

TOWN OF COTTESLOE



FULL COUNCIL MEETING MINUTES

ORDINARY MEETING OF COUNCIL
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
7.00 PM, Monday, 25 May, 2015

MAT HUMFREY
A/Chief Executive Officer

29 May 2015

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

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

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor acknowledged the Volunteer Sundowners which was held on 13 May 2015 and she thanked Deputy Mayor and Councillors attending the event. She also thanked Mat Humfrey and Sherilee Macready who coordinated the event.

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

Mr Dougal Mclay – Warnham Road, Cottesloe – Re. Cottesloe Beach Hotel Noise Issue

Mr Mclay stated that he recently visited the Department of Racing, Gaming and Liquor (DRGL) for various documents in relation to decisions made by the Department about noise from The Beach Club at Cottesloe Beach Hotel. In the decision by the Department the issue of noise abatement pursuant to the Environmental Protection Noise Regulations 1997 was the jurisdiction of the Town of Cottesloe. Mr Mclay pointed out that the TOC is aware that noise levels at The Beach Club have been measured at significantly in excess of the Regulations, but has never issued a noise abatement notice.

Mr Mclay read out the following summary of minutes of a meeting between an Inspector of the DRGL and the TOC PEHO, dated 29 August 2013: The Inspector stated that he had a meeting with PEHO, the thrust of which was to determine how the current noise levels issue is being considered by the Council. Mr Mclay stated that the bottom line is that current sound levels fall outside the acceptable range provided by the Regulations. Unfortunately the Council's position is that having approved the works in the first place their residents are left to take action against the licensee.

Q1: Does that mean that the Council doesn't want to do its job, or does that mean that once it makes a mistake, it doesn't want to do its job?

Mr Mclay referred to the Council's ability to issue infringement notices, and stated that the concerned residents are pressing the Council to take action against the licensee, and that the PEHO indicated that he does get some pressure in this regard. Mr Mclay believes that the PEHO seemed unaware of the DRGL's reliance on the Council's noise readings as a

significant factor in making their assessment and determining any action to be taken.

Q2: Does that mean the Council doesn't know what it should be doing in regards to noise and premises in the TOC?

Mr Mclay stated that even if Council is reluctant to take action under the Regulations by issuing a noise abatement notice, possibly in the future the Environmental Protection Authority could issue a noise abatement notice.

Q3: I ask Council does that mean the Council is trying to pass-on the matter.

This was because he has spoken with the EPA and they are of the opinion that the Council is to start the process.

A: The Town has worked with the Department of Racing Gaming and Liquor and the Cottesloe Beach Hotel to address the issue of noise from this establishment. The Town has pursued a collaborative approach, rather than seeking to simply issue infringement notices, as this was seen as the most efficient way to proceed. While enforcement actions may see a temporary change, they are rarely a long term solution.

The operators of the Cottesloe Beach Hotel have installed additional structures and made changes to their internal workings to reduce noise from the Hotel. These changes have seen improvements in the noise levels from the establishment, which are long term gains.

The Town will continue to monitor the situation at the Cottesloe Beach Hotel, including taking noise readings when required, or if they are requested by residents. The Town will also continue working with both the Department of Racing Gaming and Liquor, and the operators of the Hotel, to minimise the impacts of the Hotels operations on nearby residents.

Mrs Rosie Walsh – 35 Grant Street, Cottesloe – Re. Indiana's Toilets

Mrs Walsh stated that about a year ago she emailed the Council proposing to investigate WC Innovation. She referred that the company design and provide public toilet facility 'Exeloo' which provide a free standing restroom. She suggested that Council completely gutted the Indiana toilet and replace it with pre-fabricated Exeloo restroom facility. She stated that she received an answering email from one councilor and no follow up was done.

She stated that Carnarvon, Mosman Park, Stirling, Melville, Rockingham, Subiaco, Bunbury, City of Perth, Joondalup, Geraldton, Bayswater and Tom Price had Exeloo. There are more than 400 in the eastern states and 214 in New Zealand. It is equipped with user friendly electronically controlled doors, self cleaning system and monitoring service assists managing the hygiene and security. They claimed to save water and provide almost touchless environment toward hygiene. WC Innovation offers to provide consultation on lay out, site and building plan,

construction and installation, and a safe secure operation of complete facilities. She asked that Council to look into this proposition which she believed will provide solution of the problem. She suggested that public be charged a user fee which will go toward cleaning and up keep and which will discourage vandalism.

Mrs Walsh asked question with regards to funding. She stated that it is unquestionable that the majority users of the Indianas restrooms are visitors to the area rather than Cottesloe residents. She asked that Council to make request to the State Government for funding towards construction and upkeep for an accessible public toilets facility at the Indiana toilet.

A: The Town is working with the lease holders of the Indiana Tea House to find a long term solution to the issues surrounding the public ablutions at the Indiana Tea House. The Town will note both suggestions put forward in the question when assessing its options on proceeding on this matter.

4.2 PUBLIC QUESTIONS

Ms Shirley Primeau – 208 Marine Parade, Cottesloe – Re. Traffic at Marine Parade

1. What was the highest speed recorded on Marine Parade, during the traffic data collection period? I understand due to the nature of constructing the "Bell Curve", that this data is omitted and that the engineer may be hesitant to release this information, however I would like to know the highest measured speed during this period, and what time of day it was recorded?

2. Cr Downes made a comment at the last council meeting, referring to the crosswalks on Marine Parade. She said, "I will not let my children use the pedestrian crossing on Marine Parade. It's far too dangerous". Why wasn't this statement recorded in the last minutes and can it be recorded in tonight's minutes please?

I feel this is a significant statement in regards to pedestrian safety on Marine Parade and I would like this statement by Cr Downes recorded in the minutes please

The Mayor took the first question on notice.

She requested Cr Downes to respond to the second question.

Cr Downes agreed that her comment from last Council Meeting "*I will not let my children use the pedestrian crossing alone on Marine Parade. It's far too dangerous*" to be minuted.

5 PUBLIC STATEMENT TIME

Nil

6 ATTENDANCE**Present**

Mayor Jo Dawkins
Cr Peter Jeanes
Cr Jack Walsh
Cr Helen Burke
Cr Philip Angers
Cr Katrina Downes
Cr Sally Pyvis

Officers Present

Mr Mat Humfrey	A/Chief Executive Officer
Mr Andrew Jackson	Manager Development Services
Mr Doug Elkins	Manager Engineering Services
Ms Lydia Giles	Executive Officer

6.1 APOLOGIES

Nil

Officer Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Cr Jay Birnbrauer
Cr Robert Rowell

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 DECLARATION OF INTERESTS

Cr Walsh declared impartiality interest in item 10.4.2 due to being a member of the Sea View Golf Club.

Cr Pyvis declared financial interest in item 10.4.9 due to her request to attend the conference.

Cr Downes declared proximity interest in item 10.4.2 due to living adjacent to the Sea View Golf Club.

Mayor Dawkins declared impartiality interest in item 13.1.1 due to living in a property nearby the proposed development.

8 CONFIRMATION OF MINUTES

Moved Cr Angers, seconded Cr Burke

[Minutes April 28 2015 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Tuesday, 28 April, 2015 be confirmed.

Carried 7/0

9 PRESENTATIONS

9.1 PETITIONS

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of public present, the Presiding Member advised that there had been no withdrawn from Development Services Committee, all items were dealt with 'En Bloc'. Item 10.4.2 and 10.4.9 had been withdrawn from the Works and Corporate Services Committee and the remainder items were dealt with 'En Bloc'. Item 13.1.1 was dealt at the end of the meeting behind close door.

10 REPORTS**10.1 REPORTS OF OFFICERS**

Nil

10.2 REPORTS OF COMMITTEES**10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 18 MAY 2015****10.3.1 40 JARRAD STREET - BOATSHED WINES SALE MEZZANINE**

File Ref: 3065
Attachments: [40 Jarrad Aerial](#)
[40 Jarrad Introduction](#)
[40 Jarrad Proposal](#)
[40 Jarrad Plans](#)
Responsible Officer: Mat Humfrey, Acting CEO
Author: Andrew Jackson, Manager Development Services
Proposed Meeting Date: 18 May 2015
Author Disclosure of Interest: Nil
Property Owner: Amac Investments Pty Ltd & Others
Applicant: Boatshed Market Pty Ltd
Date of Application: 4 November 2014
Zoning: Town Centre
Use: Shop – ‘P’ (permitted) in zone
Lot Area: 1,750m2 approx. (whole complex)
M.R.S. Reservation: Primary Regional Road

SUMMARY

This report presents a development application to add a relatively small mezzanine level inside the Boatshed Market (“Boatshed”) for a wine sale area.

The recommendation is to conditionally approve the application.

BACKGROUND

The Boatshed has acquired the liquor licence from the former liquor store *Grants of Cottlesloe: The Wine Specialists* at 24 Railway Street north of the Town Centre, which has closed down. The Boatshed wishes to grow its business by offering the sale of select wine to its customers to complement its wide range of fresh and gourmet foods and non-alcoholic beverages.

The Boatshed has applied to the Department of Racing, Gaming and Liquor (DRGL) for approval to transfer the license for the purpose. That process is separate from this planning application process and involves its own public consultation, including referral to the Town in due course, whereby the Town may recommend restrictions or conditions in relation to liquor control.

The Boatshed proprietors and their architect have liaised with the Town to formulate and demonstrate the proposal for consideration.

PROPOSAL**Use**

In terms of land use, the sale of wine is a retail activity within the planning definition of “shop”, which is a permitted (‘P’) use in the Town Centre commercial zone. This is consistent with the Boatshed shop comprising a range of providores: fruit and vegetables, butcher, seafood, bakery, groceries, delicatessen; whereby the use is supported. The wine shop area is to be open only during the Boatshed trading days/hours. No increase in staff is contemplated.

Development

Physically, the proposal is to construct a suspended mezzanine area within the building, which as a former boatshed is a cavernous space with heavy-duty superstructure. The mezzanine is to be accessible only from inside the Boatshed, with no external access. The design includes stairs and a lift (for universal access and stock delivery) to a raised gangway, as well as an emergency exit via the existing upper-level administration rooms. The trading floor space is 38.5sqm which is relatively small.

Visually the mezzanine would have an industrial aesthetic in keeping with the building, in the form of a floating, transparent container, with the wine stored in racks being in full view.

Operationally, the point-of-sale is to be in the wine sale area, which would also control the liquor trade practices.

The plans and 3D images show the proposed layout and design details.

STRATEGIC IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Relates to below policies.

FINANCIAL IMPLICATIONS

Possible cash in lieu contribution.

STATUTORY ENVIRONMENT

- LPS3 and Parking Matters Policy.
- Liquor (Licensed Premises) Policy.

SUSTAINABILITY IMPLICATIONS

Nil.

CONSULTATION

The application was advertised to adjacent property owners and occupiers and no submissions were received.

MUNICIPAL INVENTORY

Category 4.

PLANNING ASSESSEMENT

As discussed, the land use and built form are appropriate to the zone and building, comprising internal changes only. The wine sale area is to operate as part of the overall food and beverage retail outlet, similar to other additions to the business over the years; eg butcher shop, seafood shop, kitchen expansion.

From a liquor perspective the proposal is considered to be acceptable as an integral, small, low-key and limited-range liquor outlet not operating independent of the Boatshed or accessible from the outside or after hours. It is more likely to cater to existing customers than attract additional customers. A number of other licensed premises exist nearby catering to wider consumer demands; eg three comprehensive liquor stores, one small bar, one wine bar and one hotel with drive-through bottle shop, as well as several licensed restaurants. The proposal is not seeking to be a comprehensive or stand-alone liquor store, and is not to sell beer or spirits.

Liquor (Licensed Premises) Policy

This Policy guides Council in managing licensed premises overall, including the consideration of applications for development approval involving a liquor licence.

Having regard to the Policy criteria, it is apparent that the subject proposal is not of concern in terms of its nature, location, scale, operation or amenity, as it is not a drinking establishment (apart from wine-tasting) with potential associated impacts. As an in-house section of the Boatshed selling take-away wine for consumption off the premises, it represents a low-key retail activity.

Parking

The nature and scale of the wine sale mezzanine would not raise traffic, parking or driver behaviour concerns as associated with entertainment licensed premises. From a planning point of view, it is unlikely to generate significant extra traffic or parking for the Boatshed, as customers are likely to be shopping for a range of goods and spread throughout opening times.

In terms of the additional floorspace being created, however, there would be at least a theoretical increased demand for parking. Pursuant to Table 2 of LPS3 a Shop use requires one space per 20sqm of gross floor area; hence the proposed 38.25sqm of new retail floorspace would require the provision of two bays.

The Boatshed has a history of alterations to the premises at Nos 40 and 42 Jarrad Street (often initially unauthorised), which have mainly been to reconfigure, slightly expand and improve ancillary back-of-house facilities such as kitchen, storage, office and staff toilet space, and on this basis (noting no change of use) no parking

provision requirement has been imposed, although one upgrade added two staff bays at the rear.

In 2008 Council considered the unauthorised removal of six parking bays from the front of the Boatshed which had been converted into the forecourt, and granted retrospective approval subject to cash in lieu of \$25,000 which has been paid.

The above was under former TPS2, whereas LPS3 now applies. The current parking provisions do not contain a specific discretion to relax or waive the parking requirement for expansion of a use. The general discretion clause, however, does enable Council to reduce parking, if seen to be appropriate and of no impact; but only by up to 20% and subject to a traffic impact assessment, which is not practical in this case.

Therefore, the proposal requires the provision of two parking bays, either on site, nearby, or as cash in lieu.

Council's LPS3 Parking Matters Policy guides the application of cash in lieu funds in the Town Centre and Council needs to be mindful of on what, where and when it intends to direct the funds, which the Policy informs. It identifies sites potentially available for redeveloped or additional parking provision, the land ownership and the parking infrastructure envisaged. At this stage it does not include indicative timing of projects or expenditure; however, the Town Centre is expected to experience demand for parking generated by the Napoleon Street upgrade, various proposals for commercial premises, including new alfresco areas, and developments between Jarrad and Forrest Streets where there are older buildings or underutilised lots. On this basis it is anticipated that Council will need to consider more detailed planning and projects for additional car parking and improvement of existing car parking facilities over the next one-two years.

The Policy also states that in the Town Centre Zone new development may provide a maximum of 25% of its parking requirement as cash in lieu. This is aimed at an entire development rather than minor additions. For small amounts of additional floor space 25% of the parking requirement by way of cash in lieu can be impractical, eg 25% of two bays as in this case. Alternatively, as the two bays represent a portion of 25% of the parking calculation for the whole of the Boatshed, their provision as cash in lieu may be assessed as in keeping with the Policy. Further, while Council is to have due regard to the Policy, it does not bind Council absolutely so may be varied where considered appropriate, as the Policy cannot foresee every possible type of proposal; whereby Council could increase the 25% overall limit.

CONCLUSION

The proposal is consistent with the Boatshed shop use and style, and would be an interesting visual feature inside the premises. It can be supported as a limited liquor outlet and subject to satisfying the parking requirement.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee considered that the proposed wine sale area represents a suitable retail function and a relatively small amount of floor space, which might still attract some additional traffic. It also sought clarification about the parking requirement. The Manager Development Services advised that the parking requirement could not be exempt and that the option of cash in lieu was governed by the Scheme provisions and based on the value of land and construction, which could be costly. The alternative is to provide the parking on site or on another site nearby.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Jeanes, seconded Cr Downes

THAT Council:

GRANT planning approval for the addition of mezzanine floorspace for the sale of wine, to the inside of the Boatshed Market at 40 Jarrad Street COTTESLOE (LOT 5-6 D/P: 1303), as shown on the plans received on 9 March and 4 May 2015, subject to the following conditions:

1. The granting of a liquor licence for the purpose by the Director of Liquor Licensing, prior to the issue of a Building Permit by the Town and the commencement of development.
2. The applicant shall apply to the Town for a Building Permit and obtain such prior to the commencement of development, and shall not undertake any unauthorised development or building works.
3. The wine sale area shall operate only during the opening days and hours of the Boatshed Market and shall not be accessible, open or trade independently otherwise.
4. The provision of two car parking bays either on site or nearby, or the cash in lieu equivalent, in accordance with the provisions of Local Planning Scheme No. 3, to the satisfaction of the Town.
5. The design or use of the development shall not be changed without any necessary further applications to or approvals from the Town.

Carried 7/0

10.3.2 109 BROOME STREET - COTTESLOE CIVIC CENTRE - INCLUSION ON LPS3 HERITAGE LIST

File Ref: SUB/343
Responsible Officer: Mat Humfrey, Acting CEO
Author: Andrew Jackson, Manager Development Services

Proposed Meeting Date: 18 May 2015

Author Disclosure of Interest: Nil

SUMMARY

This report presents the proposed inclusion of the Cottesloe Civic Centre ("Civic Centre") on the Heritage List being created under Local Planning Scheme No. 3 (LPS3). The Civic Centre is one of the most important heritage places in Cottesloe, having a long history of cultural heritage significance within the municipality and further afield, as a major local landmark and facility imbued with heritage values which is visited by many.

The recommendation is to enter the Civic Centre on the Heritage List.

BACKGROUND

Part 7 Heritage Protection of LPS3 requires Council to establish a Heritage List of places to be conserved drawn from its Municipal Inventory (MI). The Town is progressively undertaking this task for relevant properties throughout the district.

As a Town-owned property, it is appropriate and timely to include the Civic Centre on the Heritage List.

STRATEGIC IMPLICATIONS

Inclusion of the Civic Centre on the Heritage List will further secure its long term preservation.

POLICY IMPLICATIONS**Western Australian Planning Commission (WAPC) Heritage Policy**

The WAPC State Planning Policy (SPP) 3.5 Historic Heritage Conservation was gazetted in 2007. The Policy has statutory bearing and its objectives are:

- to conserve places and areas of historic heritage significance;
 - to ensure that development does not adversely affect the significance of heritage places and areas;
 - to ensure that heritage significance at both the State and local levels is given due weight in planning decision-making; and
 - to provide improved certainty to landowners and the community about the planning process for heritage identification, conservation and protection.
-

The Policy describes the statutory framework for heritage conservation and the relationship and responsibilities of the HCWA, the WAPC and local governments.

Local government has a role in applying and supporting the policy through ensuring that due regard is given to heritage significance in planning strategies, planning schemes and development assessment.

The Policy objectives and relevant matters promote the Scheme's Heritage List as an appropriate measure to recognise and protect the cultural heritage significance of higher-order heritage-classified places.

In this respect the Civic Centre is clearly a candidate for inclusion on the Heritage List.

STATUTORY ENVIRONMENT

- Planning & Development Act 2005
- Heritage of Western Australia Act 1990
- SPP3.5 Historic Heritage Conservation
- LPS3

FINANCIAL IMPLICATIONS

Nil.

STAFFING IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

CONSULTATION

The LPS3 Part 7 consultation procedure involves the Town providing written notification to the owner and occupier of property proposed for the Heritage List and considering any submission received. As the Town owns the Civic Centre in freehold, for the sake of completeness, formal notification has been made of the proposed listing and a response supporting the listing has been recorded.

STAFF COMMENT

State Heritage Register

Under the *Heritage of Western Australia Act* the Civic Centre is a permanent entry on the HCWA Register of Heritage Places ("State Heritage Register"), which is the highest level of heritage recognition and protection available under WA law.

Conservation Plan

In supporting the State and local heritage classification of the Civic Centre, Council had prepared the *Cottesloe Civic Centre Conservation Plan 1996*, which is a definitive study and description of the cultural heritage significance of the place and a strategy for its long-term conservation. This tome records the history of the Civic

Centre, identifies and defines its heritage values, and informs classification of the place on the Heritage List.

Register of National Estate

Complementing this formal, statutory heritage status, the Civic Centre is also recognised at the national level pursuant to the Register of the National Estate, which is an established list of natural, Indigenous and historic heritage places throughout Australia aimed at recording and fostering cultural heritage significance.

National Trust

The National Trust of Australia WA records the Civic Centre as a heritage place.

Municipal Heritage Inventory

The Civic Centre is classified in the Town's MI as a Category 1 place of heritage significance. The MI description of the place is as follows:

"Overton Lodge" – Historic and architectural significance including grounds and caretaker's cottage.

The associated Management Category statement is aimed at the importance of Category 1 places as worthy of inclusion on the State Heritage Register, which in this case has been achieved, and in this respect advises in the following terms:

Highest level of protection appropriate...and...provide maximum encouragement to...conserve the significance of the place.

Schedule 1 of former Town Planning Scheme No. 2 (TPS2)

Former TPS2 embodied Schedule 1 which listed and protected the most significant heritage places in the district, especially those on the State Heritage Register, including the Civic Centre. Under TPS2 Schedule 1 was the virtual equivalent of a heritage list, providing statutory protection.

LPS3 Heritage List

Recognising the high-order heritage significance of the Civic Centre, it is now intended to include the property on the Heritage List under LPS3. Statutory heritage protection is afforded by a Heritage List created pursuant to Part 7, with listed properties drawn from (but not limited to) the MI:

7.1.1. The local government is to establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.

7.1.2. In the preparation of the Heritage List the local government is to —

- (a) *have regard to the municipal inventory prepared by the local government under section 45 of the Heritage of Western Australia Act 1990; and*
- (b) *include on the Heritage List such of the entries on the municipal inventory as it considers to be appropriate.*

The Town has commenced preparation of the Heritage List, having regard to properties entered on the State Register of Heritage Places and on the MI Categories 1 and 2.

Council, in workshops during the finalisation of LPS3 and briefings since its inception, has endorsed a draft Heritage List in-principle as a basis for fulfilling the requirement under LPS3.

Description of place on Heritage List

It is intended to use the following description of the place on the Heritage List, drawn from the existing heritage classifications and descriptions:

Note: The first paragraph below has been added in response to the Committee's Amendment and is shown herein for completeness.

The Cottesloe Civic Centre estate at 109 Broome Street, Cottesloe, occupies Lot 38 and is classified in the Town's Municipal Inventory as a Category 1 place of historic and architectural significance.

Originally "Overton Lodge" and since 1950 the Cottesloe Civic Centre, comprising the former dwelling (now municipal administration and civic rooms), Lesser Hall, the former caretaker's cottage and extensive terraced, walled and landscaped grounds, being a large landholding occupying a commanding elevated position with panoramic ocean and surrounding views and a place which is publically accessible and continues to be visited by many over the decades for administrative, recreational, social, celebratory, cultural and ceremonial purposes.

The main building is a substantial two-storey construction of rendered stone, brick and concrete, with a custom terracotta clay tile roof, while the separate hall and cottage buildings are single-storey and constructed of brick with (the same) tile roofs in sympathetic style.

The group of buildings and intervening spaces has great importance to the community for their aesthetic characteristics, as well as being a composed set of places in a grand, walled, garden setting and for the aesthetically pleasing character of the whole experience. The limestone boundary walls and Norfolk Island pines and other species of mature trees are a significant part of the Cottesloe townscape identity and contribute to its aesthetic unity.

The place contributes significantly to Cottesloe due to its strategic location and landmark qualities, which make a significant contribution to the townscape of Cottesloe, and as a significant component of an important

precinct containing several other important heritage places.

The place has importance for its associations with a past lifestyle and its very strong associations with its previous owners, prominent persons/citizens and councillors and mayors of the Town.

The buildings and grounds have significance as places of artistic achievement, demonstrating the principal characteristics of the Inter-War Spanish Mission style of architecture (with vestiges of the earlier concepts) where the overall aesthetic impact is considerably more important than the sum of the individual components. The place is important in Western Australia for its large-scale use of the style and its comparative scarcity.

The place has significance for its social value and since its adaptation in 1950 to the Cottesloe Civic Centre has continued to fulfil an important social role in the local and State communities. As such the place is representative of a continuous pattern of use, growth and development for the accommodation of a sequence of owners, involving a dignified Federation Queen Anne house, later adapted to become an Inter-War Spanish Mission house, and finally a Civic Centre.

The place is a strong presence in the context of Cottesloe and contributes significantly to the community's sense of continuity and place. It is representative of a large-scale culturally modified landscape of a type and order that is unusual in Western Australia.

CONCLUSION

Cottesloe Civic Centre undoubtedly merits entry on the Heritage List, as supported by its entries on the State Heritage Register and as Category 1 on the Municipal Inventory, as well as noting its previous entry in Schedule 1 of former TPS2 (which the Heritage List replaces) and recorded on the Register of the National Estate.

The cultural heritage significance of the Civic Centre fully justifies it as a place worthy of conservation and protection under the provisions of the Scheme.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee, in supporting this initiative, considered that the description of the place in the Heritage List should reflect the MI Category 1 classification including all of the Civic Centre buildings, grounds and walls.

OFFICER RECOMMENDATION

Moved Cr Walsh, seconded Cr Angers

THAT Council:

1. Note this report on consideration of the Cottesloe Civic Centre at 109 Broome Street for entry on the Heritage List required under Local Planning Scheme No. 3.
2. Determine to enter the Civic Centre on the Local Planning Scheme No. 3 Heritage List, as a place of cultural heritage significance worthy of conservation under the provisions of the Scheme, together with a description of the place and the reasons for its entry as set out in this report.
3. Request staff to, as required by the Scheme, notify the Western Australian Planning Commission, the Heritage Council of Western Australia, and the Town as owner and occupier the property, that it has been included on the Heritage List.

AMENDMENT

Moved Mayor Dawkins, seconded Cr Downes

That an advice note be added to be clear, and consistent with the MI Category 1 classification, the description of the place in the Heritage List includes reference to all of the buildings, grounds and perimeter walls.

Carried 6/0

Note: Whilst the description conveys that the Civic Centre encompasses the entire complex, for additional clarity the following lead-in paragraph has been added to address the Amendment, which for ease of understanding has been shown in the full description above. The wording of the recommendation in point 2 can remain as is.

The Cottesloe Civic Centre estate at 109 Broome Street, Cottesloe, occupies Lot 38 and is classified in the Town's Municipal Inventory as a Category 1 place of historic and architectural significance.

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Jeanes, seconded Cr Downes

1. **Note this report on consideration of the Cottesloe Civic Centre at 109 Broome Street for entry on the Heritage List required under Local Planning Scheme No. 3.**
2. **Determine to enter the Civic Centre on the Local Planning Scheme No. 3 Heritage List, as a place of cultural heritage significance worthy of conservation under the provisions of the Scheme, together with a description of the place and the reasons for its entry as set out in this report.**
3. **Request staff to, as required by the Scheme, notify the Western Australian Planning Commission, the Heritage Council of Western Australia, and the Town as owner and occupier the property, that it has been included on the Heritage List.**

Advice Note:

1. To be clear, and consistent with the MI Category 1 classification, the description of the place in the Heritage List should include reference to all of the buildings, grounds and perimeter walls.

Carried 7/0

**10.3.3 LOCAL PLANNING SCHEME NO. 3 PARKING MATTERS POLICY
AMENDMENT**

File Ref: SUB/1867
Attachments: [Existing Policy showing amendment](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 18 May 2015
Author Disclosure of Interest: Nil

SUMMARY

Council on 23 February 2015 resolved:

That Council requests the Administration to examine and advise upon the need to evolve the Parking Matters Policy to ensure that it is sufficiently comprehensive and flexible to embrace the Scheme provisions and respond to a range of planning considerations and development proposals over time.

In response, this report presents proposed amendment of the Parking Matters Policy to refine it in relation to the Local Planning Scheme No. 3 (LPS3) provisions it supplements.

The recommendation is to advertise the amendment for public information and comment.

A copy of the Policy, showing the proposed amendment, is attached.

BACKGROUND

Council adopted the Parking Matters Policy pursuant to LPS3 on 15 December 2014. LPS3 contains certain parking provisions that involve discretion and require a policy to become operative, which the Policy addresses. Clause 5.8.3 specifies two particular discretions to be guided by policy, being a parking credit and cash in lieu in certain circumstances, while there is also provision for prescribed parking reductions.

STRATEGIC IMPLICATIONS

Relates to private development and public domain parking.

POLICY IMPLICATIONS

Scheme Local Planning Policies are to be had regard to in Council assessing and determining planning proposals.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 3.

FINANCIAL IMPLICATIONS

Relates to cash in lieu of parking and capital works.

SUSTAINABILITY IMPLICATIONS

Nil.

PROPOSED AMENDMENT

The focus of the proposed amendment to the Policy relates to the LPS3 cash in lieu provisions, in order to more closely guide their application, by refining Council's intentions for the beachfront precinct including the Foreshore Centre, Restricted Foreshore Centre, Hotel and Development 'A' (Ocean Beach Hotel site) zones. To elaborate, Clause 5.8.3(c) in respect of cash in lieu states:

Cash in lieu provisions

Lead-in paragraph: *In the Town Centre, Foreshore Centre, Restricted Foreshore Centre, Hotel, Development and Residential Office zones, the local government may approve development without the required number of parking spaces being provided on the land, subject to the applicant making arrangements satisfactory to the local government enabling the local government to provide public off-street parking in the vicinity, equivalent to the deficiency in parking spaces; and in this regard the local government may accept cash in lieu of parking spaces on the land, subject to the following — ...*

Operative paragraph (underlining added): *the cash in lieu payment shall only be accepted by the local government after a Local Planning Policy has been adopted under Part 2 of this Scheme which identifies the planned infrastructure including the land upon which it is planned to be located and the planned timing of expenditure of payments made under this clause;*

This means that there must be a policy in place in order for Council to consider accepting cash in lieu, for allocation to planned parking provision over time. Cash in lieu is at Council's discretion and the Policy is designed to assist determining the appropriateness and extent of cash in lieu for proposals and how the funds are to be utilised.

Policy current details

At present the Policy guides the application of cash in lieu funds as follows:

- *For the **Town Centre** zone, the sites in the following table are the main opportunities to provide additional parking in substantial quantities.*
- *Each can be examined in detail in terms of land area, bay yield, levels of parking, type of development if combined with parking, indicative designs, estimated cost, approval/construction processes, funding and timeframe.*
- *Previous studies can be drawn-upon as a basis for formulating firmer concept proposals for further consideration.*

Site	Ownership	Actions
Station Street Car Park west, corner Railway Street.	Council.	Formulate a three-storey mixed-use development proposal with at least 50 on-site parking bays. Consider options for funding and development.
Station Street Car Park east, near Stirling Highway (former sump site).	Council.	Formulate designs for either a decked car park or a three-storey mixed-use development proposal with surface and/or decked public parking. Subject to relocation of drainage infrastructure under street.
Private property redevelopments such as Station Street both sides and south of Jarrad Street.	Various.	Liaise with landowners and developers to facilitate and Co-ordinate the provision of on-site and off-site parking.
Public Transport Authority (PTA) parking areas.	Crown railway reserve.	Renegotiate the lease of the PTA parking area along Railway Street to be at no or low cost. Liaise with the PTA to formalise the linear parking west of the railway line behind the Western Power sub-station, for workers, to be developed, maintained and managed by the Town.
Government land south-east corner of Curtin Avenue and Jarrad Street west of railway line.	Unvested Crown reserve.	Seek a lease over the unvested Crown reserve on the south-east corner of Curtin Avenue and Jarrad Street for surface parking, for workers. Prepare a design with attention to vehicular ingress and egress, pedestrian routes internally and externally, and landscaping and signage.

- For the **Residential Office** zone between Forrest and Vera Streets north of the Town Centre, Council may consider cash in lieu being obtained and directed to the following provision of parking:
 - Station Street car park opportunities as outlined above.
 - Extension northward of the car park on the Railway Street road reserve alongside the railway.

- For the **Foreshore Centre, Restricted Foreshore Centre, Hotel and Development 'A'** (OBH site) zones comprising the beachfront locality, Council may consider cash in lieu being obtained and directed to the following provision of parking:

- *Improvement and rationalisation of Car Park No. 1.*
- *Improvement, rationalisation and possible decking of Car Park No. 2.*

- *For **Development Zone 'B'** (former depot site) approved to be subdivided for residential development, cash in lieu is not applicable.*

- *For **Development Zone 'C'** (Wearne Hostel site), **Development Zone 'D'** (WAIDE site) and **Development Zone 'E'** (railway lands), cash in lieu may be applicable subsequent to future structure planning, subdivision and development proposals.*

Recent planning

Since inception of the Policy Council has progressed several matters relating to how cash in lieu may be operated within the beachfront precinct, as follows:

Approval of mixed-use development at 110-112 Marine Parade

Council on 23 February 2015 in considering this development supported the principle of cash in lieu as appropriate and desirable for the beachfront precinct, which is anticipated to undergo gradual redevelopment. Council was satisfied that although the Policy did not address this in absolute detail it gave sufficient guidance towards the future deployment of cash in lieu funds to require a one bay contribution from the development.

Five year plan

The Five Year Capital Works Plan adopted by Council on 23 March 2015 schedules infrastructure priorities and flags improving Car Park 1 next financial year and Car Park 2 in the 2016/17 financial year. This reflects the primacy of these facilities as key components of the beachfront precinct. In addressing these car parks the opportunity can be taken to increase parking by reconfiguration and to upgrade their standard of urban design, safety/security and amenity.

Budget preparation

In May 2015 Council commenced the annual budget preparation process, which has identified proposed capital expenditure allocations to the Foreshore Plan and Car Park 1 for the 2015/16 financial year.

Concept planning for foreshore locality

At a briefing session 8 April 2015 Council gave further strategic consideration to concepts for the foreshore locality including Car Parks 1 and 2.

Council recognised that the car parks are important and dominant elements spatially, functionally and aesthetically. Rationalising and improving them would significantly enhance the locality and would be comparatively straightforward and cost-effective to achieve. Key aspects include: vehicular access and circulation; pedestrian movement and cycle facilities; landscaping and street furniture; multi-use spaces and activities; and parking management.

Committing to foreshore car park projects would fulfill the Parking Matters Policy requirements for this locality and coordinate with beachfront redevelopment.

Consultants brief for Foreshore Plan

The Town is presently preparing a consultants brief to take the Foreshore Plan to the next level of detailed planning for the core area from approximately Forrest to Napier Streets. This is to concentrate on the overall urban design for the precinct and this first stage area, leading to works projects and programs to implement the improvements. Parking provision and design along Marine Parade, Forrest and Napier Streets and within the two car parks will be examined, planned and coordinated for the envisaged revamping and enhancement of the public domain.

Policy proposed details

Altogether these initiatives have advanced Council's intentions for the beachfront/foreshore precinct in order to better articulate the Policy in terms of planning for parking. This can now be incorporated into the Policy to augment the existing table guiding the application and deployment of cash in lieu, by inserting the following table, as shown in the attachment:

Planned Beachfront / Foreshore Precinct Parking Improvements

Planned infrastructure.	Land upon which it is planned to be located.	Planned timing of expenditure of payments.
Redeveloped and possibly reconfigured road reserves and on-street* parking in relation to road system serving all modes of movement, having regard to adjacent private development and public spaces.	Marine Parade and Forrest and Napier Street reserves, as may be modified.	2015-2016
Redeveloped car park west of Marine Parade in relation to main beach and foreshore area.	Car Park 1	2015-2016
Redeveloped car park east of Marine Parade in relation to John Black Dune Park.	Car Park 2	2015-2017

** Note: while cash in lieu looks to off-street parking, parking in this precinct substantially involves on-street parking and road reserve land in providing public domain parking infrastructure. The redesign and upgrade of the precinct may entail realigned roads, new parking layouts and improvements for pedestrians and cyclists.*

CONSULTATION

The LPS3 policy-making or amendment process includes public advertising and consideration of submissions. The procedure is initiated by a Council resolution, followed by advertising of the proposal inviting submissions. Advertising entails public notices in a local newspaper and a minimum 21-day period; while dissemination via

the Town's website and other means may also occur. After considering any submissions, Council resolves whether to adopt the policy amendment and any modifications to it.

CONCLUSION

The proposed amendment to the Policy will facilitate application of the Scheme provisions they support with improved clarity and certainty.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee supported the proposed amendment to the Policy, which will elaborate on Council's intentions for parking provision in the beachfront/foreshore precinct and assist in considering development proposals.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Jeanes, seconded Cr Downes

THAT Council note the proposed amendment to the Parking Matters Policy and undertake public consultation in accordance with the Local Planning Policy provisions of the Scheme, for the consideration of any submissions and further reporting to Council.

Carried 7/0

10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 19 MAY 2015**10.4.1 REVIEW OF THE TOWN OF COTTESLOE LOCAL GOVERNMENT PROPERTY LOCAL LAW**

File Ref: CLL/7
Attachments: [Town of Cottesloe Local Government Property Local Law 2001](#)
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Mat Humfrey
A/Chief Executive Officer
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

Council is being asked to review its Local Government Property Local Law.

BACKGROUND

Local Governments are required to review their local laws from time to time. The Town of Cottesloe Local Government Property Local Law is due for such a review.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT***Local Government Act 1995******3.16. Periodic review of local laws***

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
 - (2) *The local government is to give Statewide public notice stating that —*
 - (a) *the local government proposes to review the local law; and*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
 - (2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*
-

- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

**Absolute Majority Required*

FINANCIAL IMPLICATIONS

In order for the review to be completed, the review will need to be advertised and appropriate notices placed. The costs of these notices can be met within the Town's operating budget.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The Act requires that the review call for submissions following the placement of the appropriate notices.

STAFF COMMENT

At the March Council meeting, it was resolved that the Town would investigate ways that smoking on the Town's beaches could be managed. It was noted that under the current local laws, the Town had no ability to control or prevent smoking in public open spaces. It was also noted that the most appropriate local law for such a power to reside, the Local Government Property Local Law was also due for review.

At this stage, the local law will be advertised as is, with a call for submissions on the local law. If the Town receives submissions to the effect that it should be amended, the amendment local law would then be developed and subject to the normal approval process for local laws.

As the local law has been in operation for some time with little feedback or comment received, it is not anticipated that a high level of feedback on the majority of the local law will be received.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Downes

THAT Council authorise the Chief Executive Officer to commence a review of the Town of Cottesloe *Local Government Property Local Law 2001* and to place local and statewide notices as required.

Carried 7/0

Cr Downes declared a proximity interest in items 10.4.2 due to living adjacent to the Sea View Golf Course and left the meeting at 7:06PM.

Cr Walsh declared an impartiality interest in items 10.4.2 due to being a member of the Sea View Golf Club, and stated that as a consequence there may be a perception that his impartiality may be affected and declared that he would consider the matter on its merits and vote accordingly.

10.4.2 AMENDMENT TO SEA VIEW GOLF CLUB LOAN ARRANGEMENT

File Ref: SUB/1558
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Mat Humfrey
A/Chief Executive Officer
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

Council is being asked to endorse the extension of the loan agreement with Sea View Golf Club, for the Club's contribution to remedial works undertaken on the club house.

BACKGROUND

In November 2013, Council resolved as follows;

THAT Council:

1. *Advises Sea View Golf Club that it will agree in principle to equal cost sharing of the concrete repairs, and other repairs, identified in the Structural Observation Report, on the basis of the current loan from the Town to the Club being extended for a duration covering agreed repayment installments.*
2. *Requests officers to obtain further quotes for the concrete repairs, and other repairs, identified in the Structural Observation Report, in consultation with Sea View Golf Club.*
3. *Requests officers, based on the costs determined for all of the repairs, to formalise the loan extension with Sea View Golf Club and report to Council for the allocation of funds, from existing budget reserves or future Budget, for its contribution to the total cost.*
4. *Advises Sea View Golf Club that the club building and other buildings, structures, plant and equipment are required to be well-maintained by the Club in perpetuity, whereby pursuant to the lease from the Town the Club should undertake regular inspections, maintenance works and planned expenditure funded by the Club accordingly.*

Since this time the works have been completed, which required the tendering of the works. The works took longer to complete than initially thought, as additional damage was discovered as the works progressed.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil – the works associated with this report have already been completed. The Club has agreed to contribute 50% of the costs so there is no impact on the Town's financial position.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Sea View Golf Club

STAFF COMMENT

There has been some delay between the completion of works and the finalisation of the loan arrangements. This is largely due to a request for the Sea View Golf Club to see if they could fundraise a part payment, in order to reduce the amount by which their loan would increase.

At this stage, the Club is not in a position to make a payment of a portion of the amount owed upfront and have agreed to the variation of the loan to cover their total contribution to the remedial works.

The total of \$54,777 (plus interest) that the club would be required to repay equates to four additional loan payments, at the level the Club currently pays. A revised payment schedule has previously been provided to the Club and correspondence received from the Club's manager indicates that they have agreed to this.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Walsh, seconded Cr Angers

THAT Council authorise the Mayor and Chief Executive Officer to sign an amendment to the loan agreement with Sea View Golf Club, which:

- 1. Increases the loan principle by \$54,777 as at 31 May 2015 representing the Club's contribution to the remedial works required;**
- 2. Includes four additional payments, being three additional full payments and one final payment of \$19,359; and**
- 3. Sees the loan period extended to 06 October 2025 from 06 October 2023.**

Carried 6/0

Cr Downes returned to the meeting at 7:06pm.

10.4.3 EXECUTION OF JETTY LICENCE – COTTESLOE BEACH

File Ref: SUB/1947
Attachments: [Jetty Licence](#)
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Mat Humfrey
A/Chief Executive Officer
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

A jetty licence for Cottesloe Beach, necessary for the installation of a trial shark barrier, is being presented for consideration.

BACKGROUND

In October 2014, Council considered the report *Proposal for a Trial Shark Barrier – Cottesloe Beach* and resolved to “seek approval from the Department of Lands to lease the area bounded by the Eco Shark Barrier for a three year period during the trial”.

Officers have consulted with the Department of Lands who have advised that it is necessary for the Town to obtain a licence for the installation of the Eco Shark Barrier. As part of the licence application process, the Town must obtain a jetty licence from the Department of Transport. Officers have been successful in applying for a jetty licence. However, it is necessary for the jetty licence to be executed by the Mayor and Chief Executive Officer (CEO) under common seal, before the jetty licence takes effect.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 9.49A

FINANCIAL IMPLICATIONS

The jetty licence is subject to a minimal annual licence fee (\$38.66) which can be met within existing operational budgets.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Officers have consulted with the Department of Lands, Department of Transport and Eco Shark Barrier Pty Ltd in regards to the application for a jetty licence.

STAFF COMMENT

It is recommended that Council approve the execution of the jetty licence by the Mayor and CEO under common seal, in order to progress the Town's application for a licence to install a trial shark barrier at Cottesloe Beach.

The attainment of the jetty licence does not obligate the Town to proceed. If the remaining conditions regarding the installation of the barrier, as resolved by Council, are not met, then the licence will lapse and have no further effect. However, as there is a delay between applying for and getting approval of the licence, it is seen as prudent to have the licence in place so that the barrier can be installed if all the other conditions are satisfied.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Mayor Dawkins requested an update on the installation of the trial shark barrier. The Acting Chief Executive Officer advised that the Town has been informed that the shark barrier requires the approval of the Western Australian Planning Commission, as the barrier will be installed in a reserve that is of a unique nature and is heritage listed.

Cr Angers queried if the State Government had indicated whether it will assist in funding the trial shark barrier. Mayor Dawkins commented that the advice from the Premier was the funds may be set aside for Councils to apply for shark deterring measures and if that is the case, the Town would have to apply for the funds.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Downes

THAT Council:

- 1. Authorise the Mayor and Chief Executive Officer to execute the attached jetty licence for Cottesloe Beach under common seal; and**
- 2. Authorise the Mayor and Chief Executive Officer to execute documents required for the installation of a trial shark barrier at Cottesloe Beach.**

Carried 7/0

10.4.4 NATIONAL SKIN CANCER SCREENING ACTION WEEK FREE MOBILE SCREENING INITIATIVE

File Ref: SUB/1929
Attachments: [Event Application Form Melanoma WA](#)
[Mobile Screening Site Plan](#)
[Example of Mobile Clinic](#)
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Sherilee Macready
Community Development Officer
Proposed Meeting Date: 19 May 2015
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 16 November to Saturday 21 November 2015, between 6.00am and 6.00pm daily, as part of the 2015 National Skin Cancer Action Week.

BACKGROUND

In 2014, Melanoma WA gained approval from the Town to set up their first 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 17 November to 21 November 2014, during the 2014 National Skin Cancer Action Week, 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 450 members of the public visiting the unit during its operation. Of those screened, 78 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. Melanoma WA was founded in 2008 by Clinton Heal, who was diagnosed with melanoma in 2005 at the age of 22. Clinton was a Young West Australian of the Year award winner in 2011, and in 2014 received the John Curtin Medal, receiving both awards for his contributions in raising the profile of melanoma awareness and prevention in the West Australian community. He is also recognised by the medical sector as an appropriate champion for melanoma awareness.

Organisers are seeking approval for their second Lion's Cancer Institute Inc free mobile skin screening unit initiative to take place at Cottesloe Beach foreshore, from Monday 16 November through to Saturday 21 November 2015.

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.

Three 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 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 (15 – 21 November 2015) and its activities.

Organisers have indicated that they may invite interested local media 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 Downes

THAT Council approve the application to hold the 2015 Skin Cancer Action Week Lions Cancer Institute mobile skin screening initiative at Cottesloe Beach foreshore, from Monday 16 November to Saturday 21 November 2015, 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; and**
- 6. Compliance with requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**

Carried 7/0

**10.4.5 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2014
TO 30 APRIL 2015**

File Ref: SUB/1878
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the Statutory Financial Statements and other supporting information to Council for the period 1 July 2014 to 30 April 2015.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Statement of Financial Activity on page 1 of the attached Financial Statements shows favourable operating revenue of \$392,165 or 4% more than year to date budget. All material variances are detailed in the Variance Analysis Report on pages 7 to 11 of the attached Financial Statements. Operating expenditure is \$104,640 or 1% more than year to date budget. Capital expenditure, which is detailed on pages 29 to 32, is \$400,076 or 23% more than year to date budget. The main factor contributing to this is the cost involved to develop the former depot site.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Downes

THAT Council receive the Statutory Financial Statements including other financial information as submitted to the 19 May 2015 meeting of the Works of Corporate Services Committee.

Carried 7/0

10.4.6 SCHEDULES OF INVESTMENTS AND LOANS AS AT 30 APRIL 2015

File Ref: SUB/1878
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present to Council the Schedule of Investments and the Schedule of Loans as at 30 April 2015, as included in the attached Financial Statements.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 22 of the attached Financial Statements shows a balance of \$11,332,093.08 as at 30 April 2015. Approximately 33% of the funds were invested with Bankwest, 29% with National Australia Bank, 21% with Westpac Banking Corporation and 17% with the Commonwealth Bank of Australia.

The Schedule of Loans on page 23 of the attached Financial Statements shows a balance of \$5,147,372.01 as at 30 April 2015. Included in this balance is \$256,620.19 that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Downes

THAT Council receive the Schedule of Investments and the Schedule of Loans as at 30 April 2015. These schedules are included in the attached Financial Statements as submitted to the meeting of the Works and Corporate Services Committee on 19 May 2015.

Carried 7/0

10.4.7 LIST OF ACCOUNTS PAID FOR THE MONTH OF APRIL 2015

File Ref: SUB/1878
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present to Council the list of accounts paid for the month of April 2015, as included in the attached Financial Statements as presented to the meeting of the Works and Corporate Services Committee on 19 May 2015.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The list of accounts paid for the month of April 2015 is included on pages 12 to 18 of the attached Financial Statements. The following significant payments are brought to Council's attention:

- \$412,009.55 & \$76,557.54 to the Australian Taxation Office for the monthly Business Activity Statement.
- \$36,863.64 to All Firm Pty Ltd for paving works at Napoleon Street.
- \$28,380.00 to B & B Waste Contractors Pty Ltd for a green waste collection.
- \$34,478.40 to the Department of Local Government to return unspent grant funds.

- \$30,344.28 to Surf Life Saving Western Australia for the monthly lifeguard contract.
- \$70,000 to Sculpture by the Sea for two new sculptures.
- \$68,337.35 to Perthwaste Green Recycling for waste collection/disposal services.
- \$105,411.87 to Roads 2000 for various road works.
- \$85,020.43 & \$88,264.67 to Town of Cottesloe Staff for fortnightly payroll.
- \$500,000.00 to National Australia Bank being transfers to reserves.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Downes

THAT Council receive the list of accounts paid for the month of April 2015 as included in the attached Financial Statements, as submitted to the 19 May 2015 meeting of the Works and Corporate Services Committee.

Carried 7/0

10.4.8 RATES AND SUNDRY DEBTORS REPORTS AS AT 30 APRIL 2015

File Ref: SUB/1878
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present to Council the Rates and Sundry Debtors Reports as at 30 April 2015, as included in the attached Financial Statements as submitted to the meeting of the Works and Corporate Services Committee on 19 May 2015.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 24 to 26 of the attached Financial Statements shows a total balance outstanding of \$162,431.27 as at 30 April 2015. Of this amount, \$54,777.00 relates to a non current loan debtor with a community organisation, and of the remaining balance \$49,058.65 is under sixty days old with the balance of aged debtors being \$58,595.62.

The Rates and Charges Analysis on page 27 of the attached Financial Statements shows a total balance outstanding of \$378,076.48 of which \$185,293.94 and \$61,761.48 relates to deferred rates and outstanding emergency services levies

respectively. The Statement of Financial Position on page 4 of the attached Financial Statements shows total rates outstanding as a current asset of \$242,381 as compared to \$205,428 this time last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Downes

THAT Council receive the Rates and Charges Analysis Report and Sundry Debtors Report as submitted to the 19 May 2015 meeting of the Works and Corporate Services Committee.

Carried 7/0

Cr Pyvis declared a financial interest in items 10.4.9 due to her request to attend the conference and left the meeting at 7:07PM.

10.4.9 CONFERENCE ATTENDANCE - LIVEABLE CITIES ICTC MAINSTREET 2015

File Ref: SUB/1250
Attachments: [ICTC Conference Brochure Program](#)
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Lydia Giles
Executive Officer
Proposed Meeting Date: 19 May 2015
Author Disclosure of Interest Nil

SUMMARY

The ICTC Conference Mainstreet 2015 will host over 80 speakers from around the world who will cover topics including Urban Regeneration, Design, Place Making, Planning and Economic Development. This year's conference will be held in Wollongong on the 21 – 24 July 2015 and Councillor Sally Pyvis is seeking Council to approve the registration fee for a one day attendance on 22 July to attend the conference.

BACKGROUND

Regular attendance at national level conferences allows the Elected Members to stay abreast of issue relevant to the development of the Town, especially in creating a liveable and lovable places.

The 15th ICTC Conference Mainstreet and 5th National Mainstreet Australia Conference is the biggest joint industry event of 2015.

The program includes renowned speakers from the US, UK, Canada, Australia and New Zealand, Cross-disciplinary concurrent sessions, interactive sessions–workshops, panel sessions and special interest group (SIG) meetings and Trade exhibition–with the latest industry products.

STRATEGIC IMPLICATIONS

Regular attendance at conferences for Councillors will foster knowledge and skills, and supports the Town's strategic outlook.

POLICY IMPLICATIONS

The Town's policy on Conferences, Seminars and Training applies. The policy recommends the following expenses for approved conferences should be met by Council:

(a) Registration fees;

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance within the existing budgets for elected member conferences and training (\$555).

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

The Councillor has consulted and received support from management.

STAFF COMMENT

Planning for growth within the Town and adapting to changes is crucial. This conference is aimed for Elected Members who have interest in planning, urban design, and development. The conference will look at what the Town can do this in a rapidly changing climate.

As there is no travel or accommodation expenses to be met (Cr Pyvis is meeting these costs herself), this represents exceptional value for the Town. It will allow for a fresh prospective and alternate ideas to be raised and discussed.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Cr Jeanes

THAT Council APPROVE the attendance of Councillor Pyvis at the ICTC Conference Mainstreet 2015 in Wollongong on 22 July 2015, and request a report on the conference to be provided within two months of attending the event.

Carried 6/0

Cr Pyvis returned to the meeting at 7:07pm

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

Nil

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

Nil

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****MOTION FOR BEHIND CLOSED DOORS**

Moved Mayor Dawkins, seconded Cr Downes

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

Carried 7/0

Members of the media were requested to leave the meeting at 7:08 PM

MOTION TO SUSPEND STANDING ORDERS

Moved Cr Jeanes, seconded Cr Downes

Cr Jeanes moved that Standing Orders be suspended.

Carried 7/0

Mayor Dawkins declared an impartiality interest in items 13.1.1 due to living close to the proposed development. She stated that as a consequence there may be a perception that her impartiality may be affected and declared that she would consider the matter on its merits and vote accordingly.

13.1.1 EXECUTION OF DEED OF AGREEMENT – CONSTRUCTION OF CROSSOVER TO PROPOSED LOT G (506) AVONMORE TERRACE (DEANE STREET) COTTESLOE

File Ref: 2842
Responsible Officer: Mat Humfrey
A/Chief Executive Officer
Author: Doug Elkins
Manager Engineering Services

Proposed Meeting Date: 25 May 2015
Author Disclosure of Interest: Nil

PURPOSE

This report recommends that Council note the information contained in the confidential officer report in relation to the execution of deed of agreement – construction of crossover to proposed lot g (506) Avonmore Terrace (Deane Street) Cottesloe and endorses the Officer recommendation.

BACKGROUND

Refer to the confidential report attached.

STRATEGIC IMPLICATIONS

Refer to the confidential report attached.

POLICY IMPLICATIONS

Refer to the confidential report attached.

STATUTORY ENVIRONMENT

Local Government Act 1995 – s5.23 – Closing meeting to the public.

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
 - (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
 - (a) *a matter affecting an employee or employees;*
 - (b) *the personal affairs of any person;*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
 - (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

FINANCIAL IMPLICATIONS

Refer to the confidential report attached.

STAFFING IMPLICATIONS

Refer to the confidential report attached.

SUSTAINABILITY IMPLICATIONS

Refer to the confidential report attached.

CONSULTATION

Refer to the confidential report attached.

STAFF COMMENT

As the content of the report contains information that meets the conditions set in the Local Government Act 1995 s5.32(2)d, it is recommended that the meeting be closed to the public whilst considering this item.

VOTING

Absolute Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Cr Angers

THAT Council;

- 1. authorise the Mayor and Chief Executive Officer to execute a Deed of Agreement, under common seal, for the construction of a crossover to proposed Lot G (506) Avonmore Terrace (Deane Street), generally in accordance with the draft Deed of Agreement attached.**
- 2. does not support further subdivision of the proposed Lot G (506) Avonmore Terrace (Deane Street).**

Carried 7/0

MOTION FOR BEHIND CLOSED DOORS

Moved Mayor Dawkins, seconded Cr Downes

“That Standing Orders be reinstated and in accordance with Standing Orders 15.10, that the meeting be re-opened to members of the public and media”.

Carried 7/0

Media returned to the meeting at 7:58PM

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

The Mayor read aloud the Council resolution for item 13.1.1 to the media.

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 7:58 PM.

CONFIRMED MINUTES OF 25 May 2015 PAGES 1 – 50 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

.....

DATE: / /