a detailed draft for a possible Scheme Amendment for further consideration, incorporating special provisions and an overall plan to control subdivision and development, including consideration of the aspects identified in this report and any other aspects that come to light.*

The previous report is attached and should be read for the full background. It presented the justification provided for the request and an overview of the matter, including the subdivision and development considerations involved and the planning control mechanisms available. The attached aerial and cadastral maps delineate the subject area and the attached photos show various views of the locality.

This report focuses on the content of a draft Scheme Amendment to define the method of addressing the matter and the specific development controls. This is so Council can consider the matter for in-principle support before staff action preparation of a formal proposal to Council to initiate the public advertising phase.

BACKGROUND

The previous report narrowed-down on how best to formulate this prospective Scheme Amendment in terms of the planning aspects to be addressed and the most appropriate means to apply the controls. This noted the relatively modest density increase from R20 to R30 sought and the limited difference in the development requirements under the Residential Design Codes for these densities.

The recent proposed Scheme Amendment supported by Council for advertising to increase the density of land on the corner of Railway and Congdon Streets from R20 to R60 entails Special Provisions in Schedule 12 of Local Planning Scheme No. 3, together with a proposed Local Development Plan also to be advertised.

It is considered that a similar approach should be applied in this case. Whilst development at R30 would ordinarily be controlled by the Scheme and Codes in the normal manner, in this instance Special Provisions would be suitable for the group of lots as a small precinct and to manage their interrelationship with the surrounds. If considered necessary this could be supplemented by a fairly simple Local Development Plan or Local Planning Policy statement to deal with some discretionary aspects. This may include guidelines in relation to subdivision, although Council can only comment and recommend upon subdivision proposals to the Western Australian Planning Commission which is the determining authority.

STRATEGIC IMPLICATIONS

Relates to residential density and development in connection with local and regional planning objectives and mechanisms.

Changing density coding requires a Scheme Amendment, a process which is initiated by the local government and involves public advertising, consideration of submissions, evaluation by the Western Australian Planning Commission and determination by the Minister for Planning.

POLICY IMPLICATIONS

A Scheme Policy, Design Guidelines or Local Development Plan may be appropriate.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No.3
- Residential Design Codes

FINANCIAL IMPLICATIONS

Cost-recovery of Scheme Amendment preparation.

STAFFING IMPLICATIONS

Sometimes Scheme Amendment requests are made by planning consultants who submit a comprehensive proposal at the proponent's expense. Alternatively, for a request from local landowners, the Town can prepare the Amendment documentation and charge a fee for the service, to cover assessment, reporting, advertising and administration.

SUSTAINABILITY IMPLICATIONS

Increased density has a nexus with sustainability.

CONSULTATION

To date liaison has occurred with the proponents and some preliminary submitters. A Scheme Amendment process would entail wider community and agency consultation for information and feedback.

Following initiation and advertising of a Scheme Amendment, Council considers any submissions in relation to the proposal and decides whether to adopt the Amendment, adopt a modified version or not proceed. Council then forwards the submissions and its resolution to the Western Australian Planning Commission for review and advice to the Minister, who makes the final decision to approve the Amendment or a modified version, or to refuse it.

Preliminary submissions

As previously reported, some of the property owners seeking the density coding increase submitted suggested planning measures to the Town for consideration, which were summarised in the analysis. Also, some other property owners in the area have submitted their own comments, raising certain concerns. All of these submissions are attached. They inform Council about the matter and have been assessed in devising the draft Special Provisions.

A précis of comments received so far from individual properties is as follows:

Bill and Lee Hazell (in subject area)

Support Council further examining the proposal and concur with the commentary from Peter Wood and Diane Wainwright towards the details.

Diane Wainwright (in subject area)

Wishes to be involved and to protect solar access and ventilation, so please apply design controls for good development (eg bulk and scale, site cover / open space, smaller upper-floors / reduced overshadowing, scale of boundary walls, setbacks) rather than simply re-code the density.

Peter Wood (in subject area)

Supports Council further examining the proposal and expands on the regional planning context and directions for denser urban infill and transit oriented development. Provided a table of ideas on how R30 development could be managed in relation to setbacks, open space and parking – this was included in the previous report.

Vincent and Natalie Mulvey (in subject area)

Initially neutral about the proposed increased density-coding, but concerned about any: ceding of land to widen the lane, which may reduce subdivision potential; vehicle access via the lane rather than Curtin Avenue; development restrictions beyond the R30 standards on the southern boundary of their lot and on developability. (Note: the reference to lots of 200sqm is incorrect, as for R30 the minimum and average lot sizes are 260sqm and 300sqm respectively).

Richard Schroder (not in subject area)

Notes increased subdivision potential under proposed R30 density coding and cautions against smaller lots causing on-street parking and loss of amenity.

Aspects raised in these preliminary submissions are taken into account in the draft Scheme Amendment.

In advertising the proposed Scheme Amendment the Town would write to all of the subject landowners and preliminary submitters notifying them of that and inviting formal submissions within the advertising period.

DRAFT SCHEME AMENDMENT PROPOSAL

The actual Scheme Amendment would comprise the following draft changes, which would be set-out in the official documentation to be prepared in accordance with the statutory format:

Draft Scheme Map change

Amend the Scheme Map to increase the residential density coding for the subject lots from R20 to R30.

The subject lots would have an R-Code border around them with an “R30” density notation, as indicated on the attached draft map. Note that No. 271 Curtin Avenue was not a party to the initial request; however, for uniform planning that property is included in the proposal and would be invited to make a submission.

Draft Scheme Text change

Amend the Scheme Text to insert special provisions for the development of the subject lots into *Schedule 12: Special Provisions*.

This is as shown in the table below. In accordance with clause 4.1 of the Scheme as follows, these Schedule 12 provisions would prevail for the development of the specified land:

4.1 Special Provisions:

Despite any other provision of the Scheme, the land specified in Schedule 12 shall be developed in accordance with the special provisions set out in Schedule 12 with respect to that land.

Note: Where a scheme amendment involves incorporation into the Scheme of special provisions for the development of particular land, they are to be listed in this schedule as tied to that land.

Draft addition to Schedule 12: Special Provisions

No.	Description of Land	Land Use	Special Provisions
4	Nos 261, 263, 265, 267, 269, 271, 273, 275, 277 and 279 Curtin Avenue; 52 Florence Street; 93A and 95 Grant Street.	Residential, except Multiple Dwelling, or other purposes as permitted in the Residential zone.	<ol style="list-style-type: none"> 1. Development shall generally be in accordance with Local Development Plan No. 2 annexed to this Scheme Amendment, subject to any variation approval by the local government. 2. The requirements of the Residential Design Codes for 45% minimum open space and an outdoor living area of 24sq minimum shall not be reduced. 3. The requirement of the Residential Design Codes for a maximum of 35% overshadowing shall not be exceeded. 4. Second storeys are not permitted to have boundary walls and shall be setback in order to limit overshadowing, assist privacy and ameliorate building bulk. 5. Ground floor southern boundary walls shall not exceed the deemed-to-comply requirements of the Residential Design Codes. 6. Development with vehicular access via a lane shall where required be setback to facilitate access and manoeuvring, including any necessary truncations or design techniques for adequate sightlines. 7. Each dwelling shall provide a minimum of two car parking spaces on site, except that in the case of an ancillary dwelling a minimum of one car parking space may be permitted at the discretion of the Local Government. 8. Depending on lot orientation and building design, the local government may allow interchanging primary and secondary street setbacks in order to achieve effective use of space, streetscape amenity and compatible developments. 9. The design and construction of all development facing a road or lane,

No.	Description of Land	Land Use	Special Provisions
			<p>including outbuildings, ancillary structures and fencing, shall be of a high standard to the satisfaction of the local government.</p> <p>10. Development shall be designed to maximise the retention of street trees and where feasible the retention of significant on-site trees.</p>

Note that under approved Scheme Amendment No. 4 any roof deck in the R30 area proposed would be excluded from the calculation of open space.

The official Scheme Amendment documents would be prepared upon Council support for the proposal and the particular content desired. The documents would comprise the proposed Scheme Amendment Text and Map reflecting the above, as well as an explanatory report and the official endorsement pages.

Subdivision controls and overall plan

The previous report discussed subdivision considerations and related controls, which could be addressed by a Local Development Plan to some extent. However, as a range of variables affect subdivision over time (i.e. multiple owners with differing aspirations/circumstances, the design of progressive redevelopments, etc) a Local Development Plan would be confined to broad parameters to guide subdivision and development, but with inherent flexibility. That is, there are no specific subdivision/development proposals at this stage, the Plan can only deal with generic planning principles to be applied to proposals arising incrementally. On this basis it is assessed that the Plan, which is yet to be drafted, should address the following key aspects:

- Vehicle access and parking, including crossovers.
- Pedestrian access.
- Facades, fencing and landscaping presenting to the streets and lanes.
- Public domain infrastructure and landscaping, including lanes and verges.
- Corner truncations.
- Interfaces with adjacent land.

As the Western Australian Planning Commission is the determining authority for subdivisions, the Local Development Plan would be a policy statement for the Town in providing advice and recommendations to the Commission on subdivision applications referred for comment.

In this respect widening of lanes is a matter which the Commission considers in dealing with subdivision applications, with such land being ceded free of cost. Whilst that may reduce the area of lots, it improves the functionality of lanes and is seen as equitable when subdivision approval is granted to gain additional lots. Therefore, the development controls of the draft Scheme Amendment don't include lane widening;

however, they do provide for the Town to require development to be setback for vehicle access.

CONCLUSION

The requested density re-coding is seen to have merit and while relatively modest it is considered desirable that there be supporting planning controls to guide and manage subdivision and development.

This report has outlined a draft Scheme Amendment and indicative Local Development Plan for Council to consider in-principle, before committing to staff preparing formal documentation for Council's consideration to initiate public advertising of these instruments.

A prerequisite is advising the subject landowners that the Town will charge fees for its work in formulating and carrying-out the Scheme Amendment and Local Development Plan proposals. The landowners could consider engaging a planning consultant to help prepare the documents, which would be at their additional cost; however, the Town has already progressed this and will still charge fees for its work involved.

The recommendation below addresses this overall course of action.

ADDITIONAL INFORMATION FOLLOWING COUNCIL BRIEFING SESSION

Local Planning Strategy – This document is the background study to Local Planning Scheme No. 3. Whilst as a broad document the Strategy doesn't specifically flag the subject lots for a density increase, by way of guidance it supports R20 and R30 as the main residential densities, promotes housing choice, fosters residential amenity and recognises planning for transit-oriented development. Under the town planning legislation the Scheme Amendment process exists for rezoning or density recoding proposals to be considered as they arise.

Land ownership – The subject properties are each owned individually (by persons, not companies) and all but one are owner-occupied as per documentation supplied with the request. There has been no change of ownership since the request was made. The property whose owner did not submit an original letter of request is 269 Curtin Avenue, corner Hawkstone Street. The property whose owner has expressed conditional support is 265 Curtin Avenue.

Curtin Avenue – As shown on the draft Scheme Map attachment to the Council Briefing Session Agenda, the Metropolitan Region Scheme (red road) reservation for future Curtin Avenue is to the east of existing Curtin Avenue and adjacent to the railway reserve, whereby it does not affect the subject lots and existing Curtin Avenue is likely to become a service road.

Fees – Local Governments may charge fees for services in dealing with Scheme Amendment and Local Development Plan proposals, as is done for development applications. The procedure entails providing estimates to proponents and payments may be required prior to considering and initiating proposals. Where the Local Government decides to not initiate, or later to not continue with, the relevant proposal, the proportion of fees not expended is required to be refunded. For the

present proposal it is considered appropriate to charge fees and for payment to be required beforehand.

Council consideration – The original request from the landowners was considered at a briefing session of the Development Services Committee. The subsequent first report to Council on the matter presented the proposal on a preliminary basis and Council requested the second more detailed report that was prepared. Given the early consultation with the Town by the representative landowners on their proposal and the successive consideration of the matter by the Committee and Council, together with this latest report, sufficient information has been provided for Council to decide whether it wishes to proceed towards formal proposals for consideration for the purpose of advertising. If so, in reporting further officers will have the opportunity to liaise with the landowners regarding the indicative proposals outlined in this report.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Dawkins, seconded Cr Rodda

THAT Council:

- 1. Note this report on a draft Scheme Amendment proposal for the subject lots to increase the residential density coding from R20 to R30, to incorporate associated development controls in Schedule 12: Special Provisions, and to create a related Local Development Plan.**
- 2. Subject to point 3 below, support the draft proposal in-principle and request the Administration to prepare the fully-detailed Scheme Amendment and Local Development Plan documents, for reporting to Council to formally consider for initiation by public advertising.**
- 3. Advise the subject landowners that in order to initiate the Scheme Amendment and Local Development Plan proposals for the purpose of public advertising, Council will require those landowners to reach agreement regarding and arrange prior payment to the Town of its estimated fees for services to prepare these instruments and undertake their statutory processes.**

Lost 1/6

For: Mayor Dawkins

Against: Crs Angers, Boulter, Thomas, Rodda, Downes and Birnbrauer

ADMINISTRATION**10.1.3 TOWN OF COTTESLOE CORPORATE CREDIT CARD POLICY**

File Ref: POL/91
Attachments: [Corporate Credit Card Policy](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Garry Bird
Manager Corporate & Community Services
Wayne Richards
Finance Manager
Proposed Meeting Date: 24 May 2016
Author Disclosure of Interest: Nil

SUMMARY

To consider a policy on the use of the Corporate Credit Card by the Town.

BACKGROUND

Council has a long standing practice of only holding one credit card, issued in the name of the Town of Cottesloe, which is only used for those purchases which will only accept credit card payments or require immediate payment to confirm an order.

In the current Financial Management Review, undertaken by Council's Auditors, Moore Stephens, the lack of a policy to prescribe the use of the corporate credit card was identified as potential risk and recommended that such a policy be put in place.

The full results of the financial management review will be presented to a meeting of the Audit Committee in the near future.

As such the following draft policy has been prepared for the consideration of Elected Members.

CORPORATE CREDIT CARD**(1) AIM OF POLICY**

This policy sets out the criteria for the use of a corporate credit card used to procure goods and/or services for the Town of Cottesloe.

(2) BACKGROUND

A corporate credit card can deliver benefits to local governments as an alternate method of payment in circumstances where the traditional methods of payments such as by cheque or electronic funds transfer are not accepted for example, when booking a flight, or when dealing with a supplier who will not give the Town credit and is a monopoly supplier of the product.

(3) POLICY STATEMENT

The following guidelines provide for the use, allocation, control and safe custody of corporate credit cards held by the Town of Cottesloe;-

- *The card is to be in the name of the Town of Cottesloe and administered by the Finance Manager.*
- *The card is to be restricted to expenses for goods and/or services budgeted by the Town of Cottesloe and authorised in advance by the relevant supervisor.*
- *All purchases made using the credit card must be accompanied by a purchase order and tax invoice authorised in line with Council policies.*
- *A list of expenses made using corporate credit cards be presented to Council as a part of the monthly financial statements*
- *A corporate credit card cannot be used for a cash withdrawal.*
- *The corporate credit card should be stored in a safe place when not being used.*
- *Corporate Credit Card is not to be taken off site, other than to the issuing bank.*

Approximately 10 credit card transactions are undertaken each month, primarily for:

- Interstate license plate searches
- Training, conference and travel bookings
- Purchase of information technology hardware (minor) and software
- Other purchases where cheque or electronic funds transfer not accepted.

STRATEGIC IMPLICATIONS

Priority Area 6 – Provide Open and Accountable Local Governance

Major Strategy 6.2 – Continue to deliver high quality governance, administration, resource management and professional development.

Adoption of the draft policy on use of the corporate credit card is in keeping with this stated strategic objective.

POLICY IMPLICATIONS

A new policy will be created if the Officer Recommendation is adopted.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

There are no financial implications arising from the Officer Recommendation.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Town of Cottesloe Staff
Moore Stephens (Council Auditors)

STAFF COMMENT

Misuse of a corporate credit card is a significant potential risk and the formalisation of the current practice into an adopted policy is recommended.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Birnbrauer

THAT Council adopt the attached Corporate Credit Card Policy.

Carried 6/1

For: Mayor Dawkins, Crs Angers, Thomas, Rodda, Birnbrauer, Downes

Against: Cr Boulter

10.1.4 COMMUNICATION POLICY – REVIEW

File Ref: POL/24
Attachments: [Communication Policy](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Mat Humfrey
Chief Executive Officer
Proposed Meeting Date: 24 May 2016
Author Disclosure of Interest: Nil

SUMMARY

Council is being asked to consider initiating a review of the Town's Communication Policy.

BACKGROUND

Council adopted the Town of Cottesloe – Communication Policy in July 2013. The Policy aims to guide officers and elected members on issues surrounding communications, particularly with each other and residents and ratepayers.

STRATEGIC IMPLICATIONS

Priority Area 6 – Provide Open and Accountable Local Governance

Major Strategy 6.1 – Ongoing implementation of Council's community consultation policy.

Major Strategy 6.2 – Continue to deliver high quality governance, administration, resource management and professional development.

Communication with residents, ratepayers and stakeholders will play an important role in achieving the Town's strategic priorities.

POLICY IMPLICATIONS

This report does not recommend any changes to the policy at this stage, however, following the recommended consultation, the policy may be amended.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from this report.

CONSULTATION

Officers have undertaken a desktop review of the policy. At this stage, no changes are being recommended.

STAFF COMMENT

Council initially adopted a Communication Policy to serve as a guide to Elected Members and officers when considering how to respond to correspondence. It does serve this purpose well and articulates the issues surrounding communications which allows for decisions in circumstances that are not specifically covered within the policy itself.

As the policy will affect residents, ratepayers and other stakeholders, it is recommended that before any changes are considered, that consultation be undertaken on the existing policy. This consultation will provide feedback on the operation of the current policy and may bring to Council's attention any issues that stakeholders have with it.

The consultation does not have any statutory requirements either for the type of advertising required, nor the duration of time allowed for submissions to be made. The Town's Community Consultation Policy does have a list of requirements, which would take between three and four weeks to set in place. As such it is intended that a further report will be brought back to Council for consideration at the July Ordinary Council Meeting, which will include any submissions received.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Birnbrauer

THAT Council authorise the Chief Executive Officer to seek community feedback on the Town's Communication Policy (as attached) and that the feedback along with any recommended changes be presented to the July 2016 Ordinary Council Meeting.

Carried 7/0

ENGINEERING**10.1.5 CONSIDERATION OF OPTIONS FOR THE LESSER HALL AND
ACCEPTANCE OF TENDER 02/2016 LESSER HALL COTTESLOE
UPGRADE**

File Ref: SUB/2157
Attachments: [CONFIDENTIAL Tender and Price Summary](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Doug Elkins
Manager Engineering Services
Proposed Meeting Date: 24 May 2016
Author Disclosure of Interest: Nil

SUMMARY

Council is requested to consider options for the refurbishment and restoration of the Cottesloe Lesser Hall, including the option to award Tender T02/2016, Lesser Hall Cottesloe Upgrade.

BACKGROUND

As part of developing the long-term financial plan, as a tool to implement the Corporate Business Plan, Council identified the need to update and upgrade the Lesser Hall. Consequently, in the 2014/15 financial year, Council included an amount on the annual budget to engage a heritage architect to design the updated building.

In order to progress this project, a tender has been called for the construction of the upgrade and refurbishment works. In response to this tender, a total of eight tenders were received. The name of each tenderer, and the consideration offered, is included as a confidential attachment. Each of the tenders has been assessed by the Project Architect and the most preferential tenders have been assessed by officers.

The tendered consideration to complete the Lesser Hall works is higher than originally anticipated, but still in accordance with estimates by a quantity surveyor, as noted in the attached tender assessment. The revised estimate, by the quantity surveyor, is a construction cost around \$670,000. The increase in costs between the earlier estimate, and current estimates is related to additional repair and restoration works, to the heritage building, identified during the detailed design phase.

At this stage, Council may desire to downscale the project scope, or seek to achieve a better price through an alternative procurement methodology. The recommendation of staff, as discussed below, is to award a tender and adjust the project budget accordingly.

STRATEGIC IMPLICATIONS

The Lesser Hall is a very high use community facility. The room is normally used six or seven days a week, with numerous uses on the same day not being uncommon. The Lesser Hall is also used as a storage facility for events in the grounds.

If Council proceeds with the Lesser Hall upgrade, it is expected that utilisation will increase, including increased use for Council events.

POLICY IMPLICATIONS

Council's Purchasing policy requires tenders to be called for any contract exceeding \$150,000.

STATUTORY ENVIRONMENT

Tenders are required to be called for any contract with a value exceeding \$150,000. Council is not obliged to award a tender, and, notwithstanding any selection criteria used to rank tenderers, may choose, with reasons, to award a contract to any of the tenderers.

A Planning Approval has been issued for the proposed works.

FINANCIAL IMPLICATIONS

The refurbishment of the Lesser Hall is a project being funded out of the proceeds from the sale of the depot. The estimated construction cost, including provisional amounts, was \$570,000 after the finalisation of the concept design. After discussions with the Heritage Council on appropriate methodologies to overcome some of the building defects, a number of additional items were added to the design, during the detailed design process, increasing the estimated construction cost to \$670,000. The revised budget will have no net effect on the 2016/17 budget.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The tender was advertised in the West Australian newspaper on Wednesday 23 March 2016. The tender was also advertised in the Post newspaper Saturday 26 March 2016 and the Western Suburbs Weekly on Tuesday 29 March 2016. A site inspection was provided to tenderers on Thursday 31 March 2016.

STAFF COMMENT

Prior to commencing discussion on the recommended course, and alternatives, it is relevant to note that Council is not obliged to award a tender, or even proceed with the project. Accordingly, Council should not feel a pressure to proceed with this project.

Noted above, the tenders have exceeded the original project estimate. To deliver the same outcomes in a new build, the cost would be expected to be substantially cheaper than the tendered prices. In this case, however, the work is a renovation of a historic building. The additional costs reflect the extra care required, the specialist skills required, the additional project risk involved, as well as the additional work required to rectify modern deficiencies and protect the building into the future. The escalation in the project cost, from the earlier estimate, is related to additional

heritage works required to restore and protect the building. In particular, in consultation with the Heritage Council, it was determined that it was necessary to remove the existing paint from the masonry and install an all around external drain, to protect the structure from moisture related degradation. Accordingly, Council's previously indicated project scope is being delivered, but at a higher price than anticipated, due to additional restoration costs identified.

From this point Council have a number of options, as follows:

- Reflect the higher cost in the 2016/17 financial year budget and award a tender;
- Not proceed with the project;
- Complete a refurbishment without a renovation; or
- Remove individual elements from the project scope.

To assist Council in understanding the options, the following is a breakdown of the detail design estimate, showing the costs related to the refurbishment/repair, costs related to the renovation (i.e. reconfiguring walls etc) and removable large items in the specification that could be omitted or changed.

Building Component	Refurbishment/ Repair Cost	Renovation Cost	Removable Item	Total
Substructure	\$55,870	\$6,520		\$62,390
Superstructure	\$108,285	\$33,220	Partition Wall \$10,800	\$152,305
Finishes	\$48,835	\$1,000	Main Hall Floor \$23,220	\$73,055
Fittings	\$48,700	\$7,700		\$56,400
Services	\$65,340	\$10,780	Air- conditioning \$63,000	\$139,120
Preliminaries	\$51,450	\$11,016	\$15,264	\$77,730
Site and External Works	\$62,355	\$14,645		\$77,000
Sub-total	\$440,835	\$84,881	\$112,284	\$638,000
Contingency	\$22,142	\$4,244	\$5,614	\$32,000
Total	\$462,977	\$89,125	\$117,898	\$670,000

Councillors will note that the cost to refurbish the building is the major part of the cost. This element is based on repairing defects in the building, protecting the building, replacing fittings, and repainting the building, without any reconfiguration. The amount of approximately \$90,000 for renovation, is the additional cost to reconfigure the building to make it of value as a community space. The additional amount of approximately \$120,000 is to incorporate air-conditioning, a sprung floor and a removable partition wall. These later elements could be omitted, although an alternative floor would be required, so some additional cost would still be incurred.

The Lesser Hall needs to be refurbished. The floor has sunk, the roof is sagging, fixtures and paint are beyond their usable life, and major structural elements are cracked, or in deterioration. Accordingly, these cost need to be met now or in the near future. The additional cost to reconfigure the building, to make it more usable, is

considered to be minor relative to the refurbishment costs. Further, completing these reconfiguration works at the same time, is the most cost effective.

Accordingly, officers are of the view that, on the basis that the building needs to be refurbished, the reconfiguration should also occur. Finally, the refurbished building is expected to be a modern community building available for both community and civic purposes, and available for a range of additional uses. A major refurbishment of this building is not likely to occur for another 30 years or more. To not complete the project, through the omission of air-conditioning, the omission of a partition system, or through an alternative, albeit slightly cheaper floor, is considered a missed opportunity. Relevantly, the Lesser Hall refurbishment and upgrade, is the only project funded through the sale of the depot, which predominately benefits Cottesloe residents. In addition, the enhanced usability will provide new opportunities for local residents to utilise this local community asset. Accordingly, on the basis that this is an opportunity to provide a high quality facility, that will service the Cottesloe and surrounding communities for many years into the future, it is recommended that Council proceed with the whole of the project scope, and award a tender accordingly.

As required by the *Local Government (Functions and General) Regulations 1996*, a selection criteria was advertised with this tender, and each tender has subsequently been assessed against the criteria. The selection criterions were:

- Demonstrated experience in completing similar projects – 20%;
- Methodology – 20%;
- Skills and experience of key personnel – 10%; and
- Price – 50%.

An assessment against the advertised criteria was completed by the Project Architect, with the top three tenders reviewed by staff. The confidential attachment includes the assessment of each of the tenders, as well as the tendered price. Councillors will note that the tender considered the most advantageous, based on the assessment criteria, is the third lowest priced tender. The second most advantageous tender, is the second lowest price, and the third most advantageous tender is the lowest price.

The most advantageous tender and the second most advantageous tender have almost identical scores, with only a single point on one criterion separating the final score. While not significant, the price difference is enough for officers to prefer the second most advantageous. The third most advantageous tender has submitted a price that warranted a thorough review of their suitability. While the scoring of the third most advantageous tender is not significantly lower than the first two, feedback from references is that the workmanship of this tenderer is 'fair or average'. Based on these comments, combined with the third place on the assessment, officers are not confident that this tenderer will deliver the finished quality desired.

The top two tenderers both have positive references, and have both completed high quality work under the architect. In the case of the second most advantageous tenderer, this company has worked for the Town on the Civic Centre in the past, and has demonstrated in this previous work, the required level of quality. Accordingly, it is recommended that the Council award the tender to tenderer number two. The architect supports a recommendation to award the tender to tenderer number two.

The final point of relevance is the actual tendered price. Councillors will note that the price summary includes two roof tile options. The preferred option is to replace the existing tiles, with tiles to match the Civic Centre main building. To establish the tendered price for each tenderer, on the basis of tile replacement, the cost to re-use the tiles needs to be deducted from the total tendered price. Also to be subtracted is the provisional sum of \$12,000 (excluding GST). Finally, the price allowance for new roof tiles needs to be added. The table included in the attachments is GST inclusive. This should be removed for the purpose of comparing with Council budgets.

Adjusting for the tile replacement option and GST, the price tendered by tenderer number two, is as written by hand on the confidential attachment. In order to fund the full project scope, with this tenderer, an additional \$125,000 will need to be included in the budget, in the 2016/17 financial year. If the Council's preference is to appoint the lowest priced tenderer, only an additional \$81,000 will need to be allocated. The inclusion of the additional project funds will occur as part of the budget process. If the Council awards the tender, officers will adjust the draft budget accordingly.

While this does equate to additional funds being spent, officers are still of the mind that this represents good value to the ratepayer and will result in a vibrant, modern and highly used community asset.

VOTING

Simple Majority

OFFICER RECOMMENDATION

THAT Council award tender T02/2016, Lesser Hall Cottesloe Upgrade, to tenderer number two, as per the assessment provided.

COUNCILLOR MOTION & COUNCIL RESOLUTION

Moved Cr Boulter, seconded Cr Thomas

THAT Council:

- 1. Modify the proposed plan for the Lesser Hall upgrade to include a shower within the universal toilet, with the price variation being reflected in the 2016-17 financial year budget; and**
- 2. Award tender T02/2016, Lesser Hall Cottesloe Upgrade, to Colgon Industries Pty Ltd for the GST exclusive tendered consideration of \$693,802.**

Carried 7/0

FINANCE**10.1.6 FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 APRIL 2016**

File Ref: SUB/2153
Attachments: [Financial Statements for the Period 1 July 2015 to 30 April 2016](#)
Responsible Officer: Garry Bird
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 24 May 2016
Author Disclosure of Interest: Nil

SUMMARY

It is a requirement of the *Local Government Act 1995* that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Town's finances and ensure that income and expenditure are compared to budget forecasts.

The attached financial statements and supporting information are presented for the consideration of Elected Members. Council staff welcomes enquiries in regard to the information contained within these reports.

BACKGROUND

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

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

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Town of Cottesloe Accounting Policy
Town of Cottesloe Investments Policy
Town of Cottesloe Investment of Surplus Funds Policy

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocations.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

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

- The net current funding position as at 30-04-2016 is \$2,387,606 and is in line with previous financial years as shown on pages 6 and 22 of the attached Financial Statements.
- Rates receivable as at 30-04-2016 stood at \$463,791 of which \$169,104 relates to deferred rates. Excluding deferred rates, the outstanding balance of rates is \$52,306 more than at the same time last financial year.
- Operating revenue is more than year to date budget by \$353,458 with a more detailed explanation of material variances provided on page 21 of the attached Financial Statements. Operating expenditure is \$506,058 less than year to date budget.
- The Capital Works Program is approximately 36% complete as at 30-04-2016 and a full capital works program listing shown on pages 33 to 36.
- Whilst Salaries and Wages are not reported specifically, they do represent the majority proportion of Employee Costs which are listed on the Statement of Financial Activity (By Nature and Type) on page 7 of the attached Statements. As at 30-04-2016 Employee Costs were \$31,179 less than year to date forecasts.

List of Accounts for April 2016

The List of Accounts paid during April 2016 is shown on pages 37 to 43 of the attached Financial Statements. The following significant payments are brought to Council's attention;-

- \$25,743.47 to the Building and Construction Industry Training Fund for levies collected on their behalf
- \$43,703.60 to the Australian Taxation Office for the monthly Business Activity Statement
- \$25,410.00 to F J Fitzsimmons for right of way resurfacing works
- \$28,820.00 to B & B Waste Contractors for verge collection costs
- \$54,095.94 to Perthwaste Green Recycling for waste collection/disposal services
- \$31,554.28 to Surf Life Saving Western Australia for the monthly surf life saving service
- \$32,838.70 to Western Metropolitan Regional Council for waste disposal costs

- \$27,815.00 to Hocking Heritage Studio for architectural services relating to the Lesser Hall refurbishment
- \$85,048.47 and \$83,933.24 to Town of Cottesloe staff for fortnightly payroll
- \$123,515.20 to WA Treasury Corporation for loan repayments

Investments and Loans

Cash and investments are shown in Note 4 on page 23 of the attached Financial Statements. Council has approximately 41% of funds invested with National Australia Bank, 32% with Bankwest, 14% with the Commonwealth Bank of Australia and 13% with Westpac Banking Corporation.

Information on borrowings is shown in Note 10 on page 30 of the attached Financial Statements. As at 30-04-2016 the Town had \$4,773,358 of borrowings outstanding.

Rates, Sundry Debtors and Other Receivables

Rating information is shown in Note 9 on page 29 of the attached Financial Statements. As displayed on page 2, rates receivable is trending in line with the previous year.

Sundry debtors are shown on Note 6, pages 25 and 26 of the attached Financial Statements with 12% or \$7,863 older than 90 days. Infringement debtors raised on the new software platform are shown on page 26 and it is anticipated that all infringements from the legacy system will be transferred by the end of the 2015/16 financial year.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Birnbrauer

THAT Council receive the Financial Statements for the period ending 30 April 2016 as attached.

Carried 7/0

10.2 REPORT OF COMMITTEES

PUBLIC EVENTS COMMITTEE – 17 MAY 2016

10.2.1 OPEN WATER SWIMMING RACE - 2016

File Ref: SUB/2091
Attachments: [Open Water Swimming Race 2016 Event Application Form](#)
[Open Water Swimming Race 2016 Event Course Map](#)
Responsible Officer: Garry Bird
Manager Corporate & Community Services
Author: Sherilee Macready
Community Development Officer
Proposed Meeting Date: 24 May 2016
Author Disclosure of Interest Nil

SUMMARY

The Western Australian Swimming Association Inc. (Swimming WA) is seeking approval to host the 2016 Swimming W.A. Open Water Swim Series Event Round No. 2 from Cottesloe Beach on Saturday 29 October 2016, from 4.00am to 12.00pm.

BACKGROUND

As the first event of the season, it is expected to draw a lot of interest, with 600 competitors and surf life saving club members actively involved, as well as many supporters. Races will be held at other Perth beaches over the season, which runs from October to March.

Open Water Swimming Races consist of a number of simultaneous races, with distances ranging from 500m – 5km, with a wide range of ages catered for. Races will commence at 8.00am and are open to the public.

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

Last year's event, held on the 31 October 2015, was successful, and no major issues were brought to the attention of the Council.

This year, organisers have indicated that they are planning to include Indigenous cultural activities as part of their start line activities. These will include displaying temporary community art pieces in a small section of Cottesloe Beach near the groyne. Swimming WA has already established a relationship with ICEA. Foundation to assist them with planning these activities. Following this, organisers are in conversation with Walyalup Aboriginal Cultural Centre in Fremantle to engage their services to produce the start line activities.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Officers sought feedback from Cottesloe Surf Life Saving Club on the previous year's Open Water Swimming event. It was advised, that the 2015 event was overall a positive experience for the club.

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

STAFF COMMENT

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

A comprehensive Risk Assessment Plan and a Course Map have been provided. A current Public Liability Insurance certificate and a comprehensive Event Management Plan will be provided prior to the event. Letters of support for the event from Cottesloe Surf Life Saving and North Cottesloe Surf Life Saving Club have been provided.

The event organisers have indicated that they are anticipating in excess of 600 paid participants.

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

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Rodda

THAT Council approve the application from Swimming WA to hold the Open Water Swim Series Event at Cottesloe Beach on Saturday 29 October 2016 from 4:00am to 12:00pm, subject to the following conditions:

1. Adequate arrangements for rubbish collection and removal, including the provision for recycling;
2. Class this event as a “Community” event and charge the fee of \$550, and a bond of \$1,000, to be paid prior to the event commencing;
3. Provision of transport or parking plan and appropriate access/signage to and from the event;
4. Provision of a comprehensive Risk and Event Management Plan, provided prior to the event;
5. The event complies with the *Environmental Protection (Noise) Regulations 1997*;
6. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*;
7. Compliance with additional relevant sections of the Town of Cottesloe’s Beach Policy;
8. Provision of ‘certificates of currency’ to certify that organisers have adequate public liability and event insurance, provided prior to the event;
9. No balloons to be used during the event;
10. All signage to be approved by the Chief Executive Officer one month prior to the event;
11. Earth Carers ‘H2O to Go’ Water station facilities are investigated for use at the event; and
12. Provision of further information on the proposed Indigenous cultural activities.

Carried 7/0

10.2.2 NATIONAL SKIN CANCER SCREENING ACTION WEEK FREE MOBILE SCREENING INITIATIVE

File Ref: SUB/2091
Attachments: [Event Application Form Melanoma WA](#)
[Mobile Screening Site Plan](#)
[Mobile Clinic Example](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Garry Bird
Manager Corporate & Community Services
Elizabeth Nicholls
Administration Officer
Proposed Meeting Date: 24 May 2016
Author Disclosure of Interest: Nil

SUMMARY

Melanoma WA is seeking approval for their Lion's Cancer Institute Inc. free mobile skin screening unit to be set up at Cottesloe Beach foreshore, from Monday 14 November to Friday 18 November 2016, between 6.00am and 6.00pm daily, as part of the 2016 National Skin Cancer Action Week.

BACKGROUND

In 2015, Melanoma WA gained approval from the Town to set up their second Lion's Cancer Institute Inc. free mobile skin screening unit at Cottesloe Beach foreshore, at the corner of Napier Street and Marine Parade (west side). The screening unit was set up at Cottesloe Beach foreshore, from 16 November to 20 November 2015 and offered a free skin cancer screening consultation and information to members of the public that visited the unit. Organisers subsequently reported that the screening unit was a great success, with nearly 450 members of the public visiting the unit during its operation. Of those screened, 70 people were referred on to a skin specialist for further investigations.

Melanoma WA, based at the Cancer Wellness Centre in Cottesloe, is a non-profit organisation focussed on providing support for people, and their families and carers, who have been diagnosed with melanoma, as well as educating our Western Australian community about melanoma prevention and sun and skin safety.

Organisers are seeking approval for their third Lion's Cancer Institute Inc. free mobile skin screening unit initiative with the hope of this becoming an annual event. This is to take place at Cottesloe Beach foreshore, from Monday 14 November through to Friday 18 November 2016.

The screening unit will consist of a fully autonomous mobile clinic, together with its attached trailer. A photograph has been provided which features an example of the mobile clinic. Three qualified Dermatologists will staff the clinic and will undertake the free skin screening examinations. Similar screenings would usually cost members of the public approximately \$250 per session.

Four 3m x 3m shade tents will be used for community engagement with members of the public, by Melanoma WA staff, with one used as a waiting area for the screening unit. Free sunscreen for members of the public visiting the screening unit will be housed in one of the tents, provided by one of the screening unit's sponsors. The tents will also provide shade from the elements.

Information brochures about melanoma and National Skin Cancer Action Week, and a few associated products, will be available for members of the public to access and take away with them when visiting the community engagement tents.

Objectives of the free skin cancer screening unit initiative are:

- To remove obstacles that prevent people from getting their skin screened, such as cost, and inconvenient General Practitioner or Dermatologist appointment times;
- To change people's behaviour when it comes to being proactive about their health;
- To highlight the importance of early detection as a way of preventing skin cancer, and in particular, potentially deadly melanoma;
- To showcase the work that Melanoma WA does in the local Western Australian community; and to
- Highlight National Skin Cancer Action Week.

Organisers have indicated that they may invite interested local media/radio to attend the screening unit site on one of the days of operation, with a purpose to promote the skin screening unit as well as National Skin Cancer Action Week. At this stage, details of this are yet to be determined.

Organisers will have comprehensive Public Liability Insurance in place to cover the event.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Officers contacted the Works Supervisor with regards to use of the Cottesloe Beach foreshore for this initiative. The Works Supervisor advised that he could not see any issues with the screening unit being set up at the specified location. Works staff will assist the organisers with the screening unit's placement, and will work around the unit and its associated tents.

STAFF COMMENT

As the events main purpose is to provide a free skin cancer screening consultation together with information about the importance of early detection as a way of preventing skin cancer, which provides a valuable service to the community, as well as the low impact expected, the application is recommended for approval.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Rodda

THAT Council approve the application to hold the 2016 Skin Cancer Action Week Lions Cancer Institute mobile skin screening initiative at Cottesloe Beach foreshore, from Monday 14 November to Friday 18 November 2016, between 6.00am to 6.00pm daily, subject to the following conditions:

1. **Event organisers are able to provide proof of adequate public liability insurance to cover the screening initiative, for no less than \$10 million;**
2. **Adequate arrangements for rubbish collection and removal, including the provision for recycling;**
3. **Class the event as a "Charitable Event" and charge no fee for the event;**
4. **Compliance with the *Beaches and Beach Reserves Local Law 2012*;**
5. **Compliance with the Town's Beach Policy;**
6. **Compliance with requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.; and**
7. **No balloons to be used during the event.**

Carried 7/0

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 COUNCILLOR MOTION - PRINCIPAL SHARED PATH GRANT STREET TO VICTORIA STATION**

The following motion has been proposed by Cr Boulter:

COUNCILLOR MOTION & COUNCIL RESOLUTION

Moved Cr Boulter, seconded Cr Thomas

1. That the Town of Cottesloe administration write to the WA State Minister for Transport and the WA Department of Transport and Main Roads WA requesting that the Grant Street to Victoria Station sections of the Principal Shared Path be completed as a matter of urgency but not later than by October 2017, including in that correspondence (but not necessarily limited to) the sentiments and reasons articulated in the Rationale below, and including a copy of the minutes of the motion resolved by Council and this Rationale.
2. The Town of Cottesloe administration write to Main Roads WA as a matter of urgency asking them:
 - a. To ensure that there is a Principal Shared Path separate from Curtin Avenue now and in any future designs for Curtin Avenue upgrade;
 - b. For clarification of Main Roads WA design plans and timeline for any Curtin Avenue upgrade;
 - c. That there will be a direct, safe and suitable access to the Principal Shared Path (once it is constructed) from any part of Curtin Avenue where there are significant sites, such as schools, railway stations and east west links through Town of Cottesloe;

As part of the next/any Main Roads WA Curtin Avenue works.

3. That a copy of the letters, which are sent, are copied to the Mayor and Elected Members, and a report is made to the next Council meeting about any outcomes from the correspondence arising from Resolutions One and Two.
4. That Town of Cottesloe administration develop and complete a Town of Cottesloe Bike Plan by August 2016 so as to obtain funding from the Department of Transport October 2016 round of funding to develop and start implementation of the Cottesloe Bike Plan, especially those routes that will deliver safe access to the Principal Shared Path.

Carried 7/0

COUNCILLOR RATIONALE

1. Principal Shared Paths will be constructed as part of large infrastructure projects such as Gateway WA.
2. The following map shows the proposed cycling and pedestrian paths to be constructed over the next four years:

http://www.transport.wa.gov.au/mediaFiles/active-transport/AT_P_PSPExpansionProgramMap.pdf

3. The priority Principal Shared Paths up until 2023 will be within a 15km radius of the Perth Central Business District with a particular emphasis along the freeway and railway corridors, due to high commuter demand.
4. Currently, a Principal Shared Path runs from Perth City and stops at Grant Street along the railway corridor.
5. The expansion of the Principal Shared Path network is a key recommendation of the Western Australian Bicycle Network Plan and I understand that the timetable for this is:
 - a. Grant St Station to Cottesloe Station by December 2018
 - b. Cottesloe Station to Victoria Station June 2019
 - c. Victoria Station to North Fremantle Station December 2020
6. There are more bicycles on the road in WA compared to the Australian average, and bicycle counters in Perth show steady growth in cycling numbers.
7. On Curtin Avenue we face heavy freight traffic and significant nearby pedestrian and bike usage.
8. Crash Statistics from Road Safety Council site.
<https://rsc.wa.gov.au/Documents/Cyclists/ors-cyclists-fact-sheet.aspx>
 - a. Lighting conditions - more than three quarters (76 per cent) of the serious bicycle crashes occurred during daylight. Approximately 19 per cent of serious crashes occurred at dawn or dusk, or in dark conditions with operating street lighting.
 - b. Most serious bicycle crashes occurred on Tuesdays and Wednesdays while Sundays recorded the least number of crashes. More than half of WA's serious cyclist crashes occurred during the "peak traveler times" of 6:00am to 9:00am, and 3:00pm to 6:00pm.
 - c. Location of the crashes - 86 percent of crashes in which cyclists were killed or seriously injured occurred within the Perth metropolitan area. Approximately 80 per cent of these crashes occurred on local roads and nearly 19 per cent on highways.
 - d. National comparison - WA's cyclist fatality rate per 100,000 population for 2005-2014 was 0.2, similar to NSW (0.2), Queensland (0.2) South Australia (0.2) and the ACT (0.2) but higher than Victoria (0.1) and lower

than Tasmania (0.4). The Australian fatality rate for 2005-2014 was 0.2 per 100,000 population.

- e. Crash type - serious bicycle crashes reported to Police were most often multiple vehicle crashes (92 per cent). The most common multiple vehicle crash type was right angle crashes (49 per cent), and most of the right-angled crashes involved vehicles approaching each other either from adjacent roads at an intersection (37 per cent), or at a driveway entry to a road (5 per cent).
- f. Speed - approximately two per cent of serious bicycle crashes recorded speed as a contributing factor.
- g. About one third (32 per cent) of serious bicycle crashes occurred on roads with a 50 km/h speed limit, followed by roads with a 60 km/h speed limit (19 per cent).

9. I understand that:

- a. The funding is set aside in the State budget and available for both the Cottesloe Principal Shared Path sections.
- b. The Department of Transport design work for these sections is nearly/if not complete.
- c. From issue of tender to completion of a section takes around 12 months.
- d. There are four primary schools and two Railway Stations in the Cottesloe area that could be serviced by the Principal Shared Path.
- e. Cycling Count Data show an increase in 3% pa up to 2014 in Thomas Street near the Subiaco Station, with the likelihood to continue (new updated data should be uploaded in next month or so). This data shows for example 75,061 trips in the January to March quarter of 2014: see attachment.
- f. There has been at least one cycling fatality on Curtin Avenue in recent times.
- g. Accidents have the potential to be very serious, especially because of the high volume of and freight traffic to and from the Port.
- h. Connecting railways stations and schools with the Principal Shared Path is a high priority for the State government.
- i. Traffic and parking pressures are increasing exponentially in Cottesloe.
- j. Strava Heat Maps to be found on line reveal the high demand in this area relative to other areas.
- k. The upgrade of Curtin Avenue is not imminent and it is feasible that only a realignment may take place.
- l. Main Roads may be considering making a bike route on the upgraded Curtin Avenue that is on the road and separated from the freight trucks only by a white line painted on the road, which could substitute for the Principal Shared Path in this section.

- m. A request from the Town of Cottesloe to Department of Transport could have the effect of advancing the Principal Shared Path time table a little if requested as a matter of priority.

CONCLUSION

1. The direct and flow on health and community wellbeing benefits of sporting, commuting and recreational cycling are widely known.
2. There is a significant and increasing risks to people riding bikes in Cottesloe especially along or across Curtin Avenue, especially from the high volume of and heavy freight traffic.
3. Currently, a Principal Shared Path runs from the city and stops at Grant Street along the railway corridor. The Principal Shared Path money is available and the design is (just about) ready, and so a request from the Town of Cottesloe Council to the Department of Transport to advance the timelines on both projects and have them done together by October 2017 may serve the purpose of advancing the completion date of these Principal Shared Path projects.
4. Currently, a Principal Shared Path runs from the city and stops at Grant Street along the railway corridor.
5. The Principal Shared Path funding is available.
6. The Principal Shared Path design for these sections is complete or nearly complete.
7. I understand that a letter from the Town of Cottesloe administration may help in moving ahead the completion dates for the Principal Shared Path from Grant Street to Victoria Station.

STAFF COMMENT

Staff are currently working with the Department of Transport, Main Roads and the Public Transport Authority on the design of the Principal Shared Path. Advice from the Department of Transport is that this section of the Principal Shared Path is considered high priority and is already listed for funding in accordance with its relative priority. Staff, based on advice from the Department of Transport, anticipate that this project will commence around the 2017/18 financial year.

During meetings between the Town and the Department of Transport, the importance of this path has been communicated and the Department of Transport has confirmed their agreement with the need to 'get on with the job'.

11.2 COUNCILLOR MOTION - APPOINTMENT TO THE PUBLIC EVENTS COMMITTEE

The following motion has been proposed by Cr Rodda:

COUNCILLOR MOTION & COUNCIL RESOLUTION

Moved Cr Rodda, seconded Cr Downes

THAT Council appoint Cr Angers to the Public Events Committee.

Carried 7/0

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:

12.1 ELECTED MEMBERS

Nil

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

Nil

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 7:59 PM.

CONFIRMED MINUTES OF 24 May 2016 PAGES 1 – 53 INCLUSIVE.

PRESIDING MEMBER:
POSITION:

.....

DATE: / /